

this health care plan makes it harder to hire more employees. I heard from a small business owner in Indiana who runs an employment management service. He told me small businesses such as his have decided to use a combination of cuts to keep many of their employees under 30 hours a week to avoid penalties, while pushing full-time workers well over 45 hours a week. Well, that is fine for the full-time workers who are getting some overtime pay, but it is denying job opportunities for new hires because employers are put in this position by the mandates of the health care act. It is not just limited to the private sector. I recently heard from a State representative in Indiana who is concerned about how this law is going to affect school districts in his area. He says some schools are being forced to move nonteacher personnel to part-time status, affecting food service providers, teacher's aides, bus drivers, substitute teachers, maintenance personnel, as well as non-teacher coaches. People from all walks of life have a dark cloud of uncertainty over their future plans to run a business, to hire employees, and to do what is necessary to expand their business, and that is so desperately needed, given we are now entering the fifth year of underemployment in this country. So that incentive to employ part-time workers means fewer hours, lower wages, less economic growth, less production, and it means middle-class Americans will continue to pay the price of Washington's ineptness.

One of our colleagues here said it best about the implementation of the health care law: "I just see a huge train wreck coming down." I think it is becoming clear that we all see a huge train wreck coming down. If both sides of the aisle here understand this is a train wreck, then let's do something about it now before it hits. Let's stop the train from crashing before its full impact on the economy takes effect.

Americans want health care reform that is an improvement but not a burden. We need to replace ObamaCare with commonsense health care reforms that will lower costs without penalizing American workers and job creators. If we don't act—if we don't stop this train wreck from happening—we will continue to see a struggling economy with anemic growth and the American people will continue to pay the high price.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

#### ORDER OF PROCEDURE

Mr. MCCAIN. Mr. President, I ask unanimous consent that myself, Senator LEVIN, Senator MENENDEZ, and Senator GRAHAM be permitted to participate in a colloquy for up to 40 minutes.

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

Mr. MCCAIN. If it is agreeable to Senator LEVIN, I say to my friend from

South Carolina, we could each make a brief opening statement, maybe a 6-, 7-minute opening statement, and then maybe have a colloquy amongst us. Is that agreeable to the Senator from Michigan?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. It is agreeable to me. My statement will probably be about 7 or 8 minutes. I don't know how long Senator MENENDEZ—because he is the fourth Senator who will participate—how long his statement will be, but if 40 minutes is what the Senator from Arizona sought, I think that ought to be enough.

Mr. MCCAIN. I thank my colleagues. I wish to thank my dear friend from South Carolina whose efforts on another issue in Benghazi have brought the attention of the American people to a tragic situation that happened there. We need to place responsibility for it, and if it had not been for his tenacity and effort on this issue, I do not believe it would have been brought to the attention of the American people yesterday. So I wish to thank him for his usual and unusual continuation of efforts on behalf of the families who were killed.

#### SYRIA

Mr. MCCAIN. Mr. President, today I and my colleagues are here to speak about Syria. The strategic and humanitarian costs of this conflict continue to be devastating, not just for the people of Syria but for vital American interests. As today's Washington Post editorial makes clear, nearly all of the terrible consequences that those opposed to intervention predicted would happen if we intervened in Syria have happened because we have not.

There is mounting evidence that chemical weapons have been used by the Asad regime. As many of our colleagues have noted—including Senator FEINSTEIN, the chairman of the Intelligence Committee—President Obama's redline on Syria has been crossed. But instead of acting, the Obama administration has called for additional evidence to be collected by U.N. investigators who have not yet set foot in Syria and probably never will. In the absence of more robust action, I fear it will not be long before Asad takes this delay as an invitation to use chemical weapons again on an even larger scale.

Moreover, as I have said before, by drawing a redline on chemical weapons, the President actually gave the Asad regime a green light to use every other weapon in his arsenal with impunity. More than 70,000 Syrians have been killed indiscriminately with snipers, artillery, helicopter gunships, fighter jets, and even ballistic missiles. Indeed, according to a recent Human Rights Watch report, more than 4,300 civilians have been killed by Syria's airstrikes alone since July 2012.

At the same time, Iran and its proxy Hezbollah are building a network of

militias inside Syria and the al-Qaida-aligned al-Nusra Front has gained unprecedented strength on the ground. According to estimates published in the media, some believe there were no more than a few hundred al-Nusra fighters in Syria last year, but today it is widely believed there could be thousands of extremist fighters inside Syria. They are gaining strength by the day because they are the best, most experienced fighters. They are well-funded and are providing humanitarian assistance in the parts of Syria where people need it most.

At the same time, this conflict is having increasingly devastating consequences to the security and stability of our allies and partners in Israel, Jordan, Turkey, Iraq, and Lebanon. The U.N. High Commissioner for Refugees has characterized the situation in Syria as an "existential threat" for Lebanon, where the government estimates that 1 million Syrians have entered the country—1 million Syrians have entered the country of Lebanon—which has a population of just over 4 million. Similarly, over the past 2 years, more than 500,000 Syrians have flooded into Jordan, a country of only 6 million people. Consider for a moment that in proportional terms this would be equivalent to 26 million refugees, or the entire population of Texas, suddenly crossing our own borders.

In short, Syria is becoming a failed state in the heart of the Middle East overrun by thousands of al-Qaida-affiliated fighters, with possibly tons of chemical weapons, and poised to ignite a wider sectarian conflict that could profoundly destabilize the region.

Yesterday brought news that the administration plans to organize, together with Russia, an international peace conference later this month to seek a negotiated settlement to the war in Syria. All of us—all of us—are in favor of such a political resolution to this conflict. No one wants to see this conflict turn into a fight to the death and total victory for one side or the other. We all want to work toward a political settlement that forms a new governing structure in Syria reflective of the democratic aspirations of the Syrian people.

