

Everyone acknowledges we need earmark reform, and the Appropriations Committee has been following that this year. Senators BYRD and COCHRAN have made that direction, even though the legislation has not been completed. But in the meantime, we do not have lobbying and ethics reform, which is long past due. So I hope we can work together to complete our work in a timely fashion; otherwise, it will be finished in an untimely fashion because we are going to finish all this work before we have our August recess.

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

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

Mr. REID. Mr. President, I withhold that suggestion.

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

Mr. REID. Mr. President, I have been reminded by staff that of our 30 minutes the Democrats are allotted of the 60 minutes, 30 minutes of our time—in fact, all of it—be given to Senator FEINSTEIN.

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

#### RESERVATION OF LEADER TIME

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

Mr. REID. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### IRAQ

Mr. REID. Mr. President, after 52 months—about 210 weeks—and about 1,500 days, America finds itself mired in one of the most tragic foreign policy blunders in our Nation's history. The sad part about it is, there is no end in sight. In my view, and that of academics and others, it will take years, and even decades, to finally close the book on the damage this war has caused our troops, our economy, and our moral standing in the world.

On May 24, 2007, President Bush said:

We are there at the invitation of the Iraqi government. This is a sovereign nation. Twelve million people went to the polls to approve a constitution. It's their government's choice. If they were to say leave, we would leave.

That is the quote of President Bush.

This weekend, Iraqi Prime Minister al-Maliki—for whom President Bush has expressed consistent support and confidence—said that Iraqi forces could take control of their security at “any

time” American troops want to leave or were to leave.

A recent poll of the Iraqi people showed that 21 percent think the American presence makes their country safer, while 69 percent say it puts them, the Iraqi people, at greater risk. That is what the Iraqis say.

The Iraqi people and their leaders say they are ready for us to end our combat operation. I think it is time we listen to them.

In the war's soon to be 5 years, our troops have accomplished everything they have been asked to do. They took down the Iraqi dictator. They secured the country for not one, not two, but three elections. They provided the security needed for Iraqi factions to come together to negotiate peaceful settlement of their differences.

But the Iraqi leaders have not done their part. After these 52 months: more than 3,600 Americans killed, tens of thousands wounded, and after nearly \$600 billion of American taxpayer dollars spent. And after this sacrifice—52 months of sacrifice—it is long past time for the Iraqi leaders and the Iraqi people to put their words into action by taking responsibility for their own future. After 52 months, more than 3,600 Americans killed, tens of thousands wounded, and nearly 600 billion in taxpayer dollars spent, President Bush continues to tell our troops and all Americans that we should wait it out, just stay the course. After 52 months, our troops and our security cannot afford the President's “run-out-the-clock” strategy.

We have an opportunity and an obligation to change course in Iraq right now. We can remove our brave troops from the front lines of another country's civil war, a conflict we have no business policing and little chance to diffuse. We can conduct the kind of tough and strong diplomacy required to stabilize Iraq and the region, which even the President's own military experts plead with him to revise. Remember, General Petraeus has said the war cannot be won militarily. We can refocus our resources and fight a real war on terror that drives the terrorists back to the darkest caves and corners of the Earth.

We can choose that path now. We don't have to mark time waiting for the President to wake up one morning with a change of heart or his term to run out. We don't have to wait 2 more months for an arbitrary September deadline when it is so clear a course change is required and required now. With our courage and our votes, we can rise above the tragic failure to deliver a new course that our brave troops and all Americans demand and deserve. We can do that today by voting for the Levin-Reed amendment to the Defense authorization bill.

What does Levin-Reed do? It sets a firm date and an end date to transition the mission and begin the reduction of U.S. forces beginning 120 days after enactment and completed by April 30 of

2008. Levin-Reed limits the U.S. military mission after April 30 to counterterrorism; the training of Iraqi security forces and protection of U.S. personnel and assets; requires that the reduction in forces be part of a comprehensive, diplomatic, regional, political, and economic effort; and appoints an international mediator to bring together the warring factions. That provision dealing with appointing an international mediator to bring together warring factions was newly placed in the bill. The idea and the language came from Senator HAGEL of Nebraska and is a great addition to this amendment.

