

## WAR IN AFGHANISTAN

Mr. UDALL of New Mexico. Madam President, I rise to discuss the Presidential review that is taking place on the war in Afghanistan.

We are approaching another signpost in the conflict that has kept our military men and women in harm's way longer than any other in our history—109 months and counting. That is longer than the wars in Vietnam or Iraq. It is even longer than the Soviet occupation of Afghanistan in the 1980s.

The signpost I wish to speak of is one President Obama posted when he ordered the troop increase in Afghanistan last December.

In his orders, he also called for a review of our war strategy to be conducted 1 year later. That review was to include:

The security situation and other conditions, including improvement in Afghan governance, development of Afghan National Security Forces, Pakistani actions and international support.

That review is due this month.

I commend our President for his foresight in calling for this review. But in recent months, I have read troubling statements from administration and military leaders. These statements lead me to believe this review is seen as nothing more than a check in the box.

In a Washington Post article, an Under Secretary of Defense said as much when he stated that the review will not go into much more detail than what is already provided to the President during his monthly status updates.

General Petraeus was also quoted in the same article as saying: "I would not want to overplay the significance of this review."

I think this approach to this review would be another tragic mistake in what I fear is an ongoing series of them.

After 9 years and \$455 billion, the unfortunate reality is, we are still not anywhere near where we want to be or should be in Afghanistan. Anything less than a thorough and unflinching review is unacceptable. It is unacceptable to me, and it is unacceptable to the American people.

A famed military author, Carl von Clausewitz, wrote a book titled "On War," which is required reading for any military professional. In that book, he wrote:

The first, the supreme, the most far-reaching act of judgment that the statesman and commander have to make is to establish . . . the kind of war on which they are embarking; neither mistaking it for, nor trying to turn it into, something that is alien to its nature. This is the first of all strategic questions and the most comprehensive.

Today, our struggles in Afghanistan necessitate that we again follow von Clausewitz's advice. We must answer the big questions about the kind of war we set out to fight and the kind of war we are fighting.

Everyone knows the big question when it comes to Afghanistan. That is

why it is the big question: Is our prolonged involvement in Afghanistan worth the costs we as a nation are paying for it? Is it worth the human cost? Thousands of Americans have been maimed or killed in this war so far, and thousands more stand in harm's way as we speak. Is it worth the fiscal cost? Our wars in the last decade have left us with huge deficits. And for the last decade, wars in both Afghanistan and Iraq went unpaid for. Instead of rallying the Nation during a time of war, asking for sacrifices from everyone, Congress and two Presidents chose to pass this massive debt on to future generations—the first time we have done so in modern times.

The real issue is not what we are spending to protect our Nation but whether that spending is making us safer, which leads to the question: Is our continued involvement in Afghanistan worth the cost to our larger national security priorities? Our commitment in Afghanistan is pulling time, energy, and funds from other equally important national security priorities, priorities such as energy independence, counterproliferation, and countering terrorist activities in Yemen, Somalia, and many other places around the world.

That is why this review is so critical. We have to decide as a Nation if our prolonged involvement in Afghanistan is worth it, and we must decide on an exit strategy. We have a responsibility to answer that big question with a thoroughness and honesty that honors the sacrifices of our military men and women.

I believe we answer that question by using this signpost—by using this review—to address four key issues that will ultimately mean the difference between our success and our failure in Afghanistan. To me, those four issues are: our timeline for an exit strategy, an accelerated transition to an Afghan-led security operation, corruption in the Karzai government, and safe havens in Pakistan.

Let me take them one at a time. First, our timeline for an exit strategy. This review should provide an honest assessment of where we are in the timeline that President Obama laid out last year. In his speech at West Point last December, President Obama rightly dropped the open-ended guarantee of U.S. and NATO involvement. Here is what he said:

The absence of a time frame for transition would deny us any sense of urgency in working with the Afghan government. It must be clear that Afghans will have to take responsibility for their security and that America has no interest in fighting an endless war in Afghanistan.

His order last year for the military mission was clear and included a timeline based on a "accelerated transition." In that order—quoting from the order—he focused on:

Increasing the size of the ANSF and leveraging the potential for local security forces so we can transition respon-

sibly for security to the Afghan government on a time line that will permit us to begin to decrease our troop presence by July 2011.

July 2011. That is a little more than 6 months from now. The American people deserve to know if July 2011 is still a realistic timeframe to begin our exit from Afghanistan; and, if not, what has happened to cause a delay and how long will that delay be? What will be the additional costs, both human and budgetary?

The bottom line is this: Without an aggressive timeline for reducing U.S. military support in the region—a timeline that the Afghans believe is rock solid—there is no incentive for them to defend their villages and cities. With the U.S. and NATO as guarantors of security, the people of Afghanistan could rely on our forces to provide security indefinitely.