But let's be realistic. One of the lessons of the past 2 years is that such a negotiated settlement will not be possible in Syria until the balance of power shifts more decisively against Asad and those around him. Until Asad, as well as his Iranian, Hezbollah, and Russian backers no longer believe they are winning, what incentive do they have to come to the table and make a deal? This is what two well-meaning United Nations senior envoys have already learned.

Yes, Syrian opposition forces are gaining strength and territory on the ground. But Asad still has air power—a decisive factor in that climate, in that terrain—ballistic missiles, chemical weapons, and a host of other advanced weaponry, and he is using all of

it. Furthermore, today's news reports that Russia has agreed to sell an advanced air defense system to the Assad regime should lead us once again to ask ourselves whether the path to peace in Syria runs through Moscow.

I know Americans are war-weary and eager to focus on our domestic and economic problems and not foreign affairs. I also know the situation in Syria is complex and there are no ideal options. But the basic choice we face is not complicated: Do the costs of inaction outweigh the costs of action? I believe they do.

No one should think the United States has to act alone, put boots on the ground, or destroy every Syrian air defense system to make a difference for the better in Syria. We have more limited options at our disposal, including limited military options, that can make a positive impact on this crisis.

We could, for example, organize an overt and large-scale operation to train and arm well-vetted Syrian opposition forces—a course of action that was recommended last year by President Obama's entire national security team. I am encouraged that Senator MENENDEZ, the chairman of the Foreign Relations Committee, has introduced legislation this week on this very issue and that he is speaking out about the need for more robust action in Syria, including addressing Assad's air power.

As several key leaders in our own military have pointed out in testimony to the Senate Armed Services Committee over the past several months—from Gen. James Mattis to ADM James Stavridis—we have the capacity—we have the capacity—to significantly weaken both the Assad regime's air power and its increasing use of ballistic missiles, which pose significant risks as delivery vehicles for chemical weapons.

To address this threat, we could use our precision strike capabilities to target Assad's aircraft and Scud missile launchers on the ground without our pilots having to fly into the teeth of Syria's air defenses. Similar weapons could be used to selectively destroy artillery pieces and make Assad's forces think twice about remaining at their posts. We could use the Patriot missile batteries outside of Syria to help protect safe zones inside Syria from Assad's aerial bombing and missile attacks.

Would any of these options immediately end the conflict? Probably not. But they could save innocent lives in Syria. They could give the moderate opposition a better chance to succeed in marginalizing radical actors and eventually provide security and responsible governance in Syria after Assad falls. However, the longer we wait, the worse the situation gets and the tougher it will be to confront, as we will inevitably be forced to do sooner or later.

I am encouraged that a consensus is emerging and many of our colleagues—Democrats and Republicans alike—share this view. I note the leadership of Senator LEVIN, the chairman of our

Armed Services Committee, whom I joined in writing a letter to President Obama urging him to take more active steps in Syria. I also note the important voice Senator BOB CASEY has lent to this debate and ask unanimous consent that his op-ed printed last week in the Huffington Post, "Time to Act in Syria"—which calls for consideration of more options, including cruise missile strikes to neutralize the Syrian Air Force—be printed in the RECORD.

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

[From the Huffington Post, May 9, 2013]

#### TIME TO ACT IN SYRIA

(By Bob Casey)

Last week, I joined a bipartisan group of senators to ask the President whether the Assad regime has used chemical weapons. The administration's response suggests mounting evidence of chemical weapons underscores the imperative that the United States stand with the people of Syria during this critical period.

The fall of Assad is not only good for Syria, but will deal a significant blow to Iran and Hezbollah. Degrading the destructive power of Iran and Hezbollah is in the national security interests of the United States—Bashar al-Assad is a key link between them.

In March, Senator Rubio and I offered legislation that could offer a path forward. Since that time, several senators have cosponsored the measure including Senators Kirk, Coons, Klobuchar, Levin, Cardin, Boxer and Shaheen. This legislation would provide support to the armed and political opposition, increase humanitarian aid to Syrians inside the country and to refugees in neighboring states. This bill also lays the groundwork to address the immense humanitarian and political challenges in the post-Assad era.

A political transition to a government that reflects the will of the Syrian people is in the core interests of the United States in the region. I have made the case consistently that the U.S. should lead efforts to support the moderate Syrian armed and political opposition. I have also said that the U.S. should consider measures that would hamper the ability of the Syrian Air Force to conduct aerial attacks on civilians, including cruise missile strikes on Syrian Air Force planes as they sit on the tarmac [Foreign Policy 2/27/13]. In addition, the U.S., working with Turkey and NATO, should use Patriot missile batteries to provide cover for Syrians living in the northern part of the country who are subjected to SCUD missile attacks.

Any U.S. action should not result in U.S. boots on the ground.

It is time to act in the interests of our security in the region. Decisive action by the U.S. and our allies could help to tip the balance so that Syria can begin a transition process. Absent constructive engagement by the U.S., I am very concerned that the killing in Syria will continue and extremists will play an increasingly influential role in determining that country's future, resulting in very negative implications for the region.

Mr. MCCAIN. Let me conclude with one final thought. For America, our interests are our values and our values are our interests. The moral dimension cannot be lost from our foreign policy. If ever a case should remind us of this, it is Syria.

Leon Wieseltier captured this point powerfully in the New Republic this week:

Seventy thousand people have died in the Syrian war, most of them at the hands of their ruler. Since this number has appeared in the papers for many months, the actual number must be much higher. The slaughter is unceasing. But the debate about American intervention is increasingly conducted in "realist" terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. They are all good reasons for the president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

Nearly two decades ago, I worked with Democratic and Republican colleagues in Congress to support President Clinton as he led America to do the right thing in stopping mass atrocities in Bosnia. The question for another President today, and for all Americans, is whether we will again answer the desperate pleas for rescue that are made uniquely to us, as the United States of America.

