



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153

WASHINGTON, WEDNESDAY, MAY 16, 2007

No. 81

Senate

The Senate met at 9 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

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

Let us pray.

Almighty God, we come to You in our weakness and seek Your strength. Our knowledge is insufficient; we seek Your guidance. Our doubts assail us; we seek Your faith. Our fears taunt us; we seek Your courage. Our energy is often depleted; we seek Your power. Our emotions betray us; we seek Your discipline. Our temptations conquer us; we seek Your grace. Our burdens weaken us; we seek Your help. Our lives are often too empty; we seek Your joy.

Lord, give our lawmakers this day Your guidance, power, courage, faith, discipline, grace, help, and joy.

Lord, we ask, too, that You would comfort the King and Falwell families during their time of grief. We pray in Your comforting Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN 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, May 16, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CARDIN 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, this morning the Senate will immediately resume consideration of H.R. 1495. The debate will continue until 10:30 on the four pending Iraq-related amendments.

The debate time until 10:30 is equally divided and controlled between the two leaders, with the final 20 minutes shared by the two leaders. I will have the last 10 minutes of that 20-minute period.

There will be 2 minutes of debate prior to each vote. After the first vote, the remaining votes in sequence will be limited to 10 minutes. I hope Members would not leave the Chamber area during the votes as time for the votes will have to be strictly enforced. Since these amendments are first-degree amendments, except for the Feingold amendment, Members have until 9:30 this morning to file any germane second-degree amendments.

Once these Iraq-related amendments are disposed of, then the managers of the water resources legislation hope to shortly conclude the entire legislation. I hope that can be the case.

With the cooperation of the Senate last night, we have moved the cloture vote on the motion to proceed to the immigration legislation until Monday, May 21. This will allow negotiations to continue for a few more days.

I mentioned that a lot of work is needed to be done this week, including

the supplemental appropriations bill and the budget resolution. We have other things we are working on to get ready for next week. We have so much to do, Mr. President.

Also, last night, with the cooperation of the Republican leader and the rest of the Senate, we forged a path for the consideration of these two items, these two items tomorrow, the budget and the WRDA matter. So I, again, thank the Members for their cooperation.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that following my sitting down, Senator BIDEN have 4 minutes of our time; Senator BOXER, 3 minutes; Senator FEINGOLD, 3 minutes; Senator KENNEDY, 4 minutes; Senator LEAHY, 4 minutes; Senator LEVIN, 4 minutes; Senator MURRAY, 3 minutes; Senator REED, 3 minutes—that is REED of Rhode Island—Senator TESTER, 3 minutes; and Senator WHITEHOUSE, 3 minutes. We should have enough time to cover all that. If not, I will yield a minute or so of my time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I also ask that the quorum calls be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

WATER RESOURCES DEVELOPMENT ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1495, which the clerk will report.

The legislative clerk read as follows:

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



Printed on recycled paper.

A bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

Boxer-Inhofe amendment No. 1065, in the nature of a substitute.

Reid (for Levin-Reid) amendment No. 1097 (to the language proposed to be stricken by amendment No. 1065), to provide for military readiness and benchmarks relative to Iraq.

Reid (for Feingold-Reid) amendment No. 1098 (to amendment No. 1097), to provide for a transition of the Iraq mission.

Warner-Collins amendment No. 1134 (to the language proposed to be stricken by amendment No. 1065), relative to the President's strategy in Iraq.

McConnell (for Cochran) amendment No. 1135 (to the language proposed to be stricken by amendment No. 1065), to express the sense of the Senate that Congress must send to the President acceptable legislation to continue funds for Operation Iraqi Freedom and Operation Enduring Freedom by not later than May 28, 2007.

AMENDMENT NOS. 1098, 1097, 1134, AND 1135

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 10:30 a.m. shall be equally divided between the majority and the Republican leaders or their designees for debate prior to the votes on the motions to invoke cloture on the following amendments: amendment No. 1098, offered by the Senator from Wisconsin, Mr. FEINGOLD; amendment No. 1097, offered by the Senator from Michigan, Mr. LEVIN; amendment No. 1134, offered by the Senator from Virginia, Mr. WARNER; and amendment No. 1135, offered by the Senator from Mississippi, Mr. COCHRAN.

Mr. REID. Mr. President, the desk should get their clocks out because I am going to suggest the absence of a quorum and that time will have to run equally from both sides. So each time that I have allotted will be reduced by whatever time the people don't show up here to get in their remarks.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll of the Senate.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the 2 minutes that remain allocated to Senators WHITEHOUSE and LEAHY be allocated to me for my presentation.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IRAQ AMENDMENTS TO WRDA

Mr. FEINGOLD. Mr. President, as we speak, more than 150,000 brave American troops are in the middle of a violent civil war in Iraq, with more troops on the way. Meanwhile, the President has repeatedly made it clear that noth-

ing—not the wishes of the American people, not the advice of military and foreign policy experts, not the concerns of members of both parties—will discourage him from pursuing a war that has no end in sight.

Congress cannot wait for the President to change course—we must change the course ourselves. Iraq's problems will not be solved by an open-ended, massive U.S. military engagement. And our own national security will be weakened until we bring this war to a close.

That is why I am pleased to join the majority leader and Senators DODD, WHITEHOUSE, SANDERS, LEAHY, KERRY, KENNEDY, BOXER, WYDEN and HARKIN in introducing an amendment to bring this war to a close. Our amendment, which is the same as the Feingold-Reid bill, would require the President to begin safely redeploying U.S. troops from Iraq within 120 days of enactment, and would require redeployment to be completed by March 31, 2008. At that point, with our troops safely out of Iraq, funding for the war would be ended, with three specific and limited exceptions: protecting U.S. infrastructure and personnel; training and equipping Iraqi security forces; and, perhaps most important, conducting “targeted operations, limited in duration and scope, against members of al-Qaida and other international terrorist organizations.” By enacting Feingold-Reid, we can finally focus on what should be our top national security priority—defeating al-Qaida.

Some have suggested that cutting off funds for the war could mean cutting off funds for the troops. They would have people believe that, under my approach, our brave troops will be left to fend for themselves in Iraq, without training, equipment, or resources.

Nothing could be further from the truth. Using our power of the purse to end our involvement in the war would in no way endanger our brave servicemembers. By setting a date after which funding for the war will be terminated—as this amendment proposes—Congress can ensure that our troops are safely redeployed without harming our troops, as we did in Somalia in 1993.

While Feingold-Reid is not the only amendment we are considering, it is the only amendment that would bring this war to a close. I regret to say that the Levin-Reid amendment accomplishes very little, once the President gets through certifying and waiving whatever he needs to certify and waive to keep his policies in place.

Levin-Reid and the Warner amendment would ensure that Congress receives more reports on Iraqi progress in meeting benchmarks. We don't need reports to tell us that the President's policy isn't working. And we don't need reports to show us that our continued military presence in Iraq is a mistake, one that the American people overwhelmingly oppose. It is long past time for benchmarks, let alone benchmarks

that aren't tied to meaningful consequences. Feingold-Reid will move us toward ending the war. Levin-Reid will move us backward.

As long as the President's Iraq policy goes unchecked, our courageous troops will continue to put their lives on the line unnecessarily, our constituents will continue to pour billions of their dollars into this war, our military readiness will continue to erode, and our ability to confront and defeat al-Qaida will be jeopardized. I urge my colleagues to support Feingold-Reid and oppose Levin-Reid.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to proceed as in morning business for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRIBUTE TO POLICE CORPORAL BRUCE MCKAY

Mr. GREGG. Mr. President, I rise to express the sorrow of the people of New Hampshire and myself and Kathy, on the passing of Corporal Bruce McKay, who died in the line of duty as a police officer in Franconia, New Hampshire, last Friday, May 11.

This is a traumatic event for us as a State and as this is the second time within a year a police officer has been shot in New Hampshire and died. To lose two of these gentlemen who were so extraordinary in the span of a year is truly a sad and difficult event for us as a State.

Corporal McKay was, like so many police officers, just an exceptional individual who did his job of protecting us, of being out there on patrol, making sure that we are safe in our homes and going about our business on a daily basis. Corporal McKay worked in a very small town, the idyllic and pastoral town of Franconia, NH, a place where people go to get away from the hustle and bustle and threat and difficulty of the urban American lifestyle. It's right up in the mountains of New Hampshire, just past Franconia Notch, one of our most famous and beautiful spots. It is a place where many people have come to write and to live and movie stars and Supreme Court justices have retired there.

It is not a place where you'd expect a violent act like this to occur. But doing his job on patrol, making what appeared to be a routine stop, he was attacked and shot to death by the individual he pulled over. This is a trauma not only for our State and for the Town of Franconia, especially, but even more

overwhelmingly for his daughter, Courtney, and his parents, Bruce and Catherine, and our sympathies and prayers go out to them.

We thank him for his service. We thank all officers of the law who put their lives on the line every day and serve us and give us the protection and safety which is so important to our lives.

On behalf of Kathy and me, and to the extent I can, the people of New Hampshire, we express our condolences and our sympathies to his family during this extraordinarily difficult time. His service will be tomorrow. I had hoped to attend it, but unfortunately, the budget will be here on the floor tomorrow and as the ranking Republican on the budget, I feel it is my responsibility to be here to represent the Republican position on that bill. Our hearts and prayers go out to him and his family, and we send his family all our support during this very difficult time.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Rhode Island is recognized for 3 minutes under a previous consent order.

Mr. WHITEHOUSE. Mr. President, American troops must come home from Iraq. Because more than 3,000 of our men and women have lost their lives, and tens of thousands more have returned home wounded, American troops must come home from Iraq.

Because hundreds of billions of America's tax dollars have been sunk into the sands and marshes of Iraq, with much of that funding lost to waste, fraud, or abuse by those who have neither Iraq's nor America's best interests at heart, America's troops must come home from Iraq.

Because the public records of this conflict—reflected in the many retired generals who have spoken out against the conduct of the war, and the many books and articles chronicling its planning and execution—reveal catastrophic mistakes and misjudgments that have raised serious questions about this administration's very capacity for leadership, American troops must come home from Iraq.

Because that same administration misused and distorted intelligence, arguing that America should go to war on the basis of information that proved to be untrue or highly misleading, American troops must come home from Iraq.

Because despite the millions of Americans who joined together to call for a new direction in Iraq, this President chose instead to escalate the con-

flict, American troops must come home from Iraq.

Because the President and Vice President and their political allies would rather pick a political fight with this Congress, using false rhetoric, such as "micromanaging" and "precipitous withdrawal," than answer tough questions from the American people, American troops must come home from Iraq.

Because the prospect of our troops' redeployment is the single most powerful force at our disposal to galvanize unity and cooperation among the Iraqi factions and effect real change, American troops must come home from Iraq.

And because even after all this, this President still refuses to listen to the American people and stubbornly fails to give this country the change of course it demands, it is up to this Congress to act to bring American troops home from Iraq.

Some claim this strategy is risky, but the greater risk by far would be to fail to seize the opportunity a redeployment of our troops presents us. To announce clearly to the world that American troops will soon leave Iraq will change the dynamic there in a positive way. It may be the only way we can change the dynamic there in a positive way. It will give us the chance to renew and rebuild diplomatic ties in the region and around the world that have been so badly damaged by this President and this President's war, and restore America's prestige and standing among our friends. It will send a signal to the insurgents who foment violence in Iraq that they will no longer be able to use the United States military presence as a recruiting tool for extremists, and it will motivate efforts by the Iraqis to secure and stabilize their Nation.

It will give the Iraqis the impetus to step forward and do the things our military leaders say they must do for the surge to succeed—things they have been disgracefully slow in doing, such as passing a hydrocarbon law to allow equal sharing of oil revenues among all Iraqis, and measures to facilitate elections, as an example.

It will give our country the time and resources to restore our extraordinary military to the strength and level of readiness our troops deserve. And it will give us the freedom and the resources to look to the many challenges that still confront us here at home, from soaring gas prices to a broken health care system.

To achieve all these things, we must take the first step. We must make it clear we will bring our troops home from Iraq. The measure offered by Senator FEINGOLD, with the support of the distinguished majority leader, is a smart strategy. It has a responsible schedule and it will be an effective step to repair what the President has left broken.

It would require the President to redeploy our troops from Iraq by March 31, 2008. After that date, funds would

only be available for three specific limited purposes.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent for an additional 15 seconds.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITEHOUSE. The limited purposes for funding would be: targeted counterterrorism operations, protecting United States infrastructure and personnel, and training and equipping Iraqi security forces.

This plan gives our troops in the field the resources they need today and a strategy that is worthy of their service as they look to tomorrow. I urge my colleagues to support the Feingold-Reid amendment.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator is recognized for 3 minutes under a previous unanimous consent order.

Mrs. BOXER. Mr. President, last November, the American people voted to end the President's one-man show in Iraq. I think the Chair understands that very well, given that he was victorious in November, and a lot of the questions surrounded what are we going to do about Iraq, this terrible failed policy.

Today, we have an amazing opportunity, and I thank Senator REID for giving us that opportunity, to vote to end this war now, and to do it in a way that is responsible, to do it in a way that is gradual, to do it in a way that makes a lot of sense.

The Feingold amendment essentially shifts the mission away from a combat mission to a support mission. It is very clear the President will get the funding he needs for the following things. Our troops will be funded to go after al-Qaida. After all, that was the primary purpose we declared after 9/11, and I voted to go to war to get al-Qaida, and to get bin Laden. Then the administration took a U-turn and got us off course into Iraq.

Our military has been superb. They have done everything they have been asked to do, from searching for those weapons of mass destruction, ascertaining there were none; and then, apparently, the mission wasn't done. The President said, get Saddam. They got Saddam. Oops, the mission still wasn't done. After that, he said, get his family members and show them on television and show the people we mean business. But the mission still wasn't done.

Then there were three elections in Iraq, to give the Iraqis a chance to choose their own leaders. We train and train and train Iraqi soldiers and police, where there are now about 300,000. If they can't defend and protect their own country, if they do not love the chance to have freedom as much as we love it for them, then I say it is time to change this mission. Keep on going after al-Qaida. Yes, you can keep training those troops if they need our help in that, and force protection. Those would be the missions. The Feingold amendment gives us this chance.

The President has derided any attempt Congress has made to end this war. He says, why should politicians get involved with this? Well, let me say why I think the Senate should get involved. Because it is our constituents, just as it is the President's constituents, who are dying in Iraq. In front of my office door I have these large boards that list the names of the dead, and 21 percent of the dead were either born in California or they were based in California—21 percent. So I will not allow this President to tell me I have no right to try to end this war. I have every right to try to end this war, and I will stand shoulder to shoulder with my colleagues, as I did from day one when 23 of us said this war was a bad idea.

Mr. President, I ask unanimous consent to have an additional 1 minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, our Nation is grieving over this war. Every day when we wake up and turn on the TV or the radio, we don't know what other horror is befalling our troops. We have a country in Iraq where 70 percent of the people want us out of there, where a broad majority says it is OK to kill or wound an American soldier, where maybe 50-plus percent of the Iraqi Parliament says we should get out on a timetable.

It is pretty simple. When I was a kid, my mother said, don't go where you are not wanted. Enough is enough. We have given and given and given, in blood and in treasury. So I proudly stand before the Senate urging my colleagues to do the right thing, to vote for responsible redeployment, a responsible end to this war, and join me in voting for the Feingold amendment.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized for 4 minutes under a previous consent order.

Mr. KENNEDY. Mr. President, I strongly support the Feingold-Reid amendment on Iraq. This is a defining moment in our debate on this misguided war. We in Congress have a choice. We can continue the administration's failed policy and guarantee that even more American troops will die in Iraq's bloody civil war. Or we can finally exercise our "power of the purse" and begin to bring this disas-

trous war to an end by linking the requirement to withdraw our combat troops from Iraq by next March to a prohibition on spending.

We all must face up to the fact that Congress must use the power of the purse to force an end to the war, and the sooner we do so, the better.

It is wrong for the Congress to continue to defer to Presidential decisions that we know are fatally flawed.

The American people know this war is wrong, and it is wrong to abdicate our responsibility by allowing this war to drag on longer while our casualties mount higher and higher.

For more than 4 long years, the President's assertion of unprecedented power has gone unchecked. This amendment reclaims our responsibility under the Constitution as a co-equal branch of Government, with specific powers of our own on issues of war and peace.

Congress can exercise its authority to redirect or terminate an ongoing conflict in two ways. It can enact specific limits on the scope of the conflict, and it can use the power of the purse to deny funding for all or parts of a conflict.

Congress has followed that path in prior wars, and we must follow it today. During the Vietnam war, Congress repealed the Gulf of Tonkin Resolution of 1964, which many of us felt had been misused to justify the escalation of America's involvement in Vietnam. Congress also prohibited the reintroduction of troops into Cambodia after President Nixon's escalation of the war. We went on to cap the number of American troops in Vietnam, and we eventually cut off funding for the war when the President left us no alternative.

Exasperated by the actions of successive Presidents Johnson and Nixon on the Vietnam war, Congress enacted the War Powers Act in 1973 over President Nixon's veto. The act requires Presidents to consult with Congress before placing troops in harm's way, seek authorization to keep them there, and continue consultation as the conflict goes on.

This congressional assertion of power in matters of war and peace resonates loudly today.

Opponents of our efforts to bring the Iraq war to an end have mischaracterized any use of this congressional power as an abandonment of our soldiers on the battlefield. Nothing could be further from the truth.

No responsible legislator would take any action that endangers our troops. In fact, using congressional authority to force a change of course in Iraq and begin to bring our troops out of Iraq's civil war is the best way to protect our troops.

Requiring a change of course by using the "power of the purse" or taking other action will not mean taking equipment and supplies away from our troops. We will avoid the mistake the President made in sending our troops

into Iraq without adequate armor and without a plan to win the peace. There is no reason for Congress now to shy away from exercising the full range of its constitutional powers.

President Bush should not be permitted to continue his disastrous policy of sending more and more American troops to die in the quagmire of Iraq's civil war.

Because the President refuses to bring this war to an end, we in Congress must put on the brakes ourselves and stop the madness. We must require the administration to begin to bring our troops home to the hero's welcome they have earned.

The failure of our policy is abundantly clear to anyone who honestly looks at the facts.

Despite the addition of tens of thousands of American troops, and the ongoing presence of more than 150,000 American soldiers in Iraq, political reconciliation remains as difficult as ever to achieve.

Our troops continue to be vulnerable targets for the insurgents in what has been the longest period of high casualty rates since the war began. Sectarian violence in Baghdad continues. Attacks within the international zone in Baghdad are increasing. Violence is spreading out of Baghdad and increasing elsewhere in Iraq. Iraqis are demonstrating in the streets against America's occupation. Legislation pending in the Iraqi Parliament would require a timetable for the withdrawal of U.S. forces from Iraq.

The Iraqi people want a timetable for the withdrawal of our military. The American people want a timetable. Only the President continues to stubbornly refuse to adopt one.

It is time for President Bush to listen to the Iraq Study Group, the Iraqi people, Congress, and the American people, and work with us to bring our troops home.

The ACTING PRESIDENT pro tempore. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, among the four amendments this morning will be one submitted by me, together with my principal cosponsor, Senator COLLINS. The purpose of this amendment is to require the administration to keep the Congress well informed. The situation in Iraq changes almost daily. Our losses continue. In my judgment, it is the responsibility of every Member of the Congress to keep well versed on this situation, keep in mind the perspectives with regard to the strategy as enunciated by the administration, and maintain their own individual opinions about that strategy and how this operation is going. Daily, each of us must consult with our constituents. Regrettably, almost weekly many of us have to speak with families of the loved ones they have lost or those who have been seriously injured.

There are several parts to the amendment I put forward. I thank many Senators who worked with me—indeed,

both sides of the aisle, together with their professional staffs. The first part of the amendment goes through extensive findings, principally acknowledging the extraordinary heroism and bravery of the men and women wearing the uniform of our country, together with our coalition partners and the families who stand behind them. They unquestionably have performed in a manner consistent with the finest traditions of the professionalism of the U.S. military.

The findings also address the historical progress of the Iraqi Government in its formation, but also raises questions of the several benchmarks, benchmarks which were selected and composed by the Iraqi Government, announced by that government, and their commitments to trying to meet those benchmarks.

