

Kelly Perryman summed up her feelings for her second trip to Iraq in one word: nervous.

Their 4-month-old baby boy, Jeffrey, will stay with her mother in Detroit.

"This will be our first time being apart," Kelly Perryman said about her baby. "That's kind of scary."

Sgt. Derek Trubia, 32, said he was ready for his first tour in Iraq.

"I have no problem," Trubia said. "I expected it."

The brigade, which served in Iraq in 2003 and Kuwait in 2004-05, plays a life-saving role for U.S. and Iraqi soldiers through trauma care and surgery.

Among its other specialties are dental health, preventive medicine and stress control.

In his invocation, Chaplain Maj. Mark Mitera prayed for "healing and hope for those they treat."

He offered thanks "for supplying these soldiers with strength for war and skill for battle."

Col. Patrick Sargent, brigade commander, noted in an interview that U.S. soldiers are more spread out in Iraq, and the numbers of casualties and injuries are rising. Besides treating physical wounds, the brigade will care for the mental health of injured soldiers and its own members who witness trauma, he said.

"We will face adversity, danger," Sargent told the crowd.

But he said the brigade is fully trained and will prevail.

"The soldiers standing before you today embody the essence of patriotism," Sargent said.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that immediately following my remarks, the Senator from Hawaii, Mr. AKAKA, might be recognized for such time as he may consume.

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

Mr. MCCAIN. And I would like to thank the Senator from Hawaii for his patience and his courtesy.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson of Nebraska (for Levin) amendment No. 2011, in the nature of a substitute.

Webb amendment No. 2012 (to amendment No. 2011), to specify minimum periods between deployment of units and members of

the Armed Forces for Operation Iraqi Freedom and Operation Enduring Freedom.

Nelson of Florida amendment No. 2013 (to amendment No. 2012), to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, again, I would like to thank my old friend from Hawaii for his patience so that, as the Republican ranking member of the committee, I may make a statement about the bill itself and about the situation in Iraq. I thank him for his courtesy, and I will try not to take too long a period of time. So I thank my old friend from Hawaii.

Mr. President, we have reached another moment of importance this week in debating the fiscal year 2008 Defense authorization bill. We will help set the course of the Nation's security policy and influence our participation in the wars in Iraq and Afghanistan. Much of the debate, as we all know, will be about Iraq, and before I discuss that and my recent visit, I would note that many provisions in this bill constitute a good defense policy and will strengthen the ability of our country to defend itself.

Under the leadership of my good friend from Michigan, the chairman of the committee, Senator LEVIN, I think we have crafted an excellent piece of legislation. I think a testament to his leadership is that the committee voted unanimously to report the bill, and it fully funds the President's \$648 billion defense budget request. It provides necessary measures to try to bring under control waste, fraud, and abuse in defense procurement, and, frankly, it makes Members more accountable for their spending in the earmark process.

Again, I thank Senator LEVIN, the subcommittee chairs, and all the committee members for their work in bringing this issue to the floor.

Very briefly, we have authorized a 3.5-percent, across-the-board pay raise for all military personnel. We have increased Army and Marine end strength to 525,400 and 189,000, respectively. The committee also approved \$2.7 billion for items on the Army Chief of Staff's unfunded requirement list, including \$775 million for reactive armor and other Stryker requirements, \$207 million for aviation survivability equipment, \$102 million for combat training centers and funding for explosive ordnance disposal equipment, night vision devices, and machine guns.

The bill also authorizes \$4.1 billion for Mine Resistant Ambush Protected vehicles, known as MRAP vehicles, for all of the Services' known requirements.

The committee has come up with the money to support our troops, and I have no doubt the full Senate will follow step.

Money and policy statements are not all that is required at this moment in our national history. Courage is required—courage, not the great courage exhibited by the brave men and women

fighting today in Iraq and Afghanistan, but a smaller measure: the courage necessary to put our country's interests before every personal or political consideration.

In this light, I would like to discuss America's involvement in Iraq, and finally I would like to make several points.

Final reinforcements needed to implement General Petraeus's counterinsurgency tactics arrived just several weeks ago. Last week I had the opportunity to visit with troops in theater. From what I saw and heard while there, I believe our military, in cooperation with the Iraqi security forces, is making progress in a number of areas. There are other areas where they are not. I would like to outline some of their efforts, not to argue that these areas have suddenly become safe—they have not; I want to emphasize the areas have not become safe—but to illustrate the progress our military has achieved under General Petraeus's new strategy.

Last year Anbar Province was believed to be lost to al-Qaida. On the map we see that U.S. and Iraqi troops cleaned out al-Qaida fighters from Ramadi and other areas of western Anbar. Tribal sheiks broke with the terrorists and joined the coalition side. It is a fact that some 16 out of the 24 sheiks in the Sunni area of Anbar Province have now joined with U.S. forces in their commitment to destroy al-Qaida in Anbar Province.

Ramadi, months ago, was Iraq's most dangerous city. It is now one of its safest. At considerable political risk, I point out that I visited, with Senator GRAHAM, downtown Ramadi where the shopping areas were open. I did not visit without protection or without security forces with me. But the fact is, a short time ago it was one of the most dangerous cities in all of Iraq. Attacks are down from 30 to 35 a day in February to zero on most days now.

In Fallujah, Iraqi police have established numerous stations and have divided the city into gated districts. The violence has declined and local intelligence tips have proliferated. Throughout Anbar Province, thousands of young men are signing up for the police and Army, and the locals are taking the fight to al-Qaida. All 18 major tribes in the province are now onboard with the security plan. A year from now, the Iraqi Army and police could have total control of security in Ramadi, allowing American forces to safely draw down.

South of Baghdad, operation Phantom Thunder is intended to stop insurgents present in the Baghdad belts from originating attacks in the capital itself. A brigade of the 10th Mountain Division, which I visited, is operating in Baghdad belts that have been havens for al-Qaida. All soldiers in the brigade are living forward. That means they are in outposts away from the headquarters 24-7, living, working, and fighting alongside Iraqi military. Commanders report that the local sheiks

are increasingly siding with the coalition against al-Qaida.

Southeast of Baghdad, the military is targeting al-Qaida in safe havens they maintain along the Tigris River. In Baghdad itself, the military, in cooperation with Iraqi security forces, continues to establish joint security stations and deploy throughout the city. These efforts have produced some positive results. Sectarian violence has fallen. Since January, the total number of car bombings and suicide attacks declined. In May and June, the number of locals coming forward with intelligence tips has risen.

Make no mistake, violence in Baghdad remains at unacceptably high levels, suicide bombers and other threats pose formidable challenges, and other difficulties abound. Nevertheless, there appears to be overall movement in the right direction.

I have no doubt how difficult suicide bombers are to counter. Ask the Israelis. They literally had to seal their borders with Gaza and the West Bank because of the way people who are willing to sacrifice their own lives in order to take the lives of others are able to get through and do these horrendous acts that we are exposed to quite often on our television screens and in our newspapers in America.

In Diyala Province, Iraqi and American troops have surged and are fighting to deny al-Qaida sanctuary in the city of Baqubah. For the first time since the war began, Americans showed up in force and did not quickly withdraw from the area. In response, locals have formed a new alliance with the coalition to counter al-Qaida.

Why are some of these people now turning against al-Qaida? One reason is the extreme cruelty that is practiced by al-Qaida on a routine basis, which has caused many people to reject that kind of extreme violence and cruelty inflicted on the local people. Diyala, which was the center of Abu Mus' Ab al-Zarqawi's caliphate, finally has the chance to turn aside the forces of extremism.

I offer these observations not to present a rosy scenario of the challenges we continue to face in Iraq. As last weekend's horrific bombing indicates so graphically, the threats to Iraqi stability have not gone away, nor are they likely to go away in the near future when our brave men and women in Iraq will continue to face great challenges.

What I do believe is, while the mission to bring a degree of security to Iraq and to Baghdad and its environs in particular in order to establish the necessary preconditions for political and economic progress—while that mission is still in its early stages, the progress our military has made should encourage us. It is also clear the overall strategy that General Petraeus has put into place, a traditional counterinsurgency tactic that emphasizes protecting a population and which gets our troops off of the bases and into the areas they

are trying to protect—that this strategy is the correct one.

Some of my colleagues argue that we should return troops to the forward operating bases and confine their activities to training and targeted counterterrorism operations. That is precisely what we did for 3½ years, and the situation in Iraq got worse. Over 3½ years we had our troops from operating bases going out—search and destroy as we used to call it during the Vietnam war—and going back to their bases. That was a failed strategy from the beginning. I am surprised that any of my colleagues would advocate a return to the failed Rumsfeld-Casey strategy.

No one can be certain whether this new strategy, which remains in the early stages, can bring about greater stability. We can be sure, should the Senate seek to legislate an end to this strategy as it is just beginning, then we will fail for certain.

Now that the military effort in Iraq is showing some signs of progress, the space is opening for political progress. Yet rather than seizing the opportunity, the government of Prime Minister Maliki is not functioning as it must. I repeat, the government of Prime Minister Maliki is not functioning as it must. We see little evidence of reconciliation and little progress toward meeting the benchmarks laid out by the President. The Iraqi Government can function. The question is whether it will.

To encourage political progress, I believe we can find wisdom in several suggestions put forward recently by Henry Kissinger. Intensified negotiations by the Iraqi parties could limit violence, promote reconciliation, and put the political system on a more stable footing. We should promote dialog between the Iraqi Government and its Sunni Arab neighbors, specifically Egypt, Jordan, and Saudi Arabia, in order to build broader international acceptance for the Iraqi central government in exchange for that government meeting specific obligations with respect to the protection and political participation of the Sunni minority. We should begin a broader effort to establish a basis for aid and even peacekeeping efforts by the international community, keyed to political progress in Iraq.

Taking such steps, we must recognize that no lasting political settlement can grow out of the U.S. withdrawal. On the contrary, a withdrawal must grow out of a political solution, a solution made possible by the imposition of security by coalition and Iraqi forces.

Secretary Kissinger is correct when he says “precipitate withdrawal would produce a disaster,” one that “would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia,” produce greater violence among Iraqi factions, and embolden radical Islamists around the world.

The war between Iraqi factions would intensify. The demonstration of American impotence would embolden radical Islamism

and further radicalize its disciples from Indonesia and India to the suburbs of European capitals . . .

What America and the world need is not unilateral withdrawal but a vision by the Bush administration of a sustainable political end to the conflict.

As I said before, withdrawals must grow out of a political solution, not the other way around.

The Shias and the Sunnis and the Kurds:

They need the buttress of a diplomatic process that could provide international support for carrying out any internal agreements reached or to contain conflict if the internal parties cannot agree and Iraq breaks up . . .

The American goal should be an international agreement regarding the international status of Iraq. It would test whether Iraq's neighbors as well as some more distant countries are prepared to translate general concepts into converging policies. It would provide a legal and political framework to resist violations. These are the meaningful benchmarks against which to test American withdrawals.

He goes on to point out:

Turkey has repeatedly emphasized it would resist a breakup by force because of the radicalizing impact a Kurdish State could have on Turkey's large Kurdish population. But this would bring Turkey into unwanted conflict with the United States and open a Pandora's box of other interventions.

Saudi Arabia and Jordan dread Shiite domination of Iraq, especially if the Baghdad regime threatens to become a satellite of Iran. The various Gulf Sheikdoms, the largest of which is Kuwait, find themselves in an even more threatened position.

Syria's attitudes are likely to be more ambivalent. Its ties to Iran represent both a claim to status and a looming vulnerability . . .

Given a wise and determined American diplomacy, even Iran may be brought to conclude that the risks of continued turmoil outweigh the temptations before it.

He goes on to talk about a multilateral framework.

A forum for diplomacy already exists in the foreign ministers' conference that met recently at Sharm el-Sheikh, Egypt. . . . It is in the United States' interests to turn the conference into a working enterprise under strong, if discrete, American leadership.

He goes on to say:

Neither the international system nor American public opinion will accept as a permanent arrangement, an American enclave maintained exclusively by American military power in so volatile a region.

I believe Secretary Kissinger is correct. I believe he is correct when he bases the premise that precipitate withdrawal would produce a disaster.

Many of my colleagues would like to believe that should any of the various amendments forcing withdrawal become law, it would mark the end of this long effort. They are wrong.

Should the Congress force a precipitous withdrawal from Iraq, it would mark a new beginning, the start of a new, more dangerous, more arduous effort to contain the forces unleashed by our disengagement. Our efforts in Iraq today are critical to the wider struggle against violent Islamic extremism. Already the terrorists are emboldened,

excited that America is talking not about winning in Iraq but is rather debating when we should lose.

Last week, Ayman al-Zawahiri, al-Qaida's deputy chief, said the United States is merely delaying our "inevitable" defeat in Iraq and that: "The Mujahideen of Islam in Iraq of the caliphate and jihad are advancing with steady steps toward victory."

If we leave Iraq prematurely, jihadists around the world will interpret the withdrawal as their great victory against our great power. The movement thrives in an atmosphere of perceived victory. We saw this in the surge of men and money flowing to al-Qaida following the Soviet withdrawal from Afghanistan.

If they defeat the United States in Iraq, they will believe anything is possible, history is on their side, and they can bring their terrible rule to lands the world over.

Recall the plan laid out in a letter from Zawahiri to Abu Mus'ab al-Zarqawi before his death. That plan is to take shape in four stages: Establish a caliphate in Iraq, extend the jihad wave to the secular countries neighboring Iraq, clash with Israel; none of which shall commence until the completion of stage one: Expel the Americans from Iraq. The terrorists are in this war to win it. The question is, Are we?

Withdrawing before there is a stable and legitimate Iraqi authority would turn Iraq into a failed state and a terrorist sanctuary in the heart of the Middle East. We have seen a failed state emerge after U.S. disengagement once before. It cost us terribly. In pre-9/11 Afghanistan, terrorists found sanctuary to train and plan attacks with impunity. We know that today there are terrorists in Iraq who are planning attacks against Americans. I do not think we should make this mistake twice.

Brent Scowcroft, whom we also know was opposed to the invasion of Iraq in the first place, has said:

The costs of staying are visible. The costs of getting out are almost never discussed . . . If we get out before Iraq is stable, the entire Middle East region might start to resemble Iraq today. Getting out is not a solution.

One of my great heroes and role models and a person whom I have had the great honor of getting to know recently is Natan Sharansky, a man of inestimable courage and knowledge. He recently had a piece that ran Sunday in the Washington Post. The title of his piece is: "Leave Iraq, Embrace for a Bigger Bloodbath."

In his statement, he talks about:

The truth is that in totalitarian regimes, there are no human rights. Period. The media do not criticize the government. Parliaments do not check executive power. Courts do not uphold due process. And human rights groups do not file reports.

He talks about the moral divide that separates societies in which people are slaves, from societies in which people are free.

"Some human rights groups undermine the very cause they claim to champion," he says.

Consider one 2005 Amnesty International report on Iraq. It notes that in the lawless climate of the first months after Hussein's overthrow, reports of kidnappings, rapes and killings of women and girls by criminal gangs rose. Iraqi officers at a police station in Baghdad said in June 2003 that the number of reported rapes was "substantially higher than before the war."

The implication was that human rights may not really be improving in post-Hussein Iraq. But the organization ignored the possibility that reports of rape at police stations may have increased for the simple reason that under Hussein it was the regime—which includes the police—that was doing the raping.

He goes on to say:

A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison.

I am quoting from Natan Sharansky.

Without U.S. troops in place to quell some of the violence, Iranian-backed Shiite militias would dramatically increase their attacks on Sunnis; Sunni militias, backed by the Saudis or others, would retaliate in kind, drawing more and more of Iraq into a vicious cycle of violence. If Iraq descended into full-blown civil war, the chaos could trigger similar clashes throughout the region as Sunni-Shiite tensions spill across Iraq's borders. The death toll and the displacement civilians would climb exponentially.

He says:

Perhaps the greatest irony of the political debate over Iraq is that many of Bush's critics, who accused his administration of going blindly to war without considering what would happen once Hussein's regime was toppled, now blindly support a policy of withdrawing from Iraq without considering what might follow.

In this respect, the debate over Iraq is beginning to look a lot like the debate about the Vietnam War in the 1960s and 1970s. Then, too, the argument in the United States focused primarily on whether U.S. forces should pull out. But many who supported that withdrawal in the name of human rights did not foresee the calamity that followed, which included genocide in Cambodia, tens of thousands slaughtered in Vietnam by the North Vietnamese and the tragedy of hundreds of thousands of "boat people."

