



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, MONDAY, APRIL 30, 2007

No. 69

## Senate

The Senate met at 2:45 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the State of Virginia.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Today, Lord, we come to You offering our gratitude. Thank You for the light of day and the dark of night, for the hills and the sea, for the open roads and the wind on our faces. Thank You for dedicated lawmakers who take seriously their stewardship of influence and affluence, men and women who know that to whom much is given, much is required. Thank You for giving us hands which work, eyes which see, ears which hear, minds which think, memories which remember, and hearts which love. Thank You also that we are preparing ourselves for another greater life, one where all our questions will be answered and all our hopes realized. Lord, make us aware of all of Your gifts.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 30, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the State of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. WEBB thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, the Senate will be in a period of morning business until 4:15, with Senators allowed to speak therein for up to 10 minutes each. At 4:15 the Senate will begin consideration of the FDA authorization. The chairman and ranking member, Senators KENNEDY and ENZI, have worked very hard to get the bill here. They did great work over the weekend. Two very important issues that would have made this bill much more complex, it appears, have been worked out. I hope that is the case. One deals with drug reimportation; the other deals with biomedicine. We think they have worked that out. Time will tell.

There will be no rollcall votes today. There will be a vote probably prior to the recess tomorrow. If we don't have something on the FDA bill, we have a Federal district court judge we need to vote on and we can get that out of the way.

The FDA legislation is extremely important. It appears we have the opportunity to do some bipartisan work in that regard.

### MEASURE PLACED ON THE CALENDAR—H.R. 493

Mr. REID. I understand H.R. 493 is at the desk and is due for a second reading; is that correct?

The ACTING PRESIDENT pro tempore. The clerk will read the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

Mr. REID. I object to any further proceedings at this time, Mr. President.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

### EMERGENCY SUPPLEMENTAL

Mr. REID. Mr. President, last Thursday a bipartisan majority of the Senate passed H.R. 1591. A conference report is basically what it was. This bill will be sent to the President's desk tomorrow. I have and will continue to encourage the President to set aside his veto threats and sign the bill. Our conference report honors and provides for our courageous men and women in uniform. It addresses emergencies Americans face at home while the war in Iraq rages, and makes our country more secure by charting a new course in Iraq so we can return our focus to the global challenges that lie ahead. This is a good and responsible bill. It will begin the long process of leading us out of a war that has cost so many American lives and so much treasure. It not only represents the will of Congress but also the will of the American people, who call for a new course, and the expertise of the military experts who tell us this war can only be won politically, not militarily, including the commander on the ground there, General Petraeus, who said exactly that, the war cannot be won militarily.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5261

Regrettably, the President declared he would veto this bill even before Congress completed action on it. He has been talking about this for several weeks. As conditions on the ground continue to deteriorate, that position has become increasingly isolated. In the face of this continued deterioration, this Congress stands firm with the American people. We are resolved to do what we can to see if the President will change course. We ask the President to listen to Congress, to the American people, and to his own military experts.

The President requested \$91.5 billion for continued military operations in Iraq and Afghanistan. We provided every penny of that request and much more for the military. We provided, in addition, funds for emergencies here at home such as rebuilding the gulf coast, recovering from agricultural disasters, repairing gaps in homeland security, and keeping the children healthy and insured. Most importantly, we provided a way forward to end the war in Iraq responsibly.

The way forward is consistent with what our military leaders are telling us, including General Petraeus, who repeated again last week on several occasions that this war can only be won politically, not militarily. The plan, and the conference report that will be sent to the President tomorrow, immediately transitions the U.S. mission away from policing the civil war, begins a phased redeployment of our combat troops no later than October 1, 2007, with the goal of removing all forces by April 1, 2008, imposes tangible, measurable, and achievable benchmarks on the Iraqi Government, launches the kind of diplomatic, economic, and political offensive the President's strategy lacks, and rebuilds our overburdened military.

Today we renew our call to President Bush. There is still time to listen. There is still time to come to grips with the facts on the streets of Baghdad and throughout Iraq. There is still time to sign this bill and change course in Iraq. In the 4 days since we passed the conference report, new facts have come to light that make our call for a new direction even more urgent.

