

can do except wait for the election results of 2012 when we may have a different President or a different Congress, we have a responsibility to act now. There are ways we can do this. We need to demonstrate to ourselves and to the American people that we will accept this responsibility. I choose to do that. I choose to take the tough medicine for the future of the country. I believe the American people choose to do that as well.

I urge my colleagues to join me as we move forward. Let's not sit and wait for election results. Let's do something now because the urgency and the crisis is real, and it needs to be addressed now. Let's be responsible and step up and do it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

TRIBUTE TO LARRY MUNSON

Mr. CHAMBLISS. Mr. President, I rise today, along with my colleague, my fellow University of Georgia graduate, Senator ISAKSON, to honor a man who died last week who became a legend in his own time in our great State, a legend who was respected by, as we would say, folks on both sides of the aisle. That term for this man means he was respected by Georgia Tech football fans as well as University of Georgia football fans.

The man I am talking about is Larry Munson. Larry Munson was not a southerner by birth, but he became a southerner and Georgia Bulldog by passion. He was the Georgia football announcer for over four decades. During those four decades, he not only witnessed some of the most memorable football games, but he made some of the most memorable calls. His way of describing a football play will go down in the annals of broadcasting as not only being unique, not only being fascinating, but it will go down in the annals of sports broadcasting as being some of the best and most professional calls ever made on a football field.

But there was more to Larry Munson than the "Run, Lindsay, run," more to Larry Munson than the "Oh, you Herschel Walker," more to Larry Munson than "We just stomped on them with a hob-nailed boot." He was a man who had passion for life, a man who had a thorough understanding of his profession, and a man who worked very hard at his profession.

He used to get up every Saturday morning before a football game and have coffee with our legendary coach, Vince Dooley. Coach Dooley said he finally had to stop having coffee with Larry Munson because Larry was ever the pessimist, from a football standpoint. Coach Dooley would come to those coffees feeling good about his chances in the ball game that day, and by the time he finished having coffee with Larry Munson, he had to go back and rewrite his playbook.

Larry Munson was simply a man who loved the University of Georgia. He loved calling football games, and he loved putting his emotions into those calls. He was also a man who cared not just about the University of Georgia but about his students. He used to have what he called a Wednesday night movie night where he would invite students to join him at a theater in Athens, GA, and he would share time—his time—with students that he loved. He did this for years and years and years. I have heard stories from some of those folks who attended those movie nights that Larry Munson was more passionate about movies than he was about University of Georgia football, which is hard to imagine.

As we look back on the life of Larry Munson, those of us who live and breathe Georgia football will always remember the passionate calls, the way he put his heart and soul into the football game, but we will also remember the man Larry Munson, who enjoyed life, enjoyed people, enjoyed his profession, and who gave so much back to his profession.

He was a man who loved the outdoors. He came south from his birthplace of Minneapolis many years ago. He remained a true southerner not just for his 40 years of broadcasting at the University of Georgia but in his bass fishing, for example. I remember when he would come down to our part of the world in south Georgia to speak to a touchdown club, or whatever it may be, and he would always call up and say, "Where is the best bass pond in south Georgia? That is where I want to be this afternoon before my speech." He thoroughly enjoyed the outdoors, and he enjoyed being around people. That was obvious in the way he expressed himself behind the microphone when he called football games.

As we celebrate the life of Larry Munson, we celebrate more than his historic calls. His passion for football, his passion for his family, and his passion for friends exceeds any passion he had for football. He was a great man, a great friend, and he will certainly be missed by our State and particularly by our university.

With that, I yield to Senator ISAKSON.

The ACTING PRESIDENT pro tempore. The Senator from Georgia, Mr. ISAKSON, is recognized.

Mr. ISAKSON. I appreciate the opportunity to share a few moments with Senator CHAMBLISS on the floor of the Senate to pay tribute to a great Georgian, Larry Munson.

Larry Munson was born in Minneapolis, and after the service he got a scholarship at a broadcasting school, and he got a job at the University of Wyoming. He worked his way to Tennessee, where he announced for the Vanderbilt basketball and football programs. Then, when the Braves moved from Milwaukee to Atlanta, he was brought in to be one of the announcers for Atlanta Braves baseball. Shortly

after that, the voice of the Georgia Bulldogs retired and went to another job, and Larry Munson was asked to take over broadcasting at the University of Georgia. He was a Yankee, an outsider, not one whom many people thought much of when he started. Well, he became a legend in his time. He is a revered person in our State.