Mr. Sharansky lives in the neighborhood. Mr. Sharansky understands the meaning of the word "freedom." Mr. Sharansky understands the meaning of the word "sacrifice."

Madam President, I ask unanimous consent to have printed in the RECORD the Kissinger and Sharansky articles.

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

[From the International Herald Tribune Media Services, July 2, 2007]

A POLITICAL PROGRAM TO EXIT IRAQ

(By Henry A. Kissinger)

The war in Iraq is approaching a kind of self-imposed climax. Public disenchantment is palpable. Congress will surely press for an accelerated, if not total, withdrawal of American forces. Demands for a political solution are likely to mount.

But precipitate withdrawal would produce a disaster. It would not end the war but shift it to other areas, like Lebanon or Jordan or

Saudi Arabia. The war between the Iraqi factions would intensify. The demonstration of American impotence would embolden radical Islamism and further radicalize its disciples from Indonesia and India to the suburbs of European capitals.

We face a number of paradoxes. Military victory, in the sense of establishing a government capable of enforcing its writ throughout Iraq, is not possible in a time frame tolerated by the American political process. Yet no political solution is conceivable in isolation from the situation on the ground.

What America and the world need is not unilateral withdrawal but a vision by the administration of a sustainable political end to the conflict. Withdrawals must grow out of a political solution, not the other way around.

None of Iraq's neighbors, not even Iran, is in a position to dominate the situation against the opposition of all the other interested parties. Is it possible to build a sustainable outcome on such considerations?

The answer must be sought on three levels: the internal, the regional and the international.

The internal parties—the Shiites, the Sunnis and the Kurds—have been subjected to insistent American appeals to achieve national reconciliation. But groups that have been conducting blood feuds with one another for centuries are, not surprisingly, struggling in their efforts to compose their differences by constitutional means. They need the buttress of a diplomatic process that could provide international support for carrying out any internal agreements reached or to contain their conflict if the internal parties cannot agree and Iraq breaks up.

The American goal should be an international agreement regarding the international status of Iraq. It would test whether the neighbors of Iraq as well as some more distant countries are prepared to translate general concepts into converging policies. It would provide a legal and political framework to resist violations. These are the meaningful benchmarks against which to test American withdrawals.

The reason why such a diplomacy may prove feasible is that the continuation of Iraq's current crisis presents all of Iraq's neighbors with mounting problems. The longer the war in Iraq rages, the more likely will be the breakup of the country into sectarian units.

Turkey has repeatedly emphasized that it would resist such a breakup by force because of the radicalizing impact that a Kurdish state could have on Turkey's large Kurdish population. But this would bring Turkey into unwanted conflict with the United States and open a Pandora's box of other interventions.

Saudi Arabia and Jordan dread Shiite domination of Iraq, especially if the Baghdad regime threatens to become a satellite of Iran. The various Gulf sheikhdoms, the largest of which is Kuwait, find themselves in an even more threatened position. Syria's attitudes are likely to be more ambivalent. Its ties to Iran represent both a claim to status and a looming vulnerability.

Given a wise and determined American diplomacy, even Iran may be brought to conclude that the risks of continued turmoil outweigh the temptations before it.

To be sure, Iranian leaders may believe that the wind is at their backs, that the moment is uniquely favorable to realize millennial visions of a reincarnated Persian empire or a reversal of the Shiite-Sunni split under Shiite domination. On the other hand, if prudent leaders exist—which remains to be determined—they might come to the conclusion that they had better treat these advantages as a bargaining chip in a negotiation

rather than risk them in a contest over domination of the region.

No American president will, in the end, acquiesce once the full consequences of Iranian domination of the region become apparent. Russia will have its own reasons, principally the fear of the radicalization of its own Islamic minority, to begin resisting Iranian and radical Islamist domination of the Gulf. Combined with the international controversy over its nuclear weapons program, Iran's challenge could come to be perceived by its leaders to pose excessive risks.

Whether or whenever Iran reaches these conclusions, two conditions will have to be met: First, no serious diplomacy can be based on the premise that the United States is the supplicant. America and its allies must demonstrate a determination to vindicate their vital interests that Iran will find credible. Second, the United States will need to put forward a diplomatic position that acknowledges the legitimate security interests of Iran.

Such a negotiation must be initiated within a genuinely multilateral forum. A dramatic bilateral Iranian-U.S. negotiation would magnify all the region's insecurities. For if Lebanon, Jordan, Saudi Arabia and Kuwait—which have entrusted their security primarily to the United States—become convinced that an Iranian-U.S. condominium is looming, a race for Tehran's favor may bring about the disintegration of all resolve.

Within a multilateral framework, the United States will be able to conduct individual conversations with the key participants, as has happened in the six-party forum on North Korea.

A forum for such an effort already exists in the foreign ministers' conference that met recently at Sharm el-Sheikh. It is in the United States' interest to turn the conference into a working enterprise under strong, if discreet, American leadership.

The purpose of such a forum should be to define the international status of the emerging Iraqi political structure into a series of reciprocal obligations. Iraq would continue to evolve as a sovereign state but agree to place itself under some international restraint in return for specific guarantees.

In such a scheme, the United States-led multinational force would be gradually transformed into an agent of that arrangement, along the lines of the Bosnian settlement in the Balkans.

All this suggests a three-tiered international effort: an intensified negotiation among the Iraqi parties; a regional forum like the Sharm el-Sheikh conference to elaborate an international transition status for Iraq; and a broader conference to establish the peacekeeping and verification dimensions. The rest of the world cannot indefinitely pretend to be bystanders to a process that could engulf them through their default.

Neither the international system nor American public opinion will accept as a permanent arrangement an American enclave maintained exclusively by American military power in so volatile a region. The concept outlined here seeks to establish a new international framework for Iraq. It is an outcome emerging from a political and military situation on the ground and not from artificial deadlines.

[From the Washington Post, July 8, 2007]

LEAVE IRAQ AND BRACE FOR A BIGGER BLOODBATH

(By Natan Sharansky)

Iraqis call Ali Hassan al-Majeed "Chemical Ali," and few wept when the notorious former general received five death sentences last month for ordering the use of nerve

agents against his government's Kurdish citizens in the late 1980s. His trial came as a reckoning and a reminder—summoning up the horrors of Saddam Hussein's rule even as it underscored the way today's heated Iraq debates in Washington have left the key issue of human rights on the sidelines. People of goodwill can certainly disagree over how to handle Iraq, but human rights should be part of any responsible calculus. Unfortunately, some leaders continue to play down the gross violations in Iraq under Hussein's republic of fear and ignore the potential for a human rights catastrophe should the United States withdraw.

As the hideous violence in Iraq continues, it has become increasingly common to hear people argue that the world was better off with Hussein in power and (even more remarkably) that Iraqis were better off under his fist. In his final interview as U.N. secretary general, Kofi Annan acknowledged that Iraq "had a dictator who was brutal" but said that Iraqis under the Baathist dictatorship "had their streets, they could go out, their kids could go to school."

This line of argument began soon after the U.S.-led invasion in 2003. By early 2004, some prominent political and intellectual leaders were arguing that women's rights, gay rights, health care and much else had suffered in post-Hussein Iraq.

Following in the footsteps of George Bernard Shaw, Walter Duranty and other Western liberals who served as willing dupes for Joseph Stalin, some members of the human rights community are whitewashing totalitarianism. A textbook example came last year from John Pace, who recently left his post as U.N. human rights chief in Iraq. "Under Saddam," he said, according to the Associated Press, "if you agreed to forgo your basic freedom of expression and thought, you were physically more or less OK."

The truth is that in totalitarian regimes, there are no human rights. Period. The media do not criticize the government. Parliaments do not check executive power. Courts do not uphold due process. And human rights groups don't file reports.

For most people, life under totalitarianism is slavery with no possibility of escape. That is why despite the carnage in Iraq, Iraqis are consistently less pessimistic about the present and more optimistic about the future of their country than Americans are. In a face-to-face national poll of 5,019 people conducted this spring by Opinion Research Business, a British market-research firm, only 27 percent of Iraqis said they believed "that their country is actually in a state of civil war," and by nearly 2 to 1 (49 percent to 26 percent), the Iraqis surveyed said they preferred life under their new government to life under the old tyranny. That is why, at a time when many Americans are abandoning the vision of a democratic Iraq, most Iraqis still cling to the hope of a better future. They know that under Hussein, there was no hope.

By consistently ignoring the fundamental moral divide that separates societies in which people are slaves from societies in which people are free, some human rights groups undermine the very cause they claim to champion. Consider one 2005 Amnesty International report on Iraq. It notes that in the lawless climate of the first months after Hussein's overthrow, reports of kidnappings, rapes and killings of women and girls by criminal gangs rose. Iraqi officers at a police station in Baghdad said in June 2003 that the number of reported rapes "was substantially higher than before the war."

The implication was that human rights may not really be improving in post-Hussein Iraq. But the organization ignored the possi-

bility that reports of rape at police stations may have increased for the simple reason that under Hussein it was the regime—which includes the police—that was doing the raping. When Hussein's son Uday went on his legendary raping sprees, victims were not about to report the crime.

Of course, Hussein's removal has created a host of difficult strategic challenges, and numerous human rights atrocities have been committed since his ouster. But let us be under no illusion of what life under Hussein was like. He was a mass murderer who tortured children in front of their parents, gassed Kurds, slaughtered Shiites, started two wars with his neighbors and launched Scud missiles into downtown Riyadh and Tel Aviv. The price for the stability that Hussein supposedly brought to the region was mass graves, hundreds of thousands of dead in Iraq, and terrorism and war outside it. Difficult as the challenges are today—with Iran and Syria trying to stymie democracy in Iraq, with al-Qaeda turning Iraq into the central battleground in its holy war of terrorism against the free world, and with sectarian militias bent on murder and mayhem—there is still hope that tomorrow may be better.

No one can know for sure whether President Bush's "surge" of U.S. troops in Iraq will succeed. But those who believe that human rights should play a central role in international affairs should be doing everything in their power to maximize the chances that it will. For one of the consequences of failure could well be catastrophe.

A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison. Without U.S. troops in place to quell some of the violence, Iranian-backed Shiite militias would dramatically increase their attacks on Sunnis; Sunni militias, backed by the Saudis or others, would retaliate in kind, drawing more and more of Iraq into a vicious cycle of violence. If Iraq descended into full-blown civil war, the chaos could trigger similar clashes throughout the region as Sunni-Shiite tensions spill across Iraq's borders. The death toll and the displacement of civilians could climb exponentially.

Perhaps the greatest irony of the political debate over Iraq is that many of Bush's critics, who accused his administration of going blindly to war without considering what would happen once Hussein's regime was toppled, now blindly support a policy of withdrawing from Iraq without considering what might follow.

In this respect, the debate over Iraq is beginning to look a lot like the debate about the Vietnam War in the 1960s and '70s. Then, too, the argument in the United States focused primarily on whether U.S. forces should pull out. But many who supported that withdrawal in the name of human rights did not foresee the calamity that followed, which included genocide in Cambodia, tens of thousands slaughtered in Vietnam by the North Vietnamese and the tragedy of hundreds of thousands of "boat people."

In the final analysis, U.S. leaders will pursue a course in Iraq that they believe best serves U.S. interests. My hope is that as they do, they will make the human rights dimension a central part of any decision. The consequences of not doing so might prove catastrophic to Iraqis, to regional peace and, ultimately, to U.S. security.

Mr. McCAIN. Should we leave Iraq before there is a basic level of stability, we will invite further Iranian influence at a time when Iranian operatives are already moving weapons, training fighters, providing resources and helping plan operations to

kill American soldiers and damage our efforts to bring stability to Iraq.

Iran will comfortably step into the power vacuum left by a U.S. withdrawal, and such an aggrandizement of fundamentalist power has great potential to spark greater Sunni-Shia conflict across the region.

Leaving prematurely would induce Iraq's neighbors, including Saudi Arabia and Jordan, Egypt and Israel, Turkey and others, to feel their own security eroding and may well induce them to act in ways that prompt wider instability. The potential for genocide, wider war, spiralling oil prices, and the perception of strategic American defeat is real.

This fight is about Iraq but not about Iraq alone. It is greater than that and, more important still, about whether America still has the political courage to fight for victory or whether we will settle for defeat, with all the terrible things that accompany it. We cannot walk away gracefully from defeat in this war.

General Petraeus and his commanders believe they have a strategy that can, over time, lead to success in Iraq. General Petraeus and Ambassador Ryan Crocker will come to Washington in September to report on the status of their efforts and those of the Iraqis. They ask two things of us: the time necessary to see whether their efforts can succeed and the political courage to support them in their work. I believe we should give them both.

I know that Senators are tired of this war, tired of the mounting death toll, tired of the many mistakes we have made in this war and the great effort it requires to reverse them, tired of the war's politicization and the degree to which it has become embroiled in partisan struggles and election strategies. I understand this fatigue. Yet I maintain that we, as elected leaders with a duty to our people and the security of their Nation, cannot let fatigue dictate our policies.

The soldiers I met last week have no illusions about the sacrifices necessary to achieve their mission. On July 4, I had the great privilege to be present as 588 troops reenlisted in the military and another 161 were naturalized as U.S. citizens. Tragically, two of those who were scheduled to be naturalized as U.S. citizens were killed very shortly before the ceremony.

Those men and women taking the oaths of enlistment and citizenship in the center of Saddam's al Faw Palace, they understand the many hardships made in our name. They have completed tour after tour away from their families, risking everything, everything for the security of this country. They do so because they understand the circumstances that, however great the costs of this war, the costs are immeasurably greater still if we abandon it prematurely. All they ask is that we support them in their noble mission.

I wish we had planned to fight this war correctly the first time. But we

can no more turn back the clock to 2003 than we can wish away the consequences of defeat by imposing some artificial deadline for withdrawal. Last week in Iraq, I met the bravest men and women our country has to offer, and not one of them told me it was time to go or that the cause is lost.

They are frustrated with the Iraqi Government's lack of progress. They are buffeted by the winds of partisanship in Washington, talking today of surges and tomorrow of withdrawal, voting to confirm General Petraeus and then voting for a course that guarantees defeat. But in the end, they know the war in Iraq is part of a larger struggle, a war of moderation and stability against the forces of violence and extremism.

They recognize that if we simply pack up and leave, the war does not end—it merely gets harder.

Finally, I would like to give a couple of quotes. General Lynch, who is the third ID commander of the U.S. forces, says:

Pulling out before the mission was accomplished would be a mess. We find the enemy regaining ground, reestablishing sanctuaries, building more IEDs and the violence would escalate.

GEN Anthony Zinni, one of my particular heroes, who opposed the war in Iraq, said:

. . . that we cannot simply pull out of Iraq, as much as we may want to. The consequences of a destabilized and chaotic Iraq, sitting in the center of a critical region of the world, could have catastrophic implications. . . . There is no short-term solution. It will take years to stabilize Iraq. How many? I believe at least five to seven.

In the Baker Hamilton report, there is a lot of selective quoting. But I would like to point out that they said:

Because of the importance of Iraq, the potential for catastrophe in the role and the commitments of the United States in initiating events that have led to the current situation, we believe it would be wrong for the United States to abandon the country through a precipitous withdrawal of troops and support. A premature American departure from Iraq would almost certainly produce greater sectarian violence and further deterioration of conditions, leading to a number of adverse consequences outlined above. The near-term results would be a significant power vacuum, greater human suffering, regional destabilization, and a threat to the global economy. Al-Qaeda would depict our withdrawal as a historic victory. If we leave and Iraq descends into chaos, the long-range consequences could eventually require the United States to return.

That is page 30 of the Iraq Study Group report.

Finally, I understand, I believe very well, how difficult this issue is for many of our Members. I know the sorrow and the frustration that they and their constituents feel. If I knew a great option as to how we could preserve our Nation's security and withdraw and stop the unfortunate casualties that are incurred by these brave young people, I would embrace it tomorrow.

Part of this debate is going to be proposals that people have made about

how we can best leave. I intend to engage in vigorous discussion and debate. I would like to again begin this debate by pointing out I respect the views of my colleagues on this issue.

I understand their frustration. I intend to be respectful of their views, and I hope we can have a debate and discussion on this issue, as we consider various amendments, that will better inform the American people of both points of view. I hope over time somehow we can find a way to come together in this body and in this Nation because this war has divided this Nation in the most terrible way.