Taken together, I think it is very important that our strategy in Iraq be put in a position where it reflects in many respects the degree of success in meeting these benchmarks and, if these benchmarks are not met, then such changes as our President desires to make from his strategy as announced on January 10 of this year.

We, in this amendment, recite as the benchmarks that are most serious his forming a constitutional review committee and then completing the constitutional review; enacting and implementing legislation on debaathification; enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq without regard to sect or ethnicity of recipients; and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner.

That is sort of a description of the basic category of these benchmarks. Then we go on to require the President of the United States to report on how this sovereign Government of Iraq is or is not achieving progress toward accomplishing the aforementioned benchmarks, and shall advise the Congress on how that assessment requires or does not require changes to the strategy announced on January 10, 2007.

Among the reports required, the President shall submit an initial report in classified and unclassified form to the Congress not later than June 15, 2007.

I purposely selected that date because our schedule reflects that this body will go into a recess for much of August. I think it is absolutely imperative every Member have the benefit of the latest possible assessment of the performance or nonperformance by the Iraqi Government of these benchmarks, as well as the situation in Iraq. So the President will do that on July 15, assessing the status of each of the benchmarks.

Next, the President, having consulted with the Secretary of State, Secretary of Defense, the commander of the mul-

tinational forces, General Petraeus, and Admiral Fallon, will prepare a report and submit to the Congress his findings. If the President's assessment of any of the specific benchmarks established above is unsatisfactory, the President shall include in that report a description of such revisions to the political—not just the military but the political, the economic, regional, and military components of the strategy as announced by the President on January 10, 2007.

In addition, the President shall include in the report the advisability of implementing such aspects of the bipartisan Iraq Study Group report as he deems appropriate. That was a very valuable report. I think it has provided a considerable number of guideposts that have been embraced by Members of this body.

Then the President shall submit a second report not later than September 15, 2007, following the same procedures and criteria enunciated above. The reporting requirement of the Armed Services Committee bill of last year will be waived through September 15 so as not to have duplication. Then testimony before the Congress. Prior to the submission of the President's second report on September 15, 2007, and at a time to be agreed upon by the leadership of the Congress and the administration, the U.S. Ambassador to Iraq and the commander of multinational forces, General Petraeus, will be made available to testify in open and closed sessions before the relevant committees of our Congress. There again, we get their independent report followed by that of the President.

We also place some limitations on the availability of the nonmilitary funding in this appropriations bill, such that the President can restrict that funding in those instances where he believes, first, there is more than adequate funding in the pipeline already and therefore it doesn't require the additional expenditure of funds; or, second, the Iraqi Government has substantial cash in their reserve accounts that could be applied to the nonmilitary aspects. Further, the President is given waiver authority with regard to the benchmarks so the flow of these funds is tied in some respects, again, to the performance of the benchmarks.

We also put a section in this report requiring the redeployment of our forces in such circumstances as the sovereign Iraqi Government, having taken actions consistent with their Constitution, should call upon the United States and other partners of the coalition forces to withdraw certain elements of their troops—respecting, once again, and placing upon them the obligation to fulfill the responsibilities of sovereignty.

Also, we put in this amendment requirements for independent analysis of much of the same material that is being reviewed by the administration. While we have over the years, for ex-

ample, trained for now 2½ to 3 years, some 325,000 Iraqi armed forces and police, what is the ability of that trained group, such as it is, to take up more and more of the responsibility in the fighting, and particularly that fighting that relates to sectarian violence?

For that purpose, we have two parts. The first addresses the Comptroller General. He is being requested to make an assessment of all of the benchmarks as to whether they have been met or not met. Second, we appropriate a sum of money to fund an independent organization and a very senior, well-respected, retired, four-star officer to head up a military, professional assessment by the retired community, of the Iraqi forces. I think that is a pivotal part of this amendment. I just hesitate to think why any Member could vote against a provision saying that we need a fresh, new, independent assessment of the capabilities or lack of capabilities of the Iraqi security forces. That is in here.

Mr. President, I urge colleagues to carefully consider this amendment.

It is for their benefit to keep them informed, both requiring the administration to come forward with timely reports and testimony and, secondly, two independent organizations, one the Comptroller General to give an assessment of benchmarks and, second, that we have an organization well known to all of us here, a private sector organization to give support to a senior, highly respected uniform retired four-star general to make an assessment of the military capabilities of the Iraqi forces.

Again, I thank my colleagues. I particularly thank my principal cosponsor, the Senator from Maine, for her diligent effort throughout the preparation of this amendment as well as the previous initiatives we have taken on this floor over the past 2 months with respect to the President's policy, particularly the surge policy.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I shall be very brief, not only because the distinguished senior Senator from Virginia has done a superb job of describing the initiative we have brought before the Senate but also because I have a commitment to testify very shortly before another committee on yet another important issue. But I do wish to comment briefly on one of the provisions that is included in Senator WARNER's proposal, a provision I consulted with many of our colleagues on and brought forth to the senior Senator from Virginia and suggested be included. He agreed and has placed it within his amendment.

This provision conditions the release of reconstruction funds to progress on the benchmarks that are included in the Warner-Collins amendment. These benchmarks include making progress on debaathification, making progress in passing and implementing an oil revenues distribution bill, making

progress and producing trained and equipped Iraqi security forces, and overall for the Iraqi Government to make more progress toward the political reconciliation that is absolutely essential to quelling the sectarian violence that now engulfs Baghdad. It includes, therefore, provisions and benchmarks not only on debaathification but also on holding provincial elections, something that would help lead to the integration of more Sunnis into the Government power structures.

It is important that there be consequences for the Iraqi Government if those benchmarks are not met, and the best way is to condition the release of billions of dollars of reconstruction assistance—assistance for which the American taxpayers are footing the bill—on whether the Iraqi leaders are making progress in meeting the benchmarks. If they are not making progress in meeting the benchmarks, then I think we should not release the reconstruction funds. This would have definite consequences, and I believe it is appropriate that we link it to reconstruction funds.

None of us wants to—or very few of us want to cut off the essential training and equipping funds for Iraqi troops, much less American troops. So I do not support an alternative amendment which will be offered today which would simply cut off funds. I don't think that is responsible. That is a disservice to the brave men and women who are fighting so hard in Iraq. I want to make sure our troops have everything they need—the training, the equipment, and the support to carry out their dangerous mission.

I also want to make sure the Iraqi troops have the training and the equipment they need, but I share the frustration of the former chairman of the Senate Armed Services Committee that we have been training Iraqi troops and equipping them for years, some 300,000 troops, and yet we still find that the Iraqi security forces are not able to take the lead in very many operations, and that is very disturbing to me. It is one of the reasons I strongly support Senator WARNER's proposal for an outside review by a distinguished non-partisan group led by retired GEN Jim Jones to assess the capabilities and the readiness of the Iraqi forces. That is a very important provision as well.

Mr. WARNER. Mr. President, on that point, will the Senator yield?

Ms. COLLINS. I will be happy to yield.

Mr. WARNER. We worked together on this provision for some time. It has been 2 months in the making. I supplied it to several colleagues in the House, notably JIM MORAN, who is on the Appropriations Committee. They seized it and, verbatim, this provision with regard to establishing an ability to have, independent of the Pentagon, an assessment of the Armed Forces and security forces in Iraq is in the House appropriations bill now going into conference. So I believe it is imperative

that we, this body, likewise put that provision in our Senate bill.

I thank my colleague.

Ms. COLLINS. Mr. President, I thank the Senator from Virginia for his clarification and that good news about the reception on the House side.

The ACTING PRESIDENT pro tempore. The minority time has expired.

Ms. COLLINS. Mr. President, I ask unanimous consent for 30 seconds more.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. I thank the Chair.

Mr. President, my support for our operations in Iraq is neither open-ended nor unconditional. I believe the Warner-Collins amendment takes important steps toward accountability, and I hope it will have the support of the majority of Members in this body.

Mr. DODD. Mr. President. I want to take a few brief moments to explain why I supported the Feingold-Reid-Dodd amendment this morning, and why I opposed the other two amendments offered before this body.

While I would have preferred a stand-alone vote on the Feingold-Reid-Dodd bill, as I think we owe the American people and our brave men and women in uniform unequivocal support for changing our mission in Iraq, I am nonetheless still pleased that we at least had a cloture vote on this amendment.

As my colleagues know, the language in this amendment was almost identical to the language in the stand-alone Feingold-Reid-Dodd bill, which I strongly endorsed. This amendment would have mandated that the phased redeployment of U.S. combat forces from Iraq begin within 120 days, and set a deadline of March 31, 2008 for the completion of that redeployment. It allowed for continued counter-terrorism operations, force protection, and training and equipping of Iraqi security forces. Reid-Feingold represented the only responsible way to force the President to change his flawed policy in Iraq.

I deeply respect Senator WARNER and the leadership that he has demonstrated for many decades in the Senate, but I could not in good conscience vote for his amendment. The Warner amendment would have done nothing to force a change in mission, it would not have held the Bush administration or the Iraqi Government accountable, and it would not have started the process of redeploying our forces from Iraq. Instead, it would have allowed the President to waive any restrictions, just as he has waived the advice from the Baker-Hamilton Commission, and just as he has ignored the will of the American and Iraqi people.

I had absolutely no objection to the resolved clauses of Senator COCHRAN's amendment, which stated that "It is the sense of the Senate that Congress should send legislation to the President providing appropriations for Oper-

ation Iraqi Freedom and Operation Enduring Freedom in a manner that the President can sign into law by not later than May 28, 2007." In fact, Congress already sent President Bush a robust supplemental funding bill and the President chose to veto it. Moreover, the Feingold-Reid-Dodd amendment provided funding for these critical missions and was wholly "in a manner that the President can sign it into law by not later than May 28, 2007."

But, in Senator COCHRAN's amendment, this language was preceded by inaccurate statements. These statements claim that "funds previously appropriated to continue military operations in Operation Iraqi Freedom and Operation Enduring Freedom are depleted." This is simply not true. The Congressional Budget Office estimates, and the Pentagon confirms, that there is enough funding to last through mid-summer.

It is my hope that in the coming days, the Senate will continue to seek meaningful ways to bring about a responsible and urgent change in the President's failed policy in Iraq. I look forward to working with my colleagues to do just that.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 3 minutes in leader time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, today we face an awesome vote, a historic vote in the Senate. It is a vote about this war in Iraq. It is an issue which consumes this Senate and this Nation. We have lost 3,400 soldiers, over 30,000 returned home injured, some with serious, grievous disabilities and injuries they will battle for a lifetime. We have spent over \$500 billion, and there is no end in sight.

This morning, the White House announced that the President has finally found a general who will accept the responsibility for the execution of this war. Why did four generals before him refuse this assignment? Because those four generals know, the American people know, and this Senate knows that the administration's policy in Iraq has failed.

Our soldiers have not failed. They have risen again to the challenge. They have exhibited such courage and bravery. They have shown the kind of sacrifice that wins over the hearts of generation after generation of American people. But the Iraqis failed to lead their own nation, and the situation in that country is in disarray.

Now is the time for the Senate to speak directly, honestly, decisively. This war must end. Our troops must come home. The Iraqis must accept responsibility for their future.

The Feingold-Reid amendment, which will be before us today, may not be adopted, but it will be adopted at

another time on another day. At some future moment, after we have buried more of our fallen heroes, after we have cared for those thousands returning with injuries, after the Iraqis have broken our hearts again with their interminable fighting, their interminable civil war, and their lack of leadership in their nation, then we will act. But today is the day when we should act.

I respect very much my colleague from Virginia, Senator WARNER. He is one of the few on that side of the aisle who have spoken out suggesting that these policies must change. I don't believe his amendment achieves all that we need to achieve today. It sets benchmarks but gives the President the power to waive those benchmarks and the requirements that come with them. Sadly, we know what this President will do. Just as with the sweep of a veto pen he swept away our bipartisan effort to start a timetable to end this war, he will sign a waiver and continue on for the next 18, 19 months with this war with no end in sight.

Mrs. BOXER. Will the Senator yield for a question?

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mrs. BOXER. I ask for 1 minute off the leader's time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I thank my friend for his very articulate statement. I so agree with what he said. I want to make it clear to my colleagues, and I want to make sure my colleague agrees, that of all the options which will be before us, all well-intentioned, all worked on so diligently—some of my colleagues are here who did that—is it not a fact that the only one that will guarantee a change in the status quo is the Feingold amendment because all the others really lead right back to where we are today because the President is given total leeway to decide exactly what to do? Am I correct on that point, that if we want change, you have to vote for the Feingold amendment, if you want to end the war?

Mr. DURBIN. Mr. President, in response to my colleague from the State of California—and I thank her for her leadership—there is only one amendment today which will end this war, there is only one amendment today which will start to bring these troops home, there is only one amendment which will make it clear to the Iraqis that this is their country and their responsibility. The Feingold-Reid amendment is the amendment which will finally start bringing this war to an end.

How many more soldiers do we have to bury? How many more do we have to bring into our military and veterans hospitals? How many more thousands of innocent Iraqis have to die before we finally accept our responsibility to bring this war to an end? We can do it today. We should do it today. I urge my colleagues to support the Feingold-

Reid amendment, and I urge all of them to understand the gravity of this decision. This is not about politics. This is about the life and death of great heroes in America who continue to step forward and risk their lives for this Nation.

I ask unanimous consent to be added as a cosponsor to the Feingold-Reid amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Michigan is recognized for 3½ minutes.

Mr. LEVIN. Mr. President, a little more than 6 weeks ago, the Senate passed a supplemental appropriations bill relative to the war in Iraq. It contained provisions relating to the readiness of U.S. forces, such as ensuring U.S. military units are fully mission capable, that they are not deployed for combat beyond a year in the case of the Army, 7 months in the case of the Marines; that they are not redeployed for combat if the unit has been deployed within a year for the Army and 7 months for the Marines. The vetoed bill provided for a Presidential waiver of those limitations.

The vetoed bill also contained a very essential provision regarding troop reductions—first, a troop reduction requirement that would commence on October 1. That is the heart of the bill that was vetoed. We will commence finally to reduce the number of troops in Iraq instead of adding to the troops, instead of adding more military, instead of looking to a military solution, finally recognizing that there is no military solution, there is only a political solution in Iraq, and that it is up to the political leaders in Iraq to reach that conclusion.

We must put pressure on them, and the only way I know to put pressure on the Iraqi leaders is to tell them that the future of their country is in their hands, that we cannot save them from themselves, and for us to change the course by beginning to reduce the number of troops in a nonprecipitous way and to do that beginning in 180 days.

What that amendment did on the supplemental was also set a goal for the remainder of the troops who are going to be removed. Except for the limited missions that were set up, it set a goal to do that. It was not set in stone as to the precise moment all the troops would have to leave, and it avoided using the funding mechanism. We did that on purpose. We want to send a message to the troops that troops in Iraq, whatever they are, whatever are left, whatever are going to be removed that have not been removed at the exact moment in the Feingold amendment—troops are going to be supported.

We are going to support these troops. We are not going to use a funding mechanism to cut off funding for our troops. That was the way to go. We got 51 votes in the Senate for that approach. It was vetoed by the President.

Now we have an amendment that is pending. This amendment would provide essentially the same provisions: protecting our troops, funding our troops but also initiating the beginning of the reductions that are so essential to forcing the Iraqis to step to the plate and resolving their political differences.

This amendment that is pending, however, contains a waiver. The waiver provision in this amendment has caused some concern understandably. The only purpose for the waiver provision the President was given in this pending amendment was in order to avoid a veto, to get the funds there.

However, it will not avoid a veto. The security advisor to the President has told me that, as a matter of fact, the President still opposes it, although he has a waiver authority in this amendment. Because of that, it does not serve its purpose of avoiding a veto.

Because there is some confusion as to the waiver provision, as to whether there is any intent to weaken what we did when we passed the supplemental, I ask unanimous consent that I be allowed to withdraw my amendment. I understand it has been cleared on the other side. I ask unanimous consent to withdraw the amendment and that closure be vitiated.

Mr. REID. After the Feingold vote.

The ACTING PRESIDENT pro tempore. Without objection, the order will be effective after the first cloture vote.

Under the previous order, the next 10 minutes is reserved for the Republican leader.

The Senator from Virginia.

Mr. WARNER. Mr. President, I again wish to address the amendment I have put forward together with Senator COLLINS. I realize there is a provision in here with regard to a waiver, and that relates to the President's ability to redirect funds that are nonmilitary. But I say to my colleagues that while that particular section of this bill was amended at the last minute, the other sections absolutely remain strong and essential to keep this body informed; namely, the two independent studies, one to be performed by retired military with respect to the proficiency, capability, professional abilities of the Iraqi security forces; and, secondly, the one that requires the General Accounting Office to give an opinion with regard to the compliance or noncompliance of benchmarks.

So in this amendment, yes, I still think there is a lot of strength and validity to the provisions regarding the restriction of funds to be expended by our Government in terms of the non-military spending. The other portions of this bill remain strong and should earn the support of all colleagues who wish to be kept advised of this ever-changing situation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, it is my understanding that there is time remaining for the Republican leader. Is that right?

The ACTING PRESIDENT pro tempore. The Republican leader has 7½ minutes remaining.

Mr. REID. On my side, how much time do we have?

The ACTING PRESIDENT pro tempore. Five minutes.

Mr. REID. Mr. President, is Senator COCHRAN going to use some of the 7½ minutes?

Mr. COCHRAN. I am happy to use whatever time is available to support my amendment.

Mr. REID. There is 7½ minutes. Mr. President, what I would ask—the reason I am asking my friend from Mississippi is, we have had a lot of confusion here today with amendments being withdrawn and a lot of people wanting to speak.

The chairman of the Foreign Relations Committee has been waiting to speak. I would be happy, if it is convenient to the Republicans, to give 3 more minutes to the minority and allow Senator BIDEN to speak for 3 minutes. Would that be permissible?

Mr. COCHRAN. That is perfectly all right with me.

Mr. REID. Mr. President, I ask unanimous consent that that be the case.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I hope the Senate will be able to support my amendment. It is a sense-of-the-Senate amendment. There are certain findings that are made in the amendment. But it all comes down to saying that the Senate should give the President what he has asked for, in terms of supplemental appropriations to fund the activities in Iraq that would protect our soldiers, that would put into the field new equipment and armaments that would help us reduce the level of casualties, make it less likely that American soldiers are going to die on the battlefield.

We don't need to continue to drag this out. This request has been submitted to the Senate, to the House, and it still has not been approved. People want to add everything to it. We have had a lot of suggestions about amendments that should be put on the supplemental.

What this sense of the Senate says, basically, is the Congress should approve the funding requested by the President at the earliest possible date. We know that that may take a few days, but it should not take any longer than that. So I am hopeful that Senators, after expressing their views on the war, expressing their views on whatever else they want to put in this legislation, keep focused on what the real need is and what the request is; it is supplemental funding to replace funds that have been exhausted in the regular fiscal year appropriations to add what the military needs.

I have a letter from Secretary Gates which specifically says:

The situation increases the readiness risk of our military with each passing day. Should the Nation require the use of these forces prior to the equipment becoming available, the funding delay negatively impacts our forces in the field by needlessly delaying the accelerated fielding of new force protection capabilities, such as the mine-resistant ambush-protected vehicle, and counter-IED technologies.

So my hope is the Senate will approve my amendment and let's get on with supporting the President's initiative to bring this war to a successful conclusion.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized for 3 minutes.

Mr. BIDEN. Mr. President, we are about to vote on a bunch of amendments. The two amendments on the Democratic side, one having been withdrawn, are designed to do one thing that is straight forward: Instead of focusing our military on the much more—on being engaged in this civil war, they are intended to focus on a limited mission, a much more limited mission that is in our national interest that we can achieve with far fewer troops: Combatting al-Qaida and like-minded terrorist groups and continuing to train Iraqi troops.

I am not crazy about the language in the Feingold amendment. But I am crazy about the fact that we have got to keep the pressure on. The fact is, with every passing day, the situation in Iraq gets worse, and the President refuses to change course, continuing to dig us deeper and deeper and deeper in a hole.

The most important thing we can do, and I compliment the Democratic leaders for this, is keep pressure, keep pressure on the President. Now, why pressure on the President? Quite frankly, he is not going to change. The only way, with all due respect to my Republican friends, is to put pressure on them so they start voting for the troops and not for the President.