This past weekend the United States death toll in Iraq for April now is at 104, with all reported deaths not yet known, making it the deadliest month of the year and one of the deadliest of the entire war. That bears repeating. Despite the President's claims of progress, this has been one of the deadliest months of this 4-going-on-5-year war.

Also this weekend the Special Inspector General for Iraq Reconstruction released his quarterly report that paints a dispiriting picture of our \$20 billion rebuilding efforts. It was all over the news; today all over America. The report concludes that rebuilding efforts are falling far short of their targets. As a result, after more than 4 years of these efforts, Iraq is "plagued by power

outages, inadequate oil production, and shortages of clean water and health care."

The report also tells us that despite spending more than three-quarters of our allocated funds to increase electricity production, Iraq's power grid now produces far less electricity than before the invasion, with Baghdad averaging 6.5 hours of electricity per day, down from almost 24 hours before the war. The report tells us that despite spending nearly 2 billion American dollars, our efforts to provide Iraqis with clean drinking water are falling miserably short. This report tells us oil production, a critical component of any future stable Iraq economy, is still way off target.

President Bush continues to ask for our patience and continues to boast of progress, but this report gives us no reason to believe conditions for the Iraqi people are improving any more than they are for our troops. This morning the Washington Post reported that Iraq's Prime Minister al-Maliki is behind the removal and disruption of the duty of some of the Iraqi Army and police force's top law enforcement officials. Why? The apparent reason for the dismissal is they are doing a good job of combating violent Shiite militias. This has "angered U.S. and Iraqi leaders who say the Shiite-led government is sabotaging the military to achieve sectarian goals."

It is yet another reason for us to seriously question whether the Iraqi Government has the ability or even desire to make the political compromises so essential to ending the conflict.

Finally, this weekend, of all places, the Portland, ME Press Herald published an editorial. This is one of many from around the country. They wrote:

It is time to bring our troops home from Iraq. This stand represents a shift in the newspaper's editorial position. Until now, we have supported the military mission in Iraq, though at times we have been harshly critical of President Bush in his role as commander in chief. Now, it is our opinion that major U.S. military operations should cease . . .

It seems as though every day new facts emerge that give us ever greater insight into the astonishing disaster unfolding in Iraq. Just 4 days since the Senate passed the supplemental conference report, the four grim new facts I mentioned have emerged, and this is only the latest and not all of the latest.

The President wonders why the American people have lost patience. It is because the news out of Iraq grows worse by the day. When we send the supplemental conference report to President Bush tomorrow, we ask that he take time to reflect on the fact of that veto. We ask him to listen again to the American people. From Maine to California, from Minnesota to Florida, we ask him to listen to the American people and his own military experts. We ask that he finally summon the courage to admit he made mistakes and take the steps we propose to heal

the grave wounds caused by this war. This bill gives him a path forward. We ask him to follow it.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### SUCCESS IN ANBAR PROVINCE

Mr. McCONNELL. Mr. President, my good friend the majority leader neglected to mention the front-page story in the New York Times yesterday about the extraordinary success our troops are having in Anbar Province, the center of much of the al-Qaida activity in Iraq, with Sunni sheikhs, tribal leaders coming together to support, not just verbally but in terms of supplying military personnel, fighters to take on al-Qaida in Anbar Province. It is a piece of good news in admittedly a cloudy picture in Iraq. It is also the case, I am confident, that a majority of Democrats in both the House and Senate believe that funds should be supplied for the troops. That certainly has been the view of the chairman of the Armed Services Committee, CARL LEVIN. Hopefully, we will find a way forward after the bill that regrettably has the surrender date in it tomorrow is sent down to the President and vetoed. Beginning Wednesday, we will be discussing how to go forward. The majority leader and I have had some preliminary discussion about that. Hopefully, we can resolve this matter in the very near future to provide the funding for the troops so General Petraeus's mission, for which we confirmed him 81 to nothing, will have the resources to be completed later this year.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 4:15, with Senators permitted to speak for up to 10 minutes each.

The Senator from Arizona.

#### IRAQ

Mr. KYL. Mr. President, speaking on the same matters addressed by both the majority and minority leader, I remind our colleagues that last week this body passed by a very narrow margin what amounts to a strategy for defeat in Iraq. This course of action was not a surprise. After all, the majority leader had announced to the world that the war was lost. This, of course, was news