To those who say this language is binding on the President, I say it is, and that is what it is meant to be. It is binding because the President has resisted every effort we have made to work with him to change the direction of his failed Iraq policy. The record will show that binding language was not our first choice. We passed legislation requiring that 2006 be a year of transition. Instead, the President ignored this language and dug us in even deeper into an intractable civil war. We gave the President a chance to develop his own new course as Commander in Chief. He refused to do that. Instead, he chose to extend deployments and ask even more of our brave men and women in uniform.

Earlier this year we passed legislation that would have begun the phased redeployment while leaving significant discretion to the President about how and when to execute the redeployment. Instead, the President vetoed this bill and asserted that only he had the power to set war policy, even though we have a constitutional obligation to do so.

So the record is clear, the President's decision to stubbornly cling to the current course leaves this body no choice but to enact binding language. He has failed to lead us out of Iraq. We are ready to show him the way.

I am going to propound a unanimous consent. I have the greatest respect for my friend, the distinguished junior Senator from Arizona, but I say that I am going to enforce the rule that when I propound this, the distinguished Senator from Arizona should either agree to it or object. This is not the time for speeches because if he objects to it, I have more to say.

So I ask unanimous consent that if the House further amends H.R. 1 with the text of H.R. 1401 and requests a conference with the Senate—Mr. President, I misread the first line. I ask unanimous consent that if the House further amends H.R. 1 with the text of H.R. 1401 and requests a conference with the Senate, that the Senate agree to the request and appoint the same conferees which the Senate has already appointed to H.R. 1.

Mr. KYL addressed the Chair.

Mr. REID. Mr. President, if the Senator could withhold.

I withdraw the unanimous consent request.

The ACTING PRESIDENT pro tempore. The unanimous consent request is withdrawn.

Mr. REID. I apologize to my friend. It was the wrong unanimous consent request.

I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President we had a shuffling of unanimous consent requests, and obviously the wrong one was shuffled to me. I apologize for holding up my friends.

#### UNANIMOUS-CONSENT REQUESTS— AMENDMENT NO. 1401

Mr. REID. I ask unanimous consent that the second-degree amendment to the Levin-Reed amendment be withdrawn and that there be 6 hours of debate on the Levin-Reed amendment; at the conclusion or yielding back of that time, the Senate vote on the Levin-Reed amendment with no second-degree amendments in order thereto.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KYL. Mr. President, I apologize. If I could ask the distinguished leader, was this with respect to the Levin-Reed amendment No. 1401?

Mr. REID. Yes. I did propound that request asking, basically, that we have an up-or-down vote on it. I have suggested 6 hours, but we would take any reasonable time.

Mr. KYL. Mr. President, if I could respond, and reserving the right to object, I assume that if the Cornyn amendment, which was designed to be a side-by-side amendment, and the Levin-Reed amendment could both be voted on and both had a 60-vote threshold, a time agreement could be worked out. I ask the majority leader, could the unanimous consent request be modified to incorporate that principle so that there wouldn't have to be cloture, but there could be a vote on both of those amendments?

Mr. REID. Mr. President, I have said earlier that we had to file cloture on the initial amendment of Senator JIM WEBB, which was an amendment that simply called for the proper rotation of our troops: 15 months in country, 15 months out of country. We wanted the Senate to speak its will on that with a simple majority, and we were unable to get it. We feel the same way about Levin-Reed. It is a very important policy decision this Senate needs to make. Not to change—I don't know what Cornyn is, but I am sure it is something that is much different than Levin-Reed. Therefore, if there is a suggestion that I amend my unanimous consent request to have some side-by-

side, 60-vote margins, I would object to that. I believe we should have in that instance an up-or-down vote. I have no problem giving Senator CORNYN a majority vote, which I think would be very appropriate. I think that is where we need to be on this issue; that is, this issue of the Defense authorization bill. It is very unusual to have on the Defense authorization bill, even issues dealing with Iraq—in times passed, we haven't had a 60-vote margin.