The fact is, as a number of my colleagues have mentioned in the news on the Republican side—I will not name any of them—they basically told the President: Mr. President, you have got until September. Well, between now and September, a lot more people are going to die in the midst of a civil war that don't have to die in the midst of a civil war if we change the mission.

So this is all about keeping pressure. So every single day the public picks up the paper and sees that we are trying to change the President's course of action in Iraq. In turn, hopefully, they will speak to their Democratic and Republican Senators and Representatives and say: Make him change.

Because until we get 67 votes, we are not going to be able to change his God-awful war. This war is a disaster. So what my friend, Senator FEINGOLD, is doing is making a very valuable contribution. I am going to vote for closure so we can continue to debate this issue and continue to put pressure on.

Starting to get our troops out of Iraq and getting most of them out by early next year is what we have in the original legislation the President vetoed, which is the preferable way to go, in my view.

But obviously we do not have the votes to overcome that veto, so we are trying to put something else on the table. But as important as beginning to bring our troops home, with a reasonable prospect of ending their presence in Iraq, it is equally important to have a plan for what we are going to leave behind, so we do not trade a dictator for chaos in a region that will undermine our interests for decades.

So we have to have a plan to bring stability to Iraq when we leave, and that requires a political solution. In the interests of time, I will not attempt to discuss that, I will do it at a later date. But I compliment my friend from Wisconsin for continuing to keep the pressure on. This is all about, in my view, getting the 67 votes to be able to override the President's veto and ending this God-awful mess that he has us in and continues to dig us deeper and deeper and deeper into.

I yield the floor.

The ACTING PRESIDENT pro tempore. There remains now a little over 8 minutes of the Republican time.

Mr. REID. Mr. President, I think the Republican leader wants to take 1 minute. No? If you would yield that back.

Mr. WARNER. I yield back the time on this side.

Mr. COCHRAN. Mr. President, I am pleased to ask unanimous consent to yield that back.

The ACTING PRESIDENT pro tempore. The time being yielded back, there remains now 5 minutes on the majority side.

Mr. REID. Mr. President, if I exceed the 5 minutes, I will use my leader time.

The Congress and the President are on the eve of a very important negotiation about the administration's failed policy in Iraq. Does anyone dispute that it has been a failed policy? Does anyone dispute that it has been a failed policy? I don't think so.

But there is one simple question that negotiators will be wrestling with: After more than 4 years of a war in Iraq, costing Americans more than 3,400 lives, tens of thousands wounded, a third of them grievously wounded, we have more than 2,000 double amputees in this war, head injuries like we have never seen before, approaching a trillion dollars in taxpayers' expenditure for this war.

Sadly, there is no end in sight. Isn't it time for the administration to change course? Now, Nevada is struck and struck very hard with the fact that one of our brave soldiers from Nevada may be a hostage or some say a prisoner of war. This is new experience even in Iraq.

The votes we are about to cast this morning will give every Member the

opportunity to tell the American people, the White House, and the Congressional negotiators where they stand on critical issues.

House and Senate Democrats stand with General Petraeus. General Petraeus says the war cannot be won militarily. There can only be a political solution, which my friend from Michigan, the chairman of the Armed Services Committee has been saying for almost 2 years. The administration and the leaders in Iraq have not listened to CARL LEVIN.

We stand united, we Democrats and a couple of stalwart Republicans, in our belief that our troops are enmeshed in an intractable civil war, that we are pursuing a failed strategy that is making us less secure, not more secure, and that it is time to begin a responsible, phased redeployment.

We stand united in our efforts to get the administration to change course but do so now, immediately. The President's policy is not working, and it is not working for so many reasons.

The present path is not sustainable. The facts on the ground are certainly not encouraging. Everyone, today, look at USA Today. The attacks are up. The deaths are up, both of Iraqis and Americans; the injuries are up of both Iraqis and Americans.

Despite the fourth surge in U.S. forces since the start of the war, attacks on our troops have not decreased. The monthly casualty rate since the onset of the surge is close to the highest level we have seen since the start of this war. About three American soldiers are killed every day on average. Since the beginning of the surge, 300 Americans have been killed. I don't know how many have been injured but thousands. Meanwhile, the Iraqi Government remains in a dangerous stalemate—no oil law; no law on de-Baathification; no constitutional amendments. This paralysis has further fueled the sectarian violence, and our troops are caught in the middle. They protect the Sunnis. Our troops protect the Shia, protect the Kurds. In the process, they are all shooting at our troops.

The U.S. mission grows further and further disconnected from our strategic national interest. Instead of focusing on training, counterterrorism, and our regional interests, U.S. forces are patrolling Baghdad's streets, still kicking down doors, increasingly vulnerable to snipers, kidnappers, improvised explosive devices, and other acts of terror. American forces have done everything we have asked of them, and more. They toppled a dictator and helped pave the way for a new government. It is now up to the Iraqi political leaders, after 4 years, to step up to the plate and fight for their own nation. Again, as our leader on the Armed Services Committee, Senator LEVIN, has said on many occasions: Take off the training wheels. The Iraqi Government has to do that.

Our troops, their families, and the American people deserve an exit strat-

egy, instead of extending tours from 12 to 15 months, putting further strain upon our men and women in uniform. It is long past time to transition the United States mission in Iraq and begin a responsible, phased redeployment.

The Feingold-Reid amendment does just that. It achieves that goal. The amendment calls for the phased redeployment of our troops to begin within 120 days. It doesn't call for withdrawal—phased redeployment. After April 1, 2008, the sixth year of the war in Iraq—think about that—it would still permit U.S. forces to remain in Iraq conducting force protection, training, and targeted counterterrorism missions. As Senator BIDEN said: Go after the real bad guys.

I appreciate the efforts of my friend, the senior Senator from Virginia, former chairman of the Armed Services Committee, but I say after more than 4 years of a failed policy he has watched, as I have, his amendment is very tepid, very weak, a cup of tea that has been sitting on the counter for a few weeks. You wouldn't want to drink that tea. You wouldn't want to vote for this amendment. If you look in the dictionary under "weak," the Warner amendment would be listed right under it. I have the greatest respect for Senator WARNER. I know he is trying to stick up for his President. Senator WARNER has served this country honorably for more than 40 years. But the situation in Iraq is grave and deteriorating. It requires actions, certainly not more reports, especially those without consequences. I will vote against the Warner amendment and I hope everyone votes against it. It is nothing.

The Cochran amendment, offered by my friend with whom I have had the good pleasure of serving in Congress for 25 years—he is a fine man and a real patriot; he has served this country so well for so long—I don't necessarily agree with every word and assertion the Senator included in his amendment, but I do agree with its thrust; namely, the White House and the Congress have an obligation to our troops to move quickly and complete action on the supplemental spending bill. But I do say to my friend from Mississippi: The President has asked for money. But for the first time in more than 4 years of this war, he has to deal with this constitutional body that was provided to our country by our Founding Fathers, called the Congress. It is another branch of Government. He has to deal with us. That is why there are negotiations prior to getting the President a conference report.

Had I drafted this amendment, I would have asked more of the White House than simply the Congress write a blank check to this administration. Too many blank checks have been given to this President, and look what we have as a result. It is important we deliver our troops a strategy that is worthy of their sacrifice. I would also

have made improving their readiness a priority. What do people who have the military experience in this body focus on? Senator WEBB of Virginia, Senator JACK REED of Rhode Island, they focus on readiness; that is, how are the troops being taken care of, how are they being rotated? JIM WEBB, as we know, served gallantly in battle. He knows what it is to send troops into battle without proper readiness. He is concerned about that. We don't have enough about readiness, certainly, in the Cochran amendment.

We were going to have another vote on the Levin amendment. Basically, as I said to the Presiding Officer late last night, it was the amendment that went to the President and he vetoed it. The Levin amendment is the same thing except we gave the President waivers. You would think that would be a step in the right direction. But we have heard from all types of administration officials as late as last night: We will veto that. So we will make it easier for them. We are not going to go ahead and offer that. We will stand on the merits of what we sent to the President before.

Regardless of the outcome of today's votes, I want everyone listening to know that if my Republican friends choose to stick with a failed policy, congressional Democrats will take this fight up at the first available opportunity. We know we have to get a bill to the President, a conference report. We are going to do that. But there are other measures that are going to be moving through this body quite quickly—defense authorization, for example. We are going to continue focusing, as Senator BIDEN said, on the President's failed strategy. Our troops and their families deserve no less.

Look what is going on now. Is the Commander in Chief fulfilling his obligations? We were told with this most recent surge that General Petraeus would be the guy who would take care of things over there. But he has told us we can't win militarily. Now today we read in the paper that General Lute is going to be the czar. The czar? What about that? Whose job is he taking? Is he taking General Petraeus's job? Is he taking President Bush's job? What is next in the continual march of the President's failed policy?

We must change course. That is why I am going to proudly vote for the Feingold-Reid amendment.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that we retrieve 4 minutes of the time.

Mr. REID. I object.

Mr. WARNER. I wish to address the very harsh criticism of my distinguished friend and leader.

Mr. REID. I will be happy to yield 2 minutes to the Senator from Virginia. I will then use 2 minutes to respond.

Mr. WARNER. I say to my friend, I have worked on this amendment. I spent a good deal of time in the office

of colleagues on the other side of the aisle yesterday, incorporated several provisions in this amendment at their request. I say it was a good-faith effort to do my very best to point out the need for this Senate and the Congress as a whole to get the most timely flow of information available to us, both from the President and from two independent groups. I say when you get a man of the stature of General Jones, who is willing to go out and work with private sector organizations to make a professional assessment of the military of Iraq, that, I say to my friend, the distinguished leader of the Democratic side, is not weak tea. That is a commitment by a very brave, credible American to try to help this institution, the Congress, have a better understanding about the viability and the professional capabilities of the Iraqi armed forces.

I yield the floor.

Mr. REID. Mr. President, let me be very clear: I in no way suggested my friend from Virginia didn't act in good faith. That is the story of his life. I just say, another study? Look at the one in the newspapers today. They studied what is going on in Iraq today with the explosive devices—the people getting killed and maimed and injured. How many more studies do we need? The study that has already been completed in the minds of the American people is to change course in this civil war. We have too many people being killed and injured in that war. The course needs to change. I care a great deal about my friend from Virginia, but that doesn't take away from the fact that I have to call his amendment what I think it is. It is my opinion it is weak.

AMENDMENT NO. 1098

The PRESIDING OFFICER. Under the previous order, there is 2 minutes evenly divided on the Feingold amendment.

The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Feingold-Reid amendment would finally bring this disastrous war to a close by safely redeploying our troops from Iraq by March 31, 2008.

We can't afford to keep ignoring the rest of the world while we focus solely on Iraq. By redeploying our troops from Iraq, we can create a more effective, integrated strategy to defeat expanding terrorist networks whether they be in Afghanistan, Somalia, Algeria, Morocco, or even here at home.

It is time to end a war that is draining our resources, straining our military and undermining our national security, and the way to do that is by using our power of the purse to safely bring our brave troops out of Iraq. That is what the Feingold-Reid amendment does.

Over 6 months ago, the American people voted to bring this war to a close. Today, by passing the Feingold-Reid amendment, the Senate can finally do the same thing.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Virginia.

Mr. WARNER. Mr. President, we feel the matters directed in the Feingold amendment have been addressed repeatedly by the Senate, and the Senate has spoken its will and rejected those concepts.

I yield the floor and urge my colleagues to vote against the Feingold amendment.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Feingold amendment No. 1098 to amendment No. 1097 to H.R. 1495, the Water Resources Development Act.

Russell D. Feingold, Harry Reid, Barbara Boxer, Amy Klobuchar, Sheldon Whitehouse, Ted Kennedy, Patty Murray, Richard Durbin, Bernard Sanders, Daniel K. Inouye, Christopher Dodd, Ron Wyden, John Kerry, Debbie Stabenow, Ben Cardin, Jim Webb, Charles E. Schumer, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1098, offered by the Senator from Wisconsin, Mr. FEINGOLD, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. TESTER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 29, nays 67, as follows:

[Rollcall Vote No. 167 Leg.]

YEAS—29

Akaka	Feinstein	Mikulski
Biden	Harkin	Murray
Boxer	Inouye	Obama
Byrd	Kennedy	Reid
Cantwell	Kerry	Sanders
Cardin	Klobuchar	Schumer
Clinton	Kohl	Stabenow
Dodd	Lautenberg	Whitehouse
Durbin	Leahy	Wyden
Feingold	Menendez	

NAYS—67

Alexander	Bingaman	Carper
Allard	Bond	Casey
Baucus	Brownback	Chambliss
Bayh	Bunning	Coburn
Bennett	Burr	Cochran

Coleman	Inhofe	Rockefeller
Collins	Isakson	Salazar
Conrad	Kyl	Sessions
Corker	Landrieu	Shelby
Cornyn	Levin	Smith
Craig	Lieberman	Snowe
Crapo	Lincoln	Specter
DeMint	Lott	Stevens
Domenici	Lugar	Sununu
Dorgan	Martinez	Tester
Ensign	McCaskill	Thomas
Enzi	McConnell	Voinovich
Graham	Murkowski	Thune
Grassley	Nelson (FL)	Vitter
Gregg	Nelson (NE)	Warner
Hagel	Pryor	Webb
Hatch	Reed	
Hutchison	Roberts	

NOT VOTING—4

Brown	Johnson
Dole	McCain

The PRESIDING OFFICER. On this vote, the yeas are 29, the nays are 67. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

AMENDMENT NO. 1098 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, cloture not having been invoked on the Feingold amendment, it is withdrawn.

AMENDMENT NO. 1097 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the Levin amendment No. 1097 is withdrawn, and the cloture motion thereon is withdrawn.

AMENDMENT NO. 1134

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to the cloture vote on amendment No. 1134 offered by the Senator from Virginia, Mr. WARNER.

Who yields time?

Mr. WARNER. Mr. President, I yield such time as the distinguished Republican leader requires.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, the Senate on a bipartisan basis overwhelmingly rejected the notion of a surrender date. We now have an opportunity to vote for a proposal by Senator WARNER which I will allow him to describe that strikes me to make a lot of sense. I am going to allow him to describe the provisions of it, but I would urge a vote for the Warner amendment.

Mr. WARNER. Mr. President, the amendment embraces provisions which provide the ability for the Senate—indeed, the Congress as a whole—to become better advised with regard to the President's position on the compliance or noncompliance with the benchmarks, as well as an independent group headed by the former commandant of the Marine Corps, General Jones, as to the proficiency and the professional ability of the Iraqi security forces.

Secondly, another provision allows the GAO to give an independent analysis to the Congress on the Iraqi Government's achievement or nonachievement of the benchmarks. This is an amendment to help keep us informed. So when we proceed—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WARNER. To go on the August recess, we will be better equipped to deal with this question on the public's behalf and to tell our constituents our own individual feelings about this controversial issue.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. DURBIN. Mr. President, let me say at the outset how much I respect the gentleman from Virginia. I thank him for his leadership time and again thank him for all he has given to this country.

I rise in reluctant opposition to this amendment and I want my colleagues to know why. Within this amendment which establishes benchmarks is a provision giving the President of the United States the power to waive. What does it mean? The same pen the President used to veto our bipartisan timetable to start bringing the troops home will be used to make this proposal a nullity. It will not achieve the goals we want to achieve.

Unless and until the Congress convinces this President to change his policy and does it in forceful terms, this war will continue with no end in sight.

I urge my colleagues not to support this amendment that is before us, cloture on this amendment, because, frankly, giving the President a waiver is a guarantee nothing will change.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending Warner amendment No. 1134 to H.R. 1495, the Water Resources Development Act of 2007.

Mitch McConnell, Judd Gregg, Richard Burr, Mike Crapo, John Cornyn, Lisa Murkowski, Susan M. Collins, John Warner, Orrin G. Hatch, Craig Thomas, Larry E. Craig, John E. Sununu, Pete V. Domenici, James M. Inhofe, Trent Lott, John Thune, Christopher S. Bond.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1134, offered by the Senator from Virginia, Mr. WARNER, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE) and the Senator from Arizona (Mr. McCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—52

Alexander	Domenici	Nelson (FL)
Allard	Ensign	Nelson (NE)
Bennett	Enzi	Pryor
Bond	Graham	Roberts
Brownback	Grassley	Salazar
Bunning	Gregg	Sessions
Burr	Hagel	Shelby
Byrd	Hatch	Smith
Chambliss	Hutchison	Snowe
Coburn	Isakson	Specter
Cochran	Landrieu	Stevens
Coleman	Lieberman	Sununu
Collins	Lincoln	Thomas
Corker	Lott	Thune
Cornyn	Lugar	Voinovich
Craig	Martinez	Warner
Crapo	McConnell	
DeMint	Murkowski	

NAYS—44

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Harkin	Obama
Biden	Inhofe	Reed
Bingaman	Inouye	Reid
Boxer	Kennedy	Rockefeller
Cantwell	Kerry	Sanders
Cardin	Klobuchar	Schumer
Carper	Kohl	Stabenow
Casey	Kyl	Tester
Clinton	Lautenberg	Vitter
Conrad	Leahy	Webb
Dodd	Levin	Whitehouse
Dorgan	McCaskill	Wyden
Durbin	Menendez	

NOT VOTING—4

Brown	Johnson
Dole	McCain

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. WARNER. I move to reconsider the vote.

Mr. COLEMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1134 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, cloture not having been invoked on the Warner amendment, the amendment is withdrawn.

AMENDMENT NO. 1135

The PRESIDING OFFICER. There is 2 minutes equally divided prior to the cloture vote on amendment No. 1135 offered by the Senator from Mississippi, Mr. COCHRAN.

Who yields time?

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this amendment expresses the sense of the Senate that the President should receive from the Congress acceptable legislation to continue funding the operations—Iraqi Freedom and Enduring Freedom—by not later than May 28 of this year. The funds previously appropriated by the Congress for operations in this region are depleted, according to a letter and testimony before our committee from the Secretary of Defense and other military leaders and the service chiefs who have appeared before our committee as well.

The President requested supplemental funding over 3 months ago, and no supplemental funding has been approved by the Congress. We are putting troops at risk. We are keeping the military from deploying equipment and armaments that will protect the lives and save lives of American troops in this region. I think it is the responsible thing to do, Mr. President, for us to approve this supplemental funding.

The PRESIDING OFFICER. The Senator's time has expired.

The majority leader.

Mr. REID. Mr. President, we have been told by Pentagon officials that there is money there to the end of June. We have been told by the Congressional Budget Office that there is money there until July. But in spite of all that, we sent the President a bill. He vetoed that bill.

We recognize the need to get money to the troops. We are going to do that. I stated on the floor yesterday that we will take whatever time it takes to complete this funding prior to the recess we have scheduled for Memorial Day, and we are going to do that. We will work with the minority to do that.

I also suggest that we are all going to vote for cloture on this amendment, so maybe we don't need to vote on it. If Senators are all going to vote for it, let's accept it by voice vote.

Mr. BYRD. No, no, let's vote.

Mr. COCHRAN. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays are mandatory on a cloture motion.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending Cochran amendment No. 1135 to H.R. 1495, the Water Resources Development Act of 2007.

Mitch McConnell, John Cornyn, Pete V. Domenici, Johnny Isakson, James M. Inhofe, Craig Thomas, Trent Lott, John E. Sununu, John Thune, Thad Cochran, Christopher S. Bond, Norm Coleman, John Warner, Richard G. Lugar, Jeff Sessions, Orrin Hatch, Gordon H. Smith.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1135, offered by the Senator from Mississippi, Mr. COCHRAN, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE) and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER (Mr. CASEY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 87, nays 9, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—87

Akaka	Domenici	Mikulski
Alexander	Dorgan	Murkowski
Allard	Durbin	Murray
Baucus	Ensign	Nelson (FL)
Bayh	Enzi	Nelson (NE)
Bennett	Feinstein	Obama
Biden	Graham	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Brownback	Hagel	Roberts
Bunning	Hatch	Rockefeller
Burr	Hutchison	Salazar
Byrd	Inhofe	Schumer
Cantwell	Inouye	Sessions
Cardin	Isakson	Shelby
Carper	Kerry	Smith
Casey	Klobuchar	Snowe
Chambliss	Kohl	Specter
Clinton	Kyl	Stabenow
Coburn	Landrieu	Stevens
Cochran	Lautenberg	Sununu
Coleman	Levin	Tester
Collins	Lieberman	Thomas
Conrad	Lincoln	Thune
Corker	Lott	Vitter
Cornyn	Lugar	Voinovich
Craig	Martinez	Warner
Crapo	McCaskill	Webb
DeMint	McConnell	Wyden

NAYS—9

Boxer	Harkin	Menendez
Dodd	Kennedy	Sanders
Feingold	Leahy	Whitehouse

NOT VOTING—4

Brown	Johnson	
Dole	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 9. Three-fifths of the Senators duly chosen and sworn, having voted in the affirmative, the motion is agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I know of no Senators who have expressed a desire to speak on the amendment. Therefore, given the fact that cloture has been invoked, I suggest the Chair put the question on the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 1135) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I wanted to give Senators and staff an update on where we are with the WRDA bill now that we have voted on these various Iraq resolutions.