I saw it once before. I saw it once before, a long time ago, and I saw a defeated military, and I saw how long it took a military that was defeated to recover. I saw a divided nation beset by assassinations and riots and a breakdown in a civil society. That is why we need, in my view, to try to come together—and I do not know how we do that—beginning with respecting each other's views so we can come together and hopefully end the tragedy of Iraq and at the same time ensure America's security.

I will be saying a lot more on this issue as we continue the debate. I say again, I respect the views of my colleagues. Then, finally, I again pay my compliments to the distinguished chairman of the committee, who put together, as is his wont, a bipartisan package that will ensure our Nation's security in the future, as exemplified again by a unanimous vote of the committee in reporting out the Defense authorization bill.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Michigan is recognized.

MR. LEVIN. Madam President, let me first thank Senator McCAIN for his great generosity in terms of his comments about the committee and the operations of our committee. As he well knows, our committee has had a great tradition of bipartisanship. He has made a major contribution, always, to that tradition. As ranking member, he has more than continued that tradition. He has made a major contribution to it and to the bill that is before us and to the bipartisan flavor of that bill.

While there obviously are and will be differences—which are understandable and appropriate—as he well points out, this is a bill that had unanimous support in the committee. We, in the next week or so, will be hearing differences on issues, including Iraq, and that is totally what we are all about: to express our feelings in a civil way and in a strong way.

But I add my thanks to him for his contribution for so many decades going back. When he speaks about the situation we are in in Iraq, he speaks with not only great feeling but also with great experience, and I think every Member of this body treasures our relationship with Senator McCAIN and the

experience he brings to this debate. He has the commitment, I hope, of everybody in this body that the debate, as we proceed relative to Iraq or any other issues in this week and next, will proceed in a very civil way.

This issue requires all of the wisdom we can muster, all of the experiences of the various Members, and he has my assurance, and I think he would have the assurance of every Member of this body, that the tone he sets and wants us to maintain will indeed be maintained by this Senate. I am confident of that, and thank him again for his remarks and for his great contribution to this bill.

Madam President, I ask unanimous consent that the Congressional Budget Office cost estimate of the Senate version of the National Defense Authorization Act for Fiscal Year 2008, which was not available when the report on that bill, S. 1547, was filed, be printed in the RECORD.

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

S. 1547—NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

Summary: S. 1547 would authorize appropriations totaling \$629 billion for fiscal year 2008 for the military functions of the Department of Defense (DoD), for activities of the Department of Energy (DOE), and for other purposes. That total includes \$128 billion for military operations in Iraq and Afghanistan. In addition, S. 1547 would prescribe personnel

strengths for each active-duty and selected reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts would result in additional outlays of \$621 billion over the 2008–2012 period.

Including outlays from funds previously appropriated, spending for defense programs authorized by the bill would total about \$599 billion in 2008, CBO estimates. The bill also contains provisions that would both increase and decrease costs of discretionary defense programs in future years. Most of those provisions would affect force structure, compensation, and benefits. In total, such provisions would raise costs by \$9 billion in 2008 (this amount is included in the above total of \$629 billion specifically authorized for that year) and by \$4 billion to \$6 billion annually over the 2009–2012 period.

The bill contains provisions that would both increase and decrease direct spending from changes to TRICARE For Life, the foreign currency fluctuation account, combat-related special compensation, and other programs. We estimate that those provisions combined would decrease direct spending by \$309 million in 2008, \$714 million over the 2008–2012 period, and \$2.1 billion over the 2008–2017 period. Those totals include estimated net receipts from asset sales of a little under \$0.6 billion over the 2008–2017 period. (Under current scorekeeping rules and conventions, asset sale receipts are recorded as a credit against direct spending as long as such sales would not result in a net financial cost to the government—as determined on a present value basis.) In addition, enacting the bill would have a negligible effect on revenues.

Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the applica-

tion of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has determined that section 1022 would fall within that exclusion because it would amend the authority of the President to employ the armed services to protect individuals' civil rights. Therefore, CBO has not reviewed that section of the bill for mandates.

Other provisions of S. 1547 contain both intergovernmental and private-sector mandates as defined in UMRA but CBO estimates that the annual cost of those mandates would not exceed the thresholds established in UMRA (\$66 million for intergovernmental mandates in 2007 and \$131 million for private-sector mandates in 2007, adjusted annually for inflation).

The bill also contains several provisions that would benefit state and local governments. Some of those provisions would authorize aid for certain local schools with dependents of defense personnel and convey certain parcels of land to state and local governments. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

Estimated cost to the federal government: The estimated budgetary impact of S. 1547 is summarized in Table 1. Most of the costs of this legislation fall within budget function 050 (national defense).

Basis of estimate: For this estimate, CBO assumes that S. 1547 will be enacted near the start of fiscal year 2008 and that the authorized amount will be appropriated for that year. The estimated outlays from authorizations of regular appropriations are based on historical spending patterns.

TABLE 1.—BUDGETARY IMPACT OF S. 1547, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008^a

	By fiscal year, in millions of dollars					
	2007	2008	2009	2010	2011	2012
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for Programs Authorized by S. 1547:						
Budget Authority ^b	617,085	0	0	0	0	0
Estimated Outlays	551,703	219,217	79,329	27,802	10,589	4,277
Proposed Changes:						
Authorization of Regular Appropriations for 2008:						
Authorization Level	0	501,033	0	0	0	0
Estimated Outlays	0	320,660	116,444	39,156	12,588	4,993
Authorization of Appropriations for 2008 for Military Operations in Iraq and Afghanistan:						
Authorization Level	0	128,226	0	0	0	0
Estimated Outlays	0	59,054	45,470	15,961	4,751	1,648
Spending Under S. 1547:						
Authorization Level ^b	617,085	629,259	0	0	0	0
Estimated Outlays	551,703	598,931	241,243	82,919	27,928	10,918
CHANGES IN DIRECT SPENDING (INCLUDING ASSET SALES) ^c						
Estimated Budget Authority	0	–112	–138	84	26	54
Estimated Outlays	0	–309	–287	–72	–62	14

^aEnactment of S. 1547 would have an insignificant effect on federal revenues.

^bThe 2007 level is the amount appropriated for programs authorized by the bill. That figure includes \$99.3 billion that was recently provided in Public Law 110–28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007. The 2007 level shown here is slightly lower than the comparable figure presented in CBO's cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as passed by the House, because H.R. 1585 would authorize appropriations for some existing programs that would not be authorized by S. 1547.

^cIn addition to the direct spending effects shown here, enacting S. 1547 would have additional effects on direct spending after 2012 (see Table 4). The estimated changes in direct spending (including asset sales) would reduce outlays by \$2.1 billion over the 2008–2017 period.

Note—For 2008, the authorization levels under "Proposed Changes" include amounts specifically authorized by the bill. As discussed in footnote 1 of the "Summary" to this estimate, the \$629 billion that would be authorized by the bill does not include \$11 billion in TRICARE For Life accrual payments that will be made under current law. (For additional information on those payments, see the discussion under "Previous CBO Estimates.") The bill also implicitly authorizes some activities in 2009 through 2012; those authorizations are not included above (but are shown in Table 3) because funding for those activities would be covered by specific authorizations in future years.

Spending subject to appropriation: The bill would specifically authorize appropriations totaling \$629 billion in 2008 (see Table 2). Nearly all of that amount falls within budget function 050 (national defense), while a small portion—\$62 million for the Armed Forces Retirement Home—falls within budget function 600 (income security).

Of the \$629 billion in funding for 2008 authorized by the bill for the costs of defense programs, \$128 billion of that amount would be for DoD costs associated with continuing operations in Iraq and Afghanistan.

The bill also contains provisions that would both increase and decrease various costs, mostly for changes in end strength, military compensation, and health benefits, that would be covered by the fiscal year 2008

authorization and by authorizations in future years. Table 3 contains estimates of those amounts.

Multiyear procurement. Multiyear procurement is a special contracting method authorized in title 10, United States Code, section 2306b that permits the government to enter into contracts covering acquisitions for more than one year but not more than five years, even though the total funds required for every year are not appropriated at the time the contracts are awarded. As part of such a contract, the government commits to purchase all items specified at the time the contract is signed, including those to be produced and paid for in subsequent years. Because multiyear procurement allows a contractor to plan for more efficient produc-

tion, such a contract can reduce the cost of an acquisition compared with the cost of buying the items through a series of annual procurement contracts.

Such contracts frequently include provisions that require DoD to pay for unrecaptured fixed costs in the event that the contract is canceled before completion. DoD does not budget for, obtain, or obligate funds sufficient to pay for those contractual commitments at the time they are incurred. Authorizing DoD to initiate a multiyear procurement program with such unfunded cancellation liabilities provides contract authority—a form of budget authority—because it allows the department to incur that liability in advance of appropriations. CBO believes that the full cost of such liabilities

should be recorded in the budget at the time they are incurred. The failure to request funding for cancellation liabilities may dis-

tort the resource allocation process by understating the cost of decisions made for the budget year and may require future Con-

gresses to find the resources to pay for decisions made today.

TABLE 2.—SPECIFIED AUTHORIZATIONS IN S. 1547

Category	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
Authorization of Regular Appropriations:					
Department of Defense:					
Military Personnel:					
Authorization Level ^a	109,352	0	0	0	0
Estimated Outlays	103,409	5,411	175	25	0
Operation and Maintenance:					
Authorization Level	166,618	0	0	0	0
Estimated Outlays	127,463	31,030	4,824	1,723	727
Procurement:					
Authorization Level	110,731	0	0	0	0
Estimated Outlays	32,226	41,476	22,272	7,451	3,126
Research and Development:					
Authorization Level	74,208	0	0	0	0
Estimated Outlays	41,037	26,828	4,553	1,051	297
Military Construction and Family Housing:					
Authorization Level	21,784	0	0	0	0
Estimated Outlays	3,037	7,332	6,759	2,488	919
Revolving Funds:					
Authorization Level	2,395	0	0	0	0
Estimated Outlays	1,760	476	86	50	24
General Transfer Authority:					
Authorization Level	0	0	0	0	0
Estimated Outlays	1,000	−200	−400	−200	−100
Subtotal, Department of Defense:					
Authorization Level ^a	485,088	0	0	0	0
Estimated Outlays	309,932	112,353	38,269	12,588	4,993
Atomic Energy Defense Activities ^b :					
Authorization Level	15,883	0	0	0	0
Estimated Outlays	10,676	4,082	887	0	0
Armed Forces Retirement Home:					
Authorization Level	62	0	0	0	0
Estimated Outlays	52	9	0	0	0
Subtotal, Authorization of Regular Appropriations:					
Authorization Level	501,033	0	0	0	0
Estimated Outlays	320,660	116,444	39,156	12,588	4,993
Authorization of Appropriations for Military Operations in Iraq and Afghanistan:					
Military Personnel:					
Authorization Level	12,922	0	0	0	0
Estimated Outlays	12,190	689	17	2	0
Operation and Maintenance:					
Authorization Level	78,117	0	0	0	0
Estimated Outlays	36,478	30,588	7,581	1,940	904
Procurement:					
Authorization Level	32,803	0	0	0	0
Estimated Outlays	8,069	12,685	7,908	2,714	725
Research and Development:					
Authorization Level	1,950	0	0	0	0
Estimated Outlays	1,117	683	111	23	6
Military Construction:					
Authorization Level	753	0	0	0	0
Estimated Outlays	8	309	286	98	38
Revolving Funds:					
Authorization Level	1,681	0	0	0	0
Estimated Outlays	947	569	128	27	10
Special Transfer Authority:					
Authorization Level	0	0	0	0	0
Estimated Outlays	245	−53	−70	−53	−35
Subtotal, Iraq and Afghanistan:					
Authorization Level	128,226	0	0	0	0
Estimated Outlays	59,054	45,470	15,961	4,751	1,648
Total Specified Authorizations:					
Authorization Level ^a	629,259	0	0	0	0
Estimated Outlays	379,714	161,914	55,117	17,339	6,641

^aAs discussed in footnote 1 of the “Summary” to this estimate, this figure does not include the effect of an estimated \$11 billion in TRICARE For Life accrual payments that will be made under current law. For additional information, see the discussion under “Previous CBO Estimates.”

^bThese authorizations are primarily for atomic energy activities within the Department of Energy.

TABLE 3.—ESTIMATED AUTHORIZATIONS OF APPROPRIATIONS FOR SELECTED PROVISIONS IN S. 1547

Category	By fiscal year, in millions of dollars				
	2008	2009	2010	2011	2012
FORCE STRUCTURE					
Army and Marine Corps Active-Duty End Strengths	6,683	4,821	4,257	3,292	2,930
Navy and Air Force Active-Duty End Strengths	−583	−935	−966	−1,000	−1,033
Reserve Component End Strengths	306	71	50	52	53
Reserve Technicians	−7	−15	−15	−16	−16
Grade Structure	97	182	248	257	265
COMPENSATION AND BENEFITS (DOD)					
Pay Raise	311	425	439	454	469
Expiring Bonuses and Allowances	2,127	916	370	185	180
Hardship Duty Pay	79	56	33	23	23
Leave Carryover	4	21	22	23	23
Accession Bonus for Health Professional Scholarship	15	15	15	15	15
Special Pays for Medical Officers	8	9	10	10	10
Dental Officer Special Pay	8	8	8	8	8
Loan Repayment for Reserves	1	2	3	4	5
DEFENSE HEALTH PROGRAM					
Discount Drug Pricing	−300	−330	−360	−390	−430
OTHER					
Defense Acquisition Workforce Development Fund	300	725	1,150	1,600	1,625

Notes.—For every item in this table, the 2008 levels are included in Table 2 as amounts specifically authorized to be appropriated by the bill. Amounts shown in this table for 2009 through 2012 are not included in Table 1, because authorizations for those amounts would be covered by specific authorizations in future years.

Figures shown here may not add to numbers in the text because of rounding.

This bill would authorize the Department of Defense to enter into multiyear procurement contracts for three programs: enhancements to the Abrams tank, upgrades to the Bradley Fighting Vehicle, and new Virginia class submarines.

Section 111 would authorize the Army to enter a multiyear contract for up to five years to acquire a number of improvements to M1A1 Abrams tanks over a five-year period. If granted this authority, the Army plans to enter a contract for the 2008–2012 period to modify 577 tanks at a total cost of \$1.595 million; it has requested \$639 million in 2008 to upgrade 241 tanks. The Army estimates that a multiyear procurement contract for those tank modifications would cost \$178 million less than a series of annual procurement contracts for those systems.

Section 112 would authorize the Army to enter a multiyear contract to acquire a number of improvements to the Bradley Fighting Vehicle. According to budget documents provided by the Army, the service would use this authority to enter a contract for the 2008–2011 period to modify 965 vehicles at a total cost of \$2,310 million; it has requested \$1,151 million in 2008 to upgrade 525 vehicles. The Army estimates that a multiyear procurement contract for those modifications would cost \$131 million less than a series of annual procurement contracts for those systems.

Section 131 would authorize the Navy to enter a multiyear contract for Virginia-class submarines beginning in fiscal year 2009. The Navy plans to enter a contract for the 2009–2013 period to purchase seven submarines at a total cost of \$19.1 billion; it has requested \$703 million in 2008 to buy certain components in economic quantities and to order items that have lengthy production times. The Navy estimates that a multiyear procurement contract would cost \$2.9 billion less than a series of annual procurement contracts for those vessels.

Force structure. The bill would affect force structure by setting end-strength levels for the various military services and by increasing the number of personnel in higher pay grades.

Military end strength. Title IV would authorize end-strength levels in 2008 for active-duty personnel and personnel in the selected reserves of about 1,370,000 and 850,000, respectively. Of those selected reservists, about 76,000 would serve on active duty in support of the reserves. In total, active-duty end strength would increase by about 4,000 and selected-reserve end strength would decrease by about 5,000 when compared to levels authorized for 2007.

Section 401 would authorize increases to the active-duty end strengths of the Army and Marine Corps relative to the personnel levels authorized for 2007. CBO estimates that those increases—13,000 additional personnel for the Army and 9,000 for the Marine Corps—would increase costs to DoD by about \$7 billion in 2008 and about \$22 billion over the 2008–2012 period. Those costs include the pay and benefits of the additional personnel, as well as costs for operation and maintenance, procurement, and construction.

Section 401 also would decrease the Navy's active-duty end strength by 12,300 and the Air Force's active-duty end strength by 5,600. CBO estimates that, combined, those decreases in end strength would cut costs for salaries and other expenses by about \$580 million in the first year and about \$1 billion annually in subsequent years.