Chairman LEVIN, our Armed Services chairman here in the Senate, has given careful thought to the issue of a timeline. In a recent speech to the Council on Foreign Relations, he said:

Open-ended commitments encourage drift and permit inaction. Firm time lines demand attention and force action.

Without an aggressive timeline, there is no exit strategy.

Issue No. 2, and directly related to No. 1, the accelerated transition to the Afghan people. This must be an Afghan-led security effort. This month's report should update the American people on our progress or lack thereof in turning over security duties to the Afghan National Army, the Afghan National Security Forces, and the Afghan National Police.

The famed British officer T. E. Lawrence, known to many as Lawrence of Arabia, once said, with regard to the Arab insurgency against the Ottoman Empire:

Do not try to do too much with your own hands. Better the Arabs do it tolerably than they do it perfectly. It is their war, and you are there to help them.

This quote is also mentioned in the Army Field Manual on counterinsurgency. In Afghanistan, I believe the same approach can be applied.

The Afghan security forces are not doing their job perfectly, nor should we expect the Afghan forces to match the might of the U.S. military. But to echo T. E. Lawrence, they are beginning to do it tolerably, and I believe it is better that the Afghans continue to build on their new success.

Combined, an aggressive timeline and an accelerated transition to the Afghans will help us achieve two equally important goals: first, the timely handover of security helps prove to the international community that the American people do not have imperial ambitions in Afghanistan. As President Obama said at West Point:

We have no interest in occupying your country.

And second, a timely handover allows the United States and its allies to bring our heroes home, and it allows us

to begin the important work of reducing our deficits, investing in our Nation and our people so we can remain strong and build a more prosperous Nation.

This brings me to issue No. 3: Corruption in the Karzai government. There is no doubt our Armed Forces have the ability to conduct the difficult counterinsurgency work of clearing and holding. The question is whether the Afghan Government has the ability to build their nation and to be ready for a timely transition. That is why in his order to the military President Obama was clear when he said:

Given the profound problems of legitimacy and effectiveness with the Karzai government, we must focus on what is realistic. Our plan for the way forward in dealing with the Karzai government has four elements: Working with the Karzai government when we can, working around him when we must; enhancing sub-national governance; strengthening corruption reduction efforts; and implementing a post-election compact.

There is no doubt that corruption is rampant throughout Afghanistan and, in particular, within the Karzai administration. For years, independent daily press reports from Afghanistan, as well as official U.S. Government reports, confirm corruption at all levels of Afghan society. A recent leak of diplomatic cables reveals the severity of the problem.

First, let me stress I do not condone these recent leaks. They have needlessly put our military and diplomatic corps at risk. But these documents pull back the curtain on the scale of the corruption in Afghanistan.

One example in particular illustrated the tremendous difficulty we face in our search for an honest, reliable partner. That was the account in the New York Times of former Afghanistan Vice President Ahmed Zia Massoud. Massoud was detained after he brought \$52 million in unexplained cash into the United Arab Emirates. He was allowed to keep the \$52 million.

Let me say that again: \$52 million. That is a lot of money, especially when you consider that his government salary was a few hundred dollars a month.

Not only is corruption rampant in Afghanistan—with the reports of Karzai's own brother involved in double dealing and unscrupulous actions—but basic government functions are suffering because of Karzai's inability to manage his own government.

In Kandahar, our military has made this former Taliban stronghold a much more secure city. But despite that progress, the Washington Post has reported multiple vacancies in key government positions. As an unnamed U.S. official stated:

We are acting as donor and government. That is not sustainable.

We cannot be expected to indefinitely shoulder the security or governmental burdens in Afghanistan. Having a firm timeline will put President Karzai on notice that he must step up his efforts to make this an Afghan-led effort. Our

goal must be to transition responsibility and authority for the future of Afghanistan to the Afghan people, and this month's review should include a report to the American people on our progress and how he is making that happen.

This brings me to the fourth and final issue: safe havens in Pakistan. For years, safe havens have been permitted to exist in Pakistan for insurgent and terrorist forces, enabling them to operate freely. This has been one of the worst kept secrets in the region, which is why President Obama stated during his West Point speech:

We will act with the full recognition that our success in Afghanistan is inextricably linked to our partnership with Afghanistan. We are in Afghanistan to prevent a cancer from once again spreading through that country. But this same cancer has also taken root in the border region of Pakistan. That is why we need a strategy that works on both sides of the border.

Since 2001, the United States has sent more than \$10.4 billion to Pakistan to support humanitarian and security operations. Despite these expenditures, radical militant groups such as the Quetta Shura Taliban and the Haqqani Network have continued to leverage their freedom of movement to kill, maim and disrupt our efforts and those of our NATO allies.