Where we are now is that our work is almost done on this bill. We are down to the final amendments that are in the managers' package. One of our colleagues, Senator COBURN, is looking at about three or four of these amendments that he has some problems with. We are very hopeful we can work with him to resolve those questions because we have many items in the managers' package. We think about 10 or 12, or more, actually. So he is looking at four, and we are working with him to resolve them.

If we can resolve that, it would be a wonderful thing because we could get done with this bill. Senator DEMINT has two amendments which we are looking at on our side, and we think we can work with those amendments. We think we can reach agreement on those amendments.

So here is where we are. This bill is being slowed down because of four particular items in the managers' package that Senator COBURN is looking at right now and we are working with him. If we can resolve those questions, and we can certainly resolve Senator DEMINT's amendments, we will be done with this bill, and we can roll them all into a managers' package, either do them by voice vote or have a recorded vote and then a final passage vote, which, believe me, would be welcome news for the workers and the businesses of our great country.

If we cannot resolve these remaining matters, we are very willing to have votes on those questions and we would like to start that this afternoon. We will just work our way through the six votes and see how it all comes out, but we are hopeful. We are going to give it another hour, hour and a half to talk to colleagues. I didn't want colleagues to think that Senator INHOFE and I weren't continuing to focus on this bill. We are. We are working our caucuses in an effort to get this done.

I am going to relinquish the floor, and we will be back as soon as we have some agreement on these remaining amendments.

I see the distinguished ranking member on the floor now, so we will have a chance to collaborate on where we stand, and I yield the floor for my colleague to speak at this time.

Mr. INHOFE. Mr. President, we have come a long way. I am sorry I wasn't here to hear Senator BOXER's remarks, but I am sure I agree with the remarks of the chairman of the committee.

We are down now to a manageable number of amendments. We are working very diligently, and I understand there are two Republican amendments and four Democratic amendments. The time is here for us to do everything we can to try to make this happen. I think

almost everyone in here, Democrat and Republican, is for this bill. It has been 7 years since we have had this reauthorization bill. It is overdue, so we need to have it now.

We debated this for 2½ hours yesterday, so I would encourage any one of the authors of these six amendments to come and work with us and get this thing done. It would be a shame if we came this far and didn't get it done. So I join my chairman, Senator BOXER, in encouraging everyone to work together.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. MENENDEZ pertaining to the submission of S. Res. 203 are printed in today's RECORD under "Submitted Resolutions.")

Mr. MENENDEZ. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MENENDEZ). Without objection, it is so ordered.

Mr. CASEY. Mr. President, over the last couple of months, we have been debating the policy in Iraq, and over the first 4 months of the 110th Congress, the Senate has spent many days debating this policy. I and many other Senators believe we should move in a new direction and change the policy by transitioning the mission to training Iraqi forces, fighting terrorists, and protecting our troops and civilian personnel in Iraq.

As part of this new policy, we should have a phased redeployment strategy to begin the process of winding down the war to get our brave combat forces home. Our troops have accomplished every mission in Iraq. They have done their job. It is well past time that the President, his administration, and this Congress do our job as they have done their job in Iraq.

The war has diverted our attention and resources from the broader war against al-Qaida and its allies which continues unabated 5 years following the horrific events of September 11. Despite this administration's exaggerated rhetoric in the months leading up to our invasion, Saddam Hussein's regime

did not have any direct ties to al-Qaida, and our decision to topple his regime without international support drained resources from our ongoing efforts in Afghanistan. The Bush administration's inexcusable lack of planning for a postwar environment and the stunning incompetence in managing the occupation gave birth to a large, mostly Sunni-based insurgency in Iraq. This insurgency, aided by a steady flow of foreign fighters, is now giving birth to a new generation of al-Qaida terrorists providing ideological inspiration for extremists around the world.

The Presiding Officer knows, as well as so many others, that contrary to the administration's rosy rhetoric in 2002 and 2003, the decision to invade Iraq has served as a major setback in our overall struggle against Islamic extremism and the terrorism that movement inspires. Dr. Bruce Hoffman, one of the world's leading experts on terrorism, who recently briefed me, has declared:

The United States' entanglement in Iraq has consumed the attention and resources of our country's military and intelligence communities at precisely the time that Osama bin Laden and other senior al-Qaida commanders were in their most desperate straits and stood to benefit most from this distraction.

For that reason, it is essential that we get our Iraq policy on the right path by beginning to redeploy our U.S. combat forces, emphasizing training of Iraqi security forces, protecting our forces, and engaging in targeted counterterrorism missions.

The war against al-Qaida and its extremist allies continues on multiple fronts around the world. This is a generational battle, so our Nation must respond accordingly. Vice President CHENEY, seeking to validate the administration's counterterror efforts, declared last fall:

I don't know how much better you can do than no attacks in the last 5 years.

Every American is grateful that the Vice President's statement continues to hold true. We must salute those men and women in our Armed Forces, our intelligence community, and our law enforcement networks, from State and local police forces to the FBI, who have helped protect our Nation against further attacks. To take one example, it was skillful surveillance and old-fashioned gumshoe work on the part of the CIA and FBI agents, closely cooperating with their British counterparts, which allowed us to stop in its tracks a chilling plot to blow up as many as 10 airplanes crossing the Atlantic in August of 2006.

Unfortunately, the absence of terrorist attacks in the United States does not signify any reduction in the overall threat posed by al-Qaida and its allies waging battle on behalf of Islamic extremism. The dangers our Nation still face today were brought home by two developments in recent days.

The Presiding Officer knows this well because of the State he represents.

First, six men were arrested last week for conspiring to launch an attack on Fort Dix in New Jersey and "kill as many soldiers as possible." This home-grown cell of Islamic extremists was broken up when two of the defendants sought to purchase assault weapons from an undercover FBI agent. They had engaged in small arms training at a shooting range in the Pocono Mountains in my home State of Pennsylvania.

Second, another development. Late last week the U.S. Embassy in Berlin issued a general threat warning indicating that a terrorist attack against U.S. military or diplomatic facilities in Germany may be in the final stages of planning. This plot may be linked to the upcoming G8 summit to be held in Germany later this summer.

We have all seen the press reports indicating fresh evidence that al-Qaida is once again establishing training camps in southwest Asia, only this time in Pakistan, not Afghanistan. Although we achieved successes in late 2001 and 2002 in cutting off al-Qaida's hierarchy from its foot soldiers around the world and severing operational links inside the organization, these gains are slowly disappearing. Instead, we see the chain of command within al-Qaida re-emerging with fresh evidence of plans of potential terrorist strikes in western Europe and perhaps even our own homeland.

Just listen to what the Director of National Intelligence, Mr. McConnell, declared in recent testimony to the Senate Armed Services Committee:

We also have seen that al-Qaida's core elements are resilient. They continue to plot attacks against our homeland and other targets with the objective of inflicting mass casualties. And they continue to maintain active connections and relationships that radiate outward from their leaders' hideout in Pakistan to affiliates throughout the Middle East, northern Africa, and Europe.

The deadly reach of al-Qaida was reaffirmed with April's coordinated explosions in and around the capital of Algeria, killing 24 and wounding more than 200. A group calling itself al-Qaida in Islamic North Africa claimed responsibility for the blasts, a severe blow to a nation that was finally coming out of the ashes of the horrific civil war in the 1990s.

Mr. President, we know in order to neutralize this reconstituted and possibly more dangerous version of al-Qaida, the U.S. must embark on a global counterinsurgency campaign which recognizes that military force is an essential, but not sufficient, response to this threat. The U.S. must draw on all elements of our national power—military, political, and economic—in a coordinated campaign that seeks to deny refuge and sanctuary to al-Qaida forces wherever they reside.

The Third Way National Security Project recently released an insightful report that calls for a global constriction strategy against al-Qaida—an effort to suffocate the al-Qaida movement and pressure its physical re-

sources, its people, and its vehicles of propaganda—all in a unified effort to shut down al-Qaida's ability to wage war through large-scale acts of terror. We can accomplish this strategy through multiple methods: doubling the size and increasing the skill sets of our Special Forces troops, working with other nations to more effectively crack down on terror financing flows, and, finally, getting serious on public diplomacy so that we can counter and refute the hate-filled messages from extremists at every turn.

Recently, former Senator Gary Hart suggested that we should create a fifth military service branch which would unify all Special Forces under one command, an idea worthy of consideration and further study.

We also need to send a firm message to Pakistan that the United States cannot tolerate the return of al-Qaida training facilities anywhere in the world. If such camps are on sovereign Pakistani territory, then it is the responsibility of the government in Islamabad to ensure that those camps are shut down. General Musharraf has been a partner of the United States, and his government has played a valued role in some of our most notable counterterrorism successes. But we cannot abide any backsliding when it comes to this issue.

Al-Qaida is not only reconstituting its networks and operational capabilities, but it is also making gains in the broader battle of ideas—the clash between modernity and reason and extremism and jihadism. These are two very different worldviews fiercely competing every day for the hearts and minds of the Muslim world. America will win the war against extremism when we persuade the citizens of Egypt, Iran, Saudi Arabia, and other nations of the strength of our ideas and values and offer a path away from militancy and irrational hatred.

But we have been going in the wrong direction on this front. We only need to recall the immediate aftermath of the 9/11 attacks when the world united with us in grief and sympathy. Who can forget that grand headline, in France of all places, on September 12, 2001: "We are all Americans." The United States had a historical opportunity to unite the world in a common cause against the forces of terrorism and extremism and destroy the al-Qaida network and the twisted beliefs that serve as its cornerstone. Instead, by pursuing a black-and-white, our-way-or-the-highway approach, this administration helped transform our Nation's greatest asset—the appeal of the American spirit around the world—into a liability.

America today evokes feelings of resentment and distrust, negativity and hostility. Instead of building a grand international coalition on behalf of the values that unite us, the White House settled for temporary and weak "coalitions of the willing" that have left us far too isolated.

Since 2001, the Pew Global Attitudes Project has tracked on a regular basis

how America is perceived overseas and global attitudes toward the U.S.-led war on terrorism. Across the board, we have seen a dramatic decline in positive views toward the United States and, even more troubling, the American people. This decline has been especially marked in the Islamic world, where Osama bin Laden and al-Qaida enjoy far stronger favorability ratings than our Nation. In both Morocco and Jordan, both relatively moderate Muslim nations, a 2005 poll found that approximately half of respondents in both nations believe suicide attacks against Americans in Iraq are justifiable. In Indonesia, positive views of the United States plunged from 61 percent to 15 percent in 1 year alone—from 2002 to 2003. Unfortunately, those numbers have barely edged upward in recent years.

Something has gone terribly wrong when a vile terrorist organization is in a more positive light than our great Nation. That is, apparently, what some surveys show across the world. I understand that the United States is the biggest guy on the block and a certain level of resentment will always exist. Yet, we cannot succeed in this global struggle against terrorism and extremism if our own ideas and our own image are viewed in such distorted, negative terms. We must recommit ourselves to a global public diplomacy campaign that conveys our Nation as it truly is—a beacon for liberty and hope. Our efforts will succeed when we inspire those currently sitting on the fence in the Muslim world to reject the false ideals that al-Qaida and its brethren promote. In waging an offensive against al-Qaida, our ideas will be as important as the might of our military forces.

While we must wage a strong offensive against al-Qaida and its extremist allies, we cannot neglect a strong defense here at home. Combating terrorism requires a strong homeland security effort, to ensure that our Nation can effectively defend and deter against attacks that can kill or injure tens of thousands of Americans in one strike. Unfortunately, homeland security has long been an afterthought for this administration, instead used primarily as a rhetorical weapon against its political opponents. The Department of Homeland Security's ineffectual record and poor performance bear witness to this neglect.

It is easy to forget that this administration fiercely opposed the creation of the Department of Homeland Security, instead arguing that a small office in the White House could adequately do the job. The administration long resisted the full implementation of the 9/11 Commission recommendations—a serious oversight that the 110th Congress has sought to rectify, with both the House and the Senate passing comprehensive legislation to help ensure that all of the commission's recommendations are finally put in place. When it came time to replace Tom

Ridge as Secretary of Homeland Security, the White House put forward as its first choice Bernard Kerik—a political hack with a checkered past—only to withdraw the nomination days later after a series of embarrassing disclosures on his personal background.

The Department of Homeland Security has lacked the necessary budgets, leadership, and political support required from the White House to do its job properly. Although the administration created a brand new department to coordinate homeland security policy, overall funding for homeland security programs barely grew after DHS opened its doors in early 2003. The upper echelons of the Department have constituted a revolving door with industry, as senior political appointees spend only a year or two in their positions before cashing in on their contacts and joining lobbying firms and technology firms with interests before the Department. We saw the culmination of this neglect and indifference in the Department's shameful response to Hurricane Katrina in the fall of 2005.

Although I do not sit on the Homeland Security and Governmental Affairs Committee, I take a strong interest in these issues, as they are vital to my constituents in Pennsylvania. And so I believe there are three key areas where this Congress can take further action to help ensure that our Nation is better prepared to protect itself against a future attack. First of all, we must ensure that our limited homeland security dollars are spent wisely. Although I respect the general principle that Federal spending must be allocated in a manner fair and proportionate for all 50 States represented in this Chamber, we cannot treat homeland security funding as just another Government program. It is an undeniable fact, one emphasized by the 9/11 Commission, that some States, some cities, and some targets are at significantly greater risk to attack than others. And so we must allocate our homeland security funding on a risk-focused basis.

During the Senate's debate on the 9/11 Commission bill, I was proud to stand with the distinguished Senator from California, Mrs. FEINSTEIN, and others in fighting for an amendment that would revise our funding formulas to ensure that homeland security dollars flow, first and foremost, to those cities and States with the greatest at-risk targets. Although this effort failed, I was pleased to see that we have made progress since the last Congress and encourage the House-Senate conference to ensure that risk-based funding provisions be included in the final bill.

A second area of strong concern to me is the prospect of terrorists transforming our chemical plants and hazardous material rail shipments into lethal chemical weapons. A Congressional Research Service report indicates that there are at least 16 chemical plants in Pennsylvania where a re-

lease of toxic chemicals could cause over 100,000 deaths, and two plants where such a release could result in over a million deaths. This threat has been brought home in recent weeks as we see insurgents in Iraq engineering large explosions of chlorine tankers to spread noxious fumes in populated areas. These attacks are growing in sophistication and lethality and I worry that they may provide a blueprint for similar attacks in the United States. Therefore, I am encouraged that the Department of Homeland Security released its final regulations on chemical plant security earlier this month. These regulations are a good start, but we need to do much more. In particular, we need to ensure that the Department of Homeland Security's Chemical Security Office receives far more than the paltry \$10 million it was appropriated for the current fiscal year.

It is also essential to permit those state and local governments which wish to adopt even more stringent protective measures to do so. The regulations issued by the Department are somewhat ambiguous on this point, and so both Houses of Congress have endorsed language that preserves the right of State and local governments to "preempt" Federal regulations so long as they are not in direct contradiction. This language would permit the Department of Homeland Security to establish a minimum floor for chemical security regulations, but, yielding to the best principles of federalism, allow individual State and local governments to go beyond those minimum regulations where appropriate.

Finally, it is incumbent that our Nation takes steps to once and for all ensure that our first responders have reliable access to secure interoperable communications. After 343 firefighters and paramedics gave their lives on 9/11, and countless victims died during Hurricane Katrina, because emergency personnel were unable to communicate with each other, it is unacceptable that we have still failed to establish a nationwide interoperable communications system that will allow local, State, and Federal first responders to communicate with each other in a seamless and uniform fashion. For this reason, I am proud to join my distinguished colleague from Arizona in cosponsoring S. 744, the SAVE LIVES Act, a bill ensuring that an additional 30 MHz in the 700 MHz spectrum band be dedicated to public safety.

The SAVE LIVES Act would require the Federal Communications Commission to auction 30 MHz of the spectrum, which is otherwise scheduled to be made available in January 2008 for general commercial purposes, under a conditional license requiring any winning bidder to meet detailed requirements to operate a national, interoperable public safety broadband network. A commercial provider can use this broadband spectrum for commercial purposes, but must make available the

spectrum for public safety purposes whenever it is needed.

I am proud to be the first cosponsor on this important legislation. I strongly urge the Senate Commerce, Science, and Transportation Committee to take up this bill immediately, because we don't have time to lose. Pursuant to a previous congressional mandate, the FCC must auction spectrum in the 700 MHz band by January 28, 2008. Unless this bill passes in some form beforehand, all of that spectrum, with a small exception, will be auctioned off to commercial providers, with no requirement that any of it be made available to first responders for public safety purposes.

Secure, interoperable communications is an issue of particular interest to my constituents in the city of Philadelphia. Currently, first responders are unable to use their radios in the tunnels of the city's subway and commuter rail system, SEPTA. The city has applied for DHS grants in past years to wire the tunnels to facilitate communications, but those applications have been rejected. I intend to work with the city and other members of the Pennsylvania Congressional delegation to ensure that the fifth largest city in the Nation is prepared for any potential emergency in its transit system.

There are a number of other strong policy proposals that I urge this Congress to consider to further strengthen our Nation's homeland security. I do not have the time today to discuss them in further detail, but at a minimum, we should take a serious look at the following areas:

Ensuring that we inspect the air cargo transported by passenger airlines to prevent terrorists from planting a bomb in a plane's underbelly; strengthening our border security with better technology and additional Customs and Border Patrol agents; working with the private sector to develop real incentives for both large corporations and small businesses to adopt commensense solutions that mitigate the risks of an attack and thus make them less attractive targets to terrorists; undertaking a serious and comprehensive approach to locking up sources of nuclear missile material around the world to prevent our worst nightmare—an improvised nuclear bomb destroying an American city.

All of us remember where we were and what we were doing on September 11, 2001. The memories of that terrible day will remain with all of us so long as we are alive. Our Nation has been blessed that we have not had to endure another attack during the intervening 5 years, but we recognize that our friends in Western Europe, Southeast Asia, and the Middle East have suffered ghastly attacks that have taken the lives of innocent civilians and spread terror. The war in Iraq is at the center of our national discussion today, but we cannot allow it to distract us from the objectives the American people set

out to achieve in the fall of 2001: destroying al-Qaida and denying legitimacy to the ideas of jihadist extremism.

It is time to refocus our attention and resources. Al-Qaida may not have mounted another attack against our citizens, but they have tried and are once again on the march. We must rededicate ourselves to a comprehensive strategy that seeks to constrict Al-Qaida's bases of support and undercuts their popular legitimacy in the Muslim world. On the home front, we must ensure that we are adequately prepared to deter and defend against likely attacks that seek to exploit our open society and sow panic and economic damage.

If America truly is engaged in a generational battle against the forces of extremism, our Nation must adopt a serious and comprehensive approach to counterterrorism, both overseas and at home. We owe the victims of 9/11 and their families no less—indeed, we owe the American people no less.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

MR. WEBB. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

MR. WEBB. Mr. President, I ask to speak for 5 minutes as in morning business.

THE PRESIDING OFFICER. Without objection, it is so ordered.

MR. WEBB. Mr. President, this is a very difficult time for those of us who have long known that the war in Iraq was a strategic error of monumental proportions but who also understand the practical realities of disengagement. The majority of this country believes we need to readjust our Iraq policy and get our combat forces off the streets of Iraq's cities. A majority of our military believes this administration's approach is not working. A majority of the Congress believes we need a new approach.