Sections 411 and 412 would authorize the end strengths for the reserve components, including those full-time reservists who serve on active duty in support of the reserves. Under this bill, the selected reserve would experience a net decrease in end strength of

4,900, with the Navy Reserve and Air Force Reserve losing personnel while the Army Reserve and National Guard would see an increase. However, the cost savings from that net decrease would be more than offset by the cost of an increase of 1,900 in the number of reservists who serve on active duty in support of the reserves. CBO estimates that the net result of implementing those provisions would be an increase in costs for salaries and other expenses for selected reservists of \$306 million in 2008 and about \$50 million a year thereafter as compared to the authorized end-strength levels for 2007. Costs would be higher in 2008 and 2009 than in later years as a result of the need to procure new equipment for the additional Army National Guard personnel.

In addition, sections 413 and 414 would authorize the minimum end-strength level for military technicians, who are federal civilian personnel required to maintain membership in a selected reserve component as a condition of their employment. Under this bill, the required number of technicians would decrease by 128 relative to the levels currently authorized. CBO estimates the savings in civilian salaries and expenses that would result from fewer military technicians would be about \$7 million in 2008 and about \$15 million annually thereafter, as compared to the minimum end-strength levels for technicians in 2007.

The bill also would authorize an end strength of 10,000 servicemembers in 2008 for the Coast Guard Reserve. Because this authorization is the same as that under current law, CBO does not estimate any additional costs for this provision.

Grade structure. Sections 501, 502, and 521 would increase the number of servicemembers in certain grades. Sections 501 and 502 would increase the number of officers authorized to serve as majors in the Army and as lieutenant commanders, commanders, and captains in the Navy. Section 521 would allow the services to increase the percentage of personnel serving in the pay-grade of E-9 from 1 percent of the enlisted force to 1.25 percent. Those changes would not increase the overall end strength, but would result in more promotions to those ranks. CBO estimates that the additional pay and benefits associated with promoting personnel to those higher grades would be about \$100 million in 2008 and \$1 billion over the 2008–2012 period.

Compensation and benefits. S. 1547 contains several provisions that would affect military compensation and benefits for uniformed personnel. The bill would specifically authorize regular appropriations of \$109 billion and additional appropriations for operations in Iraq and Afghanistan of \$13 billion for costs of military pay and allowances in 2008.

Pay raise. Section 601 would raise basic pay for all individuals in the uniformed services by 3.5 percent, effective January 1, 2008. CBO estimates the total cost of a 3.5 percent raise in 2008 would be about \$2.2 billion. Because the pay raise would be above that projected under current law (under current law a 3 percent across-the-board increase would go into effect on January 1, 2008), CBO estimates that the incremental cost associated with the larger pay raise would be about \$31 million in 2008 and \$2.1 billion over the 2008–2012 period.

Bonuses and allowances. Sections 611 through 614 would extend DoD's authority to pay certain bonuses and allowances to military personnel. Under current law, most of these authorities are scheduled to expire in December 2007. The bill would extend these authorities for another year. Based on data provided by DoD, CBO estimates that: Authorities to make special payments and give

bonuses to certain health care professionals would cost \$26 million in 2008 and \$15 million in 2009; special payments for aviators and personnel qualified to operate and maintain naval nuclear propulsion plants would cost \$104 million in 2008 and \$72 million in 2009; retention and accession bonuses for officers and enlisted members with critical skills would cost \$95 million in 2008 and \$42 million in 2009; payment of reenlistment bonuses for active-duty and reserve personnel would cost \$1.2 billion in 2008 and \$451 million in 2009; and enlistment bonuses for active-duty and reserve personnel would cost \$638 million in 2008 and \$330 million in 2009.

Most of these changes would result in additional, smaller costs in subsequent years because many payments are made in installments. In total, extending authority for the expiring bonus and allowances would cost about \$2.1 billion in 2008 and \$3.8 billion over five years.

Hardship duty pay. Section 617 would increase the maximum allowable amount of hardship duty pay from \$750 per month to \$1,500 per month. The Army reports that it would use this additional authority as part of its "Warrior Pay" program, which would provide extra incentives to military personnel who make frequent deployments to combat zones. Based on information from the Army, CBO estimates the total cost of implementing this section would be \$79 million in 2008 and \$214 million over the 2008–2012 period. Costs would be lower in later years because CBO expects overseas deployments will decrease.

Leave carryover. Section 591 would allow servicemembers to carry up to 90 days of leave from one year to the next and also would allow members to sell accumulated leave in excess of 120 days back to the government. Under current law, members may carryover a maximum of 60 days of leave at the end of each fiscal year, unless they have recently participated in a contingency operation, in which case they can carry over up to 120 days of leave. Section 591 would increase the maximum carryover allowed to 90 days for members who have not participated in a contingency operation.

When members reenlist or separate, they are currently allowed to sell up to 60 days of leave back to the government. However, increasing the amount of leave carried over from year to year would increase the average amount of leave sold back to the government, even within the 60-day buyback limit. According to data from DoD, in 2006, almost 150,000 personnel were each paid for an average of 19 days of leave at a total cost of about \$250 million. Based on an analysis of current leave balances provided by the Defense Finance and Accounting Service, CBO estimates that increasing leave carryover to 90 days would increase the average amount of leave sold back to the government by about 7 percent. This would increase the annual cost of payments for unused leave by about \$17 million beginning in fiscal year 2009.

In addition, section 591 would allow members to sell accumulated leave in excess of 120 days back to the government. Based on data from DoD, CBO estimates that, each year, about 2,000 servicemembers will have leave in excess of 120 days—about 131 days of leave, on average, for that group. The cost to DoD to buy back those extra days would be about \$155 per person per day, so that the cost would be about \$4 million in 2008 and \$21 million over the 2008–2012 period. When combined with the increase in leave carryover, CBO estimates the total cost of implementing section 591 would be \$4 million in 2008 and \$33 million over the 2008–2012 period.

Accession bonus for health professions scholarship. Section 624 would allow DoD to

award accession bonuses of up to \$20,000 to students who enroll in the Health Professions Scholarship and Financial Assistance Programs. Those programs pay the tuition and stipends of medical students who agree to serve in the armed forces upon completion of their studies. Because the armed forces are having difficulty recruiting medical professionals, CBO believes that DoD would use the maximum amount of this authority if funding were made available. Based on data from DoD, CBO estimates about 750 students would enroll in the program and receive this bonus each year, and that the total cost of implementing section 624 would be \$15 million in 2008 and \$74 million over the 2008–2012 period.

Special pay for medical officers. Section 615 would increase the maximum allowable amounts for both incentive special pay and the multiyear retention bonus for medical officers from \$50,000 to \$75,000 for each year the officer agrees to remain in the armed forces. There are currently only three medical specialties that are paid at, or near, the current maximum amounts: neurologists, radiologists, and anesthesiologists. The total number of personnel in those specialties is currently about 630, although to qualify for incentive special pay medical officers must first complete their initial service agreements with DoD, and to qualify for the retention bonus an officer must have at least eight years of service. Based on DoD data, CBO estimates that about 50 percent of those 630 people would be eligible for the increased incentive special pay and about 15 percent would receive the higher retention bonus. CBO estimates the total cost of implementing this section would be \$8 million in 2008 and \$48 million over the 2008–2012 period.

Dental officer special pay. Section 616 would increase additional special pay for dental officers with less than 10 years of service by \$6,000 per year. Currently, those personnel receive either \$4,000 or \$6,000 per year depending on their seniority. This section would increase those amounts to \$10,000 and \$12,000. Based on data from DoD, CBO estimates about 1,350 dentists would receive the increase in additional special pay if this section were enacted, for a cost of \$8 million in 2008 and \$41 million over the 2008–2012 period.

Loan repayment for reserves. Section 672 would expand DoD's education loan repayment program to include officers in the selected reserve. Enlisted reservists are currently eligible to receive benefits under this program. Assuming that officer enrollment in this program would be proportionate to that of enlisted members with college degrees, CBO estimates that DoD would initiate loan repayment for about 620 reserve officers each year if this authority were enacted. CBO estimates the average amount of the loan repayments would total about \$7,000 per person and would be paid over six years in annual increments of about \$1,200, so that the total cost of this section would be \$1 million in 2008 and \$14 million over the 2008–2012 period.

Discount drug pricing. Under current law, DoD is one of several federal agencies that receives from pharmaceutical makers a significantly reduced price for drugs on the Federal Supply Schedule (FSS). Through this program, DoD is able to procure at a discount the drugs that it provides to beneficiaries through its hospital pharmacies and mail-order program. However, under DoD's TRICARE programs, beneficiaries can also fill prescriptions at retail pharmacies. Many drug manufacturers have refused to provide discounted prices to DoD for medications provided to beneficiaries in that manner.

Section 701 would require drug manufacturers to provide FSS pricing on purchases covered by TRICARE at retail pharmacies. Based on information from DoD about prescriptions filled at retail pharmacies by active-duty dependents and retirees and their dependents under age 65, CBO estimates that implementing this section could result in savings of about \$300 million in 2008 and about \$1.8 billion over the 2008–2012 period. This estimate is based on the difference between what DoD currently pays drug manufacturers for prescriptions filled at retail pharmacies and the FSS prices for those drugs. The estimate takes into account price inflation, projected increases in drug usage, and a growing active-duty population, resulting in increased savings in future years. (See the discussion in the "Direct Spending" section for CBO's evaluation of this provision on the mandatory TRICARE For Life program.)

Defense acquisition workforce development fund. Section 844 would establish the Defense Acquisition Workforce Development Fund to dedicate funding for recruiting, training, and retaining acquisition personnel in excess of the levels DoD is currently using for those purposes. Military services and defense agencies would be required to deposit into the fund in each fiscal year a percentage of the funds expended in that year on contracts for services, other than services related to research and development or construction. That percentage would increase in even steps from 0.5 percent of such expenditures in 2008 to 2 percent in 2011 and thereafter.

Based on information from the Federal Procurement Data System, CBO estimates that DoD will expend approximately \$75 billion to \$80 billion each year on contracts for services covered under this provision. The required deposit would be in addition to the amounts necessary to pay for the performance of the services contracts. CBO estimates that implementing section 844 would increase personnel and training costs by about \$5.5 billion over the 2008–2012 period. Most of the deposits to the fund would be related to expenditures of future appropriations. Those discretionary costs would total \$300 million in 2008 and \$5.4 billion over the 2008–2012 period. The remainder of the deposits, which would be related to the expenditure of funds that were appropriated in fiscal year 2007 and in prior years, would constitute direct spending. Those costs are described later in this estimate.

Direct spending: The bill contains provisions that would increase and decrease direct spending from changes to TRICARE For Life, the foreign currency fluctuation account, combat-related special compensation, and other programs. S. 1547 also would increase receipts from asset sales, as discussed in the following section. We estimate that those provisions combined would decrease direct spending by \$309 million in 2008, \$714 million over the 2008–2012 period, and \$2,088 million over the 2008–2017 period (see Table 4).

TABLE 4.—DIRECT SPENDING, ASSET SALES, REVENUES
(By fiscal year, in millions of dollars)

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total 2008–2012	Total 2008–2017
CHANGES IN DIRECT SPENDING (EXCLUDING ASSET SALES)												
Discount Drug Pricing:												
Estimated Budget Authority	−360	−390	−420	−460	−500	−540	−580	−630	−680	−740	−2,130	−5,300
Estimated Outlays	−360	−390	−420	−460	−500	−540	−580	−630	−680	−740	−2,130	−5,300
Transfers to Foreign Currency Account:												
Estimated Budget Authority	200	300	500	500	500	0	0	0	0	0	2,000	2,000
Estimated Outlays	100	200	400	450	500	250	100	0	0	0	1,650	2,000
Combat-Related Special Compensation:												
Estimated Budget Authority	7	70	98	65	67	69	72	74	76	79	308	678
Estimated Outlays	7	70	98	65	67	69	72	74	76	79	308	678
Aviation War Risk Insurance:												
Estimated Budget Authority	−80	−160	−120	−60	−10	30	200	240	210	150	−430	400
Estimated Outlays	−80	−160	−120	−60	−10	30	200	240	210	150	−430	400
Multyear Contracts for Renewable Electricity:												
Estimated Budget Authority	80	80	80	80	80	80	0	0	0	0	400	480
Estimated Outlays	8	16	24	32	40	48	48	48	48	48	120	360
Early Reserve Retirement:												
Estimated Budget Authority	*	2	6	11	16	20	28	35	43	52	35	213
Estimated Outlays	*	2	6	11	16	20	28	35	43	52	35	213
Defense Acquisition Workforce Development Fund:												
Estimated Budget Authority	90	30	20	0	0	0	0	0	0	0	140	140
Estimated Outlays	65	45	20	10	0	0	0	0	0	0	140	140
Spending of Reimbursements from Palau:												
Estimated Budget Authority	*	*	*	*	*	*	*	*	*	*	1	3
Estimated Outlays	*	*	*	*	*	*	*	*	*	*	1	2
Extension of FEGLI for Reservists:												
Estimated Budget Authority	1	*	*	*	*	*	*	*	*	*	1	1
Estimated Outlays	1	*	*	*	*	*	*	*	*	*	1	1
Subtotal:												
Estimated Budget Authority	−62	−68	164	136	153	−341	−280	−281	−351	−459	325	−1,385
Estimated Outlays	−259	−217	8	48	113	−123	−132	−233	−303	−411	−305	−1,506
ASSET SALES												
National Defense Stockpile:												
Estimated Budget Authority	−50	−70	−80	−110	−99	−70	−60	−43	−0	−0	−409	−582
Estimated Outlays	−50	−70	−80	−110	−99	−70	−60	−43	−0	−0	−409	−582
Total Changes:												
Estimated Budget Authority	−112	−138	84	26	54	−411	−340	−324	−351	−459	−84	−1,967

TABLE 4.—DIRECT SPENDING, ASSET SALES, REVENUES—Continued
[By fiscal year, in millions of dollars]

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total 2008–2012	Total 2008–2017
Estimated Outlays	–309	–287	–72	–62	14	–193	–192	–276	–303	–411	–714	–2,088

Notes.—FEGLI = Federal Employees' Group Life Insurance.

* = less than \$500,000.

Components may not sum to totals because of rounding.

Discount drug pricing. Under current law, DoD is one of several federal agencies that receives from pharmaceutical makers a significantly reduced price for drugs on the Federal Supply Schedule (FSS). Through this program, DoD is able to procure at a discount the drugs that it provides to beneficiaries through its hospital pharmacies and mail-order program. However, under DoD's TRICARE programs, including the TRICARE For Life program for retirees and their dependents age 65 and over, beneficiaries can also fill prescriptions at retail pharmacies. Many drug manufacturers have refused to provide discounted prices to DoD for medications provided to beneficiaries in that manner.

Section 701 would require drug manufacturers to provide FSS pricing on purchases covered by TRICARE at retail pharmacies. Based on information from DoD about prescriptions filled at retail pharmacies by retirees and their dependents age 65 and over, CBO estimates that implementing this section could reduce direct spending by about \$360 million in 2008, \$2.1 billion over the 2008–2012 period, and \$5.3 billion over the 2008–2017 period. This estimate is based on the difference between what DoD currently pays drug manufacturers for prescriptions filled at retail pharmacies and the FSS prices for those drugs. The estimate takes into account price inflation and projected increases in drug usage, resulting in increased savings in future years. (See the above discussion under "Spending Subject to Appropriation" for CBO's evaluation of this provision on the discretionary TRICARE program for active-duty dependents and those retirees and their dependents under age 65.)

Transfers to the foreign currency account. Section 1007 would enhance DoD's ability to use expired appropriations to cover the costs of certain contracts and projects which are financed using foreign currencies. CBO estimates that section 1007 would increase direct spending outlays by \$100 million in 2008, \$1.7 billion over the 2008–2012 period, and \$2 billion over the 2008–2017 period.

Under current law, most appropriations are available for obligation for a specified number of years and, after that time, they expire and cease to be available for new obligations. Once expired, however, those balances can be used during the following five years to record, adjust, or liquidate existing obligations. At the end of that five-year period, any remaining balances are cancelled. Appropriations for military personnel and for operation and maintenance generally are available for obligation for one year, except as discussed below.

