

responsible and proportional. That is one of the underlying reasons why we find ourselves in the position we are right now.

I ask my colleague from South Dakota, as Commander in Chief, the President has a responsibility on this very important issue. It is such an important and weighty responsibility as President of the United States to be Commander in Chief. Where is the President on these issues?

Mr. THUNE. Ironically, the point my colleague from New Hampshire made earlier and the statements made by the President's own Defense Secretary about what these cuts would mean just speak volumes. It is absolutely stunning when we look at the impact this would have on our national security budget, and, at least to date, the President is not weighing in on this argument at all.

I think what the Senator from New Hampshire and Senator McCain and I are saying is this: Show us your plan.

If we are going to do something about this, we need to know how they intend to implement this. So the transparency issue is very important. Asking them to tell us how they are planning on making these reductions seems to be a critically important part of not only informing the American public but giving Congress a pathway—if there is one—to address and perhaps redistribute these reductions.

When we are talking about a \$109 billion reduction that will take effect in January of next year—half of which comes out of defense—on top of \$½ trillion in cuts to accrue over the next decade that were approved as part of the Budget Control Act, that is a huge chunk out of our national security budget.

I think the Senator from New Hampshire made an excellent point as well about how this obviously impacts national security first and foremost. I have always maintained that if we don't get national security right to protect and defend the country, then the rest is all secondary.

But there is a huge economic impact, as was pointed out not only by the study my colleague from New Hampshire mentioned but also by the Congressional Budget Office recently in speaking about the fiscal cliff that hits us in the first part of January next year and could cost us 1.3 percent in growth, which, according to the President's economic advisers, could be 1.3 million jobs. If the national security issue does not get your attention, certainly we would think the economy and jobs issue would. Yet we are hearing silence—crickets coming out of the White House.

I would hope he would weigh in on this debate and at least provide us with an idea of how the administration intends to implement this and hopefully a plan about how to avert this. As has been emphasized by the President's Defense Secretary, there would be a catastrophic impact on our national security interest.

Ms. AYOTTE. I ask Senator THUNE, is this not so important when we think about the impact on our national security that now we hear from the President that Members on both sides of the aisle should sit down instead of kicking this can beyond the elections?

What I have heard from our employers is that they will have to make decisions now that could impact our defense industrial base. We are talking about shipbuilders, we are talking about experts, small businesses that work in this area. Once those jobs go away in terms of a small business, such as a sole supplier on one of our major procurement programs, which happens quite often, that expertise goes away. We don't immediately pull that back. So we are talking about an estimate of 1 million jobs, and the private sector can't wait for us to resolve this until after the election. They need us to resolve this now. In my view, our military can't wait until after the election, nor should our military be put in that position. They should know that we are going to resolve this because we want to keep faith with them. We do not want to hollow out our force. We do not want to put them at risk. So, on a bipartisan basis, this is a critical issue to resolve before the election. I wondered what my colleague's view was on that.

Mr. THUNE. Mr. President, again I appreciate the leadership of the Senator from New Hampshire as a member of the Armed Services Committee on not only this issue of national security but also as a member of the Budget Committee, where we serve together. It is critical that we do something soon, and the reason for that, as the Senator from New Hampshire mentioned, is that a lameduck session of Congress—is not an appropriate time to try to legislate on a major issue such as this, particularly given the fact that there is going to be a pileup of other issues. We have tax rate expiration issues to deal with and potentially another debt limit vote coming up.

It seems to me that we ought to provide as much certainty as we can to our military, to the leaders of our military who have to make these decisions, and to the people who build these weapons systems and experience many of these reductions that will impact jobs.

As my colleague mentioned, there is a Warren Act requirement that they notify people if they are going to lay off people. There has to be a lead time to this, and that is why getting a plan from the administration that lays out in specific and detailed terms exactly what they intend to do with regard to sequestration is really important to this process and as a matter of fundamental transparency for the American people and for the Congress.

Clearly, there is a need—in my view, at least—for us to deal with this in advance of the election, not waiting, not punting, and not kicking the can down the road as is so often done here.

I appreciate the leadership of the Senator from Arizona, the ranking member of the Armed Services Committee, and my colleague from New Hampshire in raising and elevating this issue and putting it on the radar screen of the Senate in hopes that something might actually happen before the election. But that will require that the President of the United States and his administration get in the game. So far, we haven't heard anything from them with regard to how they would implement sequestration or what suggestions they might have that would avoid and avert what would be a national security catastrophe if these planned or at least proposed reductions go into effect at the first of next year.