I, first, would ask both of my colleagues one question, if it would be all right. There is news today that the Secretary of State wants to convene a conference, including the Russians, in order to try to bring about a resolution at the same time we read reports that the Russians are selling Syria the most advanced weapons. I guess I would ask my colleague from South Carolina and then Senator LEVIN because I know he has a statement.

Mr. GRAHAM. That would be a big contradiction.

I will just yield to Senator LEVIN to answer the question and make his opening statement.

Mr. LEVIN. Mr. President, I thank, first of all, the Senator from Arizona for the leadership he has taken on the question of Syria. In answer to the question, to the best of my ability, at least, it would not be the first time Russia has taken an inconsistent position. What I am hoping is that the additional military pressure on Assad, which we are all calling for this morning, would help put pressure on Russia to understand, if that military pressure is forthcoming, that they should participate in the political solution. I do not know that we can stop them, as much as we would all wish to, from taking the inconsistent position that they have, but I believe—and I think the Senator from Arizona would probably agree, but he can speak for himself, obviously—that if President Obama does as we are urging him to do, which is find a way to put additional military pressure on Assad, that would be an important sign to Russia that: OK, join in a solution. You participated enough in the problem already. Join in the solution.

They are inconsistent. But I think our goal of trying to get more military pressure on Asad is very consistent with the idea that maybe there will be a political solution, but if there is, it will be promoted by military pressure on Asad and his understanding of that fact.

The worsening situation in Syria and the snowballing plight of millions in the region requires a response.

Since nonviolent demonstrations demanding democratic change began in Syria in March of 2011, Bashar Asad and his clique of supporters have unleashed a massacre that has claimed the lives of at least 70,000 Syrians, displaced more than 4 million people across a region that already suffers from a massive refugee population, sparked a civil war with a multitude of divergent ethnic groups and religious sects, and placed the security of Syria's chemical weapons stockpile—which is one of the world's largest—at risk of falling into the hands of terrorist groups.

Despite the impact of this horrific campaign, Asad's commitment to continuing the fight appears unwavering. One must look no further than the increasingly indiscriminate tactics with which he conducts his campaign. In recent months, in addition to Asad's possible use of chemical weapons, he has increased his reliance on airstrikes, Scud missiles, rockets, mortar shells, and artillery to terrorize and to kill civilians.

Asad's ability to conduct this campaign is enabled by two actors—Iran and Russia. Iran's financial, personnel, and materiel support have been critical to ensuring Asad's military remains operable and that the impact of defections is mitigated with reinforcements. Russia's support to Syria's more advanced military weaponry, most notably air defense systems, is critical to Asad's continued ability to project power into areas of the country he no longer controls.

To add further complexity to the situation, al-Nusra Front, an al-Qaida offshoot, continues to spread its influence in some areas of Syria. Its presence is of concern and countering its spread needs to be a priority. It is also critical that we ensure that countries in the region that are seeking to force an end to the Asad regime are not enabling and enhancing the capabilities of violent extremists who will ultimately turn their weapons on moderate Syrians and on religious minorities in Syria, such as the Syrian Christians.

The combination of these circumstances in Syria demonstrates that the status quo is unacceptable and that time is not on our side. Many officials in Washington share this sentiment but in the same breath remind us that the situation in Syria is complex, volatile, and asymmetric; Syria's Government institutions are crumbling, which could create a dangerous vacuum; any action by the United States or the West, even if it is with our Arab part-

ners, risks significant escalation; and that any security vacuum could be filled by Islamist extremists.

I have supported, and I will continue to support, the President's contributions to provide humanitarian relief to the Syrian people throughout the region, as well as the additional assistance he has pledged to Jordan to help with the devastating impact of this conflict on that country.

But it is essential that the United States, working with our allies in the region, step up the military pressure on the Asad regime—of course, doing so in a carefully thought out and regionally supported way.

Certainly, there are significant challenges to any plan of action in Syria. But we not only have to figure out the consequences of any action, we also have to figure out the consequences of not taking additional actions. In my view, the facts on the ground make the consequences of inaction too great, and it is time for the United States and our allies to use ways to alter the course of events in Syria by increasing the military pressure on Asad until he can see that his current course is not sustainable.

Taking steps to add military pressure on Asad will also provide backing to Secretary Kerry's efforts to bring the Russians into the dialog politically, which is aimed at leading to Asad's departure. I commend Secretary Kerry for his efforts to bring Russia into that dialog.

At the same time, of course, we condemn Russia's support for the Asad regime. I happen to feel very strongly that even though we are condemning, and should condemn, Russia's support for the Asad regime, it is still in our interest that Russia participate in putting pressure on Asad politically to depart, if Secretary Kerry can possibly do so.

I have joined Senator MCCAIN recently in writing to President Obama, urging the President to consider supporting a number of efforts, including the creation by Turkey of a safe zone inside Syria along its border, the deployment of our Patriot batteries closer to that border in order to protect populations in that safe zone and to neutralize any Syrian planes that threaten it and also to provide weapons to vetted elements of the opposition in Syria. These actions—raising the military pressure on Asad—will send the critical message to Asad that he is going to go one way or the other.

The Armed Services Committee, which I chair, recently held an open hearing on the situation in Syria and the Defense Department's efforts to plan for a full range of possible options to respond to the contingencies in Syria. Our committee is set to receive a classified briefing on Syria next week. I intend to raise these issues with our witnesses at that briefing. I know Senator MCCAIN and Senator GRAHAM and others are also going to forcefully raise these issues with those

witnesses at that briefing and to urge them to carry the message back to the administration that it is time to up the military pressure on Asad.