Current law also contains another use for certain DoD funds that have expired. Title 10 of the U.S. Code, section 2779, allows DoD to transfer expired appropriations from its military personnel and operation and maintenance accounts into its Foreign Currency Fluctuations, Defense (FCF,D) account, provided that the transfer occurs within two years of when the applicable appropriation expired, and that the account balance does not exceed \$970 million at the time the transfer is made. Funds in the account can then be transferred back to the military personnel and operation and maintenance accounts and be obligated to cover "losses" that occur

when actual exchange rates are less favorable than the exchange rates that DoD used in formulating its budget. If those transfers—to cover such losses—prove to exceed DoD's requirements, the department can once again transfer funds back to the FCF,D account within a corresponding two-year period. In addition, if actual exchange rates prove more favorable than DoD's forecast, the department can transfer those "gains" into the FCF,D account.

Section 1007 would extend—from two years to five years—the time period that DoD could transfer expired balances from the military personnel and operation and maintenance accounts to the FCF,D account. This would result in a reappropriation of funds by allowing existing appropriations that are currently expired—or that will otherwise expire under current law—to become newly available for obligation.

Under section 1007, DoD would have access to a larger pool of balances that could be transferred into the FCF,D account because under the existing two-year limit, DoD's program managers are reluctant to allow such transfers when those balances may ultimately be needed to adjust or liquidate obligations in later years. Under section 1007, once the life of the balances approach the end of the applicable five-year period, managers would likely allow almost all such balances to be transferred because those funds would otherwise be cancelled.

During the 2002–2006 period, transfers of expired balances ranged from \$0.6 billion to \$1.9 billion annually. Based on DoD's past use of expired balances to cover currency losses, on the expanded pool of balances that would be available to cover currency losses, and considering the inherent uncertainty in forecasting exchange rates, CBO estimates that enacting this section would result in reappropriations of about \$200 million in 2008 and about \$2 billion over the 2008–2012 period. Outlays would total about \$100 million in 2008, \$1.7 billion over the 2008–2012 period, and roughly \$2 billion over the 2008–2017 period.

Under current law almost all applicable balances from appropriations provided in 2007 and prior years will be cancelled after 2012. Therefore, CBO estimates that no balances would be reappropriated in 2013 or in later years. However, when the Congress provides DoD with appropriations for 2008 and future years, DoD would ultimately spend a higher percentage of those funds if section 1007 is enacted into law. That added spending is not reflected in Table 4 because those outlays would be subject to future appropriation actions.

Combat-Related Special Compensation (CRSC). Currently, disabled servicemembers who are allowed to retire with less than 20 years of service see their retirement annuity offset or reduced by any amount of disability compensation that they receive from VA. Retirees who have served 20 or more years in the service and whose VA-rated disability is related to combat, hazardous duty, or military training are eligible to receive CRSC. This compensation replaces part or all of the portion of their retirement annuity that is offset by VA disability compensation. Section 653 would allow disability retirees with less than 20 years of service to receive CRSC. Based on information from DoD, CBO esti-

mates that enacting this provision would increase direct spending by \$7 million in 2008, \$308 million over the 2008–2012 period, and \$678 million over the 2008–2017 period.

Aviation war-risk insurance. Under current law, the Federal Aviation Administration (FAA) offers a commercial aviation insurance program that, for a premium, insures air carriers and certain manufacturers against liabilities arising from losses caused by terrorist events. The FAA also offers a non-premium insurance program to air carriers that participate in the Civil Reserve Air Fleet (CRAF). The FAA's authority to operate both of those programs is scheduled to expire on March 30, 2008. Section 353 would extend those programs through December 31, 2013. CBO estimates that extending the CRAF program through 2013 would have no significant budgetary impact; however, extending the FAA's authority to offer commercial aviation insurance through 2013 would reduce net direct spending by \$80 million in 2008 and \$430 million over the 2008–2012 period, but would increase net direct spending by \$400 million over the 2008–2017 period.

Those long-term net costs result because CBO assumes that the FAA would continue to offer commercial aviation insurance at rates that would not fully offset the government's cost of providing that coverage. Based on information from the FAA about current rates, CBO estimates that increased offsetting receipts from premiums (which are credited against direct spending) would total \$1.1 billion over the 2008–2014 period. CBO also estimates, however, that payments for expected losses under section 353 would cost \$1.5 billion over the next 10 years, with residual spending after 2017.

CBO cannot predict how much insured damage terrorists might cause to air carriers and manufacturers in any specific year. Instead, our estimate of the cost of commercial aviation insurance under section 353 represents an expected value of payments from the program—a weighted average that reflects the probabilities of various outcomes, from zero damages up to very large damages caused by possible future terrorist attacks. The expected value can be thought of as the amount of an insurance premium that would be necessary to just offset the risk of providing this insurance; indeed, our estimate of the expected cost of implementing section 353 is based on actual premiums for terrorism insurance that have been paid by non-U.S. air carriers that must purchase such insurance from the private sector. Our estimate also recognizes that some costs faced by private insurance firms are not borne by the federal government. While this cost estimate reflects CBO's best judgment on the basis of available information, such future costs are a function of inherently unpredictable future terrorist attacks. Actual costs could fall anywhere within an extremely broad range.

Multyear contracts for renewable energy. Section 826 would allow DoD to enter contracts for a term of up to 10 years to purchase electricity from renewable sources such as wind or solar power generators. Based on information from DoD, CBO expects that the department would commit to

purchasing a guaranteed amount of electricity as part of those contracts, to encourage producers to invest in renewable energy generation equipment and to enable them to acquire financing at favorable interest rates.

When the government enters a contract with a guaranteed purchase amount, it incurs a legal obligation for the full cost of those purchases. However, when DoD has used other multiyear contracting authorities in the past, it has typically obtained budget authority and recorded obligations only for the payments that were due in the first year of the contract, even though its actual contractual obligation exceeded that amount. That method of implementing multiyear procurement authority provides DoD with contract authority—a form of budget authority—because it allows the department to incur an obligation in excess of available appropriations. Budget authority for the full cost of such contracts should be recorded at the time it is signed and outlays should be recorded over the term of the contracts as payments are made for the electricity consumed.

Under current law, DoD is required to obtain 7.5 percent of its electricity from renewable energy sources by 2013. It currently gets about 4 percent of its electricity from such sources. If section 826 were enacted, CBO estimates that DoD would use multiyear contracts to purchase half the additional renewable electricity it needs—nearly 500,000 megawatt hours per year—to meet that requirement. The cost of renewable energy would vary based on the mix of wind, solar, and biomass power generators that were used; CBO estimates that DoD would pay roughly \$100 per megawatt hour of renewable electricity. CBO assumes that over a six-year period, DoD would initiate a series of 10-year contracts for even increments of additional electricity at a cost of \$80 million per year until it was acquiring 500,000 megawatt hours of electricity from renewable sources by 2013. Under such contracts, direct spending would increase by \$8 million in 2008, \$120 million over the 2008–2012 period, and \$360 million over the 2008–2017 period. The first group of multiyear contracts that would be initiated in 2008 would expire after 2017. At that time, the department would need to enter new contracts for renewable electricity to continue to satisfy the requirement in current law. CBO estimates that in total, such contracts would increase direct spending by about \$50 million each year after 2017.

Early reserve retirement. Under current law, members of the reserve components may not receive retirement annuities for their service until they reach 60 years of age. Section 655 would allow retired reservists to receive such annuities earlier if they were called to active duty as a reservist and served for at least 90 days. Under this proposal, for every 90 days a reservist is activated after passage of S. 1547, they would be eligible to begin receiving their retirement annuities 90 days earlier than they otherwise would. Relatively few reservists would be able to take advantage of this provision in the near future. As most reservists stop active participation in the reserves well before their 60th birthday, few reservists nearing retirement over the next decade will have served on active duty during that decade. Therefore, the full annual costs of this provision would occur more than 10 years after enactment and are not reflected in this estimate. Based upon information from DoD, CBO estimates that enacting this provision would have an insignificant effect on direct spending in 2008, and would increase direct spending by about \$35 million over the 2008–2012 period and \$213 million over the 2008–2017 period.

Defense Acquisition Workforce Development Fund. Section 844 would establish the

Defense Acquisition Workforce Development Fund to dedicate funding for recruiting, training, and retaining acquisition personnel in excess of the levels DoD is currently using for those purposes. Deposits to the fund would be based on a percentage of expenditures on contracts for services in a given year. CBO estimates that over the 2008–2010 period more than \$23 billion will be expended on such contracts from funds that have already been appropriated.

Most contracts for services are paid from appropriations for operation and maintenance, which generally are available for obligation for only one year. For the following five years, those funds—now expired—are available only to record, adjust, or liquidate existing obligations to the account. At the end of that five-year period, any remaining balances are cancelled. (Over \$1 billion in unexpended balances of operation and maintenance funds are cancelled each year.) Expired, unobligated balances are available to pay for an increase in the cost of contracts for which funds were obligated during the period of availability. CBO expects that the department would treat the requirement to make deposits into the Fund as an increase in the cost of the contracts on which such deposits are based, thus allowing it to use expired, unobligated balances to make the required deposits for expenditures of funds that were appropriated prior to enactment of this bill. Thus, this section would make those expired balances available for expenditure, resulting in a reappropriation of those funds. CBO estimates that those reappropriations would increase direct spending by \$65 million in 2008 and \$140 million over the 2008–2011 period. (This section would also require DoD to make deposits based on the expenditure of funds that have yet to be appropriated. Those deposits are discretionary costs and are discussed above in the section on “Spending Subject to Appropriation.”)

Spending of reimbursements from Palau. Section 1213 would allow DoD to spend reimbursements from the government of Palau. Under current law, Palau reimburses the United States for the cost of providing military civic action teams and those receipts—about \$250,000 annually—are deposited into the U.S. Treasury. CBO estimates that enacting section 1213 would cost less than \$500,000 in every year, and would cost a total of \$1 million over the 2008–2012 period and \$2 million over the 2008–2017 period.

Extension of Federal Employees Group Life Insurance (FEGLI) for reservists. Civilian employees of the federal government are entitled to purchase life insurance under the FEGLI program. Under current law, that insurance coverage may be continued for up to 12 months for reservists who are called to active military service. Section 1103 would extend FEGLI coverage for up to 24 months of active military service. This extension of coverage would initially increase net outlays from the Employees Life Insurance Fund because private insurers would most likely increase the premiums they charge the federal government. However, in later years, the Employees Life Insurance Fund would offset those additional costs by increasing the amount participating employees are required to contribute to the fund. CBO estimates that the net cost of implementing this section would be \$1 million in 2008 and \$1 million over the 2008–2017 period.

Housing leases in Korea. DoD has authority under title 10 of the U.S. Code, section 2828, to lease 2,800 family housing units in Korea, at a maximum cost of \$35,000 per unit per year. Under current law, that cost limit is adjusted for the change in the consumer price index since 2003, and for the change in the foreign currency exchange rate since 1988. Section 2812 would increase the unadjusted cost limit to \$35,050 per unit.

The department has requested that the cost limit on the authority in current law be increased so that it can acquire family housing through build-to-lease contracts. In a build-to-lease agreement, the government contracts with a developer to build a specified number of housing units in a specified location for use by military personnel. According to DoD, the military services often agree to a fixed lease term—currently limited to a maximum of 15 years in Korea—with renewal options for additional periods of time. Those renewal options can extend the duration of the lease term to 30 years or more. Based on the government's commitment to lease the housing, the developer borrows money to pay for construction of the units, using the promised payments from the government to demonstrate to lenders a reliable source of income for debt service.

CBO believes that acquiring military housing through a build-to-lease contract is a governmental activity that uses a private-sector intermediary to serve as an instrument of the federal government by borrowing funds to finance the construction of housing on the government's behalf. Those build-to-lease agreements should be considered acquisitions rather than leases for several reasons. First, the housing would be constructed at the request of the government to fill an enduring need for housing for DoD personnel. Second, because the government would agree to lease the housing for up to 15 years, and may extend the lease term for additional years under renewal options, the government would likely consume most of the useful economic life of the housing. Third, the need for at least 15 years of government commitment to obtain financing indicates that there may not be a private-sector market for the new housing. Finally, the government would be the dominant or only source of income for such projects. Lease payments are made directly by the government to the housing developer. If the lease is terminated before the end of the fixed term, or before the end of any exercised lease options, the government is liable for early termination costs, which, under DoD's current practice, are not funded in the budget when the lease is signed. The federal government also agrees to pay rent on all the units it leases, regardless of whether they are occupied by DoD personnel or are vacant.

The acquisition cost of the housing that would be acquired using the authority is determined by calculating the present value of 15 years of lease payments less the portion of those payments needed for operating and maintenance costs. That amount should be recorded as budget authority in the year the lease is signed, and outlays should be recorded over the construction period. Instead, DoD treats such arrangements as operating leases, by recording each year's lease payments on an annual basis. (The department may not record any obligations in the year it enters a contract for the housing because such housing takes more than one year to build and the first payment would not be due until construction was completed.) By using the authority to incur an obligation in advance of appropriations, current law provides contract authority, which is a form of direct spending.

According to DoD, the lease payment under the current cost limit calculation do not provide enough income for housing developers in Korea to recover their construction costs during the initial 15-year term of the lease. Because it increases the cost limit by only \$50 per unit, CBO believes that section 2812 is unlikely to facilitate additional build-to-lease contracts in Korea, and thus would have no effect. If such contracts were feasible under the increased limit, DoD could acquire housing worth \$575 million, CBO estimates.

Other provisions. The following provisions would have an insignificant budgetary impact on direct spending:

Section 504 would clarify the maximum age of service for certain general and flag officers.

Section 534 would set to 38 the maximum years of service for reserve officers in the grade of lieutenant general or vice admiral, aligning such limit with that for the active duty force.

Section 652 would allow guardians or caretakers of dependent children to be designated beneficiaries under the Survivor Benefit Plan.

Section 682 would change the treatment of overseas residence relating to certain immigration benefits for military spouses and children.

Section 825 would extend by five years the authority for the Defense Advanced Research Projects Agency (DARPA) to provide services to nongovernmental organizations and enter into unconventional cooperative agreements with private contractors for research relating to the development of advanced weapons systems. This provision also would extend the authority for DARPA to collect and spend reimbursements for any services rendered.

Section 934 would authorize DoD to operate a Western Hemisphere Center for Excellence in Human Rights. This provision would allow the center to accept and spend donations to help defray operating costs.

Section 1024 would make permanent the authority of the Secretaries of the Army, Navy, and Air Force to accept gifts on behalf of members of the Armed Forces and of civilian employees of DoD who are injured in the line of duty.

Section 1030 would prohibit DoD from selling parts for the F-14 fighter aircraft, except to museums or to other organizations in the United States that work to preserve F-14 fighter aircraft for historical purposes. (DoD can spend the proceeds from any such sales without future appropriation action.)

Asset sales—National Defense Stockpile: Enacting the bill would lead to increased receipts from the sale of material in the National Defense Stockpile. Those additional sales would reduce direct spending by \$409 million over the 2008–2012 period and by \$582 million over the 2008–2015 period.

Section 1413 would increase by \$129 million the target contained in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; later revised by Public Laws 108–136 and 109–163) for continual sales of chromium and beryllium from the National Defense Stockpile. CBO estimates that the additional sales would begin in 2010 and that there would be sufficient quantities of those materials in the stockpile to complete those additional sales by 2012. Thus, CBO estimates that this section would increase receipts from stockpile sales by \$129 million over the 2010–2012 period.

Section 1413 also would increase by \$453 million the target contained in the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; later revised by Public Laws 106–398, 107–107, 108–375, 109–163, and 109–364) for continual sales of tungsten from the National Defense Stockpile, and it would extend sales through fiscal year 2015. CBO estimates that there would be sufficient quantities of tungsten in the stockpile to achieve additional receipts of \$50 million in 2008, \$280 million over the 2008–2012 period, and \$453 million over the 2008–2015 period.

In addition to the increased targets, section 1413 initially would limit the sales of ferromanganese from the National Defense Stockpile to no more than 50,000 tons in 2008. Additional sales of up to 50,000 tons of ferromanganese would be allowed if the market

demand was sufficient. Based on recent sales, CBO estimates that the provision would not reduce sales because market demand would be sufficient to allow for the continued sales of ferromanganese at planned levels.

Section 1413 also would allow for additional sales of 500 tons of chrome metal (up from planned levels of 500 tons) if the market demand was sufficient. CBO estimates that this provision would have no significant budgetary effect because recent sales suggest that those additional sales would not occur.

Revenues: Sections 934 and 1024 would allow DoD to accept and spend gifts. Such donations are classified as revenues. CBO expects, however, that enactment of those sections would not have a significant effect on revenues.