I see that the Senator from Arizona, the ranking member of the Armed Services Committee, is back. Does the Senator have any closing comment before we wrap up this session?

Well, let me thank my colleagues in the Senate and particularly the Senator from Arizona and the Senator from New Hampshire for what they are doing on this issue. I hope that we are successful and that in the end we can get some greater transparency from the administration about how they intend to implement these reductions and that we might be able to take the steps that are necessary, as was pointed out, on a bipartisan basis. This is not an issue that affects one side or the other, it is an issue that affects the entire country when we are talking about our national security interests and the great jeopardy and risk we put them in if we don't take steps to address this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, I ask unanimous consent to address the Senate in a colloquy with my colleague from South Carolina, Senator GRAHAM.

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

NATIONAL SECURITY

Mr. McCain. Mr. President, Senator GRAHAM and I know there are others who would like to come to the floor on the issue of the almost unprecedented release of information which directly affects our national security—in fact, the most important programs in which we are engaged, including the use of drones and our counterterrorism activities, and, of course, the highly classified cyber attacks that have been made on the Iranians in order to prevent them from achieving their goal of building nuclear weapons.

I can't think of any time that I have seen such breaches of ongoing national security programs as has been the case here. The damage to our national security has been articulated by many both inside and outside of the administration, including the most damaging that we have seen. Our Director of National Intelligence said that it is the worst he has seen in his 30 years of service in the area of intelligence. All of the

ranking and chair members of the Intelligence Committee, Armed Services Committee, Foreign Relations Committee, and Homeland Security Committee have described in the strongest terms what damage has been done by these “leaks.”

Among the sources that the authors of these publications list are “administration officials” and “senior officials”; “senior aides” to the President; “members of the President’s national security team who were in the [White House Situation Room] during key discussions”; an official “who requested anonymity to speak about what is still a classified program”—I am quoting all of these from the public cases; “current . . . American officials . . . [who would not] allow their names to be used because the effort remains highly classified, and parts of it continue to this day”; several sources who would be “fired” for what they divulged—presumably because what they divulged was classified or otherwise very sensitive.

One author notes:

[O]ver the course of 2009, more and more people inside the Obama White House were being ‘read into’ a [particular secret, compartmentalized] cyber program [previously known only by an extremely tight group of top intelligence, military and White House officials], even those not directly involved. As the reports from the latest iteration of the bug arrived—

Talking about the cyber attack on Iran—

meetings were held to assess what kind of damage had been done, and the room got more and more crowded.

Some of the sources in these publications specifically refused to be identified because what they were talking about related to classified programs or ongoing programs. One of the authors specifically observed that some of his sources would be horrified if their identities were revealed.

As always with this leaking, which goes on in this town, although not at the level I have ever seen, I think we need to ask ourselves first who benefits—certainly not our national security or our military intelligence professionals or our partners abroad who are more exposed as a result of these leaks. I think to answer the question of who benefits, we have to look at the totality of circumstances. In this case, the publications came out closely together in time. They involved the participation, according to those publications, of administration officials. The overall impression left by these publications is very favorable to the President of the United States.

So here we are with a very serious breach of national security—and in the view of some, the most serious in recent history—and it clearly cries out for the appointment of a special counsel.

I would remind my colleagues and my friend from South Carolina will remind our colleagues that when the Valerie Plame investigation was going on,

my colleagues on the other side of the aisle argued strenuously for the appointment of a special counsel at that time. Later on, I will read some of their direct quotes.

It is obviously one of the highest breaches of security this country has ever seen because of ongoing operations that are taking place. By the way, our friends and allies, especially the Israelis, who have been compromised on the Stuxnet operation, the virus in the Iranian nuclear program, of course, feel betrayed.

Now, can I finally say that I understand our colleague and chairperson of the Intelligence Committee is going to come over to object to our motion for the appointment of a special counsel. It is the same special counsel who was appointed at other times in our history, and ahead of her appearance after the statements she made about how serious these breaches of intelligence were. It is a bit puzzling why she should object to the appointment of a special counsel.