It is said that Southeastern Conference football is not a game, it is a religion. In that analogy, if it is a religion in the Southeastern Conference, Larry was the high priest. He was the man whom everybody looked to to make the call nobody else could. The greatest tribute I ever saw to Larry Munson was on SEC football on an afternoon, at 3:30, when, a couple of years ago, before he retired, the announcer for CBS television brought in Larry Munson's radio play by play and set themselves aside because he was that good. He brought the game to life. He brought a spirit to the game you just could not find.

He was a hometown boy. There was no question whom he worked for, no question who signed his ticket. He was always fair but always friendly to the Dogs. It was his spirit that brought the University of Georgia from the doldrums of the 1960s to the height of college football—the national championship in 1980, four SEC championships in the last 12 years, and, hopefully, an SEC championship this Saturday night.

Larry Munson passed away a few days before Thanksgiving in his beloved town and hometown of Athens, GA. Although he started in Minneapolis, MN, and went to Wyoming and later to Tennessee, he finally resided in Georgia, and he died in Georgia. He is esteemed in our State.

On this day, let me, on behalf of the people I represent in my State of all persuasions when it comes to college football, pay tribute to a man who gave every single measure of himself to make sure every person who listened to his voice saw a game, whether they were blind or could see, because he brought life to a game like nobody else could. He was a great Georgian and a great American. He will be missed.

I can promise you this: His view at Stanford Stadium today is far better than the view he used to have in the broadcast booth because he is high over the stadium, where he made his living and where he will always be remembered.

I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. GRAHAM. I believe we are still in morning business.

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAHAM. I ask unanimous consent to enter into a colloquy, and if the Chair could let me know when 10 minutes has expired.

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

DEFENSE AUTHORIZATION

Mr. GRAHAM. While we decide how we are going to move on the Defense bill, I appreciate Senator KYL coming to the floor. Senator KYL and I, along with Senators LEVIN and MCCAIN, have been working on detainee policy for years now. There is an issue that is before the Senate soon. It involves what to do with an American citizen who is suspected of collaborating with al-Qaida or an affiliated group.

Does the Senator agree with me that in other wars American citizens, unfortunately, have aided the enemies of their time?

Mr. KYL. Mr. President, yes. I would say to my colleague, unfortunately, it is the case that there probably hasn't been a major conflict in which at least some American citizen has decided to leave his country and side with the enemy.

Mr. GRAHAM. Is the Senator familiar with the efforts by German saboteurs who landed—I believe, in the Long Island area, but I don't know exactly where they landed—during World War II, and they were aided by American citizens to execute a sabotage plot against the United States?

Mr. KYL. Mr. President, yes. In fact, there is a famous U.S. Supreme Court case, *Ex parte Quirin*, decided in 1942, that dealt with the issue of an American citizen helping the Nazi saboteurs that came to our shores.

Mr. GRAHAM. Does the Senator agree with me that our Supreme Court ruled then that when an American citizen decides to collaborate and assist an enemy force, that is viewed as an act of war and the law of war applies to the conduct of the American citizen?

Mr. KYL. Mr. President, I would say to my colleague, yes. My colleague knows this case, I am confident. I think one quotation from the case makes the point clearly—in *Ex parte Quirin* the court made clear: "Citizenship in the United States of an enemy belligerent does not relieve him from the consequences of his belligerency."

In other words, if a person leaves their country and takes the position contrary, they side with the enemy, they become a belligerent against the United States, the fact that they are still a citizen does not protect them from being captured, from being held, and in this case even being tried by a military tribunal.

Mr. GRAHAM. So the law, at least since 1942, by the Supreme Court has been that if someone decides as an American citizen to join forces with enemies of the United States, they have committed an act of war against

their fellow citizens. It is not a criminal event we are investigating or dealing with; it is an act of war, and the American citizens who helped the Nazis were held as enemy combatants and tried as enemy combatants?