I thank Senator MCCAIN and others who are participating in this discussion.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I wish to join with my distinguished colleagues in our collective call for a greater engagement. I start off, as I always do in many years in Congress between the House and the Senate, with two questions: What is in the national interests of the United States? What is in the national security interests of the United States? The answer to those two questions is, in essence, how I determine my views, my advocacy, my votes, and the policies I want to pursue.

There are vital U.S. interests engaged in Syria. First, of course, there is a humanitarian crisis, probably the most significant humanitarian crisis at this moment—70,000 dead and climbing, 4 million displaced. That is, of course, an urgent call. Beyond that we have large chemical weapon stockpiles that potentially can fall into the wrong hands. Some have, by a whole host of public reports, already been used against the Syrian people. Unless you believe that somehow the rebels have in their possession chemical weapons, then this largely has to be from Asad. He has used them. I think once you use them, you are willing to use them even in greater quantities. That is a real concern.

The Syrian State could collapse. That would leave a safe heaven for terrorists, constituting a new threat to the region. You already have al-Qaida affiliated al-Nusra, you have Hezbollah, you have the Iranian Guard. You have the opportunity for a safe heaven for terrorists constituting a new threat to the region with broader implications for our own security.

The refugee crisis and sectarian violence spread instability throughout the region. The King of Jordan was here 2 weeks ago and sat with our committee. He made it very clear, his population has already increased by 20 percent. At the rate it is going, the population of Jordan could double. That is not sustainable for the kingdom. This is one of the countries that has been one of our most significant and faithful allies, and a constructive ally in the region. We cannot afford for that ally to ultimately find itself in a position in which it could very well collapse. We look at all of that.

Finally, there could be no more strategic setback to Iran—which this body has spoken collectively and in a bipartisan united fashion to stop its march toward nuclear weapons—than to have the Asad regime collapse. That would be a tremendous setback to Iran and would cause a disruption in the terror pipeline between Iran and Hezbollah in Lebanon.

These are just some of the vital national security interests of the United States in changing the tide. Under the present set of circumstances, Asad believes he is winning. For so long, as he believes he is winning, he will continue the course he is on. There has to be a change in the tipping point.

After 2 years I believe there are those in the opposition—rebels we can and have thoroughly vetted—we can assist in trying to change that tipping point. If you have a monopoly on air power and on artillery, then the reality is you will not see a change on the ground.

So the legislation I have introduced and am working with colleagues on begins to move us in a different direction. It is to seek to arm thoroughly vetted elements of the Syrian opposition so we can change the tipping point. It is to, of course, continue to provide humanitarian assistance and at the same time work for the assistance of a transition fund to help those rebels that are already controlling parts of the civilian population to help them administer there and prepare for the future.

The key point is unless we change the dynamics on the ground, we will not have a change in the regime. So long as the regime can continue to bomb its citizens indiscriminately—and if the reports, as we have seen from various countries, including our own, suggest that Asad has used chemical weapons against his own citizens—that is only an invitation to allow him to continue to do it unless we act.

I am willing to consider other options. I know my colleague, Senator MCCAIN, very distinguished in this field, has suggested others. I am willing to consider those as well. But I think, finally, we strengthen the hand of the administration and Secretary Kerry. We all want to see a politically, diplomatically achieved solution. But in the absence of changing the calculus not only of Asad but of his supporters who have propped him up, unless they believe he will fall, I am not sure we have changed the calculus for the political opportunity to take place and the diplomacy to be effective.

I think these efforts strengthen the hand of the administration, create a parallel track that if diplomacy fails, we will have an opportunity to pursue our vital national interests and security interests, end the humanitarian tragedy, and create the type of stability we want to see in the region. I appreciate my colleague bringing us together on the floor of the Senate. I look forward to continuing to work with him.

I yield the floor.

Mr. MCCAIN. I thank the distinguished chairman. May I say, it has been a great pleasure for me to have the opportunity to serve on the Foreign Relations Committee, of which Senator MENENDEZ is the chairman. I think his stewardship of that committee has been outstanding. I appreciate the very articulate argument the

chairman just presented, including the strategic dimension of this whole issue which sometimes in our—particularly, when you focus so much on the humanitarian side, the strategic interest of the fall of Bashar Al-Asad is something which I think adds another dimension. I thank the Senator and chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I would just like to echo what Senator MCCAIN said about Senator MENENDEZ. I would like to, for the record, note that the tide of war in Syria changed today because of what is happening on the floor of the Senate. That may be hard for people to understand, but I really do not think so.

How do you change the tide of battle? You make it certain to the world that Asad will go, and you provide hope to those who are fighting him that they will prevail. I would suggest that a bipartisan consensus is forming in the Senate that now is the time to do more, not less, when it comes to Syria, including arming the rebels—the right rebels, the right opposition, with the right weapons, which will eventually change the tide of battle.

So to those who have been following this debate about Syria, to those who have been in the fight trying to topple this regime, I cannot stress to you how important today is in your cause. When you get Senator LEVIN and Senator MENENDEZ, two institutional, important figures because of their chairmanships, but beyond that, important because of who they are and what they bring to every debate around national security, combined with Senator MCCAIN and others, you have turned the tide in Washington.

As to Senator MCCAIN, he has been talking in the most eloquent terms for at least a couple of years about stopping this war in Syria, ending the Asad regime and replacing it with something better. He has been right, as he usually is. But now is not the time to look backward, it is to look forward.

I think an effort by the Senate and the House to acknowledge that the tide of war needs to change and we should be bolder in our support for the opposition is going to increase the likelihood of a peaceful solution through diplomacy.

The Russians have to know, after today, if they know anything about American politics, the game has changed when it comes to Asad, and this is a monumental sea change in terms of the war in Syria by having four Senators who care about such matters of foreign policy to speak out and say we will support arming the rebels and being more involved militarily.

To the opposition, this is a great day for you. To Asad, this seals your fate.

