

Following immigration, we will turn our attention to the 3 remaining bills from the original 10: an energy bill that will take crucial steps toward weaning our country of our addiction to foreign oil; we are going to reauthorize the Higher Education Act which will address skyrocketing costs of college; and a Defense authorization bill to make critical investments to address troop readiness problems in the military, and that debate will be led by the Presiding Officer.

Readiness will be led by the distinguished junior Senator from Virginia, someone who has experience in battle and more than just words. We look forward to following the distinguished Senator from Virginia in making sure our troops are ready, their rotations are right, they are trained right, and that they are not going back, as happened in Nevada 2 weeks ago when someone was going back for a fourth tour of duty and acknowledged to his family he was tired and knew he wouldn't come back. He had survived too many explosions to go back for another tour of duty and survive another explosion, and he was right. He is now dead.

We will also reconfigure our national security strategy to better meet the threats and challenges we face today that the President, we believe, is overlooking.

We have made great progress this year, especially when we have put our partisan differences aside to work toward common goals. But for all the good that has come in the shadow of President Bush's catastrophic Iraq war, we need to do so much more. Ending the war will continue to be our No. 1 priority every single day as the year continues.

The month of May 2007 was the third deadliest month in the war. It was close to being the deadliest, but they didn't break that record, thank goodness. But May was the third deadliest month in the entire 51 months of this war. June is off to a horrifying start. Sixteen Americans have been killed in the first 3 days of the month.

The President's troop escalation is now complete. Yet a New York Times article this morning reports that security goals are far, far, far short of the military's hopes, with just about one-third of Baghdad's neighborhoods in some semblance of order.

In the midst of this growing chaos, the Senate Intelligence Committee released a new bipartisan report just before the Memorial Day deadline. My good friend and colleague, Chairman JAY ROCKEFELLER, working with the vice chair of the committee, KIT BOND—and the Intelligence Committee has become a nonpartisan committee, as it was set up to do—they worked on a bipartisan basis, and the information they came up with is long overdue. Previously, there was not cooperation between the majority and the minority. The chairman of the committee basically stonewalled everything the

committee was trying to get done, and that is the reason we shut the Senate down. But that information has now come forward, and my colleague, Senator ROCKEFELLER, deserves enormous credit for putting together this crucially important report.

It further brings to light the administration's decision to go to war in Iraq regardless of the facts and warnings issued by the Intelligence Committee. The Intelligence Committee foretold much of the chaos we now face. They told the President, among other things, the following: that installing democracy would be a long, difficult, and probably turbulent challenge in Iraq, and that was an understatement; No. 2, that al-Qaida would try to take advantage of U.S. attention on postwar Iraq to reestablish its presence in Afghanistan, and they have done that; that Iraq was a deeply divided society that likely would engage in violent conflict unless an occupying power prevented it, and we have not prevented it; that the U.S. occupation of Iraq would result in a surge of political Islam and increased funding for terrorist groups, and that has proven to be true; that Iraq's neighbors would jockey for influence in Iraq, including fomenting strife among Iraq's sectarian groups, and that is true; that some elements in the Iranian Government could decide to try to counter aggressively the U.S. presence in Iraq or challenge U.S. goals, and they have done that; and, finally, that our action in Iraq would not cause other regional states to abandon their WMD programs or their desire to develop such programs, and that also has proven to be true.

Clearly, the intelligence community got it right, and their warnings were not issued in a vacuum. Perhaps the most striking finding of the report is that all the key administration players were made aware of these warnings—Doug Feith, Paul Wolfowitz, Steve Hadley, Scooter Libby, all key Bush officials at the National Security Council, the State Department, the Department of Defense, and the Vice President were all on the distribution list.

The Bush administration cannot hide behind ignorance. Whether out of hubris or incompetence, the President and his men willfully ignored the experts and sent our troops to battle unprepared for the consequences.