I ask my colleague from South Carolina—to place two outstanding individuals and prosecutors to investigate still places them under the authority of the Attorney General of the United States. The Attorney General of the United States is under severe scrutiny in the House of Representatives. The Attorney General of the United States may be cited for contempt of Congress over the Fast and Furious gunrunning-to-Mexico issue which also resulted, by the way, in the death of a brave young Border Patrolman, Brian Terry, in my own State, who was killed by one of these weapons. That is how serious it is.

I would think Mr. Holder, for his own benefit, would seek the appointment of a special counsel, and I ask that of my friend from South Carolina.

Mr. GRAHAM. I think it not only would serve Mr. Holder well, but certainly the country well.

We are setting the precedent that if we do not appoint a special counsel—and I don’t know these two U.S. attorneys at all. I am sure they are fine men. But the special counsel provisions that are available to the Attorney General need to be embraced because it creates an impression and, quite frankly, a legal infrastructure to put the special counsel above common politics. The precedent we are about to set in the Senate if we vote down this resolution is, in this case, we don’t need to assure the public that we don’t have to worry, the person involved is not going to be interfered with; that in this case we don’t need the special counsel, and there is no need for it.

Well, to my colleagues on the other side, how many of them said we needed a special counsel—Peter Fitzgerald—who was not in the jurisdiction—Illinois wasn’t the subject matter of the Valerie Plame leaks. It happened in Washington. When Peter Fitzgerald was chosen as a special counsel, the country said that is a good choice, cho-

sen under the special counsel provisions, which are designed to avoid a conflict of interest.

What is the problem? For us to say we don’t need one here is a precedent that will haunt the country and this body and future White Houses in a way that I think is very disturbing, I say to the Senator from Arizona, because if we needed one for Valerie Plame—allegations of outing a CIA agent—and if we needed one for Jack Abramoff, a lobbyist who had infiltrated the highest levels of the government, why would we need one here? Is this less serious?

The allegations we are talking about are breathtaking. Go read Mr. Sanger’s book as he describes Operation Olympic Games. It reads like a novel about how the administration, trying to avoid an Israeli strike against the Iranian nuclear program, worked with the Israelis to create a cyber attack on the Iranian nuclear program, and how successful it was. It literally reads like a novel.

What about the situation regarding the Underwear Bomber case, a plot that was thwarted by a double agent. One could read every detail about the plot and how dangerous it was and how successful we were in stopping it from coming about. Then, how we got bin Laden and sharing information with a movie producer, but telling the world about the Pakistani doctor and how we used him to track down bin Laden.

Mr. MCCAIN. Mr. President, could I add revealing the name of Seal Team 6.

Mr. GRAHAM. That takes us to the bin Laden information. In the book there is a scenario where the Secretary of Defense went to the National Security Adviser, Thomas Donilon, and said, “I have a new communication strategy for you regarding the bin Laden raid: Shut the F up.”

But the drone program, a blow-by-blow description of how the President handpicks who gets killed and who doesn’t.

This is breathtaking. Certainly, it is on par with Abramoff and Plame, I think, the biggest national security compromise in generations. For our friends on the other side to say we don’t need a special counsel here, but they were the ones arguing for one in the other two cases, sets a terrible precedent, and we are not going to let this happen without one heck of a fight.

Senator Obama wrote a letter with a large group of colleagues urging the Bush administration to appoint a special counsel and to have an independent congressional investigation on top of that of the Valerie Plame CIA leak case. He also joined in a letter with his Democratic colleagues urging the Bush administration to appoint a special counsel in the Jack Abramoff case because the allegations were that Mr. Abramoff had access to the highest levels of government and that extraordinary circumstances existed.

What are we talking about here? We are talking about leaks of national security done in a 45-day period that paint this President as a strong, decisive national security leader. The book questions—not just the articles—is there any reason to believe this may go to the White House? Look what happened with the Scooter Libby prosecution in the Valerie Plame case. The Chief of Staff of the Vice President of the United States eventually was held accountable for his involvement.

Is there any reason to believe that senior White House people may be involved in these leaks? Just read the articles. But this is a book review by Mr. Thomas Riggs of the book in question by Mr. Sanger. Throughout, Mr. Sanger clearly has enjoyed great access to senior White House officials, most notably to Thomas Donilon, the National Security Adviser. Mr. Donilon, in fact, is the hero of the book as well as the commentator of record on events. It goes on and on in talking about how these programs were so successful.