Mr. KYL. Mr. President, yes. I would just qualify that statement this way. A person can be subject to military custody being a belligerent against the United States, even while being a U.S. citizen, be tried by military commission because of the act of war against the United States that they committed. One could also theoretically have been tried in a criminal court. But one can't reach the opposite conclusion, which is that they can only be tried in civilian court.

Mr. GRAHAM. In the Military Commission Act of 2009, we prohibited American citizens from being tried by military commissions. I am OK with that. But what we have not done—and I would be very upset if we chose to do that—is take off the table the ability to interrogate an American citizen who has chosen to help al-Qaida regarding what they know about the enemy and what intelligence they may provide us to prevent a future attack.

Since homegrown terrorism is a growing threat, under the current law, if an American citizen became radical, went to Pakistan and trained with al-Qaida or an affiliated group, flew back to Dulles Airport, got off the plane, got a rifle, went down to the Mall right behind us and started shooting people, does the Senator agree with me that under the law as it exists today, that person could be held as an enemy combatant, that person could be interrogated by our military and intelligence community and we could hold them as long as necessary to find out what they know about any future attacks or any past attacks and we don't have to read them their Miranda rights?

Mr. KYL. Mr. President, yes. The answer to the question, short, is, yes. It is confirmed by the fact that in the Hamdi case, the U.S. Supreme Court precisely held that detention would be lawful. Of course, with the detention being lawful, the interrogation to which my colleague refers could also be taken.

Mr. MCCAIN. Would the Senator yield for a question on that subject point?

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. The individual who was an American citizen—Mr. Hamdi, the subject of the U.S. Supreme Court case—was an American citizen captured in Afghanistan; is that correct?

Mr. GRAHAM. Yes.

Mr. MCCAIN. Yet in the Supreme Court decision reference is made to an individual who was captured during World War II in the United States of America; isn't that correct? It was referenced in the Supreme Court decision.

Mr. GRAHAM. Yes. The *In re Quirin* case dealt with an American citizen helping the Nazis in America. The

Hamdi case dealt with an American citizen helping the Taliban in Afghanistan.

Mr. MCCAIN. The reason why I raise the question is because the Senator from Illinois, and others, have cited the fact that Hamdi was an American citizen but captured in Afghanistan, not in the United States of America.

Yet isn't it a fact that the decision in Hamdi also made reference to a person who was apprehended in the United States of America?

This is what is bizarre about this discussion, it seems to me.

Mr. GRAHAM. The Hamdi case cited *In re Quirin* for the proposition that an American citizen who provides aid, comfort or collaboration with the enemy can be held as an enemy combatant. The *In re Quirin* case dealt with an American citizen helping the Nazis in New York. The Padilla case involves an American citizen, collaborating with al-Qaida, captured in the United States.

Mr. MCCAIN. So I guess my question is, it is relevant where the citizen of the United States was captured. Because the decision made reference to people captured both in the United States and outside the United States.

Mr. GRAHAM. Exactly. I would add, and get Senator KYL's comment. Wouldn't it be an absurd result if you can kill an American citizen abroad—Awlaki—whatever his name was—the President targeted him for assassination because he was an American citizen who went to Yemen to engage in an act of terrorism against the United States. The President went through an Executive legal process, targeted him for assassination and a drone attack killed him and we are all better off. Because when an American citizen helps the enemy, they are no longer just a common criminal; they are a military threat and should be dealt with appropriately.

But my point is, wouldn't it be an odd result to have a law set up so that if they actually got to America and they tried to kill our people on our own soil, all of a sudden they have criminal status?

I would argue that the homeland is part of the battlefield, and we should protect the homeland above anything else. So it would be crazy to have a law that says if you went to Pakistan and attacked an American soldier, you could be blown up or held indefinitely, but if you made it back to Dulles Airport, you went downtown and started killing Americans randomly, we couldn't hold you and gather intelligence. The Supreme Court, in 1982, said that made no sense.

If a Senator, in 1942, took the floor of the Senate and said: You know those American citizens who collaborated with the Nazis, we ought not treat them as an enemy, they would be run out of town.

I am just saying, to any American citizen: If you want to help al-Qaida, you do so at your own peril. You can