

Last, we should place new emphasis on local and provincial elections in Iraq.

I raise these issues because I do not believe we can precipitously pull out of Iraq, nor should we. But I think we have to recognize the situation on the ground for what it is and facilitate it before we see more mass sectarian violence taking place. We can do this and, in a civil fashion, save lives. That is what this is about. It is about saving lives.

We have seen this play before. We have seen it recently in Yugoslavia. We are seeing it today in Sudan. Why can't we see this and say we are going to save lives by facilitating this rather than creating a combustible situation that blows up on us later. This is consistent with the Iraqi Constitution. It is a more robust political solution which matches our need militarily on the ground.

I finally, say, Mr. President, I have traveled the country a lot. I hear a number of people out there. They don't want to lose in Iraq, but they don't see us on a track to win. What they are after is us coming together here to provide that solution of how we can win. What I am talking about is a political solution that is as aggressive as our military solution. The military gives us space for the political side to act. But we have to get it moving, and that is a situation where we can win and we can go to the American people and say we are on track to win and be able to pull our forces from the frontlines and reduce the death loss we are experiencing as a country, that my State is experiencing, that the Big Red One stationed at Fort Riley, KS, is experiencing.

We can do this. We need to show some foresight and bipartisanship to get it done. That is why I call, along with my colleague, Senator BIDEN, for this proposal, and I urge other colleagues to join us as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

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SUBMISSION OF AMENDMENT TO  
H.R. 1585

Mr. WARNER. Mr. President, on behalf of myself and Senator LUGAR, I send to the desk an amendment to H.R. 1585.

The PRESIDING OFFICER. The amendment is considered submitted.

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EFFORTS TO STALL PROGRESS

Mr. LEAHY. Mr. President, I would like to outline some of the legislative activities of the Senate Judiciary Committee.

Some would rather pick fights about controversial judicial nominees. The disappointing decisions from this year's Supreme Court term remind us that this President has been quite successful in moving the Federal courts to the right. This President has not only

appointed two members of the Supreme Court but has also already appointed almost one-third of the 871-member Federal judiciary. When the appointments of his father and other Republican Presidents are considered, more than two-thirds of all current Federal judges were appointed by Republican Presidents.

Of course, the Judiciary Committee has been engaged in oversight efforts this year with regard to the U.S. attorney scandal and other examples of White House interference with Federal law enforcement. Despite the attitude of the current administration, our Constitution does not include the phrase "unitary executive" or "executive privilege." What the U.S. Constitution does provide in the oath of office is that the President must swear to "faithfully execute the Office of President of the United States" and "preserve, protect and defend the Constitution of the United States." His essential duties require him to "take care that the Laws be faithfully executed." I have great concern with regard to how this administration is fulfilling those essential duties. The political intrusion into the law enforcement functions of the Government through the scheme to fire and replace our U.S. attorneys is most troubling.

The recent decision to override a prosecution, jury trial, conviction and prison sentence for one of his aides, to excuse his lying to Federal investigators and a grand jury and his perjury, and to reward his silence and purportedly bad memory seems an abuse of the constitutional pardon power. The lack of accountability for anyone in the Bush administration has reached new heights—or depths.

The secret determination to ignore our surveillance laws and engage in years of warrantless wiretapping of Americans is another instance we are investigating that appears at odds with the Constitution's directive to "take care that the Laws be faithfully executed" and that the liberties of the American people secured by the Constitution be protected.

While our oversight efforts have taken a good deal of time and effort, we have simultaneously succeeded in an ambitious legislative agenda. That is what I would like to focus on for a few minutes. While the committee has been productive in reporting a number of bipartisan measures to the Senate, Republican holds have to date been blocking Senate action on these measures.

Republican holds and filibusters have not been limited to obstructing our efforts to support our troops, rebuild our National Guard, and bring an end to the failed policies that have led to the deaths of so many in a civil war in Iraq.

Let me mention a few examples of beneficial legislation that are being stalled, as well:

We just observed the 41st anniversary of the Freedom of Information Act

"FOIA" on July 4. An important bipartisan FOIA reform measure—the Openness Promotes Effectiveness in our National Government Act, the OPEN Government Act, S. 849,—was favorably reported in April. Its consideration has been blocked by a Republican objection.