There are sound, realistic alternatives that could be pursued toward the eventual goal of removing our troops from Iraq, increasing the political stability of that war-torn region, increasing our capability to defeat the forces of international terrorism, and allowing our country to focus on larger strategic priorities that have now gone untended for years. Unfortunately, few of these alternatives seem to make it to the House or Senate floor in a form that would truly impact policy.

With respect to the approaches that have been taken recently, let me first say I am somewhat cynical about the stack of benchmarks that have appeared in recent bills laying down a series of requirements to the Iraqi Government. The reality is that the Iraqi Government is a weak government. Like the Lebanese Government 20

years ago, it has very little power, and it is surrounded by a multiplicity of armed factions which have overwhelming power in their own concentrated areas of activity.

Too often, the benchmarks that we, in our splendid isolation, decide to impose are little more than feel-good measures, giving us the illusion that we are doing something meaningful. Just to make them more illusory, the language we send over on benchmarks and other policies, such as unit readiness and length of deployment, are usually couched with waivers, so the President can simply ignore the language, anyway. What does this do? How can we continue these actions and then claim to the American people that we are really solving the most troubling issue of our era? Some of these discussions remind me of what Mark Twain once wrote, saying that the Government in Washington is like 2,000 ants floating down the river on a log, each one thinking they are driving it.

Secondly, let me say that I admire the intentions of the bill my colleague, Senator FEINGOLD, introduced today. However, I could not vote for that bill because an arbitrary cutoff date for funding military operations in Iraq might actually work against the country's best interests in an environment where we have finally seen some diplomatic efforts from this administration. Recent initiatives from Secretary of State Rice, Ambassador Crocker, and Admiral Fallon, the new commander of Central Command, hold out the hope, if not the promise, that we might actually start to turn this thing around.

Admiral Fallon has publicly stated that we must deal with Iran and Syria. Ambassador Crocker, at this moment, is arranging a diplomatic exchange with Iran. Secretary of State Rice has cooperated at the ministerial level in an environment where her Iranian counterpart was also at the table. Importantly, Admiral Fallon mentioned during his recent confirmation hearing that it is not the number of troops in Iraq that is important but the uses to which they are being put.

So there is some room for movement here, as long as the movement occurs in a timely fashion. An arbitrary cutoff date would, at this point, take away an important negotiating tool. Let us just hope they use the tools we are providing them in an effective manner.

There is, however, one issue which demands our immediate attention and which should not be delayed. As we look at our options here in Congress, I continue to firmly believe we have a duty in an area which is not being properly addressed by this administration and which is in the proper purview of the Congress. When the supplemental appropriations bill is returned to the President, it should contain language prohibiting this administration from deploying Army units for longer than 12 months and from deploying Marine Corps units for longer than 210 days. It should also prohibit sending

any military individual overseas unless he or she has been home from a previous tour for at least as long as they had been deployed. In other words, if you have been gone a year, you should come home for a year before you go back.

This administration has gone to the well again and again, extending the length of military tours and shortening the time our soldiers and marines are allowed to be at home before being sent again and again into Iraq and Afghanistan. Absent the gravest national emergency, there is no strategy in Iraq or elsewhere that justifies what has been happening with the deployment cycles of the men and women we are sending into harm's way. It has reached the point that the good will and dedication of our military people are being abused by policymakers obsessed with various experimental strategies being conducted at their expense. These people have put their lives literally into the hands of our national leadership. There are limits to human endurance, and there are limits to what military families can be expected to tolerate in the name of the national good. For that reason, I urge our conferees to include language which will limit this policy in the bill that will be returned to the President.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, in these dangerous times, we face terrorist threats around the world. The decisions we make here in the Senate must put us in a stronger position to fight and defeat terrorists wherever they hide. Just last week, the United States and German Governments unraveled the reported plot to attack American interests in Germany. This development reminds us that we face dangers all around the globe, and we need to be able to dispatch our resources wherever and whenever they are needed to keep us safe.

Unfortunately, having nearly 150,000 American troops stuck in the middle of a civil war in Iraq does not strengthen our ability to fight terrorists from around the globe. In fact, by forcing our troops to police a civil war and by not giving our troops the equipment and training they need, the President's current policy is impairing our military readiness and our ability to fight and win the broader war on terror. It is time to refocus our efforts back on to the broader war on terror. Yes, we will

still fight and defeat the al-Qaida terrorists who are in Iraq. But we recognize that terror networks exist in many other countries, and we have to fight and defeat terrorists in those places as well.

That is why I supported the Feingold-Reid amendment this morning. That amendment recognizes that leaving our troops in the middle of a civil war in Iraq is not the best use of our military. It doesn't make us safer at home, it diminishes our ability to fight the broader war on terror, and it impairs our military readiness.

It is clear the Iraqi civil war cannot be solved militarily. It must be solved politically. Today we are 5 years into this war. Thousands of American lives have been lost, and billions of U.S. taxpayer dollars have been spent. Yet the Iraqis have not moved forward with meeting key benchmarks and beginning reconciliation. We have to show the Iraqis that we will not police their civil war indefinitely and that they must take responsibility for their own future. The redeployment language of the Feingold-Reid amendment from this morning makes it very clear to the Iraqis that our commitment is not open-ended and that they must make the necessary compromises to bring peace to their country.

In Iraq, our troops have done everything we have asked them to do. Now it is time to begin redeploying our troops, rebuilding our military, and getting back to fighting the war on terror.

As I look at these issues, I see four imperatives: First, we have to fight and defeat terrorists; second, we have to recognize the war in Iraq is impacting our ability to do that; third, we have to rebuild our military readiness, which has been seriously compromised by this war in Iraq. Finally, we have to be there to support our servicemembers, our veterans and their families, every step of the way.

First of all, we all recognize that we are in a war with terrorists around the world and we need to fight and win that war. This is not a war against countries. We are in a war against terrorists wherever they reside. President Bush wants us to believe the war in Iraq is the war on terror. It is not. The war on terror that our country faces is not the same thing as the civil war that is raging in Iraq. What is happening in Iraq is primarily a civil war between factions that have been in conflict for generations. The Feingold-Reid amendment empowers our military to target and destroy any terrorist elements in Iraq, but it would not force the majority of American troops to be stuck indefinitely in the crossfire of a civil war.

As we look at the terrorists our Nation confronts, al-Qaida is the most dangerous, according to the declassified National Intelligence Estimate from last year.

That NIE report said:

Al-Qaida will continue to pose the greatest threat to the homeland and U.S. interests abroad by a single terrorist organization.

The NIE also said the jihadists "are increasing in both number and geographic dispersion. If this trend continues, threats to U.S. interests at home and abroad will become more diverse, leading to increasing attacks worldwide."

Al-Qaida is the threat. We have to get back to fighting al-Qaida, and that is what the Reid-Feingold amendment would allow.

Under that amendment, while most troops would be redeployed, some would remain to conduct targeted operations against al-Qaida and other terrorist groups. They would provide security for American infrastructure and personnel, and they would be allowed to train and equip the Iraqi security forces.

This administration's focus on Iraq has distracted us from the larger war on terror, and it has left us vulnerable. Our country faces possible threats from terrorists around the world, and we need a security strategy that ensures that we can fight those threats wherever they are. But, instead, the Bush administration has become increasingly focused on Iraq, which weakens our ability to fight that broader war on terror just when we must be strong.

Next, let's look at the relationship between the civil war in Iraq and our own security. Does having so much of our military tied up in Iraq's civil war make us safer? Does it help us fight terrorists around the world? The truth is, leaving our troops in Iraq is not making us more secure.

A State Department report from 2 weeks ago found:

International intervention in Iraq has been used by terrorists as a rallying cry for radicalization and extremist activity that has contributed to the instability in neighboring countries.

According to our own State Department, our involvement in Iraq is making the region less stable, not more stable. The war in Iraq has the potential to make it harder for us to respond to other threats around the world. That is because the conflict in Iraq is tying up large parts of our military and is degrading our military readiness, which brings me to my third point.

We must rebuild America's military. We can all be proud that our country is home to the finest fighting forces in the world. But we must also face the truth. The war in Iraq has impaired our military readiness, and that is not just my opinion, it is the opinion of military leaders and experts who say it may take us, now, 5 years to rebuild our military.

The Iraq war has impaired our readiness by forcing a hard-to-maintain tempo on our troops, by destroying our equipment, by reducing the capabilities of our Guard and Reserve, and by limiting the training that our troops receive. Today we are forcing a very tough tempo on our servicemembers. They all want to work, and they all want to work hard. But we have to

make sure the demands placed on them are reasonable. The Pentagon has extended tours of duty for our troops. It has deployed troops sooner than planned. It has sent troops without all the training and equipment they should receive. It has deployed troops without the downtime at home that our servicemembers and their families deserve.

Two Army brigades are on their fourth deployment now to Iraq and Afghanistan. That tremendous pace with little downtime in between is a strain on our troops. Our military is the best in the world. I believe we need to address those strains on our servicemembers so we can remain the best in the world.

The Iraq war is also impairing our readiness by destroying our equipment. The Army, for example, is supposed to have five brigades' worth of equipment prepositioned overseas, but because of the war in Iraq, the Army is depleting those reserves. GEN Peter Schoomaker told the Senate just last month:

It will take us 2 years just to rebuild those stocks.

Our military is the best in the world. I believe we need to address the strains on equipment so we can remain the best in the world.

The Iraq war has especially impacted the readiness of our National Guard. The Chief of the National Guard Bureau, LTG Stephen Blum, testified that the readiness of National Guard forces is at a historic low. He said:

Eighty-eight percent of the forces that are back here in the United States are very poorly equipped today in the Army National Guard.

A national commission looked at the National Guard and Reserve and sent its report to Congress last March, a few months ago. The commission said:

We believe that the current posture and utilization of the National Guard and Reserve as an "operational reserve" is not sustainable over time, and if not corrected with significant changes to law and policy, the reserve component's ability to serve our Nation will diminish.

Our military is the best in the world. I believe we need to address the readiness of our Guard and Reserve so we can remain the best in the world.

We also rely on our Guard members when disaster strikes at home. We need their trained personnel and equipment to respond quickly. After the horrible tornadoes that occurred in Kansas just a few weeks ago, the Governor of Kansas said recovery efforts for those two States were hampered because there were not enough personnel and equipment. Where were those resources? In Iraq, not here at home.

COL Timothy Orr of the U.S. Army National Guard told the Senate that his brigade's homeland security capabilities have been degraded.

He testified to us:

Our ability as a brigade to perform these homeland missions continues to be degraded by continued equipment shortages, substitutions, and the cross-leveling of equipment

between the State and the Nation to support our deploying units.

I have shown now how the Iraq war has impacted the readiness of our troops, of our equipment, and of our National Guard. The pace of deployment to Iraq is also hindering another measure of readiness—the training that our servicemembers receive.

To meet the President's surge, the Pentagon has been sending some troops to Iraq earlier than was planned, and they are keeping other units there in Iraq longer than planned. That means our troops are getting less time at home, less time between deployments, and importantly, less time to train. Commanders are forced to shorten the training their troops receive so they are focusing now only on specific training that they need for Iraq, but not for other potential conflicts.

That makes sense if there is limited training time. We want all that time devoted to their most immediate need. However, many military leaders are now warning us that this fast pace diminishes our ability to respond to other potential conflicts. Here is how the colonel who commands the First Marine Regiment put it:

Our greatest challenge is and will remain available training time, and because that time is limited, our training will continue to focus on the specific mission in Iraq. This has, and will continue to, limit our ability to train for other operations.

Army COL Michael Beech told the Senate in April that he believes our training strategy is broad enough to support a variety of other events. But he added:

However, if deployed in support of other emerging contingencies, I would be concerned with the atrophy of some specific tactical skills unique to higher-density conflicts.

We have military commanders telling us that they are concerned that our ability to train for other missions has been limited and certain tactical skills have atrophied. We don't know what the future of our world brings. We don't know what types of conflicts we will need to be prepared to fight. It is our responsibility, as leaders today, to be preparing for whatever the future brings for the next generation. By allowing our troops to only now be trained for today's mission, we are not meeting our responsibility for the long-term dangers our country must be prepared to defeat.

Our military is the best in the world. I believe we have to address these training shortfalls so we can remain the best in the world.

I am also concerned at the billions of dollars that we are spending in Iraq, coming at the expense of our ability to be strong at home. I am very concerned that the Bush administration has chosen to fund this war in ways that have meant that homeland security priorities at home have not been fully funded. I have worked very hard with my colleagues to try to correct that in areas such as port security grants and

first responder funding. But it is not easy to overcome years of misplaced priorities from this administration.

Let me share with you some of the examples from this President's latest budget proposal. President Bush, in his budget proposal to us, dramatically cut funding for first responders to pay for the war in Iraq. His budget cut critical State homeland security grants by \$348 million, or about 60 percent, to pay for the war in Iraq. He reduced urban area grants by \$185 million—that is a 25-percent reduction—to pay for the war in Iraq. He cut our local law enforcement terrorism prevention grants by \$119 million. That is a cut of 33 percent at home to pay for the war in Iraq.

Mr. President, we know funds are limited, so we have to be smart. Policing a civil war in Iraq should not come at the expense of our security right here at home.

Finally, as we fight and win the war on terrorism and we rebuild our military, we have to be there every step of the way to support our servicemembers, our veterans, and, importantly, their families. We need to meet their needs every step of the way from the day they are recruited, while they are being trained, when they are deployed, and, importantly, when they transition back here at home.

Today, too many of our servicemembers are falling through the cracks and not getting the support they deserve. That is why I have been working on the Veterans' Affairs Committee and the Appropriations Committee to identify those needs, to fund them, and to have the appropriate policies so we support those men and women who have so strongly supported us.

At the end of the day, our security comes down to people, people doing a job this country has asked them to do. We have to keep our promise to them. We face terrorist threats around the world. We must and we will defeat them. But to do so, we have to be smart and we have to be tough.

Unfortunately, the civil war in Iraq is not making us more secure; it is making us less secure. We need to refocus our efforts back on the war on terrorism and we need to rebuild our military. I supported the Feingold-Reid amendment this morning because it sets a new direction for our involvement in Iraq so we can refocus on the larger security challenges our Nation faces.

This is what I am fighting for in the Senate. I know we can do it. We can take care of our men and women in uniform, we can improve security right here at home, we can track down and eliminate terrorists around the world. It is a matter of getting our priorities straight.

Redeploying our troops from Iraq so we can focus on those other priorities is a critical first step in the Senate we have to take.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS.) The Senator from Vermont.

Mr. LEAHY. Mr. President, I wish to commend the senior Senator from Washington State for her statement. She expressed similar concerns at the time of the original vote on the war in Iraq. She courageously stood up and spoke to why the mistakes were being made.

I have to say, especially seeing the distinguished Presiding Officer from my own State of Vermont, I think it is safe to say, if the same speech had been given in the State of Vermont, way over across the continent to our State, it would have been widely and happily received.

We have a situation where one time people put on the ribbons to support the troops, as we all do, we all do, but then when the budget comes, we find, well, we will support everything but those things needed by our troops when they come home—everything that is needed by our veterans, everything that is needed by a lot of our troops while they are over there, and this will not change until more people speak out as courageously as the Senator from Washington State has.

I commend her. She has been very consistent. They are words that this Vermonter is glad to hear. I am glad she is saying it at a time when both the distinguished Presiding Officer, the Senator from Vermont, and I had a chance to be here. I applaud her for it.

Mrs. MURRAY. I thank the Senator from Vermont.

Mr. LEAHY. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. SESSIONS. Mr. President, Members of the Senate—at least a certain limited number—are intensely involved in an attempt to draft an immigration bill that will serve the national interest. I say “serve the national interest” because there are quite a number of special interests. There are the interests of poor people all over the world who would like to come here, interests of all kinds. But at one of our hearings, we had several professors and experts on immigration and the economy. They said we ought to ask what is in the national interest and do that. That can also cause us to develop a thought process that could lead to legislation of which we can be proud.

One thing that is not in our national interest is to continue the current policy of immigration. It is not working. It has comprehensively failed us. We

all know that. We have been at this for some time. We know this system is not working effectively. It has not made us proud. Congress deserves a lot of blame. Often unmentioned is that very considerable blame should fall on Presidents over the last 20 years because I am not aware of a single time any of them have come to Congress with a comprehensive request for action that would actually fix this broken system. So both Congress and the President deserve criticism.

These discussions are ongoing. I admire the Senators who are participating. I am aware these discussions are going on. People ask me: Senator, does that offend you? I say: No, you need some people to gather to try to hammer something out and sometimes to make a blocked system begin to work. There are some excellent Senators participating in that activity. But I have to tell my colleagues, I have some concerns. My predictions last week seem to be coming true today; that is, a process has been ongoing that could lead to us having an entirely new bill plopped on the floor of the Senate, that nobody has had a chance to read on one of the most important issues facing our country.

Some say: Oh, it is not so important. We have to get the bill off the floor. The public is going to be mad, so the sooner we can just bring this thing up and vote it out and get it away from here, the less blame is going on fall on us.

That kind of thinking is afoot here, I am afraid. But it is not good thinking. I believe the American people know this is an important issue. They believe we should get it right. They want us to get it right. They know there are going to have to be some tough choices. I know there are people talking, calling in on the radio and fussing and saying unkind things sometimes that they shouldn’t say. We have people calling in with Pollyanna-ish ideas that are not worth two cents. People sort of judge the debate by maybe what they hear in those circumstances.

We need to work up a bill that can be effective, that would actually work. It cannot be done quickly. Fortunately, the efforts have been abandoned on the bill that we passed last year, amazingly. It was an absolutely fatally flawed piece of legislation that should never have become law. I think Members of the Senate, many of them who voted for it, had they believed it would become law, probably wouldn’t have voted for it. They also didn’t know what was in it. It was over 800 pages. They knew the House wasn’t going to pass it. That is not responsible leadership.

This year, we have a new framework. When you have a new framework, you are not able to analyze portions of last year’s bill and see how the new framework is going to work. So we are told that they are coming close to reaching agreement. People who I affectionately called “the masters of the universe,”

those who are out there plotting all this comprehensive immigration reform and putting it together, they are meeting. What will they produce? I don’t know. So we are now going to have a cloture vote on Monday. The Democratic leader insisted on that. He moved it off at least until Monday to give this small group a few more days to discuss it, this small group who are on the inside. As a result, we will have a cloture vote on Monday on the old bill, last year’s bill.

Presumably Tuesday or sometime, this new bill will be plopped down. What is going to be in it? We don’t know. We were told we may get the language tomorrow or we are going to try to have the language for you tomorrow, Senators, so you can at least begin to read it. We think this year’s bill is going to be a thousand pages. That is not a little bitty matter, a thousand pages. As a former Federal prosecutor for 15 years, I know that if you don’t get every single aspect of the bill right, it can’t be made enforceable. If you make errors in the language and the drafting and the appellate process and the enforcement ideas, the whole thing can be a joke and not effective. It takes time to do write a bill this size correctly.

We are going to have this comprehensive immigration reform bill bouncing back up next week. They are going to want to vote on it by Friday of next week. I submit that Senators will not be given enough time to really analyze it, much less the American people. If we are to avoid cynicism, we ought to make sure the American people are engaged in the process. Those are large concerns of mine.

As I said, they say we may have the language tomorrow. But the best we can ascertain is, it is probably not going to be bill language, language we would actually vote on and amend. This is serious. It is some sort of outline or word statement of what the bill provisions are going to be, not having had it written out so we can examine it carefully before we vote on it.

A group of Senators—I was one of them—has written a letter to the Republican leader and to the majority leader, I believe, to say that with an issue as important and complex as immigration reform, it is critical that the process for floor consideration be open to full and informed debate and amendment. Who could dispute that? It goes on to say:

There are reports that the cloture vote on the motion to proceed will be held on Monday. We would ask you to seek the following assurances from Senator REID.