Now, what do we do and how do we do it? It will not all end tomorrow because of this colloquy today, but we are well on the way to ending this war. Here is

the choice: The current regime, which is evil to the core, and the imperfect opposition, which has been infected by radical Islam—you can fix the second one; you cannot fix the first. It is that simple to me.

The sooner the war ends the better, not only for saving people in Syria from further slaughter, but preventing what I think would be an erosion of our national security interests in four areas. If this war goes 6 more months, a failed state will emerge in Syria. It will be so fractured you cannot put it back together.

The 6,000 al-Qaida associated fighters will grow in number, and there will be a safe haven in Syria like there was in Afghanistan. That is not good for us. Unlike Afghanistan, there is enough chemical weapons in Syria to kill thousands if not millions of Americans and people who are our allies. I worry greatly not only that chemical weapons have been used in Syria on the opposition by the regime, but those same chemical weapons will be used in the future by radical Islamists against us.

The next bomb that goes off in America may have more than nails and glass in it. The only reason millions of Americans or thousands of Americans, hundreds of thousands have not been killed by radical Islamists is they cannot get the weapons to kill that many of us. They would if they could.

I have never seen a better opportunity for radical Islamists to get ahold of weapons of mass destruction than I see in Syria today. Every day that goes by their opportunity to acquire some of these weapons grows dramatically. If you ask me what I worry the most about with Syria and why we should get involved, it is for that very reason. If these weapons get compromised, they are going to fall into the hands of the people who will use them against us, and to believe otherwise would be incredibly naive.

Jordan. Probably the most stabilizing figure in the Mideast in these dangerous times is the King of Jordan. His country is being overrun by refugees. If this war goes on 6 more months, that is probably the end of his kingdom because it will create economic chaos and political instability. He will be a victim of the civil war in Syria, and it will have monumental consequences for our national security.

As we talk about Syria and chemical weapons falling into radical Islamists' hands, we are dealing with a radical regime in Iran that is marching toward building a nuclear weapon. If you think the ayatollahs in Iran are trying to build a nuclear powerplant at the bottom of a mountain, you are wrong. They are trying to build a nuclear weapon to ensure their survivability. God only knows what they would do with nuclear technology. But if you believe what they say, they would wipe Israel off the map, and we would be next. I tend to believe what they say.

If you allow Syria to continue to deteriorate and have a hands-off policy

toward Asad, then I think you are sending the worst possible signal to Iran. As Senator LEVIN said, really the only ally Iran has today is Asad in Syria. How can we convince the Iranians we are serious about their nuclear problem when we do not seem to be very serious about Asad using chemical weapons against his own people? What a terrible signal to send at one of the most important times.

I would end with this thought: This bipartisan consensus that is emerging today is going to pay great dividends. It is going to be helpful to the President. We can end this war sooner rather than later. But no matter what happens, there is going to be a second war in Syria, unfortunately.

That second war is going to be between radical Islamists who want to turn Syria into some kind of al-Qaida-inspired state, and the overwhelming majority of Syrians who want to live a better life and be our friends, not our enemies.

This war will occur after the fall of Asad. But it will end the right way. The sooner we get the first war over, the shorter the second war will be. I think we can bring this war to a close without boots on the ground. The sooner we act the better.

One last thought. To the opposition, you would be helping your cause if you would let the world know that you do not want Asad's chemical weapons; that the new Syria will not be a state that wants weapons of mass destruction; that you would agree these weapons should be controlled by the international community and destroyed; that you would agree to an international force coming on the ground with your blessing the day after Asad falls to secure these weapons and destroy them for all time. I think you would be helping your cause.

So I say to Senator MCCAIN, I really appreciate his leadership for a couple of years. But persistence does matter in politics and all things that are important. I think the Senator's persistence is paying off.

I say to Senator MENENDEZ and Senator LEVIN, what they have done today joining up in a bipartisan fashion is going to pay great dividends for our own national security interests. The way forward is pretty clear.

I say to President Obama, we want to be your ally. We want to be your supporter. We want you to get more involved, not less. We realize it is hard. We realize there are risks no matter what we do. But as Senator MCCAIN said before, the risk of doing nothing by continuing on the current track is far greater than getting involved in ending the war sooner.

Mr. MCCAIN. Can I just ask one question of my colleague? I understand recently he made a trip to the Middle East. There is nothing like seeing the terrible consequences of war. I understand the Senator visited a refugee camp.

Maybe for the benefit of our colleagues the Senator could take a

minute to describe the horrible conditions people who have now been made refugees have been subjected to and their failure to understand why we won't be able to be of more assistance to them.

Mr. GRAHAM. I thank the Senator for his question. It was one of the most compelling trips I have ever made to the Middle East. We went to Turkey, Jordan, and we went to a refugee camp in Jordan. Some 40,000 Syrian children are now in Jordanian schools. The burden on Jordan is immense, but when you talk to the people in the camps, what they have gone through and what their loved ones have gone through is heartbreaking.

From a national point of view, once you visit the camps, you understand what is at stake. They tell you about radical Islamists moving in. They want no part of them but at the end of the day they are having more influence because we are not in the fight. You can do this without boots on the ground.

The most chilling thing they tell us, which Senator MCCAIN, has been echoing for a long time, is their children are watching the United States. Like it or not, we have the reputation in the world that we can do almost anything.

Well, we can't do almost anything, but we are seen as a force for good. The people in Syria are beside themselves wondering where is America. America, to them, is an idea. They want to be like us because it means freedom, and it means economic opportunity. It means having a say about your children's future. They are dumbfounded that we are not more involved, given the stakes that exist in Syria. They tell us without any hesitation that the young people of Syria will remember this moment. They will hold this against us. I think I know what the Senator is telling us.