The OPEN Government Act promotes and enhances the public disclosure of government information pursuant to FOIA. This legislation will also provide much-needed reforms to strengthen FOIA by, among other things, helping Americans to obtain timely responses to their FOIA requests and improving transparency in the Federal Government's FOIA process.

This bill is cosponsored by a bipartisan group of 14 Senators, including my lead Republican cosponsor Senator CORNYN. The OPEN Government Act is also supported by more than 115 open government, business and news media organizations from across the political and ideological spectrum, including, the American Library Association, the U.S. Chamber of Commerce, OpenTheGovernment.org, Public Citizen, the Republican Liberty Caucus, the Sunshine in Government Initiative and the Vermont Press Association.

The passage and enactment of this important FOIA reform legislation will improve government transparency and openness for all Americans. The bill has now been stalled by Republican objection for several weeks.

A second measure the committee reported months ago that has been stalled by unspecified objection from the other side of the aisle is The War Profiteering Prevention Act of 2007, S. 119. This bill provides a significant new tool for Federal law enforcement to combat the scourge of war profiteering, which is needed now more than ever given the ongoing reports of rampant fraud, waste, and abuse in Iraq and Afghanistan. The bill now has the support of Senator SESSIONS, after being modified to eliminate potential objections to specific language in the bill and we have circulated an amendment to combine it with the Sessions-Landrieu Emergency and Disaster Assistance Fraud Penalty Enhancement Act of 2007, S. 863, to be a legislative package that should win overwhelming bipartisan Senate support. Passage of this measure is long overdue and is being blocked by unspecified Republican objection.

A third measure that the Judiciary Committee unanimously reported was the Emmett Till Unsolved Civil Rights Crimes Act, S. 535. This is a good bill, authored by Senator DODD and Representative JOHN LEWIS in the House. The Senate bill and Senate consideration of the House-passed companion measure have been blocked by yet another Republican objection.

These are just three examples of matters currently being delayed and obstructed by unspecified objection from the other side of the aisle. The American people may begin to see a pattern.

Each of these measures should command majority support in the Senate. They may be able to command super-majority support on their merits. If we could only get to their merits. So while the Judiciary Committee has remained productive, its efforts to enact helpful, remedial legislation continue to be thwarted by Republican objections.

#### HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS JOHNATHON M. MILLICAN

Mr. SHELBY. Mr. President, I rise today to remember and honor the heroic sacrifice of a courageous Alabamian who selflessly risked himself to save members of his unit under attack.

PFC Johnathon M. Millican was tragically killed on January 20, 2007, in Karbala, Iraq. A member of the 377th Parachute Field Artillery Regiment from Fort Richardson, AK, he risked his own safety to cover an enemy grenade with his body during an attack by insurgents.

For his gallantry in action against an enemy of the United States, Private First Class Millican was posthumously awarded the Silver Star, our Nation's third highest award for combat valor. While this is a great honor and one deserving of Private First Class Millican's actions, I believe his act of heroism and bravery deserves our Nation's highest honor. Therefore, I have asked the Department of Defense to consider him for the Medal of Honor, the highest military decoration awarded by the United States. Private First Class Millican went beyond the call of duty and risked his own life not only to protect our Nation but to save members of his unit.

I offer my thoughts, prayers and condolences to Private First Class Millican's family. His loss symbolizes the ultimate sacrifice one can make for our country. His service represented his commitment to protect his family, community, and our Nation.

I am honored to stand before the Senate today to pay tribute to the life and service of PFC Johnathon Millican. Private First Class Millican's dedication to the principles of freedom and democracy will serve as an example to all of us, for generations to come. It is my hope that he will be duly honored with the Medal of Honor, but even if Private First Class Millican is not awarded the Medal of Honor, he is no less a hero.

#### TRIBUTE TO GEORGE MCGOVERN

Mr. BROWN. Mr. President, 35 years ago, thousands of young people entered politics for the first time by working on the Presidential campaign of George McGovern—a champion for social and economic justice and leading progressive.

Senator McGovern's legacy of progressive politics dates back to volunteering for Henry Wallace's Presidential campaign in 1948.