Here is the problem. In the House, when a program is not so successful, such as Fast and Furious, that is embarrassing to the administration. One can't literally get information with a subpoena. So we have an administration and an Attorney General's Office that is about to be held in contempt by the House for not releasing information about the Fast and Furious Program that was embarrassing. When we have programs that were successful and make the White House look strong and the President look strong, we can read about it in the paper.

All we are asking for is what Senator Obama and Senator BIDEN asked for in previous national security events involving corruption of the government: a special counsel to be appointed, with the powers of a special counsel, somebody we can all buy into. If we set a precedent of not doing it here, I think it will be a huge mistake.

Mr. MCCAIN. Mr. President, wouldn't my colleague agree that one of the most revealing aspects of this entire issue from program to program that leads to enormous suspicion would be that probably the most respected Member of the President's Cabinet who stayed over from the Bush administration, Secretary Gates, was so agitated by the revelation of information about the bin Laden raid that he came over to the White House and said to the President's National Security Adviser that he had a "new communication strategy." He responded by saying to the National Security Adviser, "Shut the F up." That is a devastating comment and leads one to the suspicion that things were done improperly in the revelation of these most important and sensitive programs that were being carried out and are ongoing to this day.

So I ask my colleague, what is the difference between the Biden-Schumer-Levin-Daschle letter to President Bush in 2003 where they called for the ap-

pointment of a special counsel—Vice President BIDEN—and how the White House should handle Libby? I think they should appoint a special prosecutor. In 2003, then-Senator BIDEN called for a special counsel with 34 Senators, and then-Senator Obama requested the appointment of a special counsel to lead the Abramoff case.

I was involved heavily initially with the Abramoff case, and I can tell my colleagues even though there was severe corruption, there was certainly nothing as far as a breach of national security is concerned. Yet they needed a special counsel, according to then-Senator Obama, to investigate Abramoff but not this serious consequence.

So I guess my unanimous consent request for this resolution will be objected to. But the fact is, we need a special counsel because the American people need to know. I do not believe anyone who has to report to the Attorney General of the United States would be considered as objective.

I ask unanimous consent for an additional 3 minutes.

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

Mr. GRAHAM. Mr. President, if I may, I ask unanimous consent to have printed in the RECORD the letters written by Senator Obama and Senator BIDEN asking for a special counsel.

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

OBAMA, ET AL. LETTER ON ABRAMOFF
FEBRUARY 2, 2006.

Hon. ALBERTO GONZALES,
U.S. Department of Justice,
Washington, DC.

DEAR GENERAL GONZALES: We write to join the request made last week that you appoint a special counsel to continue the investigation and the prosecution of those involved in the corruption scandal surrounding Jack Abramoff's dealings with the federal government. The Department's response to the press regarding that request did not address the fundamental issue of a conflict of interest or the other serious issues raised by the letter.

This scandal has shaken the public's confidence in our government and all involved must be pursued vigorously. A special counsel will ensure the public's confidence in the investigation and prosecution and help to restore its faith in our government. FBI officials have said the Abramoff investigation "involves systemic corruption within the highest levels of government." Such an assertion indicates extraordinary circumstances and it is in the public interest that you act under your existing statutory authority to appoint a special counsel.

Mr. Abramoff's significant ties to Republican leadership in Congress, and allegations of improper activity involving Administration officials, reaching, possibly, into the White House itself, pose a possible conflict of interest for the Department and thus further warrant the appointment of a special counsel. Recent news reports confirm that Mr. Abramoff met the President on several occasions and during some of those meetings, Mr. Abramoff and his family had their photos taken with the President. Mr. Abramoff also organized at least one and possibly several meetings with White House staff for his cli-

ents. These meetings with the President and White House staff occurred while you were serving as White House Counsel. Given the possible ties between Mr. Abramoff and senior government officials, we believe the appointment of a special counsel is not only justified, but necessary.

The Public Integrity section of the Department has thus far pursued this case appropriately, and we applaud its pursuit of Mr. Abramoff and his colleagues. As the investigation turns to government officials and their staffs, both in the Executive and Legislative branches, we have no doubt that if the investigation is left to the career prosecutors in that section, the case would reach its appropriate conclusion. Unfortunately, the highly political context of the allegations and charges may lead some to surmise that political influence may compromise the investigation. This concern is heightened by allegations that Frederick Black, the former acting U.S. Attorney for Guam and the Northern Marianas, was replaced, perhaps improperly, as a result of his investigation of Mr. Abramoff.