These insurgent activities are nearly textbook—something that the Army Field Manual on counterinsurgency describes in detail as having occurred throughout the history of insurgent warfare.

The issue of sanctuaries thus cannot be ignored during planning. Effective COIN operations work to eliminate all sanctuaries.

With such military advice in mind, I must ask: How do we expect to defeat an insurgency that is being supported by elements of the Pakistani military and intelligence service on the other side of the Khyber Pass?

After 9 years, why are we tolerating these safe havens? Mullah Omar, the leader of the Taliban insurgents, is in exile in Pakistan. His followers regroup and rest in Pakistan only to cross the border and fight our troops once again. Insurgent fighters have increased their attacks by 53 percent over the last quarter. And when both ISAF and U.S. forces are unable to infiltrate their base of operation, how can we expect to maintain an adequate level of security for the future?

President Obama's order specifically spelled out assessment criteria for Pakistan. The assessment was intended to include the following question:

Are there indicators we have begun to shift Pakistan's strategic calculus and eventually end their active and passive support for extremists?

Thus far, Pakistan's "strategic calculus" has been overly focused on India and toward turning a blind eye to radical groups in Waziristan and other regions near the Afghan border.

Furthermore, the current position of the Pakistani Government has only led

to a host of crazed conspiracy theories about the United States and its involvement in the region, giving fuel to the recruitment efforts of our enemies.

Because of double-dealing by some in Pakistan and a Pakistani Government that has not fully supported our efforts, we are sending our men and women to fight in Afghanistan without a true partner. We are asking them to fight with one hand tied behind their back.

These challenges I discussed are not a secret. Each and every one of them has been debated, discussed, dissected, and yet the answers remain elusive. We invaded Afghanistan as a justifiable military response to the tragic attacks of September 11, 2001. This response was overwhelmingly supported by Congress—including myself, the public, and the international community. But I believe today, after 109 months of fighting, after more than 1,400 American military deaths in Operation Enduring Freedom, almost 10,000 American military men and women injured, after \$455 billion and counting expended, a good, hard, realistic assessment of our mission is needed.

If our plan to succeed in Afghanistan is not yielding the results we seek, then we must also reevaluate our plan and mission. Make no mistake, I am proud of our brave men and women in uniform and what they are doing there. I am equally proud of our diplomatic workers, aid workers, and civilians who are working hard to improve the livelihoods of Afghan people.

I had an opportunity to meet many of them earlier this year on a CODEL led by my colleague Senator CARPER of Delaware. These are some of the finest men and women our Nation has to offer to the Afghan people. But it is not their job that is in question—it is ours, the Congress, the President, his administration, the military leadership. It is up to us to find the answers, to ensure we have a clear, achievable mission for our soldiers to carry out.

Today I am not sure that is the case. I am looking forward to hearing the conclusions of the review the President called for 1 year ago. I also look forward to hearing the President reaffirm his July 2011 deadline for an accelerated transition to the Afghans.

We all must be prepared to ask the hard questions and demand honest answers, regardless of the political consequences. Our military men and women deserve no less.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Illinois.

MR. DURBIN. Madam President, I ask consent to speak for 15 minutes in morning business.

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

MR. DURBIN. Madam President, first let me commend my colleague from New Mexico, Senator THOMAS UDALL, for a thoughtful presentation on a challenge we face as Americans regardless of political affiliation. It is

thoughtful in that he reflected not only on our mission and our responsibility but thoughtful in that he reflected on the cost, the cost in human lives and the cost in dollars and the challenge we face in Congress to make sure those dollars are well spent and no American life is wasted. I thank my colleague for that thoughtful presentation.

#### THE DREAM ACT

Mr. DURBIN. Madam President, last night I was on a conference call. It was an unusual one. There were 8,000 people on this conference call. I have never been on a conference call like that. They were from all across the United States of America. We spoke for a few minutes and then took questions.

A young woman came on. She didn't give her name but she said, I want to tell you who I am. I am a person who is about to graduate from a major university in California with a degree in pharmacy and I have nowhere to go.

You see, she is a Hispanic who came to the United States at an early age, brought here by her parents. She defied the odds by finishing high school. Half of the Hispanic students do not. She did. Then she defied the odds even more by going to college. Only one in twenty in her status actually attends college in America. Then she stuck around for 5 years-plus to get her degree in pharmacy science.

We know for a fact we need pharmacists desperately across America, everywhere, in North Carolina and New Mexico and Illinois—we need pharmacists. Why aren't we using the talent of this ambitious, energetic, successful, young woman? Because she has no country. She is in America but she is not an American. She has no status.