At 19, and still in college, I was one of those who volunteered for Senator McGovern during a time of great social and political upheaval in our Nation.

We looked to Senator McGovern for his leadership on ending the Vietnam war; for his vision of a nation defined by equal rights, equal opportunity, and unwavering support for those in need.

I remember being struck by the strength of his faith and by his patriotism.

When he thought our Nation needed to go to war, he served in uniform—earning the Distinguished Flying Cross during World War II.

And when he knew it was a war that was wrong, he spoke out early, and often, as was the case with the Vietnam war.

Whether he courageously spoke out against the war from this Chamber as a U.S. Senator, or spoke out for social justice on the Presidential campaign trail, Senator McGovern gave hope—and purpose—to a generation of Americans.

He changed lives and improved a nation.

Senator McGovern's work continues today.

A former U.N. Global Ambassador on World Hunger, Senator McGovern's outreach has helped feed literally millions of families around the world.

Together with Senator Bob Dole, he founded the George McGovern-Robert Dole International Food for Education and Child Nutrition Program, which helps feed children in developing nations.

And Senator McGovern continues to influence the national debate, speaking out on the Iraq war and weighing in on behalf of disenfranchised populations in our Nation and throughout the world.

Senator McGovern changed forever political activism and grassroots organizing. He opened the door for millions of activists attracted by his idealism, many of whom remained in public service their entire lives.

More than public servant, Senator McGovern has been a beloved husband and father.

The Senator was married to his wife Eleanor for nearly 64 years, before her passing earlier this year.

Together, they raised five children, Ann, Terry, Susan, Mary, and Steven.

Nearly 35 years after running for President, and marking his 85th birthday, Senator McGovern is ready to help lead us all into the next progressive era of our Nation.

I am humbled by Senator McGovern's service to our Nation and feel privileged to call him my friend.

#### ADDITIONAL STATEMENTS

#### HONORING THE CHILD ABUSE LISTENING, INTERVIEWING AND COORDINATION CENTER

• Mrs. BOXER. Mr. President, I take this opportunity to recognize the 10th

anniversary of the Child Abuse Listening, Interviewing and Coordination Center, CALICO Center.

CALICO Center was established in 1997 to provide a supportive environment for children in Alameda County who have suffered from abuse. By providing a safe and secure place where children are the first priority, CALICO Center successfully minimizes the trauma that these children face when dealing with the after effects of abuse. As a multidisciplinary center, CALICO Center brings together law enforcement, child welfare workers, and prosecutors to coordinate Alameda County's response to child abuse. CALICO Center also works with the community to increase the prosecution of child abusers who engage in such heinous crimes.

Since it first opened, CALICO Center has effectively served more than 5,000 children, most of whom were victims of violence in their homes and communities. It also connects children and families with critical therapeutic, medical and legal support services that are essential to the healing process.

I commend CALICO Center's dedicated staff and volunteers, who have worked tirelessly and unrelentingly to help children and end child abuse in Alameda County for the past decade. They have an incredibly difficult job, but the men and women at CALICO Center prove every day that they are truly community heroes by helping these innocent victims of child abuse.

Child abuse is one of the most vicious crimes known to humanity. Since 1997, CALICO Center has served as a model for how to successfully engage the entire community in protecting its most vulnerable citizens. Its dedication to the community is inspiring and impressive. I congratulate CALICO Center on its 10th anniversary and wish them many more years of success.●

#### HONORING COLONEL STEPHEN L. HILL

• Mr. CASEY. Mr. President, today I honor COL Stephen L. Hill and the exceptional service he has provided as commander of the Pittsburgh District, U.S. Army Corps of Engineers during the period from July 16, 2004, to July 13, 2007. My colleague from Pennsylvania, Senator SPECTER, has joined me to honor Colonel Hill.

On Friday, July 13 in Pittsburgh, PA, the U.S. Army Corps of Engineers Pittsburgh District military Change of Command ceremony will honor the services of the outgoing commander, COL Stephen L. Hill, and welcome the incoming commander, COL Michael P. Crall.

Colonel Hill will leave a legacy of excellence. His leadership focused the district's capabilities on executing vital programs for the region and the Nation. His superb managerial skills and emphasis on building relationships and encouraging open and honest communication increased confidence in the