This would be the letter to Senator McCONNELL asking him to approach the majority leader, Senator REID, and ask for these assurances: that a new, compromise proposal should be brought to the floor of the Senate as a separate, clean bill, not as an amendment to S. 1348, last year’s bill. Therefore, we can proceed in a clean fashion to amend it and act on it in the appropriate fashion. No. 2, it was asked that full and

final bill text must be available online in a searchable format by midnight tonight. They have been talking about having that available in this fashion, but will we get it? I doubt it. All germane Republican amendments must be allowed to be called up and voted on. That is germane amendments, amendments that go right to the bill, not amendments unrelated to the bill. We need a CBO score, that is the Congressional Budget Office score. We had the CBO finally come through with a score on last year's bill that found that not counting the enforcement expenditures, the cost of that bill, as written, would be \$127 billion. I thank my excellent staff member for her assistance. Real money, I submit, it would cost, because the people who would be legalized and given permanent status and put on the road to citizenship in last year's bill would have been available for huge amounts of money from the Government in terms of earned-income tax credit and other welfare programs. So we don't have a score on it.

Before we pass a bill, we should look at the CBO score. The CBO has made clear that the real surge in cost to the U.S. Treasury will be in the next 10 years, not in the first 10 years. In fact, the Heritage Foundation's Mr. Robert Rector, who was one of the architect of welfare reform a number of years ago, has done immense calculations on the cost of the bill. He estimates that a substantial percentage of the people who would be legalized under this legislation will have less than a high school education and that on average would cost the U.S. Treasury \$30,000 a year or as much as \$1 million over a lifetime per household headed by a person without a high school education. He carefully worked those numbers up. Are they accurate? I don't know. But he spent a lot of time working on that. The point Mr. Rector and the Heritage Foundation have made with crystal clarity is that those wise people in the big suites in Manhattan who think we are going to solve our financial difficulties with Medicare and Medicaid and Social Security by adding large amounts of low-skilled immigration are in a dream world because it is going to cost us, not help us, financially. He called it a fiscal disaster. We haven't even seen the language of the new comprehensive immigration reform bill, so we don't know what the CBO score and the cost to the U.S. taxpayers would be.

Those are some fairly minimal issues that I believe should be dealt with before we rush into legislation.

Let me mention a few quick questions that I have about the new bill. The bill purports to have an enforcement guarantee. That is important. The enforcement provisions contained in Title I and Title II of the new bill will be meaningless unless they are funded, meaning that we actually put the money up for enforcement, and unless the enforcement measures are required to be implemented before other

parts of the bill kick in. That was the "trigger" debate we had last year.

Senator ISAKSON from Georgia offered a commonsensical approach that we should not give benefits to individuals until we are sure that the immigration system is not continuing to be broken and not working. It would simply require the borders to be secured before the new immigration programs are implemented. But it was rejected on the floor after debate last year 40 to 55 because the leaders who so-called put together that bill last year agreed they would vote against any amendments that had any significant impact on the legislation. So they all got together and voted against a commonsensical trigger. We need such a trigger in this year's legislation.

Without an enforcement trigger, we are unable to assure the American people that immigration reform in 2007 will be any different from 1986, when the promises of future enforcement, made in exchange for the amnesty given in 1986, never materialized.

That is what happened. In 1986, they said there were about 2 million people here illegally. We set up a system to grant them amnesty. We changed some laws to supposedly make the immigration system more lawful in the future. When amnesty was handed out, turned out to be 3 million people were here illegally. We had a big percentage of those who claimed amnesty, and who got it—got it on fraudulent claims—when they really were not entitled to it. That is the history of immigration reform in 1986—20 years ago. So we need to make sure, this time, when legislation passes, it will actually work. Isn't that what the American people want of us?

Another question we need to ask: How much will this bill increase legal immigration? Last year, the bill would have increased the number of green cards—that is, permanent resident status—the United States would issue over the next 20 years to 53 million. That would be 34 million more than the current 18.9 million scheduled to be issued under current law. That was last year's bill. It was just about three times the current rate of immigration.

Now, I have to tell you, Professor Borjas, at Harvard, has written a book, "Heaven's Door." He is at the John F. Kennedy School of Government, himself a Cuban immigrant as a young man. Professor Borjas has indicated he thinks that 500,000 per year would be the right number for America, economically and otherwise. That would be 10 million over 20 years, not 53 million over 20 years.

When it came out of committee, it was even worse. It would have increased the immigration levels by elevenfold—up to 217 million over 20 years. It actually could have gone that high under the bill as written. My staff—Cindy Hayden and her team—ran these numbers, and they were later confirmed by the Heritage Foundation. We had amendments that brought it down to 53 million.

So we do not know what the green card increases will be in the bill being talked about now. It is a critical question. So we need time to study that issue and make sure the numbers of people coming into our country are assimilatable, and also do not plummet the wages of American workers, particularly middle-class and lower middle-class workers.

I am telling you, the numbers indicate that low-skilled workers in the industries where there are large amounts of illegal immigration have not shown wage increases. In fact, in many instances, adjusted for inflation, wages have gone down. We had expert testimony on that. From 2000 to 2005, wages in categories of workers, where immigration is heavy, showed a net decrease in income.

So that only makes sense. If you bring in large amounts of low-skilled labor, you can expect the value of low-skilled labor in the United States to go down. I do not think the average American believes and expects that immigration reform will result in a large increase in immigration. I am pretty sure they think we are working on a comprehensive plan to create a legal system that works, and they probably expect immigration will be reduced, not tripled. So we have to look at that question.

Another question would be: Will the temporary program be temporary? Last year's bill contained a "temporary" worker program that was, in reality, a low-skilled permanent migration program for 200,000 workers, plus their families, annually. This is the bill that is on the floor today that we will vote cloture on next week. Workers and their families were given 3-year renewable visas. They could bring their families into the United States. They could be sponsored by their employer, the first year they are here, for a green card, to become permanent residents in the United States. They could continue to renew those temporary worker 3-year visas indefinitely, as long as they were working and did not have a felony conviction. So in last year's bill it was not a temporary worker program. It was a plan to bring in workers who were put on a virtual automatic path to permanent residence and citizenship.

What will this new bill contain? We hear different things. One is that it contains a 3-year visa, where workers are allowed to bring in their families—I am not sure we can look our voters in the eye back home and say we are going to sponsor such a program again this year.

Additionally, if we set aside 10,000 green cards a year for these new "temporary" workers to apply for—as I am hearing the bill may do—I am sure we cannot claim our intention is to create a temporary plan. So I am worried about that.

All I would say to my colleagues is, let's be sure we have enough time. There is no reason for us to have to

vote a week from this Friday on final passage of a 1,000-page bill that we have never even seen the language of yet. The only bill that is out there is last year's fatally flawed bill. Why can't we have this opportunity to review the new bill?

I have argued we should move dramatically in the way that Canada moved to create a merit-based system for immigration, based on skills and abilities, which countries such as Canada or the United States would deem helpful to their nation.

If we have 100 people who want to come to our country, and we cannot accept 100, we can only accept 50, why wouldn't we set up a system that asks them what skills and attributes they have that might be beneficial to our country—which would allow them to most flourish and benefit from the American experience? Why wouldn't we ask that and give preference to those who would come here?

I say to my colleague, to show the bankruptcy of any idea that we could have open borders, in the year 2000, we had 11 million people apply for 50,000 diversity lottery slots. We have an amazing situation, if you want to come to America, and you do not qualify in any number of ways, you can put your name in a pot, and each year we draw out 50,000 names. We had 11 million people in 1 year apply for those slots. So why wouldn't a merit-based system work?

Today, only 20 percent of the immigrants coming into the United States are admitted based on their skills. Canada went through a long period of discussion about this issue. They had a national discussion over some years, and the Parliament in Canada directed their government to establish a point-based system. Canada wanted that point-based system to ensure that 60 percent of the people who come into Canada come on a merit basis. Canada still takes those for humanitarian relief, Canada still takes other immigrants such as those with family connections, but in Canada that is much more limited than in the United States.

That was their plan. They are very happy with it. I have met with the person who actually runs that program. They are happy with what they did. They think it is something we should consider. They think we would be happy with it. We are hearing discussions that would be a part of this package. What a great step that would be if we would move in that direction. It is critical to me that more immigrants be selected on a point-based system as part of comprehensive immigration reform. It is something for which I have advocated for some time now and think we could actually get there. I am hearing some good feedback about it. But, once again, we need to read the language of the new bill.

I would point out a couple things. One, what I am hearing is the best they would expect to get to would be 40 per-

cent of the immigrants would be coming into our country based on merit, not 60 percent like Canada. Australia also does that, with 60 percent of their immigrants coming into their country on a merit-based, on a point-based system.

I am concerned that we will end up with a system that will not be effective to move us to a more merit-based system, which would serve our long-term national interests and would ensure the people who do come to America come with every prospect and every ability to flourish in our country and to do well, and not only not be a drain on our medical system or our welfare system, but actually be prosperous taxpayers contributing to the health and vitality of our Nation.

I think I saw Senator BOXER in the Chamber a few moments ago. I will wrap up, if she is available, but I do not see her on the floor at this moment. I will share a couple more thoughts I do think are important.

Last year, we did not get a final CBO score until 3 months after the passage of the bill. The August 18th CBO score estimated the bill would cost \$126.9 billion for the first 10 years, and that “beyond 10 years, definitely the costs would escalate.”

That is a major factor in what we are doing, and we have not even, to my knowledge, asked for a score from CBO, and I do not think we can ask for a score. We cannot ask for a score because we do not have bill language to say what is going to happen. We do not even know what is in the bill that will be dropped on us.

Another issue that was quite contentious last year, and I believe is very important: Will illegal aliens who worked here under a fictitious name and fraudulent Social Security number be able to get Social Security benefits?

Last year's bill would have allowed current illegal aliens to get Social Security benefits for the time they worked illegally in the United States.

In addition to the predictable fraud on the Social Security system that would result from this provision—there would be no way you could identify with certainty who paid with what Social Security number if you are using false numbers—this concept is fundamentally unfair to the millions of Americans who rely on Social Security as their main form of retirement income.

Our Social Security system is already in peril—\$6.8 trillion will already have to be invested by Congress today to have enough money to pay all of the program's promised benefits between 2017 and 2081. So it is not a program that is financially sound.

To provide millions an opportunity to make a claim to receive Social Security benefits when they were illegally in the country—utilizing a fraudulent Social Security number, illegally taking employment when they were not entitled to it, perhaps taking a job from an American worker—to be re-

warded with Social Security benefits, I believe, is not required.

Basic law—having handled a number of cases that dealt with it—is that one cannot benefit or go to court to enforce an unlawful contract. If you are a drug dealer, you cannot sue another drug dealer to enforce a promise to pay for drugs. You should not be able to have a claim against the Government based on your fraudulent conduct and then go to court and file a lawsuit to enforce that claim. That is just a basic principle of law, so any bill that offers a compassionate solution for the illegal alien population should draw the line at allowing those who come to our country illegally, utilizing false Social Security numbers, to receive benefits because it is unjust. And, how could you ever calculate that?

I will mention one more thing and will wrap up. What about the earned-income tax credit? Will that be available to temporary workers or illegal aliens given status under the bill?

The earned-income tax credit is a benefit designed to assist low-income Americans. I do not believe it should be provided to foreign workers who we invite to perform labor in our economy, whose own choice was to come and work here.

The cost estimate released by CBO last August calculated that last year's bill would have increased outlays for refundable tax credits by \$24.5 billion in the first 10 years because most of these workers are on wage scale rates that qualify for the earned-income tax credit. It would be the largest direct spending effect in the entire bill.

Now, the earned income tax credit was a plan conjured up by President Nixon a number of years ago and has some legitimate basis. Many people—conservatives—like it, and some don't. But it was designed to help working Americans make extra money so they could take care of their families. It costs us \$40 billion a year. It is one of the biggest programs we have.

I see no reason in policy or equity that says if a person comes to America to work at a job at a certain wage rate and they would generally know what that wage rate is before they came, that they ought to be given an earned income tax credit, a credit designed to encourage American citizens to work. What kind of sense does that make? So we had a vote on that last year, and the vote was to continue to give this benefit, even to temporary workers.

These are some of the issues I think are important. We are going to treat compassionately the people who are here illegally, try to work something out that is acceptable to them on any reform; we are going to try to do the things that Americans want to do in terms of generous and fair treatment to everybody. But we don't need to go overboard and put things in the bill for political correctness or other reasons that don't make common sense, that threaten our Treasury, that could drive down the wages of American workers,

that could increase the flow of workers into our country to a degree that is much larger than we have seen in the past, and that would not move us effectively to a more merit-based system like our neighbors in Canada have adopted.

Those are some of my concerns. I value and appreciate the hard work of the people who are working to try to make a bill come together, but I want people to know that it is a scary thing. I think it was the Chinese who said, in defining crisis, it is a crossing of danger and opportunity. Yes, we do have an opportunity to produce a bill that could be far better than last year's bill—a bill we could all support, that could actually work, that we could be proud of. I actually think that is possible. This year's framework for a bill is certainly a lot better. I am excited about that. But I have to tell my colleagues from what we are hearing about the language that is actually going into the bill, we could have big print rubric letters that promise this and promise that, but when you read the fine print, it is not there.

We owe the American people an honest, hard study of any legislation we vote on. If that legislation is not produced until next week, even if we get an outline of some kind tomorrow, that is not enough time for us to study it.

I appreciate the opportunity to share these thoughts. I sincerely hope that a compromise can be reached, and I hope it is one that will serve the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

Mrs. BOXER. Mr. President, after many hours of work behind the scenes and with the help of some extraordinary staff which I will talk about later tonight, we have come to the point where we are going to get this important legislation, the WRDA bill, completed. We are at that point.

AMENDMENT NO. 1145

(Purpose: To modify certain provisions relating to water resources development projects)

Mr. President, I, along with Senator INHOFE, have a managers' amendment at the desk which has been cleared by all sides. I ask unanimous consent that the amendment be considered and agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this package of amendments be printed in the RECORD as if read.

I further ask that upon adoption of this amendment, no further amend-

ments be in order; that the substitute, as amended, be agreed to; the bill, as amended, be read a third time; that upon passage, the motion to reconsider be laid upon the table; and the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate, with a ratio of 6 to 5; and that the vote on passage occur at 5:15 p.m. today, notwithstanding rule XII, paragraph 4, with the above occurring without further intervening action or debate, with the time until 5:15 equally divided and controlled between the chair and the ranking member or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1145) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. BOXER. Mr. President, this is a wonderful moment for me as the chair of the Environment and Public Works Committee, and I have to say I wouldn't be at this point without the amazing work of my ranking member, Senator INHOFE. Everyone knows there are times when we don't see eye to eye on certain issues, mostly around the environment. We get that. But when it comes to making sure the infrastructure of this Nation is where it should be, there is really no daylight between us.

I think it is very important to note that both Senators LANDRIEU and VITTER were determined to show us their needs for Louisiana, and both Senator INHOFE and I are very pleased we were able to work with both of them. We know we haven't met every single need, but we have taken an enormous step in that direction.

I mentioned the staff earlier, and I want to mention their names—my staff director, Bettina Poirier, and my deputy staff director, Ken Kopocis, Jeff Rosato, and Tyler Rushforth. On Senator INHOFE's staff, I thank Andrew Wheeler, Ruth Van Mark, Angie Giancarlo, and Let Mon Lee. Additionally, I thank Jo-Ellen Darcy and Paul Wilkins with Senator BAUCUS and Mike Quiello with Senator ISAKSON.

This has been a bipartisan endeavor. This has not been easy. Some day, when I write my book on how a bill really becomes a law, I will let everyone know what it really takes to get a bill like this done, a bill that is 7 years in the making. We need to get it done. Senator INHOFE and I are going to get into that conference committee with our colleagues, and we are going to iron out the differences and hopefully be back here with the final product.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first of all, let me say I agree with the statement made by the chairman of the committee, Senator BOXER. She is

right, we have had differences in the past. But I can say this: Working on infrastructure, whether it is the Transportation reauthorization bill or the WRDA bill, we work things out. I think we do it the responsible way. We have criteria. We make sure every project out there has a report and meets the criteria. Sometimes it doesn't end up that way in conference. We are going to do our very best to have a bill as close to what we have now, when we get to conference, when we get out of conference.

Let's keep in mind, it has been 7 years since we have had one of these. While some of the numbers look high to people, if we were to discipline ourselves, which we should—and I think we will work toward that end from now on and have these every 2 years—then that will be a much better way to get things done.

I guess we are into our time, now, aren't we?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. I would like to yield whatever time the Senator from Louisiana would like to use. I have to say he has been very cooperative. I know he has gotten the most he could for Louisiana, and that is our job when we come down here. But he has been very cooperative in working things out, and I thank him so much for his cooperation.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. I ask the Chair to tell me when 3½ minutes elapses, and I will wrap up very quickly thereafter to use a maximum of 4 minutes.

Mr. President, I rise in strong support of this WRDA bill and in strong support of the managers' amendment which is now finalizing the Senate version of the bill.

Hurricanes Katrina and Rita were devastating events on Louisiana. Even before those devastating events, any WRDA bill would be enormously important to us because we live with water resources all around us because of our coast, which is a vibrant, working coast. But because of the hurricanes, this WRDA bill is even that much more vital in terms of our security and our future. Passing this WRDA bill through the Senate and hopefully soon on to the President's desk is an enormous step in our recovery.

I wish to thank everyone who has been so helpful in that step, starting with our chair, Senator BOXER, and our ranking member, Senator INHOFE. They have been enormously cooperative and enormously helpful. Also, Senators Isakson and Baucus, the chairman and ranking member of the subcommittee, have been very helpful. Our great staff have also been enormously helpful in this process.

Through this bill, we have been able to meet a number of urgent needs of Louisiana following the hurricanes. Corps reform is done the right way in this bill, particularly for Louisiana,

through language which I drafted for a Louisiana Water Resources Council. It will serve as the exclusive peer-review entity for all four projects in the Louisiana hurricane disaster area, and that is a very positive, proactive version of Corps reform for Louisiana projects in this bill.

The Louisiana coastal area project, our forward-looking coastal restoration program, is fully authorized in this bill. We lose a football field of land every 38 minutes in Louisiana, and in the horrible days after the two hurricanes, we lost 217 square miles of wetlands. Addressing that is authorized in this bill, and many other things, such as repairing our levees to a true 100-year level of flood protection, fixing the outfall canals in New Orleans, replacing the flawed I-walls with T-walls, preventing future flooding on the Inner Harbor Navigation Canal, the closure and restoration of the Mississippi River Gulf Outlet, and authorizing the very important Morganza to the Gulf Hurricane Protection Project. These are all enormously important. That was largely done in committee.

Here on the floor, I proposed a number of amendments. I worked with my colleague from Louisiana and others, and we adopted a number of other important amendments about MRGO to make sure it is closed once and for all; clarifying that 100-year standard; eliminating obstacles to the renovation of the Industrial Canal Lock; providing credit to Lafourche Parish for work on their hurricane protection projects; authorizing the first and second phase of coastal restoration; and creating a real integration team for Corps reform.

Last, but not least, we just agreed on a crucial amendment to have an expedited process to consider the next generation of projects to provide our area true category 5 protection. That is absolutely crucial. That has been a top priority of mine, and I just finalized that negotiation here off the Senate floor. So I am very excited, because it is hot off the press, to announce we will have that expedited process to make sure the next generation of protection gets expedited consideration by the Corps and by the Congress.

So thanks to all of the leaders who have been so helpful in this process.

With that, I yield the floor.

Mr. LEVIN. Mr. President, I come to the floor today because there is a very serious situation facing Great Lakes shipping. In Michigan, and throughout the Great Lakes, there is a significant dredging backlog. The corps estimates a backlog of 16 million cubic yards at commercial harbors, which has had very real impacts to Michigan shipping. Several freighters have gotten stuck in Great Lakes channels; ships have had to carry reduced loads, and many shipments have simply ceased altogether. This problem stems in part from the way the corps' budget is prepared using performance metrics such as cargo value, tonnage, and ship

miles. Beginning in fiscal year 2005, the Office of Management and Budget and the Army corps began implementing new budget guidelines and criteria for funding the operation and maintenance of commercial harbors that relied primarily on the amount of tonnage a harbor handles. Although I do not object to using performance metrics, I am concerned that the metrics currently used do not adequately account for the situation at smaller harbors, many with economies that revolve around the harbor. I filed an amendment yesterday that would help address this very serious situation. The amendment, which is cosponsored by Senators VOINOVICH and STABENOW, would direct the corps to use all available data relating to economic impacts, and to not solely use the tonnage handled by a harbor.