Some might say, what is past is past. If the President's prewar failure was a one-time event, we could maybe forget about it, even though that would be hard. But if President Bush's prewar failure was a one-time event, we could leave it to the historians to study and judge the tragedy of his incompetence. But even today, after almost 3,500 American deaths and more than 20,000 wounded, the President continues to cherry-pick facts in order to paint a rosy but very misleading picture of Iraq.

After tens of thousands of injuries to our troops, the President continues to ignore the advice of experts. After

nearly \$500 billion of America's treasure has been spent in Iraq—some say it is approaching \$1 trillion, but a vast amount of our treasury—he is still dreaming his way through this epic tragedy. The country's eyes are wide open, and it is time for the President to wake up.

I understand some Americans are frustrated that we here in Congress have not been able to move more quickly to end the war. Many who voted for change in November anticipated dramatic and immediate results in January. They did get some dramatic changes. This is what we have given them: more than 75 hearings on Iraq, the Walter Reed scandal brought to light and steps taken to make it right, a supplemental bill sent to the President that set a firm policy to responsibly end the war—only a small step but a step, a second supplemental that set benchmarks and voided the President's blank check—the first was vetoed, this was not.

Our resolve has never been stronger. With a razor-thin majority—and, remember, it is a razor-thin majority—an obstinate President, and a Republican minority that continues to bow to his will, we are nonetheless making real progress. However, under the Senate's rules and our Constitution, there is only so far a determined majority can go, especially with our 49-50 disadvantage, which is due to Senator JOHNSON's illness. We can only end this war if the President changes course, or more Republicans join with us to force him to do so.

When we take up the Defense authorization bill, we will not just work to correct the President's neglect of troop readiness and protection, we will give our Republican colleagues another opportunity to join us and bring a responsible end to this war. We will fight for that every day this year, as long as the President and a few allies left here in Congress continue to defy the reality the rest of us see clearly.

We owe it to the men and women serving overseas and serving at home, to families who await the return of those overseas, and all Americans who want the Iraq tragedy to finally end.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

ORDER OF PROCEDURE

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes. I believe Senator BINGAMAN wants to speak after that.

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

IRAQ AND IMMIGRATION

Mr. SESSIONS. Mr. President, I would just say to my friend, Senator REID, the able Democratic majority leader in the Senate, that I hope we don't continue in a debate about the Iraq situation in ways that are destructive to our Nation but that we can conduct the debate in a positive way.

For example, I know there has been an intelligence report that has been produced, but it also had within it projections of things of a positive nature, some of which occurred and some of which didn't. It had within it projections of things of a negative nature that did not occur. Even with regard to its prediction of violence and persistent violence and sectarian strife that could occur that report predicted it would be phasing down after 3 or 4 years. So predictions are predictions.

I don't think those possibilities were not discussed in the debate leading up to our giving authorization to the President to conduct this war. To suggest that this intelligence report was some sort of smoking gun that raised issues nobody had even discussed, and that somehow the President misled the public, is wrong and it hurts the President of the United States, whoever he or she may be; and who, right now, we assume will be traveling the world and meeting with leaders of foreign nations. To make those kind of accusations is not healthy, in my view, and not responsible.

Now, we had a vote week before last, fortunately, to provide funding through the emergency supplemental for our soldiers, sailor, airmen and marines in Iraq. That was too long in my view, but we did it. And we voted to send General Petraeus to execute the surge that the President has called for, and that was the funding that we approved week before last to fund that surge. He is to give us a report in September on how the situation is in Iraq, and we are all watching with a great deal of anxiety because we are concerned about what is happening in Iraq. We know the United States has only limited ability to affect what we would like to occur there. We have done a great deal to help that nation establish itself, and we want to continue to utilize our resources wisely, but this was a surge and we need to evaluate the situation in September.

What I would urge my colleagues on the other side to do, even though they may be concerned about it, in the debate on the Defense authorization bill, and perhaps the Defense appropriations

bill that will occur later on this summer, we ought not to utilize rhetoric and language that undermines what our soldiers are doing right now, what we directed them to do, and what we have funded them to do, and that is to help create stability and more security for the people of Iraq. We ought not to debate in such a way that it makes it harder for them to succeed.