Appointment of a Special Counsel at this point in time is made even more appropriate by the White House's recent nomination of Noel Hillman, the career prosecutor in charge of the case, to a federal judgeship. As a new prosecutor will need to take over the case, we ask you to appoint an outside Special Counsel so the public can be assured no political considerations will be a part of this investigation or the subsequent prosecutions.

Because this investigation is vital to restoring the public's faith in its government, any appearance of bias, special favor or political consideration would be a further blow to our democracy. Appointment of a special counsel would ensure that the investigation and prosecution will proceed without fear or favor and provide the public with full confidence that no one in this country is above the law.

We know you share our commitment to restoring the public's trust in our government. We hope you will take the only appropriate action here and appoint a special counsel so we can ensure that justice is done while preserving the integrity of the Justice Department.

We look forward to hearing from you on this matter soon.

Harry Reid; Charles E. Schumer; Ken Salazar; Barack Obama; Dick Durbin; Robert Menendez; Ted Kennedy; Daniel K. Inouye; Blanche L. Lincoln; Kent Conrad; Jack Reed; Evan Bayh; Carl Levin; Joe Lieberman; Debbie Stabenow; John F. Kerry; Bill Nelson; Frank R. Lautenberg; Barbara Mikulski; Dianne Feinstein; Patty Murray; Daniel K. Akaka; Maria Cantwell; Hillary Rodham Clinton; Ron Wyden; Barbara Boxer; Jim Jeffords; Max Baucus; Joe Biden; Chris Dodd; Patrick Leahy; Russell D. Feingold; Tim Johnson; Paul Sarbanes; Tom Carper; Jeff Bingaman.

BIDEN, DASCHLE, SCHUMER, LEVIN LETTER TO
BUSH

UNITED STATES SENATE,
Washington, DC, October 9, 2003.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We write to express our continuing concerns regarding the manner in which your Administration is conducting the investigation into the apparently criminal leaking of a covert CIA operative's identity. You have personally pledged the White House's full cooperation in this investigation and you have stated

your desire to see any culprits identified and prosecuted, but the Administration's actions are inconsistent with your words.

Already, just 14 days into this investigation, there have been at least five serious missteps.

First, although the Department of Justice commenced its investigation on Friday, September 26, the Justice Department did not ask the White House to order employees to preserve all relevant evidence until Monday, September 29. Every former prosecutor with whom we have spoken has said that the first step in such an investigation would be to ensure all potentially relevant evidence is preserved, yet the Justice Department waited four days before making a formal request for such documents.

Second, when the Justice Department finally asked the White House to order employees to preserve documents, White House Counsel Alberto Gonzales asked for permission to delay transmitting the order to preserve evidence until morning. That request for delay was granted. Again, every former prosecutor with whom we have spoken has said that such a delay is a significant departure from standard practice.

Third, instead of immediately seeking the preservation of evidence at the two other Executive Branch departments from which the leak might have originated, i.e., State and Defense, such a request was not made until Thursday, October 1. Perhaps even more troubling, the request to State and Defense Department employees to preserve evidence was telegraphed in advance not only by the request to White House employees earlier in the week, but also by the October 1st Wall Street Journal report that such a request was "forthcoming" from the Justice Department. It is, of course, extremely unusual to tip off potential witnesses in this manner that a preservation request is forthcoming.

Fourth, on October 7, White House spokesperson Scott McClellan stated that he had personally determined three White House officials, Karl Rove, Lewis Libby and Elliot Abrams, had not disclosed classified information. According to press reports, Mr. McClellan said, "I've spoken with each of them individually. They were not involved in leaking classified information, nor did they condone it." Clearly, a media spokesperson does not have the legal expertise to be questioning possible suspects or evaluating or reaching conclusions about the legality of their conduct. In addition, by making this statement, the White House has now put the Justice Department in the position of having to determine not only what happened, but also whether to contradict the publicly stated position of the White House.

Fifth, and perhaps most importantly, the investigation continues to be directly overseen by Attorney General Ashcroft who has well-documented conflicts of interest in any investigation of the White House. Mr. Ashcroft's personal relationship and political alliance with you, his close professional relationships with Karl Rove and Mr. Gonzales, and his seat on the National Security Council all tie him so tightly to this White House that the results may not be trusted by the American people. Even if the case is being handled in the first instance by professional career prosecutors, the integrity of the inquiry may be called into question if individuals with a vested interest in protecting the White House are still involved in any matter related to the investigation.