Intergovernmental and private-sector impact: Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that enforce the constitutional rights of individuals. CBO has determined that section 1022 would fall within that exclusion because it would amend the authority of the President to employ the armed services to protect individuals' civil rights. Therefore, CBO has not reviewed that section of the bill for mandates.

Other provisions of S. 1547 contain both intergovernmental and private-sector mandates as defined in UMRA but CBO estimates that the annual cost of those mandates would not exceed the thresholds established in UMRA (\$66 million for intergovernmental mandates in 2007 and \$131 million for private-sector mandates in 2007, adjusted annually for inflation).

Increasing the end strength of the armed services: Sections 401 and 412 would increase the costs of complying with existing intergovernmental and private-sector mandates as defined in UMRA by increasing the number of servicemembers and reservists on active duty. Those additional servicemembers would be eligible for protection under the Servicemembers Civil Relief Act (SCRA) including the right to maintain a single state of residence for purposes of state and local personal income taxes and the right to request a deferral in the payment of certain state and local taxes and fees. SCRA also requires creditors to reduce the interest rate on servicemembers' obligations to 6 percent when such obligations predate active-duty service and allows courts to temporarily stay certain civil proceedings, such as evictions, foreclosures, and repossessions. Extending these existing protections would constitute intergovernmental and private-sector mandates and could result in additional lost revenues to government and private-sector entities.

The number of active-duty servicemembers covered by SCRA would increase by less than 1 percent in fiscal year 2008. CBO expects that relatively few of these servicemembers would take advantage of the deferrals in certain state and local tax payments; the lost revenues to those governments would be insignificant.

CBO does not have sufficient information to estimate precisely the increase in costs of existing private-sector mandates. Servicemembers' utilization of the various provisions of the SCRA depends on a number of uncertain factors, including how often and how long they are deployed. Nonetheless, because the increase in the number of active-duty servicemembers covered by SCRA would be less than 1 percent, CBO expects that the increased costs to the private sector caused by those new servicemembers utilizing SCRA would be small.

Prohibiting the sale by Department of Defense of parts for F-14 fighter aircraft: Section 1030 contains a private-sector mandate

as defined by UMRA because it would prohibit the sale of any parts of the F-14 aircraft by the Department of Defense. It also would prohibit the United States government from issuing an export license for sale of F-14 aircraft parts. Those prohibitions would be a mandate upon U.S. persons or entities that purchased F-14 parts legally from the Department of Defense with the intention to resell the aircraft parts.

The cost of the mandate to the private sector, if any, would be the amount certain United States persons and entities have already paid to purchase the F-14 parts from the Department of Defense added to the foregone profit attributable to the prohibition of resale of the F-14 parts. From April 2006 to December 2006, F-14 parts were sold for a total of \$38,000. As a result, CBO estimates that the cost, if any, to comply with that mandate would be minimal.

Providing benefits to state and local governments: This bill contains several provisions that would benefit state and local governments. Some of those provisions would authorize aid for certain local schools with dependents of defense personnel and convey certain parcels of land to state and local governments. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

Previous CBO estimates: On April 12, 2007, CBO transmitted a cost estimate for H.R. 1441, the Stop Arming Iran Act, as ordered reported by the House Committee on Foreign Affairs on March 27, 2007. Section 1030 of S. 1547 is similar to H.R. 1441 and the estimated costs are the same for both provisions.

On May 14, 2007, CBO transmitted a cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as reported by the House Committee on Armed Services. On June 12, CBO transmitted a cost estimate for H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, as passed by the House. Differences in the estimated costs of S. 1547 and the House-reported and House-passed versions of H.R. 1585 reflect differences in the legislation, as well as different treatments of TRICARE For Life accrual payments, as discussed below.

S. 1547 and H.R. 1585 as passed by the House, would authorize different levels of appropriations but they nevertheless envision a similar overall level of funding—roughly \$640 billion—for 2008. Specifically, S. 1547 would authorize appropriations totaling \$629 billion, while the House-passed version of H.R. 1585 would authorize about \$12 billion more than that figure, or \$641 billion. The \$12 billion difference, however, does not reflect a vastly different level of recommended funding. Rather, it primarily reflects different treatments of \$11 billion in TRICARE For Life accrual payments that are part of DoD's budget; S. 1547 does not contain an authorization of appropriations for those payments, while H.R. 1585 implicitly does.

Those accrual payments, which are categorized as military personnel spending, will be made under current law regardless of whether or not they are authorized on an annual basis. Furthermore, the payments will be charged to the House and Senate Appropriations Committees and will count against their discretionary allocations as set forth in the most recent budget resolution.

Despite envisioning similar levels of overall defense funding, there is a notable difference in the authorizations in S. 1547 and H.R. 1585 as passed by the House. S. 1547 would authorize \$128 billion for DoD's costs of military operations in Iraq and Afghanistan, or about \$13 billion less than the amount in the House-passed act (which is about equal to the President's request.) In authorizing the lower amount, the Senate Committee on Armed Services states that it

reallocated requested war-related authorizations—which the committee believes are not directly related to operations in Iraq and Afghanistan—into authorizations for DoD's “base budget accounts.” As a result, the authorizations in S. 1547 for DoD's base budget are about \$13 billion higher than in the House-passed version of H.R. 1585 (after making adjustments for the TRICARE For Life accrual payments discussed above.)

Estimate prepared by: Federal Costs: Defense Outlays: Kent Christensen; Military and Civilian Personnel: Matthew Schmit; Military Construction and Multiyear Procurement: David Newman; Military Retirement and Education: Mike Waters; Health Programs: Michelle S. Patterson; Aviation War-Risk Insurance: Megan Carroll; Stockpile Sales: Raymond J. Hall; Operation and Maintenance: Jason Wheelock; Foreign Affairs: Sam Papenfuss; Impact on State, Local, and Tribal Governments: Neil Hood; Impact on the Private Sector: Victoria Liu.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Mr. LEVIN. Madam President, I ask unanimous consent that following the remarks of the Senator from Hawaii, on this side of the aisle, the order then be Senator BIDEN and Senator BOXER.

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

The Senator from Hawaii is recognized.

Mr. AKAKA. Madam President, I thank Chairman LEVIN and Ranking Member McCAIN for their leadership and working in a bipartisan fashion to unanimously pass the National Defense Authorization Act for Fiscal Year 2008 out of committee. I also thank my ranking member of the Subcommittee on Readiness, Senator ENSIGN, and the members of that committee for their work in bringing this about.

This bill exemplifies what can be achieved through the spirit of bipartisan cooperation to address a number of important defense priorities. As our distinguished chairman has already highlighted, this bill includes a 3.5 percent across-the-board pay raise for all uniformed personnel, adds \$4 billion to the President's budget for mine resistant vehicles to protect our troops in Iraq and Afghanistan. It also authorizes fiscal year 2008 end strengths for the Army and Marine Corps, of 525,400 and 189,000 respectively, an increase of 13,000 for the Army and 9,000 for the Marine Corps, and it supports the transformation of our Armed Forces to meet the threats of the 21st century.

As chairman of the Readiness Subcommittee, both Ranking Member ENSIGN and I worked with our colleagues to continue the subcommittee's strong commitment to increasing the readiness of the Armed Forces. In this legislation, we are providing support to projects and programs that are important to the readiness of the Army, Navy, Air Force, and Marines, both active and reserve components. In this regard, \$188.4 billion is authorized to meet the services' operation and maintenance requirements to support the combat operations, improve the readiness of deploying and nondeployed forces, and to support the Army and

Marine Corps plans to increase their fiscal year 2008 end strengths.

I believe all of us in the Senate are concerned that our military forces have what they need to be trained and ready, but I am particularly concerned about the readiness of our ground forces. This legislation before us today fully funds the Army and Marine Corps request for depot level maintenance. I am encouraged that neither the Army nor Marine Corps identified a shortage of funds for depot maintenance. While the Chief of Naval Operations did bring to this committee's attention a funding shortfall for Navy aircraft depot maintenance, we approved an increase of \$77 million. In addition, we included \$4.8 billion for the procurement of ammunition of all types to support the services' war fighting, training, and war reserve requirements.

With regard to the Department of Defense's management and acquisition policy, I am particularly pleased this bill includes a provision requiring, for the first time, that the Department of Defense have a chief management officer. The Comptroller General has told the members of this committee on numerous occasions that the Department needs to do this to ensure that the Department's many high-risk areas get the top-level management attention they deserve.

Other important acquisition reform provisions included in this bill are as follows: a provision that would provide the resources that DOD needs to address the shortcomings in its acquisition workforce; a series of provisions that would tighten DOD management of contract services; a provision that would ensure that our commanders on the battlefield have the authority they need to establish rules for armed contractors in an area of combat operations; a provision establishing guidelines for DOD to use in determining whether savings are “substantial” for the purpose of justifying multiyear contracts; and a provision that would require that each of the Assistant Secretaries for Acquisition in the military departments be assisted by a three-star military deputy who has significant acquisition experience. I believe these provisions, taken together, will lead to substantial improvements in the DOD acquisition process.

I am particularly pleased this year's authorization bill includes a provision to establish a Director of Corrosion Control Policy and Oversight, and funding for corrosion prevention and control programs. Corrosion is a costly problem. In fact, it is one of the largest costs in the life cycle of weapons systems. In addition, corrosion reduces military readiness, as the need to repair or replace corrosion damage increases the downtime of critical military assets. Consequently, I firmly believe that cohesive corrosion control programs are integral to maintaining military readiness. This critical maintenance activity increases the life of multimillion dollar weapons systems

and ensures their availability during times of crisis. Effective corrosion control should be made a key component of the Department of Defense's resetting strategy and funds should be allocated accordingly.

This legislation also includes my legislation to establish a National Language Council to develop a long-term and comprehensive language strategy and oversee the implementation of that strategy. This will ensure that the administration's current efforts to promote foreign language competency will develop into an organized and concerted effort to improve the Nation's foreign language capabilities.

We also make a valuable and important investment in our infrastructure by providing an additional \$461 million above the budget request to repair, replace, and modernize our aging defense facilities and improve the quality of life and the productivity of our military. Furthermore, we make a true commitment to provide quality health care for all beneficiaries, including authorizing \$24.6 billion for the Defense Health Program, authorizing the use of Federal pricing for drugs dispensed through the TRICARE retail program. In addition, we reject the administration's proposal to give DOD broad authority to increase TRICARE program cost-sharing amounts for military retirees and their dependents.

As chairman of the Veterans' Affairs Committee and a member of the Armed Services Committee, I am able to look at the issue of seamless transition from military to civilian life from two different perspectives and, at the appropriate time, I will be offering an amendment to the underlying bill to improve care specifically for veterans. My friend and colleague Chairman LEVIN and I have worked together on these issues. We held a joint hearing on April 12 and have developed a thoughtful set of provisions to deal with the VA's response to traumatic brain injuries, also known as TBI and also known as invisible wounds. The amendment I will be offering includes provisions recently approved by the Committee on Veterans' Affairs at our markup on June 27. In fact, this amendment is a direct product of the committee's work to address seamless transition issues and is the corresponding piece to S. 1606, the Dignified Treatment for Wounded Warriors Act.

At the heart of my amendment are the improvements to TBI care. Ranking Member CRAIG and I worked on these traumatic brain injury provisions and they have garnered the support of many organizations, including the American Academy of Neurology, the Brain Injury Association of America, and the Disabled American Veterans. The VA was caught flat-footed by the large number of devastating TBI cases resulting from the conflicts in Iraq and Afghanistan. My amendment would go a long way toward resolving the difficulties faced by soldiers afflicted with TBI by providing comprehensive TBI

legislation. It would require individual rehabilitation plans for veterans with traumatic brain injury and authorizes the use of non-VA facilities for the best TBI treatment available. The amendment also requires much more research and education for severe TBI. We have even developed a pilot program for assisted living services for veterans with TBI.

My amendment would also extend the period of automatic eligibility for VA health care from 2 to 5 years for servicemembers returning from combat. It would ensure access to care for conditions that may not be apparent when a servicemember first leaves active duty and would contribute to a seamless transition from military to civilian life. In addition, this amendment requires a preliminary mental health evaluation be conducted within 30 days of a servicemember's request. VA must be prodded to ensure timely access to mental health care. I thank Senator OBAMA for working with me on this important provision.

Finally, our ongoing global operations have utilized the reserve components on an unprecedented scale. When these citizen soldiers redeploy, it is essential that VA include them in their outreach efforts. To recognize the importance of the National Guard and Reserve and to acknowledge their contributions to the Nation's efforts, my amendment redefines the VA's definition by specifically including them in the outreach program.

The Senate Armed Services Committee has taken bold and necessary steps in this legislation that will provide the necessary funds and management reforms required to support our service men and women while allowing the military to continue to meet our Nation's future defense needs.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Madam President, Senator BIDEN was to be recognized next. I don't see him on the floor at this moment, so I will note the absence of a quorum for a few moments, and if he does not arrive, then I will give my remarks on the Webb amendment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Parliamentary inquiry: I understand I am supposed to speak after Senator BIDEN, but he told me before he left the floor that if he weren't here, I could reverse the order. I wonder if Senator LEVIN would give me permission to do that.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Madam President, I thank my good friend from California, and I have no objection at all.

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

Mrs. BOXER. Madam President, this is a very important week for this country as we bring the issue of Iraq back to the Senate floor and listen to the American people, who are very clear. They want this war to end. They want the troops to come home. They know our service men and women have given everything there is to give, and more. They know the policies we have followed in Iraq since day one have backfired. They are looking to us.

If I might say where we are in this debate in this Senate, in my opinion, is between talk and action. It is very easy to talk and say: Oh, we need a change. We must have a change. It is important that we have a change, and call press conferences and say we need a change. It is time for change. But let's see how people vote. Will they vote for a sense of the Senate that has absolutely no force of law, which says it is the sense of the Senate we should change course, or will they vote to start redeploying our troops out of the middle of a civil war, out of chaos?

My colleagues know I represent the largest State in the Union, and we are taking a major hit. We have lost hundreds and hundreds of soldiers. We see thousands injured from our State. We see a National Guard that doesn't have the equipment it has to have. Some reports are the equipment is down 50 percent. What does that mean? It means if, God forbid, there is an earthquake, a fire, all the things we have to deal with in my beautiful State, who is going to protect the people? How much longer can we afford the bloodshed? The dollars—we are now told \$12 billion a month is being spent in Iraq and Afghanistan.

The Presiding Officer and I share a lot of common interests. One of them is, for example, to make sure our kids can go to afterschool care, because that is the time they get in trouble. That is a high-risk time. Do my colleagues know what it would cost to fund afterschool care to the level that it is supposed to be, according to No Child Left Behind? It would cost \$3 billion a year. We are funding it at \$1 billion. Millions of kids are on the street. We spend \$12 billion in Iraq and Afghanistan in 1 month, but we cannot find a couple of billion in a year for our children. We can't find the money to insure our children, to protect their health. Oh, no. We don't have the money for that. The President is going to veto this bill and veto that bill. He can't help the farmers. We can't do this, we can't do that, but \$12 billion in Iraq and Afghanistan—no problem. No problem to save his reputation, to save him from having to prove to the world he was wrong. Well, it is one thing to have an argument with someone and have pride and say: You know, I am not going to admit I made a mistake. It is another thing when people are dying because of your mistake—every day.

Now, in November of 2006, the American people voted against the Iraq war. They elected Democrats. They want this war to end. They want this mission to end. They don't want our troops in the middle of a civil war, getting killed and getting maimed, getting post-traumatic stress, getting brain injuries that are the signature injury of this war.

They elected Democrats. They want this war to end. They want this mission to end. They don't want our troops in the middle of a civil war, getting killed and getting maimed, getting post-traumatic stress, getting brain injuries that are the signature injury of this war.

We will be dealing with the problems of this war for decades to come. Anyone who lived through Vietnam knows that if you go on the streets today and look at who the homeless are, you know who they are. A third of them are veterans, most of them from Vietnam who never got over the experience. That is why Senator LIEBERMAN and I have worked together to try and get the people who are coming back the mental health care they need. Senator LIEBERMAN and I do not agree on this war. We are polar opposites on this war. But let me tell my colleagues, we are working together to get these troops the mental health care they need. Their marriages are breaking up. They can't sleep at night. They are having trouble with their employers. We have so many problems, and the American people expect us to fix it.

I see my friend Senator BIDEN is on the floor, and I will tell him I will speak for about another 10 minutes.

