committee's findings are fair and objective. Our job was to compare statements to intelligence and render a narrow judgment as to whether the statement was substantiated. In those instances where a statement is not substantiated by the intelligence, the committee renders no judgment as to why. All we were interested in was the facts.

The second report we are releasing today deals with operations of the Office of Under Secretary of Defense for Policy. It is a very important report. A February 2007 report from the Department of Defense inspector general addresses many of the issues the committee had originally intended to examine relating to this office. That report concluded that the Policy Office of the Pentagon had inappropriately disseminated an alternative intelligence analysis, drawing a link between Iraq and al-Qaida terrorists—again what the administration wanted—who carried out the attacks on September 11. This hypothesis has been thoroughly examined by the intelligence community and no link was found. That, however, did not stop this office from concocting its own intelligence analysis and presenting it to senior policymakers. The committee first uncovered this attempt by DOD policy officials to shape and politicize intelligence in order to bolster the administration's policy in our July 2004 report and the inspector general's review. Both of these were confirmed.

The committee's own investigation of the policy office's activities had been abruptly terminated by the former chairman of the Intelligence Committee in July of 2004 because the inspector general's report thoroughly covered the issues of alternative analysis when the committee investigation was restarted in 2007, it focused on clandestine meetings between DOD policy officials and Iranians in Rome and Paris in 2001 and 2003.

These meetings were facilitated by Manucher Ghorbanifar, an Iranian exile and intelligence fabricator implicated in the 1986 Iran Contra scandal. During these meetings, intelligence was collected, but it was not shared with the intelligence community. It went right around the intelligence community, including the CIA. They knew nothing about it. George Tenet indicated there was no possible way he knew anything about this.

The committee's findings paint a disturbing picture of Pentagon policy officials who were distrustful of the intelligence community and undertook the collection of sensitive intelligence without coordinating their activities. It was a rogue operation. It went to high levels in the administration; it went right to the National Security Council, totally bypassing all other intelligence agencies. It is infuriating and not the way intelligence should be handled at all.

The actions of DOD officials to blindly disregard the red flags over the role played by Mr. Ghorbanifar in these meetings and to wall off the intelligence community from its activities and the information it obtained were improper and demonstrated a fundamental disdain for the intelligence community's role in vetting sensitive sources.

The committee's 2004 report presented evidence that the DOD policy office attempted to shape the CIA's terrorism analysis in late 2002, and when it failed, prepared an alternative intelligence analysis attacking the CIA for not embracing a link between Iraq and the 9/11 terrorist attacks. So the CIA and the intelligence community were trying to do what they could, and these people were just end-running them because that is what the White House wanted to see. And then, you know, it was a disgrace, an embarrassment to the Nation. The Department of Defense inspector general found himself that these actions were highly inappropriate.

Our most recent report shows that these rogue actions of this office were not isolated. The committee's body of work on Iraq-related intelligence—a series of six reports issued over a 4-year period—demonstrate why congressional oversight is essential in evaluating America's intelligence collection and analytical activities.

During the course of its investigation, the committee found that the October 2002 National Intelligence Estimate on Iraq's alleged weapons of mass destruction was based on stale, fragmentary, and speculative intelligence reports and replete with unsupported judgments. Troubling incidents were reported in which internal dissent and warnings about the veracity of intelligence on Iraq were ignored in the rush to get to war.

The committee's investigation also revealed how administration officials applied pressure on intelligence analysts prior to the war for them to support links between Iraq and the terrorists responsible for the attacks of September 11, none of which existed.

Our investigation detailed how the Iraqi National Congress and Ahmed Chalabi attempted to influence the U.S. policy on Iraq by providing false information through defectors directed at convincing the United States at the higher levels that Iraq possessed weapons of mass destruction and had links to terrorists and how this false information was embraced despite warnings and fabrication.

The committee's investigation also documented for the public how the administration ignored the prewar judgments of the intelligence community that the invasion would destabilize security in Iraq and provide al-Qaida with an opportunity to exploit the situation and increase attacks against U.S. forces during and after the war. After 5 years and the loss of over 4,000 American lives, these ignored judgments were tragically prescient.

Overall, the findings and conclusions of the committee's Iraq investigation were an important catalyst in bringing about subsequent legislative and administrative reforms of the intelligence community so that these mistakes will never be repeated again, hopefully.

In conclusion, it has been a long, hard road for the committee to get to this point. There have been and continue to be a lot of finger-pointing and accusations of partisanship. It is important to remember that this undertaking was a unanimous decision—phase 1 and phase 2—was a unanimous decision of the committee in February of 2004. That it took such a long time to do is another subject. It is also important to remember that the committee adopted these two reports, both reports, by a vote of 10 to 5—in other words, bipartisan.