Don't we all want that to occur? Don't we all want to see a stable, decent Iraq occur? They have had elections, but they are having a very difficult time bringing that country together in a stable fashion, as we all know. So I would encourage my colleagues, in the course of the debate, that we conduct ourselves in such a way that we don't place at greater risk our soldiers and that we don't make our foreign policy that we have in a bipartisan way authorized more difficult to achieve and provide any ability for the enemy to think that they are able to prevail by lack of resolve on our part.

I want to spend a few minutes talking about the immigration bill that is before us. I think it is a critically important piece of legislation. The American people are concerned about it. They are following it quite closely. They know we have a difficult time in Iraq, and they do not expect an easy solution there. They know we have difficulties with energy prices and other difficulties, and they want us to do what we can in that regard.

With regard to immigration, they are rightly of the view that we can do something about it. We can create a lawful system of immigration that serves our national interest if we desire to do so. If we, as a Congress and the executive branch, want this to happen, we can make it happen. Don't let anybody suggest otherwise. It is not impossible. It is absolutely possible, and we ought to be working on that. That is what they have asked us to do, and I hope we will.

Let me just mention the debate so far has been sporadic and desultory. Members have not had a chance to be very engaged in the matter. We were off last week for Memorial Day, but the week before that we were in debate on the bill. The week before that, the old bill, last year's failed bill, was introduced and sat on the calendar until Tuesday morning of the week before the recess. They then plopped down a complete substitute, a completely new bill last Tuesday.

On Monday, we talked about immigration. I talked about it at some length, but there were no Senators here, really. The only vote we had was on the motion to proceed to the new bill. We had a mere six roll call votes last week, and we didn't do anything Friday even though we were in session. A few hardy souls, myself included, came down and spoke, but nobody was here to really listen. There were no votes, and most Senators had already gone home for the recess.

Here we are again, now on the Monday after recess, with very few Senators here and no votes scheduled for today. All of these days though, even though we did not do anything, are going to be counted, you see, as time we spend analyzing and amending the immigration bill that is before us.

I suggest that at this painfully slow pace of amendments, the bill can't be done this week, that we need a great deal more time on this bill before final passage.

The way the bill was brought up was that our colleague, Senator REID, under rule XIV, just introduced it and immediately brought it up. It did not go to committee. It was brought straight to the floor. It really had only been written over the weekend, and, bam, here it was on the floor. Senator REID really wanted to pass it the first week it was on the floor, but there was a lot of push-back on that, and now we are into this week of debate.

I see from his comments today that the majority leader seems to think the bill can pass this week. I suggest it cannot. There is no way it can be done in a week. I think 100 amendments have been filed. To get one brought up, though, is not easy. You have to basically get the consent of the majority leader to get an amendment brought up and made pending. So there are not nearly so many pending as there are problems that need to be fixed.

There are flaws in the legislation. I am going to talk about those at some length. I will be talking about at least 20 serious flaws in this legislation, but I do not want that to suggest that flaws alone are the only problems with the legislation. In this bill, we do not have a principled approach to the future flow of immigrants into America, that is not a loophole, that is a major flaw. We have not thought through philosophically what we want to do about immigration. We have not made the real commitment I had hoped we would to a more merit-based, skill-based immigration system. I am concerned about all of that. I think the American people are too.

The administration and Senator KENNEDY and the others who promoted the legislation talked about some principles as a part of talking points they handed out as the foundation for immigration legislation they would be offering. I first say to my colleagues, the bill does not meet the promises contained in those talking points and those principles. It just simply does not. If it did, we would be in much better shape than we are today, because many of those principles were sound. It contains, as I will note, a host of fundamental, serious defects and flaws that make the legislation not one that ought to be passed now.

Finally, I still do not believe the White House and the Congress have heard the American people. They still think we can pass a piece of legislation here on the floor of the Congress, and we can push it through and get it off