Now that my friend is on the floor, Senator BIDEN is the Senator who has looked ahead, who has said there is a light at the end of the tunnel. He has put forward a plan, and he put it forward a long time ago, for a diplomatic solution here, because there is no military solution. How many more explosive devices are going to blow up in the faces of our troops before we start bringing them home? How many more Iraqis are going to die—women, children? How many more faces are we going to look at on the front page before we get the guts to do the right thing?

The President doesn't listen. He didn't listen after the election. Oh, he said he did. He said he had a new strategy. What was it? The surge. The surge is not a new strategy. It is a military tactic, and it isn't working. Here is what the President said after he sent in more than 20,000 additional troops. He said:

Over time, we can expect to see . . . fewer brazen acts of terror, and growing trust and cooperation from Baghdad's residents. When this happens, daily life will improve, Iraqis will gain confidence in their leaders, and the Government will have the breathing space it needs to make progress in other critical areas.

Wrong. The President was wrong again. The Washington Post reported on Sunday:

The Iraqi government is unlikely to meet any of the political and security goals or time lines President Bush set for it in January . . .

And today the AP, Associated Press, reports:

Iraq fails to meet all reform goals.

Not even one goal was met, and our people are dying. They cannot meet

one goal. The violence continues unabated.

Since the President made his speech on January 10, after the election, when he said there was going to be a new strategy, 590 U.S. service men and women have been killed, 107 of whom did not live to see their 21st birthday. What kind of change is that this President brought?

The average number of daily attacks by insurgents and militias has not dropped below 150 per day. In Baghdad alone, there has been an average of 50 insurgent attacks a day. Over the weekend, more than 150 Iraqis were killed in one single bombing. These bombings are not isolated events. In June alone, there were 39 bombings in Iraq that resulted in multiple fatalities. The number of suicide attacks more than doubled in Iraq since the surge began—from 26 in January to 58 in April. What kind of new strategy is that? If that is a new strategy, it is worse than the other one. The average number of Iraqi civilians killed has risen to more than 100 per day.

The administration is failing on the security front; they are failing on the political front. They don't listen to Senator BIDEN, chairman of the Foreign Relations Committee. They don't listen to Senator LUGAR, the ranking member. They are all saying you have to have a political solution.

The administration is failing on the reconstruction front. Iraqis living in Baghdad still receive an average of 5.6 hours of electricity a day. The President can't even keep the lights on, let alone succeed in this surge.

Yesterday, Tony Snow said:

The President wants to withdraw troops based on the facts on the ground, not on the matter of politics.

Well, I say to Tony Snow, elections have consequences, and you lost in 2006. The issue was Iraq and the policies on the ground are not working; they are failing. So whether you listen to politics or what is happening on the ground, the answer is the same.

On February 1, Tony Snow described the surge in this way:

We are talking about significant economic development efforts; we're talking about significant political reconciliation. These are the kinds of things we expect to see.

Well, they have not seen them. We know the President is going to address the American people. I say to the President, tell the truth to the American people. Lay out what you expected, and then lay out the reality, and start getting the troops home. We have not seen improvements. Now our military is at the breaking point. Listen to retired generals. They don't have to toe the line. They tell the truth. Nearly 90 percent of Army National Guard units in the U.S. are rated "not ready"—largely as a result of shortfalls in equipment that jeopardize their capability to respond to crises at home and abroad. In my State, our equipment is down 50 percent. So who will be responsible when we have a dis-

aster, I say to the President? Who is going to be responsible? The same people who have brought us Iraq are going to bring us a crisis in our States. We already saw what happened in Katrina from incompetence. Let's match incompetence and lack of equipment and see what happens then.

What about Iraqi forces? On January 11, Secretary Gates said:

We are going to know pretty early on whether the Iraqis are meeting their military commitments....

He said we would know early on. The answer is they are not meeting their military commitments. After this weekend's violence, senior Iraqi officials called on Iraqi civilians to arm themselves and fight insurgents. That is from their Government. They are not telling the people this Government will protect you; that the Americans have trained 300,000 of us and we are ready to protect you. No. The answer is to arm yourselves so that when insurgents break down your door, you can kill them before they kill you. What a situation.

The Iraqi Vice President said:

The people have no choice but to take up their own defense.

We need to chart a new course on Iraq today. As Senator LUGAR said:

Persisting indefinitely with the surge strategy will delay policy adjustments that have a better chance of protecting our vital interests over the long term.

But the administration doesn't seem willing to chart a new course. As stated on the front page of today's Washington Post, "GOP Dissent Spurs Change in Message But Not Course." That is another way of, I think, confusing the subject. Get up and give a great speech and then you vote against anything that has any teeth in it. You vote for something that says it is the sense of the Senate that things are not going well, rather than it is time to change this mission and get our troops out of the middle of a civil war, and make sure what we are doing is training the Iraqi soldiers, and that is fine, and going after al-Qaida, which is fine, protecting our forces, and that is fine, but get most of them out of there.

A change in message will not prevent the deaths of more Americans and will not salvage the President's failed policy. Over the next 2 weeks, we will have the opportunity to debate several amendments that will mandate a change of course on Iraq. I urge my colleagues, as strongly as I can, as someone who has stood up here time and time again and said we are making mistakes, to finally admit it—but not just admit it, do something about it. That is what we have to do. We have to change the reality of what is happening.

As the experts have told us over and over again, what are we doing here? We are in the middle of a civil war; we are neglecting the war on terror. We say we are fighting the terrorists there and we will stop them from coming here. That is what Tony Blair said, but it

didn't stop anything. This is a recruitment tool for al-Qaida. Iraq is a recruitment tool for al-Qaida. Peter Bergman said that a long time ago when we went into Iraq. He is an expert on the Middle East. I don't want to recruit al-Qaida; I want to go after them. I voted to go after them after 9/11. I didn't vote to change course and go in another direction for regime change based on faulty information, faulty intelligence.

This week and next week, we will find out who talks in the Senate and who is willing to take action in the Senate. I hope the American people will look at the amendments we are voting on and, at the bottom line, understand which ones are just talk and which ones will actually result in redeployment of the troops out of a civil war—who walks the walk versus who talks the talk. Action means a deadline. Action means you change the mission. Action means you start bringing the troops home. Action doesn't mean a change in message, but a change of course. Reshuffling the chairs on the deck of the Titanic is not what we should be doing. We need to change course.

I have spoken with mothers and fathers who have lost sons and daughters. They have begged me in the most tearful way to spare other families what they are going through. If this war was working, that would be one thing. But there is no military solution here. We need to listen to what our chairman of the Foreign Relations Committee is saying about a political solution, about separating the warring parties, about bringing in the nations of the region, and doing it now—before another soldier is blown up or breaks up with his wife because of the stress, or before another child has no dad or mom. The time is now.

I am so glad we are going to be doing the Defense authorization bill and have our opportunity to actually put our ideas into action. I will be supporting every single amendment that will result in a change of course, accountability, starting to bring the troops home.

I thank the Chair and I thank the Senator from Delaware for allowing me to go before he goes.

I yield the floor at this time.

[Applause in the Gallery.]

The PRESIDING OFFICER. The Sergeant-at-Arms will restore order in the gallery. The expression of approval or disapproval is not permitted.

The Senator from Arizona is recognized.

Mr. McCAIN. Madam President, I certainly appreciate the passion of the Senator from California and her concern for the men and women serving in the military and those who have sacrificed a great deal already. The fact is, according to Lee Hamilton and Henry Kissinger, General Zinni, and according to literally almost every—not all—respected national security expert in this country, it is acknowledged that we will have a lot more casualties.

The Senator's concern is emotional and well-founded and very moving. I am also moved by the fact that Henry Kissinger and Lee Hamilton say Congress should drop fixed deadlines for the withdrawal of U.S. forces. As Commander in Chief, the President needs flexibility on troop withdrawals. He will accept no bill that has a timeline or a fixed date for withdrawal. Lee Hamilton says:

The American people have the war in Iraq figured out. They know American troops cannot settle Iraq's sectarian conflict, and they want to withdraw responsibly. They do not want a messy or sudden withdrawal to prompt wider sectarian strife and an escalating humanitarian disaster.

To some degree, I have seen this movie before. I remember when the debate was going on on the floor of the Senate on our withdrawal from Cambodia on December 15, 1970. Mr. Gravel, now one of the candidates for President of the United States, said:

We come back to the argument of protecting American forces. It is simple. Take the forces out and we do not have any problem. It is simple. Do not get into Cambodia. Do not get involved. Then we do not get into anything.

Yes, there was an argument on the floor of the Senate about withdrawal. There was an argument that prohibited the United States from being involved in Cambodia. Three million people were slaughtered—one of the great acts of genocide in modern history. Yes, we cared about American casualties after Vietnam and we withdrew. The North Vietnamese attacked and millions of people got on boats, thousands were killed in reeducation camps, and thousands were executed. I have seen this movie before. I have seen this movie before from the liberal left in America, who share no responsibility for what happened in Cambodia when we said, no, as I quote Senator Gravel:

We come back to the argument of protecting American forces. It is simple. Take the forces out and we do not have any problem. It is simple. Do not get into Cambodia. Do not get involved. Then we do not get into anything.

Mrs. BOXER. Madam President, will the Senator yield for a question?

Mr. MCCAIN. I would like to finish my comments, and then I will be glad to yield to the Senator from California.

Continuing to quote Senator Gravel:

What would happen if Cambodia fell tomorrow? It may well fall. . . . Obviously, it would become communistic. We would have some gnashing of teeth, but life would go on. We would have our traffic jams and everything else.

There were no traffic jams in Phnom Penh, Madam President, not a one. In fact, all of the people were killed or told to walk out of the city.

Life would go on. Basically, that would increase the casualties of Americans in South Vietnam. That would be the difference, except the American people are going to get up and say, "We do not want Americans getting killed at that rate."

. . . it means we are going to put more money in, and if there is a danger that Cambodia will be overrun 6 months from now, we

would have to escalate to the next higher step, and they will devise some way of getting American troops in there. Or they would go the mercenary route until they butcher enough of those people.

Interesting.

This, to my mind, is wrong, and adds nothing to our security. Supposing South Vietnam fell, and became totally Communist tomorrow, and then Cambodia fell and became totally Communist; would that appreciably change the life of my colleague from Kansas? Would that change his life?

The debate goes on and on. It is very worthwhile reviewing the debate that went on about Cambodia and Vietnam, not to mention, as I mentioned earlier, the impact of losing a war on America, our military, and others.

The Senator from California and I am sure the Senator from Delaware will speak very movingly about the strain on the families of the men and women and the strain on our troops.

By the way, we do in this authorization bill before us increase the size of the Marine Corps and the Army, and we need to increase it even more because of the challenges around the world—something that some of us have sought to achieve for a long period of time.

But the fact is, when you lose a war, the consequences of failure are far, far more severe on the military than the strain that is put on the military when they are fighting. It is a fact. It is a fact of military history. It is a fact of the war that we lost in Vietnam, which took us well over a decade to restore any kind of efficiency in our military.

I will be glad to yield to the Senator from California.

Mrs. BOXER. Madam President, I thank the Senator for yielding. The Senator made the point that the liberal left wants us out of Iraq. I want to make sure the Senator is aware that the latest polls show 70 percent of the American people want us to have a strategy to leave. And my question is, A, is the Senator aware of that? And, B, the followup to that question is, has the Senator read the various proposals, the Levin-Reed proposal, which I strongly support? There is no precipitous withdrawal.

I think the Senator is setting up a straw man, if you will, here. The fact is, those of us who want to leave want to do it in the right way—

Mr. MCCAIN. I ask for the regular order.

Mrs. BOXER. And we also change the mission to continue training the troops, and so on. I want to make sure the Senator is aware of that point.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank the Senator from California for that thoughtful question. The fact is, I do read the polls, and if the Senator from California had paid attention to my opening statement, she would have known that I made it very clear that I understand the frustration and sorrow of the American people. I also know a lot of us are not driven by polls. A lot

of us are driven by principle, and a lot of us do what we think is right no matter what the polls say.

So I appreciate the concern of the Senator from California about whether I read the polls. I appreciate that greatly. But I do know also that when you send a signal, and I appreciate the Senator's concern—I was talking about the liberal left addressing the war in Cambodia, is what I was speaking of. The record is clear, and I will be glad to provide other quotes of a similar nature. But I do also know that those of us who study history, those of us who spend time in Iraq, those of us who spend time with various leaders, such as General Zinni, such as General Scowcroft, such as Secretary of State Baker, such as many others, we all know what the consequences of a date for withdrawal will be. And it isn't my opinion alone. It is shared by a broad variety of national security experts in this field.

I also point out that it does have an effect on the troops in the field when they see effort after effort after effort to withdraw, to force them to be withdrawn and, obviously, a failure of their mission.

I welcome this debate, as I said earlier. I think it is important to inform the American people. I think it is important to have a respectful exchange of views. And I will continue to respect the views of the Senator from California, but I will tell her that I have seen this movie before, and I have seen what happens when we have a defeated military and we have people who assure us that a withdrawal is without consequences.

I believe, as Henry Kissinger as recently as a few days ago said:

. . . precipitate withdrawal [from Iraq] would produce a disaster. It would not end the war but shift it to other areas, like Lebanon or Jordan or Saudi Arabia. The war between the Iraqi functions would intensify. The demonstration of American impotence would embolden radical Islamism and further radicalize its disciples from Indonesia and India to the suburbs of European capitals.

Natan Sharansky says the same thing. A person who knows about oppression, who knows about freedom, who served as a beacon to me and a hero in my entire life says:

A precipitous withdrawal of U.S. forces could lead to a bloodbath that would make the current carnage pale by comparison.

All of these are statements by people for whom I have the greatest respect. I hope we will heed some of their admonitions.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. BOXER). The Senator from Delaware is recognized.

Mr. BIDEN. Madam President, I was interested in the last exchange. Let me just say that one of my heroes is the Senator from Arizona. I mean this sincerely. We use the phrase around here "my friend." I consider him my friend. I believe if neither he nor I were Senators and I picked up a phone and

called him and said: I need you to show up at such-and-such a place, I can't tell you why, he would be there. I do not pretend to be his best friend in the world, but I admire him.

But I think I should point out a couple of things. No. 1, the Senator from California is not poll-driven. As I remember it, when the whole of the country was clamoring to go to war, the Senator from California stood up and voted against going to war. If I am not mistaken, it was viewed as political suicide at that time. I know the Senator from California, and I know she needs no defense, but I know her. If I know anybody who is not poll-driven, it is the Senator from California, No. 1.

No. 2, Henry Kissinger, Lee Hamilton, and Baker—all these people mentioned—they all say get out. None of them think the policy of this President makes any sense. So let's start off where they are. Henry Kissinger has endorsed the Biden plan and the Boxer plan and all the rest who have done it. They need a political solution.

I remind everybody that the Baker-Hamilton report set a date of March 2008 as a goal to get the majority of our troops out, if not all of them out. They talked about drawing down our troops. The President rejected that policy.

I don't know a serious person—there probably are—I don't know of any in the international community, I don't know of anybody in the foreign policy establishment in the United States of America, from Colin Powell, a former Secretary of State, to former Secretaries of State and Secretaries of Defense in Republican administrations, who thinks this policy makes any sense.

Madam President, I say to my colleagues, to quote Gravel—I was here in 1972 while my friend JOHN McCAIN, God love him, was in a prisoner-of-war camp. I was a 29-year-old Senator. Nobody agreed with Gravel. Give me a break. Quoting Gravel as the voice of the left—he was the voice of his voice. God love him, as my mother would say, and he still is the voice of his voice. Who agrees with Gravel? Maybe somebody does. But to quote him as if it was the Democratic position on Cambodia—go count the votes, how many votes Gravel got. That is not representative of even the left. This is a man who, God love him, nominated himself for Vice President. Come on. Come on.

And who is calling for a precipitous withdrawal? If I am not mistaken, the distinguished chairman of the Armed Services Committee is not voting for a precipitous withdrawal. This is what we call, in the law business, which I have been practicing 34 years, a red herring.

The question is, Do we continue to send our kids into the middle of a meat grinder based on a policy that is fundamentally flawed? I don't think there are a dozen Republicans on that side of the aisle who agree with the President's strategy, nor do I believe, if the President had followed the rec-

ommendation of the Senator from Delaware and then the Senator from Arizona back before there was a civil war to put enough troops in to solidify the situation on the ground, we might not be here. The rationale he offered and I offered, if I am not mistaken, was: Mr. President, you don't have a strategy. Secretary of Defense, these are not a bunch of dead-enders, they are not a bunch of thugs. They are thugs, but you have a big problem, Mr. President.