Mr. VOINOVICH. Mr. President, I join the senior Senator from Michigan in sponsoring this amendment because the Great Lakes shipping infrastructure is in peril. Commercial freighters working in the Great Lakes cannot carry full loads, making for very inefficient water transport, and leading to very real economic consequences, not only for the Great Lakes region, but also for the Nation. The Great Lakes are the waterways that carry the steel for our cars, the coal for our electricity, and the limestone for the construction industry. Light-loading vessels increases the prices of these goods and in turn the goods produced from them. It has been reported that in Toledo, what was once a 150-meter-wide channel is now a 30-meter channel. We need to correct the way the corps budgets for these Great Lakes harbors—the backbone of our Nation's manufacturing economy—so they are not faced with the very real possibility of having to shut down altogether. This amendment would require the corps to use all available economic data in making its budget decisions, something that I think all of us should support.

Mrs. BOXER. I agree with the Senators from Michigan and Ohio that the corps needs to address this dredging backlog. I also agree that the corps should make their budget decisions using all economic data available and not based only on an arbitrary tonnage limit. While the bill managers were not able to reach an agreement on an amendment, I will work with the Senators to ensure that Great Lakes dredging issues are addressed when the bill is in conference.

Mr. INHOFE. As I have said before, we have an infrastructure crisis in this country. If we do not provide for adequate water transportation infrastructure, we will force even more traffic to our already-clogged highways. I believe we need to provide proper maintenance of our entire system, including the Great Lakes, not just switch focus from one component to another as they begin to fail.

Mr. LEVIN. I thank my colleagues for their recognition of the dredging

crisis in the Great Lakes. I also thank Senators BOXER and INHOFE for their support of another amendment that I filed to this bill, which is cosponsored by Senators VOINOVICH and STABENOW, that would direct the Army corps to expedite the operation and maintenance of the Great Lakes navigation system. Although that amendment would be helpful to the overall Great Lakes commercial shipping infrastructure, I remain concerned that the corps is using budgeting criteria that simply do not reflect the reality of the Great Lakes shipping system. The Great Lakes should not be compared with ports on our coasts. Tonnage alone should not be the criteria for making budget allocation decisions. We should not have to fight for our smaller ports and harbors each and every year. These ports and harbors are of commercial importance with large economic impacts. The corps' use of an arbitrary 1 million ton cut-off for prioritizing projects is simply unfair. There are about 300 harbors in the Great Lakes that handle less than 1 million tons of cargo per year. Two-thirds of all shipping in the United States either starts or finishes at small harbors. About half of the Great Lakes corps-authorized harbors are classified as small ports. The amount of cargo handled should not be the sole factor in determining priority for funding. A small harbor may in fact have a much greater economic impact on a community than a larger harbor does. For example, Manistee Harbor on Lake Michigan is classified as a smaller harbor by the corps. It handles less than 1 million tons of cargo annually; it handles 940,000 tons. Yet, multiple companies rely on this harbor, including Morton Salt, and there are 600 jobs that rely on the freighter traffic at Manistee. For a city with a population of about 6,500 people, this translates into about 10 percent of the population that is economically dependent on this harbor. And yet the corps would classify this as a lower priority project because it handles less than 1 million tons annually. Is that what you understand the Army corps is doing?

Mr. VOINOVICH. Yes, that is correct. That is what they are doing. A harbor handling less than 1 million tons, even if it has a large economic impact on the community, would have a lower budget priority specified by the corps because it only handles 940,000 tons. The amendment that we have filed would help address this inequity by requiring the corps to use all data regarding economic impacts and not just tonnage.

Mr. LEVIN. We have a problem that urgently needs to be addressed. The corps is using a budgeting system that does not reflect the reality of the Great Lakes shipping infrastructure. I receive reports on a regular basis of how this dredging crisis is threatening our economy: The Wirt Stone Dock in Buena Vista Township, MI, reported a reduction of 25 percent in shipped tonnage. Tugboats have been needed to

turn boats around because channels have not been dredged, at a cost of \$15,000 to \$20,000 each week. After one freighter ran aground at Saginaw, MI, last year, the ship's rudder was torn off, and never found.

Mrs. BOXER. I agree that we have a problem here, and I will work with you in conference to address this situation.

Mr. INHOFE. I agree that the corps needs to make sure that its funding allocations take into consideration small harbors with large economic impacts. The corps should not develop a budget that is unfairly biased against rural communities, and which will have a detrimental effect on small-town, rural America, causing job losses, and increased hardship for businesses. We must work to protect our Nation's shipping infrastructure.

Mr. DURBIN. Mr. President, I am pleased that the Building and Construction Trades Department of the AFL-CIO has added its name to the long list of supporters of this important legislation. I ask unanimous consent that their letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AMERICAN FEDERATION OF LABOR—CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, DC, May 14, 2007.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: On behalf of the twelve international unions of the Building and Construction Trades Department, I respectfully urge you to vote in favor of S. 1248, the Water Resources Development Act of 2007 (WRDA).

After seven long years it is time to end the impasse over the passage of a WRDA bill because our nation cannot afford further delay of this desperately needed legislation. Because of the limited opportunities, in an extremely crowded Senate agenda, the time to act is now.

We believe the enactment of a robust WRDA bill will enhance the environment, help grow our economy and help ease our Nation's growing congestion problem. Additionally, this bill has tremendous jobs creation potential that will create or sustain thousands of good paying American construction jobs. Studies have proven that for every \$1 billion expended on water resources development activities, approximately 40,000 direct and indirect jobs are created.

The Water Resources Development Act of 2007 will finally restore the regular process of meeting the nation's water resource needs as they arise. So, we urge you to vote YES for final passage of S. 1248 and we ask Congress to swiftly conference and enact this legislation so that our nation's acute and unmet water infrastructure needs are addressed as soon as possible.

Thank you for your consideration.

Sincerely,

EDWARD C. SULLIVAN,
President.

Mr. CARPER. Mr. President, I rise today to offer my support for the Water Resources Development Act. The Environment and Public Works Committee, on which I serve, has been trying—without success—to pass a WRDA

reauthorization since I began service in the U.S. Senate in the 107th Congress. But I think this year will be the year.

This bill includes several provisions that are very important to Delaware. First, this bill preserves the St. Georges Bridge over the Chesapeake and Delaware, or C&D, Canal. This 14-mile long canal owned and maintained by the Army Corps of Engineers, divides Delaware in half, disrupting the flow of people and commerce in my state in order to provide a shortcut for ship traffic to the Port of Baltimore.

In return for this imposition to Delaware, the Corps is obligated under Federal law to provide sufficient access across that canal. Yet in recent years, in spite of population growth that has stretched the capacity of the current bridges, the Corps has sought to reduce the number of bridges over the C&D Canal.

Thanks to support from chairman and ranking member of the EPW committee, this will not happen.

A second important provision in this bill is a late entry, but needs to be addressed immediately. Two scour holes have developed in the Indian River Inlet and Bay. One is an 80-foot hole that has developed within 100 feet of a bulkhead at the U.S. Coast Guard facility. The second is a 30-foot hole that has formed along a stone revetment that is currently protecting several structures recently constructed by the State of Delaware. I express my deep thanks to the committee for recognizing the immediacy of this request and making sure it is addressed in this bill.

There are other important provisions in this bill. Last year, I was pleased to support vital Corps reform measures that require independent peer review of projects, that improve mitigation practices, and that update the outdated principles and guidelines of the Corps. These reforms will result in stronger, more cost-effective projects that better support our economy and better protect our people.

I am very happy to say that these same provisions are included—word for word—in the measure we are considering today. Again, I thank our chairman and ranking member for retaining these important provisions.

After the lessons we learned in New Orleans, we need to be vigilant. We must continually reevaluate this program and look for the best way to better insure the Corps is designing their projects with long term needs of communities in mind. This is why I cosponsored Senators FEINGOLD and KERRY's amendment to require the Corps to take into account the impacts of global warming on water resources projects.

Shifting gears, let me note that addressing global climate change is a major priority that drives much of the work I do. Legislation to set emissions reductions may be a little ways off. But in the meantime, we should be taking steps to ensure that the people and communities who depend on Corps

projects can rest assured that those projects are built to withstand the stresses they are likely to face.

There is reason to believe that global climate change may lead to more frequent or intense severe weather events. Coastal communities and habitats, especially along the gulf and Atlantic coasts, likely will be stressed by increasing sea level and more intense storms. I think of my State of Delaware, much of which sits on the Atlantic coast. Delaware is on the front lines. We need to take the threat of global warming seriously and prepare ourselves accordingly.

Frankly, it doesn't matter whether you believe global warming is a man-made problem or that we are in a natural warming cycle. The evidence is overwhelming that our planet is getting warmer. Climate change will put added pressures on demands for water resources across the country. For example, diminished snow pack, earlier arrival of spring, tendency for more precipitation to fall as rain rather than snow, and increased evaporation will affect seasonal availability of water in much of the West. Our water resource projects should be built with that in mind to make sure that we are building the best possible projects to protect our constituents and ensure our nation's continued economic prosperity. This is absolutely as we prepare to face headon what is likely to be the greatest challenge of our generation.

Another important amendment that I have cosponsored will set priorities to address the Corps' backlog of projects. Considering recent appropriations for water resources projects—about \$2 billion a year—it would take over 35 years just to finish the projects on the books.

Since Hurricane Katrina ravaged the gulf coast in 2005, we better understand that the system by which we fund water resource projects is broken.

In Delaware, due to limited funds and the large number of requests, we have found it a challenge to get important beach replenishment projects funded, even as homes and infrastructure were threatened.

Many in this Chamber will recall that we voted on a prioritization amendment last Congress when we considered WRDA. That amendment failed by a large margin. In fact, I voted against the amendment at that time. But our colleagues from Wisconsin and my friend from Arizona heard our concerns and went back to the drawing board.

Last year's amendment would have tasked an interagency committee with prioritizing the \$58 billion backlog. Some people, including myself, felt this was taking power from the legislative branch and giving it to the executive branch. I also feared that projects in a small state like Delaware might not get due consideration.

This year, Senators FEINGOLD and McCAIN redrafted the amendment to address a number of the concerns raised in the debate last year.

The amendment before us today would establish a Water Resources Commission. This Commission would have one shot at prioritizing many of the projects in the backlog. The Commission's work would provide a guide to Congress to ensure we are spending our limited funding on the most urgent and meritorious projects. Nothing in this amendment binds Congress. It is purely informational.

Further, this amendment specifically requires the commission to find a balance between the water resource needs of all States, regardless of size.

In closing, let me add that I am delighted that we have taken up this important legislation so early in this Congress. Again, I commend our leaders on the Environment and Public Works Committee for putting such a high priority on moving this bill. I urge my colleagues to support WRDA's passage.

I also urge my colleagues to support the global climate change and prioritization amendments. These amendments will strengthen the Army Corps and improve our constituents' faith in the projects the Corps builds.

Mr. DOMENICI. Mr. President, I believe that the passage of this bill is long overdue, and I commend Senator BOXER and Senator INHOFE for their efforts to pass this bill.

There are numerous projects in this bill that are important to each State. I would like to take a few moments and highlight what this bill means to New Mexico and our environment.

To begin with, I would like to point out that the projects in this that are related to New Mexico were included, at my request, in the WRDA bill we passed in 2006. So the content in this bill should not be a surprise to any of us and I hope that we can get this bill passed quickly.

One of the most critical projects contained in this year's WRDA bill involves New Mexico's Bosque. I have long envisioned the rehabilitation and restoration of the Bosque. In fact, I have introduced legislation in this Congress that would do just that. However, this bill will allow us to implement this vision that concerns this long neglected treasure of the Southwest.

The Albuquerque metropolitan area is the largest concentration of people in New Mexico. It is also the home to the irreplaceable riparian forest which runs through the heart of the city and surrounding towns that is the Bosque. It is the largest continuous cottonwood forest in the Southwest, and one of the last of its kind in the world.

Unfortunately, mismanagement, neglect, and the effects of upstream development have severely degraded the Bosque. As a result, public access is problematical and crucial habitat for scores of species is threatened.

Yet the Middle Rio Grande Bosque remains one of the most biologically diverse ecosystems in the Southwest. My goal is to restore the Bosque and create a space that is open and attrac-

tive to the public. I want to ensure that this extraordinary corridor of the Southwestern desert is preserved for generations to come—not only for generations of humans, but for the diverse plant and animal species that reside in the Bosque as well.

The rehabilitation of this ecosystem leads to greater protection for threatened and endangered species; it means more migratory birds, healthier habitat for fish, and greater numbers of towering cottonwood trees. This project can increase the quality of life for a city while assuring the health and stability of an entire ecosystem. Where trash is now strewn, paths and trails will run. Where jetty jacks and discarded rubble lie, cottonwoods will grow. The dead trees and underbrush that threaten devastating fire will be replaced by healthy groves of trees. School children will be able to study and maybe catch sight of a bald eagle. The chance to help build a dynamic public space like this does not come around often, and I would like to see Congress embrace that chance on this occasion.

Having grown up along the Rio Grande in Albuquerque, the Bosque is something I treasure, and I lament the degradation that has occurred. Because of this, I have been involved in Bosque restoration since 1991, and I commend the efforts of groups like the Bosque Coalition for the work they have done, and will continue to do, along the river.

Another project that is of great importance to New Mexico is the Southwest Valley Flood Control Project. New Mexico is a desert state prone to flash flooding during our monsoon season. In order to protect our cities we must take proactive steps to ensure that communities are prepared in the event of flooding. The Southwest Valley is one such area that is subject to flooding from rainfall runoff. Due to unfavorable topography, flood waters pond in low lying developed areas and cannot drain by gravity flow to the Rio Grande River. This project resolves this problem and calls for the construction of detention basins and a pumping station in Albuquerque for flood control in the Southwest Valley.

This legislation also has a significant impact on our environment. The Rio Grande Environmental Management Program authorizes the Corps to address environmental restoration and management on the Rio Grande and its tributaries through planning, design and construction of habitat rehabilitation and enhancement projects and a long term river data acquisition and management program. This simple provision establishes a continuing authority for addressing environmental restoration and management on the Rio Grande and its tributaries within the state of New Mexico. This project consists of two main components. The first component consists of planning, design and construction of small habitat rehabilitation and enhancement projects

and the second component calls for a long-term river data acquisition and management program. The impacts that this project will have on New Mexico will be tremendous.

Another program outlined in this year's WRDA bill provides authority to the Corps to study, adopt, and construct emergency streambank and shoreline protection works for protection of public highways and bridges, and other public works, and nonprofit public services such as churches, hospitals, and schools. This program provides authority for the Corps to carry out ecosystem restoration and protection projects if the project will improve environmental quality, is in the public interest, and is cost effective. This is a worthy initiative that will benefit the environment throughout the United States.

I urge my fellow Senators to help further enhance and protect our environment through passage of this legislation. I believe that each State will benefit once they receive these long overdue project authorizations.

Mr. INHOFE. Mr. President, we are operating under 20 minutes equally divided, although there is more time than that before the vote. I ask unanimous consent that we be able to continue our remarks up to the time of the vote at 5:15 p.m.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, first of all, I don't see Senator BAUCUS here. He is the chairman of the subcommittee. He did a great job on this. We worked closely together. They called us the big four, the chairman and ranking member and the chairman and the ranking member of the subcommittee. We all worked tirelessly on this. We are all pleased with the product we have.

Mrs. BOXER. How much time is left on my side, Mr. President?

The PRESIDING OFFICER. There is 9 minutes 17 seconds, and there is 4 minutes 21 seconds on the other side.

Mrs. BOXER. Mr. President, I would love to hear from Senator ISAKSON because he has been a champion in assisting us and working on this. We are fortunate to have him as ranking member on the subcommittee.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I thank the chairman. About an hour and a half ago, we negotiated our final agreement to make this deal possible. Chairman BOXER and Senator INHOFE have been indispensable in making this a reality.

This bill, as I said last week when the bill came to the floor, is not a spending bill, it is an investment bill. As Senator VITTER recited, regarding Louisiana, it is a meaningful response to the tragedy that took place with Hurricanes Katrina and Rita. Across the country, projects that have needed to be done, or need to be focused on, are being authorized. We are finally doing

what, for 7 consecutive years, Congress failed to do.

This is a very important piece of legislation that has been handled in a bipartisan fashion. The chairman has been exceedingly fair to everyone. The ranking member has worked diligently, and Senator BAUCUS, myself and the ranking member and the chairman have stuck to the deals we made, which, in this body, is the most important thing of all. I acknowledge both of them and offer my appreciation.

On behalf of the citizens of Georgia, I thank the Corps of Engineers for what they do for our State and particularly the language in the bill that recognizes the possible bi-State port that will be built in South Carolina, and the multi-regional WRDA language for the metropolitan Atlanta-North Georgia Planning District, which is essential.

VOTE EXPLANATION

Yesterday morning, I was absent for vote No. 163 on amendment No. 1090. For the record, I was having a root canal, which is a bad way to miss a vote. I ask unanimous consent to let the record reflect that had I been here, I would have voted no, in accordance with my agreement with the chairman and the ranking member.

Mr. INHOFE. Mr. President, let me make one comment. Something the Senator from Georgia said is very important. This is not a spending bill, this is an authorization bill. If we didn't have this bill in the process, then the appropriators, when the bill would come up, would have all kinds of projects that did not go through a process, where we would know if there is local support and so forth. So the conservative position is to authorize these things and, if there is something somebody doesn't like, go after it when the appropriations come.

We have a good bill. I thank the chairman for working with us. I know the Senator from Louisiana wants to be heard, also.

Mrs. BOXER. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 9 minutes 2 seconds. The other side is 1 minute 4 seconds.

Mrs. BOXER. I yield 8 minutes to my colleague from Louisiana. She has been such a fighter for her State in all this. There isn't a day that has gone by since the very day of the disaster that struck when she hasn't come up and told me: Senator, you need to come and see and you need to help. I am so fortunate I am in a position to help, along with Senator INHOFE. This is a bill that is so important for her State.

I thank MARY LANDRIEU for all the contributions she has made. I yield to her 8 of the 9 minutes I have left.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, Senator BOXER is true to her word as a leader of this committee. She came down to Louisiana, along with 4 or 5 members of her committee, about 2 months ago at my request, to not only

put her feet on the ground but also to get up in the air in a helicopter, if you will, to see the great wetlands and the outline and contours of the levees that protect not only the city of New Orleans but the parishes of Jefferson, St. Bernard, and Plaquemines, and to fly as far as we could to the western part of the State and see the entire southern part of our State, which, in large measure, depends on what this bill does, when it passes and what is in it because, as I have said many times, if we were talking about a desert bill, we would not be here. But we are talking about a WRDA bill.

It may be inconvenient to other States when this bill doesn't pass, but when WRDA doesn't pass for Louisiana, it is life and death. These projects authorize critical protection from Morganza to the gulf, which the President not too long ago threatened to veto. That is in this bill, and I don't believe this bill will be vetoed, but Morganza to the gulf is in there because of the work of this committee. They know that that project is critical to a large part of southeast Louisiana. We also have in this bill, at the request of myself and Senator VITTER, the closing of MRGO, the Mississippi River Gulf Outlet, which has been part of the problem of the storm surge coming into St. Bernard to New Orleans east and parts of Orleans Parish. That is going to be closed because of the Senator's commitment and the recognition of the terrible environmental damage that has been caused to our region. In addition, there are many other projects. We do more than haul cargo and move cargo back and forth throughout our country, but we move it around the world. We also, as you know, produce a great deal of energy both on shore and offshore, and our energy ports contribute. The dredging, the channelization, the building of levees, closure of MRGO, and the expedited process for hurricane 5 levee protection, at my request, is in this bill.

So I appreciate the work of the chairman and the ranking member. Most importantly, 7 years have passed since a WRDA bill came this close to passage. I believe, under Senator BOXER's leadership, with Senator INHOFE's help, and our colleagues on the House side, that we can pass a WRDA bill. For Louisiana, it is the largest number of projects we have ever had. Senator VITTER, my colleague, serves on the committee and deserves a great deal of credit for this work. Before Senator VITTER got to the Senate, our office and Senator Breaux's office worked to help develop a lot of the foundations of this bill. It has been going on, as you know, for some time. It is a team effort, and it is a victory for Louisiana. There are things we need to improve as we go along, and we will continue to work on that. This project to secure south Louisiana is a decades' long project. It is stated that the total cost could be from \$30 billion to \$60 billion. Obviously, we are not going to get that

money in this bill. But the authorizations that are in this bill for Louisiana coastal restoration and for individual projects are going to go a long way to lay the foundation, and with the passage of the Domenici-Landrieu Gulf of Mexico Energy Security Act last year, which this Congress passed by an overwhelming vote, Louisiana has now an independent source of revenue to direct to these projects.