In undertaking these additional lines of inquiry, the committee acted to tell a complete story of how intelligence was not only collected and analyzed prior to the Iraq invasions but how it was publicly used in authoritative statements made by the highest officials in the Bush administration in furtherance of its policy to overthrow Saddam Hussein and more.

I believe these reports will help answer some of the many lingering questions surrounding the Nation's misguided decision to launch the war in Iraq.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Pennsylvania.

ORDER OF PROCEDURE

Mr. SPECTER. Mr. President, I have consulted with the Senator from Rhode Island, Mr. WHITEHOUSE, who is next in line, and he has agreed to permit me to—I expected to have 10 minutes at 10:45. Senator WHITEHOUSE has generously permitted me to go ahead for 5 minutes.

I ask unanimous consent that following my 5 minutes, Senator WHITEHOUSE be recognized, and then, as I have already spoken to the Senator from Maryland, Mr. CARDIN, he will be recognized, and then Senator SMITH will be recognized in the regular sequence in morning business.

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

JUDICIAL GRIDLOCK

Mr. SPECTER. I thank my colleagues. I have sought recognition to comment on a couple of subjects. One is the gridlock we are facing now in this body on the issue of judicial confirmations.

It is my hope that we will yet be able to find a formula to break this cycle of gridlock. I have spoken on the subject repeatedly—about the events of the last 20 years, where in the last 2 years of each administration, when the White House is controlled by one party, as was the case with President Reagan in

his last 2 years, and the nominations were gridlocked, and slowed down. Similarly, with President Bush the first, the last 2 years were slowed down, and then other devices and procedures were employed during the last 2 years of President Clinton's administration, procedures employed by the Republican caucus. As I have said on a number of occasions, I think the Republican caucus was wrong. I said so, and I voted so, in support of President Clinton's nominations. And now, I think the Democratic caucus is wrong in what the Democratic caucus is doing.

I am not going to get into all of the nuances of the so-called ''deal'' about the confirmation of three circuit judges before Memorial Day, but that deal could have been accomplished had the judges waiting in line the longest been processed as opposed to judges who had not had their investigations done and had not had their ABA clearances.

But, all of that is prologue, as I see it. During an Judiciary executive committee meeting, before the recess, I said publicly that I hoped to sit down with this chairman to try to work through this. We had a meeting scheduled yesterday, and we are going to sit down this afternoon. So it is my hope we will find a way through this thicket.

I have proposed a protocol where we would have a hearing so many days after a nomination; then so many days later, we would have executive committee action; then so many days later, floor action.

I think it is time that we reexamined the blue slip situation, a concept where an individual who was personally obnoxious to a given Senator was objected to. Well, I have grave questions about that standard for excluding people. I think it ought to be a matter of whether they are publicly obnoxious, but, what we ought to do is we ought to vote; we ought to bring these people to the floor for a vote.

GLOBAL WARMING

Mr. SPECTER. Mr. President, I am sorry to see that the majority leader has filled the tree on the global warming bill. There is no way we are going to move ahead on this legislation, as I have stated before on the floor, if we are not permitted to offer amendments.

I think there is general agreement, although there are still some dissenters, that we need to do something. We have the Warner-Lieberman bill. I think it has objectives which are not technologically obtainable, which are too difficult on the U.S. economy, and have joined with Senator BINGAMAN on alternative legislation.

I ask unanimous consent that the statement regarding a number of amendments which I had proposed to introduce be printed in the RECORD, one on emissions caps/targets, a second on a cost-containment safety-valve amendment, a third on an international competitiveness amendment, and a fourth on process gas emissions.

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

SPECTER AMENDMENTS TO LIEBERMAN-WARNER BILL

As I stated on the Senate floor on Tuesday, it was my intention to offer amendments;

It is very disappointing that the Majority Leaders has opted to move to cloture on the Boxer substitute without allowing consideration of amendments;

I have played a constructive role in this debate in an attempt to improve the bill and enter into a substantive discussion with my colleagues;

Since there will be no votes on amendments, I will instead file my amendments for public scrutiny until the next opportunity to debate this important issue;

Emissions Caps/Targets Amendment.—This amendment substitutes the Bingaman-Specter emissions caps in place of the Lieberman-Warner caps. I have serious concerns that the emissions limits are not aligned with necessary technologies. If I had a comfort level with the ability of our nation to meet these targets, I could support them, but I remain unconvinced.