Here is the good news: There is still time to act. It doesn't have to end that way. The conditions in Syria are horrible. The refugee camps were beyond imagination. The U.N. is doing a great job, but they are running out of money. Jordan is about to fall if we don't stop this war.

From a human point of view, we have got to get this war over and America needs to be seen as part of the solution, not part of the problem. From a national security point of view, Syria is going to become a nightmare for the whole world, including the United States.

Mr. MCCAIN. Mr. President, I ask unanimous consent to have printed in the RECORD a Washington Post editorial entitled "Repercussions Of Inaction," a Wall Street Journal article, "U.S. Is Warned Russia Plans Syria Arms Sale," and, finally, a piece by Leon Wieseltier that is in the Washington Diarist.

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

[From the Washington Post, May 9, 2013]

#### THE REPERCUSSIONS OF INACTION

(Editorial)

There are grave risks in continuing the current U.S. policy toward Syria.

Opponents of U.S. intervention in Syria are adept at citing the risks of a more aggressive U.S. effort to bring down the regime of Bashar al-Assad. Weapons given to rebel fighters might end up in the hands of extremists, the skeptics say. U.S. air attacks or the creation of a no-fly zone would be challenged by formidable air defenses. U.S. intervention might increase the risk that the regime would resort to chemical weapons.

Above all, say the anti-interventionists, direct or even indirect U.S. engagement in the fighting would make Syria an American problem, saddling a war-weary country with another difficult, expensive and possibly unworkable nation-building mission.

These are serious objections, though we believe that some of the risks, such as the spread of weapons to jihadists, can be mitigated, while others, such as the strength of Syrian air defenses, have been exaggerated. Our greater concern is about the side of the discussion critics of intervention usually leave out—which is the risks that are incurred by failing to intervene.

What will unfold in Syria if the Obama administration persists with its policy of providing humanitarian and other non-lethal aid while standing back from the fighting? The most likely scenario is that Syria fractures along sectarian lines. An al-Qaeda affiliate, Jabhat al-Nusra, is already consolidating control over a swath of northeastern Syria; remnants of the regime, backed by Shiite fighters from Lebanon's Hezbollah movement, could take over a strip of the western coastline.

Such a splintering would almost certainly spread the sectarian warfare to Iraq and Lebanon, as it has to some extent already. That could cause the collapse of the Iraqi political system that was the legacy of the U.S. mission there. Chemical weapons stocks now controlled by the Assad regime would be up for grabs, probably forcing further interventions by Israel in order to prevent their acquisition by Hezbollah or al-Qaeda. Jordan, the most fragile U.S. ally in the Middle East, could collapse under the weight of Syrian refugees. Turkey and Saudi Arabia, which have been imploring the Obama administration to take steps to end the war, could conclude that the United States is no longer a reliable ally.

Of course, some of these consequences may come about whatever the United States does. But the best way of preventing them is to quickly tip the military balance against the Assad regime—something that would probably require an air campaign as well as arms for the moderate opposition. If the regime's fighting strength is decisively broken it might still be possible to force out the Assads and negotiate a political transition, as Secretary of State John F. Kerry aspires to do. For now, with the regime convinced it is winning, there is no such chance—and with each passing month Syria's breakup comes closer to reality.

In short, there are substantial risks for the United States if it intervenes in Syria but also grave dangers in its present policy. On Tuesday President Obama said his job was to "constantly measure" what actions were in the best U.S. interest. It's not an easy calculus, to be sure. But for two years, as Mr. Obama has heeded the warnings about U.S. engagement, the situation in Syria has grown more dangerous to U.S. interests. There are no good options, as everyone likes to say. But it's becoming increasingly clear

that the greatest risk to the United States lies in failing to take decisive action to end the Assad regime.

[From the Wall Street Journal, May 9, 2013]  
U.S. IS WARNED RUSSIA PLANS SYRIA ARMS SALE

(By Jay Solomon, Adam Entous and Julian E. Barnes)

WASHINGTON.—Israel has warned the U.S. that a Russian deal is imminent to sell advanced ground-to-air missile systems to Syria, weapons that would significantly boost the regime's ability to stave off intervention in its civil war.

U.S. officials said on Wednesday that they are analyzing the information Israel provided about the suspected sale of S-300 missile batteries to Syria, but wouldn't comment on whether they believed such a transfer was near.

Russian officials didn't immediately return requests to comment. The Russian Embassy in Washington has said its policy is not to comment on arms sales or transfers between Russia and other countries.

The government of President Bashar al-Assad has been seeking to purchase S-300 missile batteries—which can intercept both manned aircraft and guided missiles—from Moscow going back to the George W. Bush administration, U.S. officials said. Western nations have lobbied President Vladimir Putin's government not to go ahead with the sale. If Syria were to acquire and deploy the systems, it would make any international intervention in Syria far more complicated, according to U.S. and Middle East-based officials.

According to the information the Israelis provided in recent days, Syria has been making payments on a 2010 agreement with Moscow to buy four batteries for \$900 million. They cite financial transactions from the Syrian government, including one made this year through Russia's foreign-development bank, known as the VEB.

The package includes six launchers and 144 operational missiles, each with a range of 125 miles, according to the information the Israelis provided. The first shipment could come over the next three months, according to the Israelis' information, and be concluded by the end of the year. Russia is also expected to send two instruction teams to train Syria's military in operating the missile system, the Israelis say.

Russia has been Mr. Assad's most important international backer, outside of Iran, since the conflict in Syria started in March 2011, and supplies Syria with arms, funding and fuel. Russia maintains a naval port in Syria, its only outlet to the Mediterranean. Moscow also has publicly voiced worries that a collapsed Syria could fuel Islamist activities in its restive Caucasus regions.

Secretary of State John Kerry met with Mr. Putin on Tuesday in Moscow. The leaders said they would stage an international conference this month aimed at ending the civil war. U.S. officials couldn't say whether Messrs. Kerry and Putin or their teams discussed the arms sale.