We are at risk of seeing this investigation so compromised that those responsible for this national security breach will never be identified and prosecuted. Public confidence in the integrity of this investigation would be substantially bolstered by the appointment of a special counsel. The criteria in the

Justice Department regulations that created the authority to appoint a Special Counsel have been met in the current case. Namely, there is a criminal investigation that presents a conflict of interest for the Justice Department, and it would be in the public interest to appoint an outside special counsel to assume responsibility for the matter. In the meantime, we urge you to ask Attorney General Ashcroft to recuse himself from this investigation and do everything within your power to ensure the remainder of this investigation is conducted in a way that engenders public confidence.

Sincerely,

TOM DASCHLE.
JOSEPH R. BIDEN.
CARL LEVIN.
CHARLES E. SCHUMER.

Mr. GRAHAM. I guess the difference is we are supposed to trust Democratic administrations, and we can't trust Republican administrations. I guess that is the difference. It is the only difference I can glean here. Certainly, the subject matter in question is as equal to or more serious in terms of how it has damaged the Nation and in terms of the structure of a special counsel. If we thought it was necessary to make sure the Abramoff investigation could lead to high-level Republicans, which it did, and if we thought the Valerie Plame case needed a special counsel to go into the White House because that is where it went, why would we not believe it would help the country as a whole to appoint somebody we can all buy into in this case, give them the powers of a special counsel? That is what was urged before when the shoe was on the other foot.

This is a very big deal. We are talking about serious criminal activity. Apparently, the suspects are at the highest level of government, and I believe it was done for political purposes. To not appoint a special counsel would set a precedent that I think is damaging for the country and is absolutely unimaginable in terms of how someone could differentiate this case from the other two we have talked about.

To my Democratic colleagues: Don't go down this road. Don't be part of setting a precedent of not appointing a special counsel for some of the most serious national security leaks in recent memory—maybe in the history of the country—while at the same time most of my Democratic colleagues were on the record asking about a special counsel about everything and anything that happened in the Bush administration. This is not good for the country.

Mr. MCCAIN. I appreciate the indulgence of my colleagues.

UNANIMOUS CONSENT REQUEST

As in legislative session, I ask unanimous consent that the Senate now proceed to the consideration of a resolution regarding the recent intelligence leaks, which means the appointment of a special counsel, which is at the desk. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object—

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I have served on the Intelligence Committee for 11 years now, and I have seen during that time plenty of leaks. I have tried with every bit of my energy to demonstrate how serious an issue this leaking matter is. In fact, I teamed up with Senator Bond—our colleagues remember Senator Bond, of course—and I sponsored legislation to double—double—the criminal penalty for those who leak, for those who expose covert agents. So I don't take a back seat to anybody in terms of recognizing the seriousness of leaks and ensuring that they are dealt with in an extremely prompt and responsive fashion.

What is at issue here is whether we are going to give an opportunity for U.S. attorneys—professionals in their fields—to handle this particular inquiry. I see no evidence that the way the U.S. attorneys are handling this investigation at this time is not with the highest standards of professionalism.

I have disagreed with the Attorney General on plenty of issues. My colleagues know I have been particularly in disagreement with the Attorney General on this issue of secret law. I think there are real questions about whether laws that are written in the Congress are actually the laws that govern their interpretations. So I have disagreed with the Attorney General on plenty of matters. I think I have demonstrated by writing that law with Senator Bond that I want to be as tough as possible on leakers.

But I would now have to object to the request from our colleague from Arizona simply because I believe it is premature. For that reason, Mr. President, I object to the request from the Senator from Arizona.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

PRESIDENT'S WAR ON COAL

Mr. INHOFE. Mr. President, I think I have time reserved now for up to 30 minutes. I wish to first of all say that the subject we have been listening to is life threatening. It is critical. That is not why I am down here today because we have something else that is very important.

I have come to the floor today with some breaking news. The momentum to stop President Obama's war on coal is now so great that some of my colleagues—Senators ALEXANDER and PRYOR—are going to introduce a countermeasure to my resolution. My resolution would put a stop to the second most expensive EPA regulation in history—a rule known as Utility MACT, with which the occupier of the chair is very familiar. The countermeasure is a cover bill, pure and simple.

While my resolution requires the EPA to go back to the drawing board