The DREAM Act, which I introduced 10 years ago, addresses this challenge across America. Children, brought to America without a vote in the process, children who came here and made their lives here, grew up in America, as Senator MENENDEZ has said on the floor, standing up and proudly pledging allegiance to that flag, standing up and singing the Star Spangled Banner at baseball and football games—but they know and we know that they are not Americans. They feel like Americans. Many of them have never seen and don't know the country they came from. This is their country. But because they were brought here not in legal status, undocumented, they have nowhere to turn.

The first time I heard about this issue was when a Korean woman called me in Chicago. She was a single mom with three kids. She ran a dry cleaners and her older daughter was a musical prodigy, in fact so good she had been accepted at the Julliard School of Music in New York. Before she went to school she filled out the application form and came to a box which said "nationality/citizenship." She turned to her mom and she said: U.S. nation-

ality, right? Her mom said: No, we brought you here at the age of 2 and we never filed any papers. Her daughter said: What are we going to do? Her mom said: We are going to call DURBIN. So they called my office and we called the Immigration Service and when the conversation ended it was very clear. Our government said to that young girl: You have one choice—leave. Go back to Korea.

After 16 years of living successfully in the United States and making a great young life, our laws told her to leave because she was illegal. That is a basic injustice. It makes no sense to hold children responsible for any wrongdoing by their parents, children at the age of 2 who are now going to be penalized the rest of their natural life because their mother did not file a paper? Penalized because we have no process for her to have an opportunity to be part of the United States?

So I introduced the DREAM Act. The DREAM Act says if you have been here for at least 5 years and came below the age of 15 and completed high school, no serious criminal record, a person in good moral standing ready to be interviewed, speaking English, paying all the taxes and fines and fees that are thrown your way, then if you are willing to do one of two things we will give you a chance to be legal in the United States. No. 1, enlist in the military. If you are willing to risk your life and die for America, I think you are deserving of an opportunity for citizenship. Second, if you complete 2 years of college—which, as I say, defies the odds; it is a small percentage who would be able to do this—if you are able to complete 2 years of college, then here is what the bill says: We will put you in a 10-year conditional immigrant status.

Let me translate. For 10 years you have no legal rights to any government programs in America—not Medicaid if you get sick, not Pell grants if you go further in college, no student loans—nothing. You can stay here legally but you cannot draw one penny from this government during 10 years after you have finished high school and qualify under this act; 10 years.

Along the way we are going to keep an eye on you. If you stumble and fall—criminal record—you are gone. No exceptions; for felons, they are gone. Basically, we will continue to ask hard questions of you as to how you are doing.

In the version of the bill we are going to vote on, you are going to pay a fee, \$500 at the outset and more later. Under that House provision, those students struggling to get by with no right to government assistance by our bill will have to spend 10 years in this country. If they make it—2 years in the military or 2 years of college and they finish their 10 years—then they get in line and wait 3 to 5 years more before they can ever have a chance to be citizens.

It is a long, hard process that not many Americans today could survive.

Some of these kids will because they have made it thus far. They are determined, they are idealistic, they are energetic. They are just what America needs.

Do you know what Michael Bloomberg, the mayor of New York, said about this:

They are just the kind of immigrants we need to help solve our unemployment problem. Some of them will go on to create new small businesses and hire people. It is senseless for us to chase out the home-grown talent that has the potential to contribute so significantly to our society.

Will these DREAM Act students be a drag, then, once they are part of America? Not according to the Congressional Budget Office. They concluded that the DREAM Act would produce \$2.2 billion in net revenues over 10 years. How can that be? Because these DREAM Act students would contribute to our economy by working and paying taxes. These are students who are destined to be successful.

Who believes they will be successful? Start at the Pentagon. Secretary of Defense Gates has asked for us to pass the DREAM Act. He has said that these bright, young, dedicated people will be great in service to America. He knows that many of them come from cultural traditions of service to their country and he wants that talent in the U.S. military and he wants that diversity in our military. Fifteen percent of America today is Hispanic. The number is growing. Almost 10 percent of the people who vote in America are Hispanic and we want to make certain our military is as strong as it can be and reflects America as it is and what we want to it be.

We will have a chance to vote. Senator HARRY REID, the majority leader, has said we are going to vote on the DREAM Act this year—and we must, we absolutely must. We owe it to these young people, we owe it to their families, and we owe it to this country to rectify this terrible injustice.

There comes a time occasionally in the history of this country where we have a chance to right a wrong. We fought for decades over righting the wrong of slavery, the mistreatment of African Americans. We fought for decades to right the wrong of discrimination against women—denied the right to vote under our original Constitution. We fought for decades for the rights of the disabled in America. Each generation gets its chance to expand the definition of freedom and liberty and expand the reach of citizenship and the protection of our laws. This is our chance. This is a simple matter of justice.

I have listened to some of my colleagues on the other side who do not support it and they have said, if we would spend more money on border security, then maybe, just maybe I would be willing to give these young people a chance.

First, if there were no border security, it would not enlarge the number