

POLITICAL RECONCILIATION IN IRAQ

Mr. NELSON of Florida. A couple days ago, we had General Petraeus and Ambassador Crocker in front of our Senate Armed Services Committee in the morning, and then I had a chance to visit with them again in the afternoon in the Senate Foreign Relations Committee. These are two very dedicated and bright public servants, and their public service is certainly appreciated, and we expressed that—I think every Senator who questioned them.

The bottom line for this Senator from the State of Florida is that if we go back and look at what was the initial reason stated for the surge, which was over a year ago, it was stated that it was to bring some stability and give some time in order that the Sunnis and the Shiites could have more reconciliation so they could start charting a more stable government for themselves. When pressed on whether that political reconciliation had occurred, both General Petraeus and Ambassador Crocker said they thought it had. And then when I asked, well, what laws have been passed, they named two or three, as if that were the example of political reconciliation, and I think it would be one indicia.

I further asked had those laws been implemented. Of course, with each of the questions that narrowed the focus, the answer was less and less painting a picture that political reconciliation had occurred. We would certainly hope that political reconciliation would occur, because it would clearly be in the interest of the United States that Iraq could be stabilized.

It is the opinion of this Senator that the political reconciliation has not occurred—while at the same time the aggressive diplomatic effort in reaching out to other countries in the region that are very important to bringing about political reconciliation in Iraq has not occurred. Therefore, the tremendous success and effectiveness of the surge, militarily, in fact has not borne the fruit of political reconciliation as we had hoped it would. That is a disappointment to this Senator.

On the subject of Iraq, I need to bring to the attention of the Senate that yesterday I had the privilege of chairing a subcommittee in the Senate Foreign Relations Committee on the question of whether the rapes of American women who are contractor personnel in Iraq as a result of the war effort there—whether these rapes are being prosecuted. The answer to that is, sadly, no. We had dramatic testimony by a Mrs. Mary Beth Kineston, who is a rape victim, and Mrs. Dawn Leamon, who for the first time revealed her identity yesterday in the hearing. In the couple of times she spoke on the radio before, she was using a pseudonym. Of course, that testimony was exceptionally emotional, and it was very graphic as to the trauma that these two women had suffered, not only in the act of the sexual assault—and in

the case of one of the women, a gang rape after she had been drugged by fellow Americans—but the trauma in the aftermath of the contractor trying to sweep it under the rug so that it didn't disturb the waters; and all of the trauma each of them went through and the way they were treated by their fellow American workers and fellow contractors in the aftermath of them not being able to get any help. In each case it was not until the military intervened that they actually got any help. In the case of Mrs. Leamon, it was 5 weeks after the fact when she was finally able to see a U.S. military doctor at another base from the forward operating base where the assault took place, and she in fact was told by the doctor that you need to continue to try to work through this and get help; you were drugged and you were raped.

The second panel in our hearing was the Department of Justice, the Department of State, and the Department of Defense. To say the response on why there had not been a prosecution of 26 identified assaults among contractor personnel—not U.S. military—contractors, American women personnel and there had not been one conviction was, indeed, not only deeply disturbing but deeply disappointing.

The way I tried to conduct that hearing, since I chaired the hearing, was to say to those representatives of the Departments of State, Defense, and Justice that we were going to conduct that hearing in a respectful way, and at the end of the day what we wanted was to graphically bring to light the problem that is occurring, not only with the assaults but the aftermath where American women cannot get justice, and that it is the responsibility of their ultimate guarantors, the very departments that are contracting out for the war effort, to see that justice is done. Hopefully, that may have occurred yesterday, to remind all those folks that in a very difficult environment, a war zone, we still have to obey the rule of law and, particularly, when it comes to the rights of Americans, and particularly American women, to be protected and to have the full extent of the law to support their rights.

I bring this to the attention of the Senate because this is not the last time we are going to hear about this issue and, hopefully, the next stories we will hear in the aftermath of this drama that played out in front of the Senate Foreign Relations Committee yesterday will be more a story of success, of how the wheels of the Department of Justice will continue to turn to, as the Good Book says, love mercy and to do justice.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

GREEN ENERGY TAX CREDITS

Ms. CANTWELL. Mr. President, I rise this morning to talk about the Ensign-Cantwell amendment we are going to be voting on shortly.