If I am not mistaken, I heard the Senator from Arizona make those speeches 4 years ago. I heard him, along with me, call for more troops back then in order to get out sooner. We predicted there would be a civil war if we didn't gain control. Surprise, surprise, surprise. We have a civil war.

Look, I understand the political dilemmas in which we find ourselves: We have a President of our own party we have a problem with. I have been there. It never kept me from speaking up. If my colleagues recall, my friend from California, who is presiding, remembers, to use the trite expression, I beat President Clinton up and about the head, as they say in the neighborhood where I come from, to use force in Bosnia, to end a genocide. The President didn't agree with me. I was told: Calm down, don't put him in that spot. I am accustomed to taking on Presidents in my own party, and I know it is hard. It is hard. But I tell you what, name me any one of the people who were quoted here who thinks the policy we are pursuing now makes any sense.

Ever since the Democrats took control of the Congress back in January, we have been working to build pressure on the administration and, quite bluntly, on our Republican colleagues to change course in Iraq because I have reached a point where I think the President is impervious to information. There is a great expression, I believe it was Oliver Wendell Holmes referring to prejudice—and the President is not prejudiced, but I make the point. He said prejudice is like the pupil of the eye: the more light you shine upon it, the more tightly it closes. This administration is like the pupil of the eye: the more hard facts you give them to prove their policy is a failure, the tighter it closes and the less inclined to change they are. More and more Republicans—more and more Republicans—have stopped backing the President and started looking for ways to work with us to bring our soldiers home in a responsible way so we don't merely trade a dictator for chaos.

Let me say something I am going to be reminded of, I am sure, again and again and again. Having been here for 34 years, I know you should not make statements I am about to make lightly, but I am reminded of it by the comments made about Cambodia. On this, we have a sell-by date. You know when you buy milk, it says sell by a certain date or it turns sour? There is a sell-by date here, folks, for us to change pol-

icy. Because if we do not change policy in a radical way in this calendar year, I believe we will be left with one of two alternatives.

We have a chance now to change policy and maybe salvage—maybe salvage—a circumstance in Iraq, whereas we gradually leave, and we will not have traded a dictator for chaos and the possibility of a regional war. That is alternative one. I think that alternative two is Saigon revisited. We will be lifting American personnel off the roofs of buildings in the green zone if we do not change policy and pretty drastically.

There is not a single person in here that knows anything about the military who can tell me they think there is any possibility of us sustaining 160,000 forces in Iraq this time next year. What my friend from Arizona did not say—and he knows a great deal about this—is that leading generals in the military say straightforward that we are breaking—let me emphasize that—breaking the U.S. military—breaking the U.S. military. Let me put it another way. We have more professionally trained academy graduates, such as my friend from Arizona, leaving the military after 5 years than we have had any time in the last 30-plus years. The cream of the crop are being broken by this failed—this failed policy in Iraq.

What is worse is not that it is a failed policy, but it is impervious to recommendations made by the most informed people in both political parties inside and outside Government. What did the President do with the Baker-Hamilton Commission? Picked it up, gave it real lip service, and flipped it on the shelf. Who was on that commission? Two former Secretaries of State, who were Republicans; the present Secretary of Defense; some of the leading conservative voices in America on military matters; along with mainstream Democratic leaders. What did they do? What did they do? They blew it off. Now they are revisiting it. Now press reports are that maybe we have to have a plan B.

Look, it matters profoundly how we end this war. It matters to our soldiers, it matters to the Iraqis, and it matters to America's future security. As I said before, I don't want my son, a captain in the Army, going to Iraq, but he will go, if called. But I also don't want my grandson going. How we leave will determine whether my grandson goes. So far this President has offered absolutely no political solution to Iraq. None.

What does he say? He says surge troops. Why? To give the Iraqis breathing room. Why? So the Iraqis will get together and form a unity government that can be trusted by all the Iraqi people to govern the nation, allowing us to leave.

Not in the lifetime of anyone on this floor, including these talented young pages, will there be a unity government in Baghdad that has the confidence of all the Iraqi people, able to

maintain security, provide opportunity, and have a stable unity government. It will not happen.

I had a proposal over a year ago—and I have been roundly criticized for it, except for the Presiding Officer and a few others—wherein I laid out—and not because I am so smart; I happen to be chairman of the Foreign Relations Committee because I have lasted longer than others—but I laid out a comprehensive proposal. What does everybody say in this body? Everybody says, in and out of Government, that there is no military solution to Iraq, only a political solution. Name me a single person who has offered a political solution, except the Senator from California, myself, and the Senator from Kansas, Mr. BROWNBACK. Name me anyone. What is the political solution? What is the political solution my friend is offering? What is it?

The political solution is that somehow the Iraqis will have an epiphany—and I know Muslims don't have epiphanies; that is a Christian thing—they will have an epiphany and all of a sudden they are going to get together, realizing what is at stake, and form this unity government that can deliver.

I met with al-Maliki last year. I have been to Iraq and Afghanistan eight times. I am heading over there again shortly. I sat with al-Maliki, and when I came back, the President asked my views. He was kind enough to ask what I thought. I said, I don't think al-Maliki has it in his bone marrow, in his heart or his brain to desire to reconcile with the Sunnis. Even if he did, he doesn't have the capacity.

What have we rested everything on here? We are about to have a report that was going to be filed this June 15, pointing out the Iraqis haven't met a single benchmark. Isn't that strange? What did we do? Every opportunity we had to help them along, we walked away from. I remember after they voted on their Constitution. I was there for the official vote, I stuck my finger in the ink that does not come off your finger. I went to the polling places. The Iraqis voted overwhelmingly for a constitution. Know what it says? I wish somebody would read it once in a while. It says, I believe it is article 1, we are a decentralized federal system. Then in articles 15, 16, 17, and 18, if I am not mistaken—this is from memory—it lays out how any 1 of the 18 governates, political subdivisions, basically, in Iraq can become a region, vote for their own constitution, and have their own local security. It also implies there will be an allocation of the oil resources through a constitutional amendment.

I remember immediately after that vote, coming back from my third or fourth trip, then meeting with the administration and saying: What are you going to do? And being told: Oh, it is too premature to push any of that. I said: Whoa, let me get this straight. How are you going to bring these folks together unless you help them imple-

ment the Constitution? No, no, too tough now—too tough.

This administration has not made, when given a choice, a single correct decision on Iraq. Hear me. That is a bold statement. I cannot think of a single decision when they have been faced with a choice that they have made the right choice. I cannot think of one. Way back, when the President asked me why I was calling for Rumsfeld's resignation, and the Vice President was in the room, in the Oval Office, I said: With all due respect, Mr. President, Mr. Vice President, if, Mr. Vice President, you were not a constitutional officer, I would call for your resignation too. He looked at me and said: Why? I said: Because, Mr. President, name me one piece of advice either Rumsfeld or CHENEY have given you in Iraq that has turned out to be right. Name me one. One. One. It is not about retribution, Mr. President, it is about competence. If all the advice you have been given is bad, don't you think it is a good idea to look for new advice—new advisers?

Look, I believe there is a comprehensive strategy to end this war responsibly and it has three parts. First, is a roadmap to bring most of our troops out and home by early next year. Two, is a detailed plan for what we leave behind, a political solution. Three, is the commitment that so long as there is a single American—a single American soldier—in Iraq, we should do everything in our power to protect them.

Let me go through this very briefly. First, bringing our troops home. Instead of escalating the war with no end in sight, we have to start to bring our troops home now and withdraw most by next year. This was the Baker-Hamilton recommendation.

The PRESIDING OFFICER. I wish to remind the Senator that we had an order to recess after him speaking for 10 minutes. What is the pleasure of the Senator?

Mr. BIDEN. Madam President, I ask unanimous consent to proceed for 10 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered, and then we will recess for the lunch hour.

Mr. BIDEN. If we don't start bringing home combat forces within the next few months, get them out of the midst of a civil war, we will have so soured the American people on the ability to do even the things that need be done that this President and the next President will be left with absolutely no option—absolutely no option—but to withdraw totally from that area and let the chips fall where they may.

You know, that is exactly what we started to propose, the Senator from California and others, Senator LEVIN, in the Biden-Hagel-Snowe-Levin resolution opposing the surge back in January and of the Biden-Levin provision in the Iraqi supplemental bill, the very thing the President vetoed. The common denominator in all these efforts has been to transition our troops to a

more limited mission so we can start to bring them home and set the groundwork for being able to leave behind a political solution.

That is exactly what Senator LEVIN is doing today. He is taking the Biden-Levin amendment, now called the Levin-Reed amendment, and he is going back at it. I compliment him for it because we have to keep pushing in order to change the minds of our Republican friends by keeping pressure on them to start to vote for the troops and not the President.

The second thing is getting our troops out of Iraq is necessary, but it is not sufficient. We also need a plan for what we are going to leave behind so we don't trade a dictator for chaos. What happens matters and how it happens. About everyone agrees there is no purely military solution. A political solution. Our plan is getting more bipartisan support—the so-called Biden-Brownback-Boxer-Hutchison-Nelson-Smith amendment—and that is we recognize the fundamental problem in Iraq is the self-sustaining cycle of sectarian violence.

I would respectfully suggest that history shows these cycles of sectarian violence end in only one of four ways. One, a bloodletting that leaves one side victorious and both sides exhausted. In the case of Iraq, that would take years, and I believe it would generate a Sunni-Shia revival of hatred from the Mediterranean to the Himalayas.

Second, is an open-ended foreign occupation for a generation or more. That is not in America's DNA. It is not what we do. We are not the Ottoman Empire.

Third, a return to a strong man, one who is not on the horizon. Even if there were, wouldn't it be the ultimate tragic irony that the United States replaced Saddam Hussein with another dictator?

The fourth way they have ended is a political agreement to form a decentralized federal government that separates the warring factions, gives them breathing room in their own regions. That is what we did a decade ago in Bosnia. We have had over 24,000 NATO troops there for 10 years and not one has been killed. The sectarian violence has stopped, the genocide is over, and they are trying to become part of Europe. The plan we put forward has five pieces. I will not take the time to go into it now, but one is in order to maintain a unified Iraq we have to decentralize it, with a limited central government that has common concerns of guarding the border and distributing oil revenues.

Second, we have to secure support from the Sunnis by giving them a guaranteed piece of the oil revenues because they have nothing in that triangle.

Third, we have to increase, not diminish, aid to rebuild that country, and we should look to the gulf states who have an overwhelming interest and overflow of dollars to do that.

Fourth, since we have lost all credibility in the region, this has to be a consequence, this idea—it has to have an international imprimatur on it. It must come out of the Security Council. They must call an international conference. It must involve the stamp of the United Nations and a regional conference, where the international community pursues this—and they are ready to do it. I will not take the time to go into why.

Last, we have to begin to draw down. We have to have military plans to draw down our combat forces by 2008, leaving behind a small force to take on terrorists and train Iraqis, assuming there is a political settlement. If there is no political settlement, mark my words, the public will insist they all come home. If they come home it means everything comes home. The idea that we are going to be able to leave an embassy there with thousands of people without 10,000 or more American soldiers to guard it is a joke. If we fail to make federalism work, if there is no political accommodation at the center, violent resistance will increase, the sectarian cycle of revenge will continue to spiral out of control, and we will not have this country break into three neat pieces. You will watch it fragment into multiple pieces, creating incredible difficulties for the entire region.

The Bush administration, though, has another vision. Their vision for Iraq, their entire premise, as I said, is based on a fundamentally flawed premise that they can build a competent, popular, supported government based upon a consensus among the three parties, and it reside in Baghdad. That is the central flaw in their strategy. It cannot be sustained. The hard truth is that absent a foreign occupation or a dictator, Iraq cannot be run from the center. The sooner we understand that, as Secretary Kissinger does and all the people quoted today—the sooner we understand that, the faster we will get this thing resolved and the fewer American casualties there will be.

The last part of this strategy is, so long as we have a single soldier in Iraq, it is our most sacred responsibility to give him or her the best protection this country can provide. Two months ago I called upon the President and Secretary Gates to make building of Mine Resistant Ambush Protected vehicles, so-called MRAPs, the Nation's top priority. roadside bombs are responsible for 70 percent of the 25,000-plus injuries and 70 percent of the roughly 3,600 deaths. It is hard to keep count, unfortunately; 70 percent. Yet if we transition our troops from those flat-bottomed, up-armored HMMWVs to these V-shaped-bottom MRAPs, the facts show that somewhere between 66 percent and 80 percent of the casualties will be avoided.

An article on the front page of USA Today last Friday pointed out a military person saying if we built these

when we were supposed to, there would be, I think, 731 fewer deaths.

These are our sons, our daughters, not somebody else's—all of ours. These are the people. These are the kite strings upon which our whole national ambition is lifted aloft. What are we doing? What are we doing? We are spending \$10 billion a month in Iraq, and I get push-back for wanting to spend \$20 billion to build these vehicles? I find it obscene.

I fought to front load money in the emergency spending bill for these vehicles. As a result we will get 2,500 more of these vehicles to Iraq by the end of the year than we otherwise would have. That is why I voted for the bill.

But I also insisted that the administration tell us by June 15 whether it would need even more of these vehicles so that we make sure the money is there to get them built.

Last week the Army concluded that it would need seven times the number of mine-resistant vehicles it had originally requested—some 17,700, up from 2,500. When you factor in all the service requests, the total need for mine-resistant vehicles jumps from the 7,774 vehicles now planned to nearly 23,000 vehicles.

But the Joint Chiefs have not yet made the Army request a "clear and urgent" requirement.

And there is no plan to budget for and build these vehicles over the next 6 months, as well as proven technology that protects against so-called explosively formed projectiles—EFP—that strike from the side.

We need a commitment from the administration—now—to build every last one of these vehicles as soon as possible.

We can't wait till next year or the year after. Our men and women on the front lines need them now.

I will offer an amendment to the Defense bill to make it clear—with absolutely no ambiguity—that Congress will provide every dollar needed and every authority necessary to build these vehicles as quickly as possible.

Every day we delay is another life lost.

The war in Iraq must end. That is what the American people want. And that is where America's interests lie.

I conclude by saying that in Congress we have a tremendous responsibility to turn the will of the American people into a practical reality. It is long past time we meet this responsibility head on, and it is long past time our Republican colleagues join us in what I believe they know to be right—forcing this President to radically change course in Iraq.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 this afternoon.

Thereupon, the Senate, at 1:06 p.m., recessed until 2:15 p.m. and reassem-

bled when called to order by the Presiding Officer (Mr. CARPER).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent the pending amendment be laid aside so that an amendment by Senator SPECTER and myself be in order for discussion, with the understanding that then that amendment will eventually be set aside so we can go back to the prior amendment.

Mr. BROWNBACK. I object on behalf of another Senator.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. I withdraw my request, but I would note that the Senate this week is considering the National Defense Authorization Act. Senator SPECTER and I will introduce an amendment at such a point as we do not receive objection from the Republican side. What we will introduce will be the Habeas Corpus Restoration Act of 2007.

I want to, first and foremost, thank and actually praise Senator SPECTER for his strong and consistent leadership on this issue. It is not just leadership this year, it has been leadership in past years. I hope all Senators, both Republicans and Democrats, join us in restoring basic American values and the rule of law while making our Nation stronger.

Last year, Congress committed a historic mistake by suspending the great writ of habeas corpus. They did this not only for those confined at Guantanamo Bay but for millions of people who are legally residents in the United States.

We held a hearing on this, the Senate Judiciary Committee did, in May. That hearing illustrated broad agreement among people of very diverse political views and backgrounds, that the mistake committed in the Military Commissions Act of 2006 has to be corrected. The Habeas Corpus Restoration Act of 2007 has 25 cosponsors, and the Senate Judiciary Committee passed it last month with a bipartisan vote.

Habeas corpus was recklessly undermined in last year's Military Commissions Act. Like the internment of Japanese Americans during World War II, the elimination of habeas rights was an action driven by fear, and it has been a stain on America's reputation in the world. In many places around the world where we had been so admired in the past, they have asked why would America turn its back on one of its most basic rights.

We are at a time of testing. Future generations will look back to examine the choices we made during a time when security was too often invoked as a watchword to convince us to slacken our defense of liberty and the rule of law.

The great writ of habeas corpus is the legal process that guarantees an