British Prime Minister David Cameron is scheduled to visit Mr. Putin in Russia on Friday. The White House on Wednesday said Mr. Cameron would visit Washington on Monday to discuss issues including Syria's civil war and counterterrorism, plus trade and economic issues, with President Barack Obama.

The Obama administration has argued that Mr. Assad has to leave office as part of a political transition in Damascus. The Kremlin has maintained that he retains a large base of support and should be included in negotiations over a future Syrian government.

Should Mr. Putin's government go ahead with the sale, it would mark a significant escalation in the battle between Moscow and Washington over Syria. U.S. officials said they believe Russian technicians are already helping maintain the existing Syrian air-defense units.

The first air-defense deals between Russia and Syria date back decades. Russia in recent years has stepped up shipments to modernize Syria's targeting systems and make the air defenses mobile, and therefore much more difficult for Israel—and the U.S.—to overcome.

According to a U.S. intelligence assessment, Russia began shipping SA-22 Pantsir-S1 units to Syria in 2008. The system, a combination of surface-to-air missiles and 30mm antiaircraft guns, has a digital targeting system and is mounted on a combat vehicle, making it easy to move. Syria has 36 of the vehicles, according to the assessment.

In 2009, the Russians started upgrading Syria's outdated analog SA-3 surface-to-air missile systems, turning them into the SA-26 Pechora-2M system, which is mobile and digital, equipped with missiles with an operational range of 17 miles, according to the assessment.

The U.S. is particularly worried about another modernized system Moscow provides—the SA-5. With an operational range of 175 miles, SA-5 missiles could take out U.S. planes flying from Cyprus, a key North Atlantic Treaty Organization base that was used during Libya operations and would likely be vital in any Syrian operation.

The U.S. has stealth aircraft and ship-based, precision-guided missiles that could take out key air-defense sites. Gen. Martin Dempsey, chairman of the Joint Chiefs of Staff, has privately told the White House that shutting down the system could require weeks of bombing, putting U.S. fighter pilots in peril and diverting military resources from other priorities.

According to an analysis by the U.S. military's Joint Staff, Syrian air defenses are nearly five times more sophisticated than what existed in Libya before the NATO launched its air campaign there in 2011. Syrian air defenses are about 10 times more sophisticated than the system the U.S. and its allies faced in Serbia.

[From the Washington Diarist, May 7, 2013]  
STUNG!

(By Leon Wieseltier)

A reporter who visited the White House last week brought back the news that the criticism of President Obama's immobility about the Syrian disaster has "begun to sting." Good. Something got through. The president's sophistries about his "red line" helped, of course: he spoke his way into a predicament that he cannot speak his way out of, thereby damaging the article of faith about the magical powers of his speech. The press is full of reports that our policy may be changing, that we may finally supply weapons to rebels we can ideologically support, that we have identified such rebels under the leadership of General Salim Idris, and so on. "We are on an upward trajectory," a White House official told another reporter about these second thoughts, which only a short while ago it would have considered a downward trajectory. Obama, somewhat embarrassed by the implication that for two years he may have been in error about one of the most consequential crises of his presidency, is having the White House rehearse its old admonition about caution (its chin-stroking Kissingerian term for a doctrinaire timidity), but still something may be stirring. The Syrian use of sarin and the Israeli airstrikes (which were miraculously unimpeded by the

mythical power of Assad's air defenses) seem to have concentrated the West Wing mind. Is Obama being stung into action? I do not really believe it—his interventionism runs deep, philosophically and temperamentally; but in any event it is not too early to record a few lessons that can be extracted from this fiasco.

The bitterness of belatedness. There is nothing we know about Assad now that we did not know a year ago and longer. Not even his use of chemical weapons changes our understanding of him. His strategy in this crisis has always been to transform a democratic rebellion into a sectarian war, and his method for doing so has been to commit crimes against humanity. In the two years of American quiescence the Syrian situation has become only more dire, so that those who now plead that there are no perfect options are right. But there are imperfect options, which is often all that the Hobbesian life of nations anyway allows: we can still create pro-Western elements in the struggle for Syria after Assad, and deny Al Qaeda a government in Damascus, and stem the tide of the refugees that is shaking the entire region. But the road to a democratic Syria is now much longer and more twisted than it had to be. I say this not only in recrimination, but also because Obama's failure to act swiftly in the Syrian crisis reiterates one of the regular mistakes of American presidents after the cold war, which is to refuse to treat an emergency like an emergency. In many problems of statecraft, patience is a virtue and judiciousness the beginning of wisdom; but not in all. There are gross outrages against justice, such as the butchery of civilians, that must be acted against without delay or they have not been properly understood. Confronted by this degree of urgency, the difference between success and failure is time. Why do we have to keep rediscovering this? Must the learning curve of presidents always cost many thousands of lives? Has anyone at the White House read Samantha Power's book?

The cult of the exit strategy. A "senior American official who is involved in Syria policy" plaintively said this to Dexter Filkins of *The New Yorker*: "People on the Hill ask me, 'Why can't we do a no-fly zone? Why can't we do military strikes?' Of course we can do these things. The issue is, where will it stop?" The answer is, we don't know. But is the gift of prophecy really a requirement for historical action? Must we know the ending at the beginning? If so, then nobody would start a business, or a book, or a medical treatment, or a love affair, let alone an invasion of Normandy Beach. We can have certainty about our objectives but not about our circumstances. The most serious action is often improvisatory, though its purposes should always be clear. The prestige of "the exit strategy" in our culture is another American attempt to deny the contingency of experience and assert mastery over what cannot be mastered—in this instance, it is American control-freakishness applied to the use of American force. But we often engage with what we cannot master. No outcomes are assured, except perhaps when we do nothing. We do not need to control the realm in which we need to take action; we need only to have strong and defensible reasons and strong and defensible means, and to keep our wits, our analytical abilities, about us. After all, there are many ways, good and bad, to end a military commitment, as Obama himself has shown. All this talk of exiting is designed only to inhibit us from entering. Like its cousin "the slippery slope," "the exit strategy" is demagoguery masquerading as prudence.