I thank the many cosponsors of the amendment, which I believe are somewhere in the 20 range, too many to read. With the actual Cantwell-Ensign bill that was introduced last Thursday, I think we have over 40 cosponsors. It is safe to say there has been much enthusiasm about this idea of moving forward on extending expiring green energy tax credits and doing so in a way that we can get the requisite votes we need for the measure to become law and be signed by the President.

I also want to thank Senators BAUCUS and GRASSLEY for their continued focus on green energy tax credits, they understand that we need to move forward on leveling the playing field between the fossil fuel industry and making investments in green energy technology. I know the Finance Committee has had many conversations about this issue, and I am sure they will continue to make it a top priority.

I particularly want to thank my colleague Senator ENSIGN of Nevada, with whom I have had an opportunity to work on several issues in the past such as protecting electricity consumers, ratepayers, from the Enron debacle, to now working with him on these green energy tax credits. I applaud him for standing up and taking the lead and understanding how renewable energy will play a key role in our Nation's economy moving forward, certainly the Nevada economy, and the need to provide a level playing field to keep this year's investment cycle going. Senator ENSIGN understands that, and I appreciate his leadership in getting the other side of the aisle to participate in the sponsorship of this amendment.

I also want to thank Senator REID who, being from Nevada, understands how important the solar energy and the green energy tax credits are for his State's economy, but he also understands the national economy depends on us moving off of fossil fuels. I appreciate his steadfast support in getting this legislation passed. We are fortunate to have Senator REID on our side in the upcoming negotiations with the House, we need to make sure this legislation is actually passed by the House and signed into law.

We are at this point because we believe the investments in green energy tax credits, production tax credits for wind and other renewables, investment tax credits for solar, fuel cells, and for other promising energy sources, and the efficiency tax credits that are in this legislation are stimulative. They are stimulative. We voted in this body to put them as part of a stimulus package, and the Senate Finance Committee said we think in addition to checks going to households, some activity that would keep investment and create jobs in 2008 should be a priority.

Mr. President, this is a stimulative measure that would keep about 100,000 jobs and keep and protect about \$20 billion of investments this year. That is why it is part of this underlying bill, and we hope the House will look at this

issue as stimulative activity, along with the accompanying housing measure.

The reason why this is so urgent is because the end of the first quarter is here. Companies that are making these investment decisions are going to start issuing their first quarter reports, giving guidance as to the rest of the year and their investments. If we do not make it clear as a Congress that we believe in these tax credits, they are going to start canceling projects.

I know I have been to the floor and said this previously, but now have the last month's numbers as it relates to actual job loss, the 80,000 jobs that have been lost in our economy, and if you looked deeply, you would probably find some of those jobs are these energy-related jobs, where we have not given predictability to investors and, consequently, they are starting to cancel projects.

This Senator does not want to see the next quarter's numbers and see the greater job losses because Congress would not give predictability in the tax code. This is a time when our economy needs investment. It needs investment in those activities that are going to help consumers in the long run lower their energy costs, but, frankly, this is an investment we can make right now that will help our economy create much needed new jobs and investment.

What is our goal? I know many of my colleagues would say: Let's go back to the drawing board and see if we can find a pay-for way of doing this. I am sure this discussion is going to come up in the House of Representatives as well. But I remind my colleagues, we have tried that approach three times. We have tried that approach, and we have failed. The White House has issued veto threats every time we tried to pay for these measures. To now say we are going to revert back to that I think is going to leave in jeopardy the investment cycle for 2008 of that 100,000 jobs and \$20 billion of investment.

A more positive way to proceed is to get this particular legislation passed and signed into law so we do not lose the investment in the jobs, we do not see a 77-percent plunge in the investment in wind like we did last time the PTC was allowed to expire. Or see a drop off in solar or renewables or efficiency and the other areas that are just starting to take off. Instead we should get this off the table, signed into law, and we have plenty of time later this year to talk about how we are going to make green energy tax credits a priority in our Nation's tax code so this industry can take off and continue to provide the certainty and predictability we need.