So I would not accept my friend's suggestion that there be side by sides. I renew my request that there be a time for an up-or-down vote on the Levin-Reed amendment. I have suggested 6 hours.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. KYL. Yes, Mr. President, unfortunately, under that circumstance, I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

Mr. REID. Mr. President, I want to express my apology to my friends because I held them up for a few minutes on their being able to speak. I apologize for that, but they do have a full hour.

Mr. President, my worst fears on this bill, the Defense authorization bill, have been realized. We have just seen the Republican leadership again resort to this technical maneuver to block progress on this crucial amendment. It would be one thing for the minority to vote against this bill. If they honestly believe that "stay the course" is the right strategy, they have the right to vote no. Now Republicans are using a filibuster to block us from even voting on the amendment that could bring this war to a responsible end. They are blocking this like they did the Webb amendment. They are protecting the President rather than protecting our troops by denying us an up-or-down, yes-or-no vote on the most important issue our country faces.

So I say through you to my Democratic and Republican colleagues that we are going to work on this amendment until we get an up-or-down vote on it. If that means staying in session—we have no votes, of course, tonight, but if it means staying in session all day tomorrow and all tomorrow night, that is what we will have to do. I will file cloture so that we can have a Wednesday vote, if this continues. I certainly hope during the next few hours and tomorrow that we will have a change of mind so we can have a vote and then move on to the other amendments. The American people deserve an honest debate on this war and deserve an up-or-down vote on this amendment which we believe will bring a responsible end to this intractable war in Iraq.

#### UNANIMOUS-CONSENT REQUEST— H.R. 1

Mr. REID. Mr. President, I have another unanimous-consent request, and

this is the one I tried to offer earlier. I ask unanimous consent that if the House further amends H.R. 1 with the text of H.R. 1401 and requests a conference with the Senate, the Senate agree to the request and appoint the same conferees which the Senate has already appointed to H.R. 1.

The ACTING PRESIDENT pro tempore. Is there objection?

The PRESIDING OFFICER (Mr. SALAZAR). Is there objection?

Mr. KYL. Reserving the right to object, we have already agreed to the previous consent to go to conference on the 9/11 Commission legislation. We have named conferees on the part of the Senate.

As I understand it, the House wants to add a new bill to the conference, which includes provisions that were not included in either Chambers' 9/11 bill. I am not familiar with all the provisions of H.R. 1401, but I know the Senate has not acted on that bill, and we don't believe it was part of the 9/11 Commission recommendations.

Having said that, we need to object to this request at this time.

The PRESIDING OFFICER. Objection is heard.

#### MORNING BUSINESS

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

The Senator from Arizona is recognized.

#### ORDER OF PROCEDURE

Mr. KYL. Mr. President, I understand there has been an informal agreement that I would have up to 15 minutes, and Senator FEINSTEIN would then have 30 minutes. I would like to propound this as a unanimous consent agreement and also add that Senator ALLARD speak after that; that if there is time remaining from the time Senator ALLARD and I have of the 30 minutes, that be reserved for any other Republican Senator who may wish to speak.

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

#### DETAINEES IN IRAQ AND AFGHANISTAN

Mr. KYL. Mr. President, I wish to address a subject that I hope we will be able to address soon and that is an amendment that Senator GRAHAM of South Carolina has filed and, hopefully, we will debate soon. It relates to conditions that have been placed in the underlying bill, relating to the treatment of detainees captured in Afghanistan and Iraq.

I urge my colleagues to think very carefully about the damage that would