The eclipse of humanitarianism. Seventy thousand people have died in the Syrian war,



most of them at the hands of their ruler. Since this number has appeared in the papers for many months, the actual number must be much higher. The slaughter is unceasing. But the debate about American intervention is increasingly conducted in "realist" terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. Those are all good reasons for the president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

Mr. MCCAIN. I thank my colleagues. I yield.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, for the interest of all Senators, I wanted to thank everyone for cooperating with us. We have handled a number of amendments, one quite controversial and nongermane, but we dealt with it. It is not on this bill, I am happy to say. We are trying to keep this bill a water infrastructure bill. There may be a few exceptions, but, for the most part, that is what we want because it will increase the chances of passage all the way through to get it to the President's desk.

The bill we are dealing with, the Water Resources Development Act, was last authorized in 2007. It is high time we did a follow-on bill. What we are talking about here is flood protection, projects we need all over the country to protect our people from the ravages of floods.

We need to make sure our ports are operational. I know my friend in the chair certainly deals with all these matters in his great and beautiful State of Hawaii. We need to make sure our ports are deep enough, they have enough funding to stay modernized, and can move that cargo in and out

with ease. We have environmental restoration. We have to take care of all of our water infrastructure.

I know Senator MERKLEY is here to say something about the bill, which I am very pleased about, so I am going to be very brief. I will talk for about 2 more minutes and say we have a great committee, the Environment and Public Works Committee, when it comes to infrastructure. We see eye to eye. We work together. Yes, we have our differences, but we can breach those differences.

This bill is a product of working together. It is a product of collaboration—not only in the committee where we work together, but even here when it got to the Senate. We have worked, Senator VITTER and I, with individual Members to meet all of their needs. There are no earmarks in this bill. Whatever we do is setting policy.

It is an exciting bill. It includes reforms I think are important. Most of all, I think the people at home are going to like it because it puts them in the driver's seat and protects them from delays and other problems as they move forward with projects their people need.

We have some terrific supporters of this legislation—I will close these early remarks—with organizations such as AFL-CIO, the Chamber of Commerce, the American Society of Civil Engineers, we have the Association of Equipment Manufacturers. We have many. I will show you the next chart and name a couple: The Transportation Construction Coalition, the United Brotherhood of Carpenters, storm management agency, surveyors, engineers. I think what you see here is mainstream America is behind this bill.

The bad news is our infrastructure has been rated at a D-plus. You can't be the greatest Nation in the world and have an infrastructure that is rated D-plus.

While we have major problems on other fronts in our committee—and I have to admit today was not a good day for me, the committee, or the American people, when the Republicans boycotted the markup of Gina McCarthy to be the head of the Environmental Protection Agency after she answered more than 1,000 questions. She is the most qualified ever to be nominated, having served, how about this, four Republican Governors.

What more do they want? The fact is 70 percent of the American people want clean air, want clean water, want safety reform. Gina McCarthy deserves a vote, not a boycott. They say they don't like her answers. Well, I am not surprised. She is not Mitt Romney's nominee for the EPA, she is not Rick Perry's nominee for the EPA, she is Barack Obama's nominee for the EPA. It is her position, as it is the President's, that we should enforce the Clean Water Act, the Safe Drinking Water Act, and so on.

When your Republican Presidents put up nominees for the EPA I didn't agree

with, I didn't filibuster them. I said, okay, I will vote no; let them go. It is a sad day for me on the environment side of our committee.

On the public works side of my committee, it is a good day, because we are making progress. We have now about a half dozen amendments that have been cleared on both sides. We are trying to make them pending. We cleared them. We are asking all Senators, please get your amendments in because this can't go on forever. We need to pass this bill, as 550,000 jobs are supported by this legislation. Hundreds and hundreds of businesses are looking forward to our doing this. That is why we have this amazing array of support.

With that, I would say to Senator MERKLEY, the floor is his.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise today to talk about one particular aspect of this bill, which is WIFIA. Before I explain what WIFIA is, I want to thank the Chair for managing this bill in a very bipartisan discussion of the committee. It has come to the floor with full committee examination, thorough debate, and amendment process. Here we are having a very thorough, visible, accountable process for considering this bill on the floor of the Senate. That is a very good example of the Senate working well. Thank you, Madam Chair.

Mrs. BOXER. I thank the Senator.

Mr. MERKLEY. The heart of the WIFIA program is about jobs. It is about infrastructure. Five years after the greatest economic crisis in 80 years, we still face a serious jobs crisis. Too many are out of work and too many are unemployed. A good, living-wage job is the most important pillar of the American dream. There is no public program that can compare to the importance of a living-wage job for the stability and success of a family. We have to do more to create those jobs, a lot more. Wouldn't it be great if we could both create jobs and fill a desperate national need at the same time?

Well, that is exactly what WIFIA—which is short for Water Infrastructure Finance and Innovation Act—does. Low-cost loans for water infrastructure projects create good jobs now while protecting our communities from devastating costs or public health crises in the future. WIFIA does all of this while making taxpayers money over time.

The need for water infrastructure is great. Across Oregon and across America, our infrastructure is aging. That aging infrastructure needs to be replaced. Our communities are growing. The demand for water infrastructure increases, whether it is water treatment on the front end or water treatment on the back end—sending water out to our homes and businesses and then treating it after it comes back. Much of our infrastructure is approaching the end of its lifespan and needs to be replaced.