What I am saying is, we should not pin a gold medal on our chest for work we should have done in 2007 to give the market predictability on green energy tax credits. This work is actually late to the game. Let's finish it and be proud we did so in a bipartisan fashion to break the logjam, but now let's get

on to the rest of the year in coming up with a funding source for what are predictable tax credits beyond the 2008 and 2009 time period that will really stimulate the millions of green-collar jobs America can have.

The urgency of this issue should not be underestimated. The opportunity for America to become a leader in green energy technology is at our doorstep today. But if the United States does not realize it needs to put its foot on the accelerator, then we are not doing our job in communicating the facts. The Europeans, the Chinese, and the rest of the world are going to move ahead in the manufacturing of green energy technology. The United States can be a leader in that new green-collar industry or it simply can be a marketplace for other countries' technology solutions.

This Senator wants the United States to be a green energy technology leader. I want us to be an exporter of the green energy technologies developed and manufactured here at home, creating jobs in the United States and leveraging the know-how we have in green energy technologies to provide much needed solutions around the globe.

To do that, the United States has to give predictability in our tax code. It has to recognize we are willing to turn our ship off the fossil fuel direction and on to green energy solutions that will help our economy, help our environment, and help shift the change we need in our foreign policy.

I hope my colleagues will take this vote on the Ensign amendment this morning with a lot of foresight into the debate that is going to continue to happen and to support the Ensign-Cantwell amendment, to sign onto the underlying bill to say it is time for us to move forward on this solution and to urge our House colleagues to work diligently to quickly put this legislation on the President's desk so we can get about the other vital energy tasks we must address.

There is much work to do, but let's vote today with enthusiasm that the United States is going to be more aggressive in turning to green energy solutions and to make the United States a leader in green energy technology.

I yield the floor, and 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. SPECTER. 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.

ORDER OF PROCEDURE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Republican time be allocated to the following Senators for 5 minutes each: myself,

Senator HATCH, Senator CORNYN, Senator KYL, Senator BROWNBACK, and Senator COBURN.

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

JUDICIAL NOMINATIONS

Mr. SPECTER. Mr. President, there is a strong sentiment in the Republican caucus that President Bush's nominees for judicial confirmation have not been fairly treated. We have not had a single confirmation of a Federal judge this year. I know we have some listed today, but up until this moment there has not been a single confirmation. There was no hearing for any circuit court nominee from September of last year until February 21 of this year, and only one circuit court nominee has had a hearing in over the past 6 months. This is totally unacceptable.

In the last 2 years of President Clinton's administration, 15 circuit judges and 54 district judges were confirmed; thus far in this Congress, only 6 of President Bush's circuit judges and 34 district judges have been confirmed. Even with confirmation of those on the list today, President Bush is far behind where President Clinton stood.

The Fourth Circuit is a judicial emergency. The nominations of Judge Conrad and Mr. Matthews are long overdue. Peter Keisler, a very distinguished nominee for the DC Circuit, has languished for an interminable period of time. There are not adequate reasons for failure to move the nominees in Maryland, New Jersey, and Rhode Island, and I am negotiating now with Senator CASEY on the pending nomination of Gene Pratter for the Third Circuit. Thomas Farr in North Carolina deserves confirmation to the district court, as does Davis Dugas in Louisiana, James Rogan in California, and William Powell in West Virginia.

So a number of Republican Senators will be coming to the floor today to protest what has been going on. I believe the Republican caucus is correct on this issue. I deviated from a Republican caucus position and voted to confirm qualified nominees of President Clinton, and I was prepared to stand up and to say that it is the constitutional prerogative of the President to nominate and the constitutional obligation of the Senate to consent or to dissent—to not consent—to nominees, but not to hold them in limbo and not to fail to have appropriate consideration of these judges.

There is a growing movement in the Republican caucus to hold up legislation if we cannot move in any other way to get justice on the confirmation of these judges. It is a time-honored practice in this body to put holds on legislation or holds on nominations or otherwise to delay legislation from being considered. I think that it is a very problematic tactic myself, but it is used frequently by the minority to get some action by the majority.