So again, I thank the chair and the ranking member and commend my colleague who serves on this committee for his excellent work. I am happy I was able to contribute as well to the amendments both on the floor, to the building of this bill over 7 years, and to its ultimate passage. There are other things we would have liked to have gotten done. We will continue to work on that through the conference committee.

I yield back the remainder of my time.

Mrs. BOXER. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 3 minutes 17 seconds.

Mrs. BOXER. All right, in 3 minutes 17 seconds, I want to say again how happy I am. I am smiling from ear to ear because this has been an amazing road. I think it is important to note that when we started out, we had a little surprise from the CBO that both Senator INHOFE and I were surprised about—that our last bill had some open-ended language that we didn't realize. We had to make this fiscally responsible. We did.

Senator INHOFE is a man of his word. He said these are criteria I want. We have to make sure these projects have studies; that the local people want them and there will be a local match; that they stand up to the light of day. I agreed with him. Once we were able to agree on those criteria, the rest became easy because we had to tell people no, but we did it not on a whim but on a set of criteria that we agreed to.

Our staffs have come to know each other very well while working on this. So between the staff and colleagues coming and telling us what they needed, I think we have a bill that meets everybody's needs.

In closing, I thank Senator LANDRIEU for her comments because I think, as we look at this bill, clearly—and there is a lot of talk about priorities—we get our priorities straight. There are amendments we defeated that said we don't like the priorities. This bill looks at Louisiana and says you are our priority. That is important. We did it.

I wish to thank the groups and organizations outside the Chamber that helped us by writing letters of support and encouraging our colleagues to work with us: The American Society of Civil Engineers; the Audubon Society; the Building and Construction Trades; National Waterways Conference; the National Association of Manufacturers; the American Farm Bureau; the National Construction Alliance, made up

of the labor union; the National Union of Operating Engineers and Carpenters and Joiners; the Associated General Contractors of America.

It is rare that you have a bill that garners the support of so many from across this great country of ours. But it is about making sure that the WRDA infrastructure in this country is up to the task it faces. We have to be ready for whatever hits us by way of floods, hurricanes, disasters. We have to be ready for ecosystem restoration and all the rest. I left out the corn growers, who supported us also, and they sent us a letter. So from the corn growers to the carpenters, this is a bill everybody wants.

I hope my colleagues will come over, and I hope we get a huge vote in favor of this bill and we can go into conference, where we will have six Democrats and five Republicans, and we will sit down with our counterparts and bring a product back that everybody can be pleased with.

I think we are about ready for the vote; is that correct?

The PRESIDING OFFICER. The time of the majority has expired. The minority has 1 minute 4 seconds.

Mr. INHOFE. With 1 minute left, I think it is very important. There are a lot of people who didn't get everything they wanted. Every time we pass an authorization bill, whether it is transportation or a WRDA bill, if you don't have a lot of people upset, then you didn't do a very good job. We had to shave a lot of places. This sets us up, and this offers us discipline for the appropriation process when it comes along.

I say to my good conservative friends, this is the best way to do it, so we know when appropriation bills come up, certain things have been done. This is a major accomplishment. We were able to pass this before, last year. We are hoping now we are going to conference, and we can come back with something we can all support. I believe we will.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. Under the previous order, the substitute amendment, as amended, is agreed to.

The substitute amendment (No. 1065), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN),

the Senator from South Dakota (Mr. JOHNSON), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE) and the Senator from Arizona (Mr. McCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 4, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—91

Akaka	Durbin	Mikulski
Alexander	Ensign	Murkowski
Allard	Enzi	Murray
Baucus	Feingold	Nelson (FL)
Bayh	Feinstein	Nelson (NE)
Bennett	Graham	Pryor
Bingaman	Grassley	Reed
Bond	Hagel	Reid
Boxer	Harkin	Roberts
Brown	Hatch	Rockefeller
Brownback	Hutchison	Salazar
Bunning	Inhofe	Sanders
Burr	Inouye	Schumer
Byrd	Isakson	Sessions
Cantwell	Kennedy	Shelby
Cardin	Kerry	Smith
Carper	Klobuchar	Snowe
Casey	Kohl	Specter
Chambliss	Kyl	Stabenow
Clinton	Landrieu	Stevens
Cochran	Lautenberg	Tester
Coleman	Leahy	Thomas
Collins	Levin	Thune
Conrad	Lieberman	Vitter
Corker	Lincoln	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	Webb
Crapo	Martinez	Whitehouse
Dodd	McCaskill	Wyden
Domenici	McConnell	
Dorgan	Menendez	

NAYS—4

Coburn	Gregg	
DeMint	Sununu	

NOT VOTING—5

Biden	Johnson	Obama
Dole	McCain	

The bill (H.R. 1495), as amended, was passed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

The Senate insists on its amendment, requests a conference with the House, and the Chair is authorized to appoint conferees with a ratio of 6 to 5.

Mrs. BOXER. Mr. President, I just want to say to all of my colleagues that this was a wonderful vote tonight, and I think the country will be very grateful because it has been 7 years since we have had a Water Resources Development Act. We desperately need to keep up the country's infrastructure with our needs, and this bill is a wonderful step in that direction. We are all set to go to conference with the House. I have already had some conversations with Congressman OBERSTAR. We are looking forward to getting this back and moving forward.

Again, to the staffs on both sides, thank you so much. To colleagues on the committee, thank you very much. To, of course, the ranking member, Senator INHOFE, I want to say again that without his partnership we never

could have come to this point. I think every State in the Union will be grateful because we worked together across party lines to achieve something that is 7 years in the making, something that we really needed—this water resources bill.

Ms. STABENOW. Mr. President, would my distinguished colleague yield?

Mr. President, I would like to say thank you to the distinguished chair of the Environment and Public Works Committee for all her hard work. Nobody cares more about water resources than the Great Lakes States. I don't know, we may have a rival in California, but certainly the Great Lakes States. We are very grateful for the ability to work with the Senator to do some very positive things and to have such a strong vote on a bipartisan basis, and we appreciate her leadership.

Mrs. BOXER. I thank my colleague very much.

Mr. REID. Mr. President, if there were ever a Senatorial odd couple, it is Boxer-Inhofe. But this odd couple has done some tremendous work legislatively. This bill is long in the making. They have worked extremely hard, through some very difficult negotiations.

I am sorry Mr. INHOFE is not here, but it is a wonderful piece of work, and they both should be very proud of their accomplishments. We are going to get this bill to conference as quickly as we can, and I am confident they will be able to work this out very quickly. This is a remarkably good piece of legislation. The public should know even odd couples in the Senate can do great things.

Mrs. BOXER. Mr. President, I thank my colleague. I do wish to say, as I mentioned before, not only did the principals work well together, but the staffs did as well. I got to know the staff on the other side of the aisle. I really have enjoyed working with them. They are very fair. They represent their boss very well.

One thing about the staff across the aisle here is they have respect for each other. They tell each other the way they feel. It is the only way to work around here. You are only as good as your word. We had some tough moments here.

I also wish to thank the floor staff. I don't want to start naming names, but the floor staff on both sides were so helpful, because for me, this is my first major bill I ever managed, so clearly I needed a little direction. I am very fortunate to have all of this support from both sides of the aisle. I will mention Lula and Dave just because I happen to see them in front of me.

Mr. LEVIN. Mr. President, I am pleased that the Senate has passed the Water Resources Development Act, WRDA, of 2007, which authorizes important water projects for Michigan, the Great Lakes region, and the Nation. After waiting nearly 7 years since the last WRDA bill was passed, I am hopeful that this bill can make its way

through conference and be signed into law by the President.

I am pleased that the Senate Environment and Public Works Committee included several of my requests in the bill and accepted one of my amendments. However, I want to emphasize that this is an authorization bill. The appropriations that are needed to make these authorized projects a reality lie down the road, and have not yet been secured. The next critical step in realizing these projects is to work to secure funding for these projects, which I intend to do.

Included in the WRDA bill is a provision that I filed as an amendment to the bill, which could help address a very serious problem facing the Great Lakes shipping infrastructure. Every year, hundreds of millions of tons of goods are transported through the Great Lakes waterways, and communities throughout the Great Lakes are economically tied to waterborne commerce. Unfortunately, however, the Great Lakes shipping infrastructure is threatened by a significant dredging backlog that has been exacerbated by historically low water levels. The Army Corps of Engineers estimates a backlog of 16 million cubic yards at commercial harbors, which has had very real impacts to Michigan shipping. Several freighters have gotten stuck in Great Lakes channels; ships have had to carry reduced loads, and many shipments have simply ceased altogether. The WRDA bill works to correct this situation by directing the Secretary of the Army to expedite the operation and maintenance, including dredging, of navigation projects in the Great Lakes.

Dredging to the needed depths is critical. According to the Great Lakes Maritime Task Force, a large freighter loses the carrying capacity of 8,000 tons of cargo for each 1-inch reduction in the load draft. A capacity of 8,000 tons can carry enough steel to produce 6,000 automobiles, enough coal to provide 3 hours of electricity for greater Detroit, or enough limestone to build 24 homes. That means that every dollar that can go towards maintaining harbors and navigation channels truly matters.

Although the navigation provision in the bill could be helpful to the overall Great Lakes shipping infrastructure, I remain concerned that the way the Corps of Engineers budgets for dredging projects is unfair to Great Lakes navigation projects, especially smaller harbors. Beginning in fiscal year 2005, the Office of Management and Budget and the Army Corps began implementing new budget guidelines and criteria for funding the Operation and Maintenance of commercial harbors that relied primarily on the amount of tonnage a harbor handles. I raised the Great Lakes dredging situation with the bill managers, and they have agreed to work with me to address this problem in the conference committee.

The bill also includes a provision that I have been working on for many

years: the improvement of Michigan's water and sewage infrastructure. The bill includes \$35 million for a statewide environmental infrastructure project to correct combined sewer overflows, which is a major source of pollution in the Great Lakes and other waterbodies in Michigan. Combined sewer overflows carry both stormwater and sewage, and these can be discharged into streams, rivers, and lakes during periods of heavy rains. The \$35 million provision in WRDA authorizes the Army Corps to partner with communities throughout Michigan to improve their sewer infrastructure. These improvements would not only benefit communities, but would also help protect our precious water resources.

I am also pleased that the bill also authorizes a number of specific projects in Michigan. Of importance, the bill authorizes \$20 million for the environmental restoration of Lake St. Clair. In 2005, the Corps completed a report outlining the steps needed in order to restore Lake St. Clair. This bill authorizes the Corps to implement the 2005 recommendations. The plan was drafted through a collaborative process by the stakeholders in the community, which will promote efficiencies and save Federal funds.

Section 1005 of the bill, which authorizes small projects for navigation, includes six important projects for Michigan. First, the Corps is authorized to reconstruct the harbor at Northwestern Michigan College in Traverse City, MI. The renovated harbor would support the operations of the Great Lakes Maritime Academy, our Nation's only freshwater State maritime academy, and vessels associated with the program, including the federally owned and operated *T/S State of Michigan*. The project would include dredging, construction of an eastern arm, reconstruction of the inner harbor area, and general site improvements. Second, section 1005 authorizes the Corps to dredge the outer channel and inner harbor of Menominee Harbor. Low lake levels, which have been prevalent in recent years, and present channel depth are threatening shipping vessels' ability to make deliveries and load at the commercial and industrial sites on the inner channel. This authorization will help support commercial navigation by authorizing dredging and other navigation-related projects to accommodate access to warehousing and commercial operations, which have loading docks on the inner river channel. The additional depth would benefit deep-draft commercial vessel traffic, which has increased over the years and is expected to continue to increase.

Third, section 1005 authorizes the Corps to extend and deepen the Ontonagon Channel. The channel extension at Ontonagon Harbor is necessary to allow for better access to Ontonagon's port facilities. Currently, there is only one vessel that can handle the required volume of material for Ontonagon's industrial community that will enter the

harbor. Other ships have to back into the harbor to reach the dock and are unwilling to do so because of the prevailing currents at the mouth of the harbor. This authorization can help protect the vital shipping infrastructure in Ontonagon. Fourth, section 1005 authorizes the Corps to make repairs and improvements to the Sebewaing River. The north bank of the Sebewaing River has deteriorated over the years, which is resulting in excessive sedimentation being washed into the river channel from the Saginaw Bay. This project would authorize the repairs, which would result in less frequent dredging being needed. Fifth, this section authorizes the Corps to dredge the Au Sable River in the vicinity of Oscoda. This dredging is crucial so that boaters have access to local marinas, restaurants, and other businesses. Without this dredging, boaters could be prevented from accessing the river, which would be devastating for the tourism economy. Lastly, this section authorizes the Clinton River project, a navigation project that would decrease the amount of the time it would take boaters to get to Lake St. Clair.

Section 1006 authorizes a project that would improve the water quality and natural habitat of the Clinton River. The project would also examine a means to "daylight" the Clinton River under the city of Pontiac. In past years, the river was enclosed in a series of conduits under the city. By restoring the surface flow through the city, the river ecology can be restored, and economic development on the resulting waterfront be promoted.

Section 2037 authorizes the Corps to repair and rehabilitate the Hamilton Dam, located in the Flint River on the campus of the University of Michigan-Flint. Built in 1920, the dam is rapidly deteriorating and the prospect of dam failure and what that would mean to those living downstream continues to be a major concern. Authorizing this project is an important first step in making repairs to the dam.

Finally, section 4019 of the bill authorizes the Corps to study storm damage reduction and beach erosion protection projects along Lake Erie at Luna Pier, MI. The city of Luna Pier lies on the western end of Lake Erie in Monroe County, MI. The shoreline dike system and beach sills that were installed at Luna Pier continue to deteriorate because they are subjected to Lake Erie's severe storms. This study is a first step in making the necessary repairs at Luna Pier to provide adequate storm damage reduction, beach erosion protection, and flood prevention.

The Great Lakes are one of world's greatest natural resources, so I am very pleased that this bill takes some needed actions to protect and restore them.

First, the bill includes an extremely important provision to authorize the Corps of Engineers to complete the dispersal barrier in the Chicago Ship and

Sanitary Canal. In order to prevent aquatic invasive species, such as the Asian carp, from moving between the Mississippi River watershed and the Great Lakes, this dispersal barrier needs to be completed. Specifically, the Corps will be authorized to convert Barrier I into a permanent facility, to complete construction of Barrier II, and to operate and maintain both dispersal barriers at full Federal cost. The Corps is further authorized to study options for hydrologic separation while maintaining the movement of cargo and recreational vessels so that we can determine what a long-term solution should be.

Second, the bill reauthorizes the Great Lakes Remedial Action Plans and Sediment Remediation program and the Great Lakes Tributary Models Program. The Great Lakes Remedial Action Plans and Sediment Remediation Program has allowed the Corps to provide technical support to States and Remedial Action Plan committees so that the United States can meet international obligations. Michigan has several communities that request this assistance from the Corps every year. Using the Great Lakes Tributary Models Program, the Corps has developed computer models to simulate the erosion, transport and deposition of sediments within a watershed, and can be used to evaluate the effectiveness of soil conservation and other source control measures on the loadings of sediments and sediment contaminants to Great Lakes harbors and navigation channels.

Next, this bill brings equity to both the John Glenn Great Lakes Basin Program and the Great Lakes Fishery and Ecosystem Restoration Program so that in-kind contributions count towards the non-Federal cost-share requirements of those programs. Further, the bill clarifies that any reconnaissance studies under the Great Lakes Fishery and Ecosystem Restoration Program are to be performed at Federal expense. This was the original intent when the program was first authorized in 2000.

Lastly, this bill expands the type of beneficial use of dredge material projects eligible for inclusion under this authority. Dredging improves and maintains navigation channels in the Great Lakes and is used for other purposes such as waterfront construction, utilities placement, and environmental remediation. It only makes sense to use the dredge spoils for beneficial purposes rather than disposing of it in the middle of the lakes.

Mr. OBAMA. Mr. President, I would like to applaud the Senator from California, Mrs. BOXER, for her excellent work in swiftly bringing the Water Resources Development Act to final passage in the Senate. When the Senator from California became chairman of the Environment and Public Works Committee at the beginning of the 110th Congress, she pledged that this important bill would receive Senate

consideration as quickly as possible. She kept that pledge, and I encourage all supporters of this bill to acknowledge that commitment.

During the 109th Congress, those of us who supported swift enactment of the Water Resources Development Act met considerable obstacles to that goal. I called upon Senate leadership to schedule this bill in the summer of 2005. Later, my colleague, the Senator from Missouri, Mr. BOND, and I worked together on a letter, signed by 40 of our colleagues, calling upon Senate leadership to schedule floor time for this bill. Still later, when we were told that 40 was not enough, that we needed 60 signatures, we came back and got 81. Seven months later, the Senate finally scheduled debate, but the final bill was never finished before the 109th Congress adjourned. It has now been 7 years since the last WRDA bill and it is long overdue.

This bill provides approximately \$2 billion for upgrades to locks and dams along the Mississippi and Illinois rivers. Illinois is the largest shipper of corn and soybeans on these rivers and the 70 year old system of locks and dams needs to be upgraded to ensure swifter access to export markets—something, by the way, that competitors like Brazil are doing right now. A significant part of competitive agriculture is about reducing transportation costs, so if we are to strengthen our agriculture markets, we need to strengthen waterway transportation, and that means upgrading these locks and dams.

Despite my longstanding support for WRDA, I was unable to cast a vote on the bill because I was scheduled to give a speech at the time of the vote. However, had I been able to vote, I would have supported the bill.

Mr. FEINGOLD. Mr. President, today I voted in support of the Water Resources Development Act of 2007. While I have concerns about the \$15 billion price tag of the Senate bill and Congress' failure to prioritize these new projects and the nearly \$60 billion of authorized but unconstructed Corps projects, I strongly support the reform provisions in the underlying bill. These reforms are absolutely essential for improving the Nation's water resources planning and should be the baseline of reforms coming out of conference.

These important reform provisions include independent peer review of costly or controversial Corps projects; dramatic improvements to the Corps' mitigation process; modernizing the Corps' woefully out of date planning guidelines; establishing a new national policy that directs the Corps to avoid impacts to floodplains; and requiring an interagency assessment of the nation's vulnerability to flood and related storm damage and recommendations to improve the Nation's various flood prevention programs.

Senator McCAIN and I have long championed these reforms, and I thank him and his staff for their continued

commitment to this important issue. I also appreciate the support from my colleagues—and the cosponsorship by Senators McCAIN, COBURN, CARPER, GREGG, SUNUNU, and DEMINT—for the prioritization amendment that I offered. Prioritization is essential to ensure Congress has the information it needs to assess the relative importance of Corps projects. This is not only our fiscal responsibility, but is important to the country's economic development and transportation systems, and our ability to protect citizens and property from natural disasters.

I am very pleased that Senator BOXER, Senator INHOFE, Senator BAUCUS, and Senator ISAKSON reported a WRDA bill that retained the hard-fought reforms from last Congress. Through negotiations and a successful independent review amendment on the floor, we took the first step to ushering in critical reforms to the Corps of Engineers in more than 20 years. As we look ahead to conference, I particularly appreciate Chairman BOXER's commitment to retain these reforms in conference. I thank Chairman BOXER and Majority Leader REID for joining me in a colloquy to this effect.

“Corps reform” has been an ongoing effort over the years. Many of my current and former colleagues, staff, and numerous taxpayer and environmental groups have played a role and I am grateful for all of those efforts. It is my hope that we can honor these efforts and recognize the importance of instituting significant policy changes by enacting a final bill that retains the Senate's strong reforms and keeps the cost to the taxpayer at the current level or less.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. CANTWELL. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PASSING OF YOLANDA KING

Mr. LEAHY. Mr. President, today our nation mourns the loss of Yolanda King, the eldest daughter of the late Dr. Martin Luther King, Jr., and Coretta Scott King, and the “first daughter” of the civil rights movement.

Yolanda King's life moved in the stream of American civil rights history. Born in segregated Montgomery,