Lieberman-Warner	Bingaman-Specter
In 2012, limits to 2005 levels	In 2012, limits to 2012 levels.
In 2020, limits to 15% below 2005 (1990 levels).	In 2020, limits to 2006 levels.
In 2030, limits to 30% below 2005	In 2030, limits to 1990 levels.
In 2050, limits to 71% below 2005	In 2050 calls for at least 60% below 2006 levels, contingent on international effort.

Cost-Containment Safety-Valve Amendment.—This amendment would insert the Bingaman-Specter so-called ''safety valve'' or Technology Accelerator Payment mechanism into the Lieberman-Warner bill. That provision provides a price-capped option for purchasing emissions allowances from the government when the market price rises too high. Starting at $12 per ton in 2012 and rising 5% over inflation annually, this is an important protection for the economy. I am open to considering a different price level, but it is a fundamentally important provision. If this mechanism is triggered, all of the funds collected through the purchase of allowances would be invested directly in zero- and low-carbon technologies to accelerate our ability to reduce emissions.

International Competitiveness Amendment.—This amendment takes a number of steps to further refine the excellent proposal that was first included in the Bingaman-Specter bill to require purchase of emissions allowances by importers of goods into the U.S. from countries which are not taking comparable action on climate change. The amendment seeks to better define ''comparable action.'' It also makes the effective date for import allowances the same as the effective date for domestic producers (2012). Further, it applies the import allowance program to all countries, including those with ''de minimis'' emissions levels. Finally, it equalizes the ability of importers to submit foreign credits and allowances to the same 15 percent limit for which domestic producers may use.

Process Gas Emissions Amendment.—This amendment exempts process gas emissions from ironmaking, steelmaking, steel recycling, and coke processes. There are currently insufficient technological options to make virgin steel without emitting carbon dioxide from the use of coal and coke. Therefore, requiring submission of allowances will only raise the cost of domestic steel in a highly competitive and unforgiving global steel market. This will put our industry at a serious disadvantage and likely send jobs overseas actually increasing emissions from steelmaking in non-carbon-reducing nations.

Mr. SPECTER. But there is no way to get 60 votes to impose cloture unless we find a way to allow Senators to offer their amendments.

Finally, I ask unanimous consent that the full text of a floor statement of mine on the New England Patriots videotaping of NFL football games be printed in the CONGRESSIONAL RECORD as if read in full on the Senate floor.

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

SENATE FLOOR STATEMENT ON THE NEW ENGLAND PATRIOTS VIDEOTAPING

(By Arlen Specter, June 5, 2008)

With the Memorial Day Recess and the cancellation of my west coast fundraising trip due to my recurrence of Hodgkin's, there was time to review and reflect on the issues and comments on the New England Patriots' videotaping and to prepare a summary for entry into the Congressional Record for future reference.

BACKGROUND: TWO QUESTIONS; NO ANSWERS; NO INITIAL INTENT FOR AN INVESTIGATION

When I made my first inquiry of the NFL on the videotaping, there was no intent to initiate an investigation. After reading about the Patriots' videotaping of the Jets September 9, 2007 game, I wrote Commissioner Roger Goodell by letter dated November 15, 2007, shortly before the Patriots were scheduled to play the Philadelphia Eagles, asking if there had been any evidence of videotaping of the 2005 Super Bowl between the Eagles and the Patriots:

Dear Commissioner Goodell:

With the New England Patriots about to play the Philadelphia Eagles again, as they did in the Super Bowl in January 2005, I would appreciate your advising me what your investigation showed, if anything, on the question of the Patriots stealing Eagles' signals during that Super Bowl game.

I had thought there would be some additional disclosures following your initial sanction on the Patriots and Coach Belichick, but I did not see anything further so I would like a response on this specific question.

Sincerely,

ARLEN SPECTER.

I received no answer. When I later read about the NFL's destruction of the videotapes, I wrote again by letter dated December 19, 2007:

Dear Commissioner Goodell:

More than a month has passed since I wrote to you on November 15, 2007 concerning the issue of the New England Patriots spying on the Philadelphia Eagles on their 2005 Super Bowl game. I would appreciate a prompt response.

I was surprised to read in the New York Times on December 16th that the NFL had destroyed the tapes on the Patriots spying. Is that true?

The same New York Times story also contained the author's surmising that there was more than one copy because of the general practice of not having a single copy of anything. Was there a second copy? Is it possible to retrieve a copy?

Candidly, the destruction of the tapes is, in my opinion, highly suspicious. I would appreciate your reply as to the scope of your investigation and your findings on the number of times the Patriots spied and on whom.

I share the concern that your treatment of the Patriots and Coach Belichick was insufficient. I would like to know the specifics of