

Thereupon, at 12:41 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

**U.S. TROOP READINESS, VETERANS' HEALTH, AND IRAQ ACCOUNTABILITY ACT, 2007—Continued**

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I send to the desk an updated version of an amendment I filed earlier today to H.R. 1591.

The PRESIDING OFFICER. Is there objection?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I want to cooperate with my friend and colleague. If the Senator would give us a few moments to go over that for the leadership to work that out. I do not do it as a matter of personal privilege but as speaking for our leader on this side. So if the Senator would withhold for a half an hour or so.

I would have to object to it. I do not personally object to it. I object for the leadership until it has an opportunity to examine the amendment.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. LUGAR. Mr. President, may I raise a question. Will the distinguished Senator be able to respond that I have submitted the amendment, in other words, that I would not have to reappear to resubmit the amendment at that time or is the Senator in a position to give us that assurance?

Mr. President, I have already submitted the amendment, and I am submitting an updated version of the amendment.

Mr. KENNEDY. Mr. President, is the Senator trying to perfect his own amendment?

Mr. LUGAR. Yes, and I am attempting to file the amendment. It was requested I appear in person to do so.

Mr. KENNEDY. Mr. President, if the Senator is requesting to alter his amendment, I have no objection to him doing so.

Mr. LUGAR. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

**AMENDMENT NO. 680**

(Purpose: To provide for an increase in the Federal minimum wage, and for other purposes)

Mr. KENNEDY. Mr. President, amendment No. 680 is at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, the pending amendment is set aside and the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself, Mr. ENZI, Mr. BAUCUS, and Mr. GRASSLEY, proposes an amendment numbered 680.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. KENNEDY. Mr. President, for the benefit of the Members, as they remember, we passed the substance of this legislation, I believe, 97 to 3. That is what is effectively the substance of this legislation. The House of Representatives has passed its own minimum wage. Because of the parliamentary complexities, we were unable to get this issue resolved. The House has included a minimum wage provision in their proposal.

We offer this proposal, which is an expression of the Senate. It has broad bipartisan support—Republican and Democrat. This will mean both pieces of legislation—the supplemental—will have the minimum wage, and then the conferees will be able to make their judgment. But out of it will come an increase in the minimum wage. So it is in that spirit. I am delighted to debate the minimum wage, but I think we had a good debate. We had, I think, close to 7 days' debate on it in the last few weeks, so I do not think that is necessary.

That is the current situation. That is the reason that legislation is pending at this time. I very much appreciate the cooperation of the floor managers in letting us get this at least up before the Senate at this time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment—is the distinguished Senator from North Carolina intending to manage this legislation?

Mr. BURR. Mr. President, the Senator from North Carolina is not intending to manage this side. Our manager is not here right now. I would ask the Senator from Oregon if he would withhold setting the current amendment aside. If he wishes to talk on an amendment, feel free to, but at this time I would have to object to setting aside the pending amendment.

Mr. WYDEN. Mr. President, I would be happy to do that.

**AMENDMENT NO. 709**

Mr. President, I ask unanimous consent to speak on the bipartisan amendment I will be offering as soon as we have a manager on the other side to conduct business.

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

The Senator is recognized.

Mr. WYDEN. Mr. President, in a few minutes I will offer a bipartisan amendment to address the great needs of rural communities across this country. It is an amendment I will offer on behalf of myself, the distinguished Senate majority leader, the chairman of the Senate Finance Committee, the chairman of the Senate Energy Committee; my colleague from Oregon, Senator SMITH; Senator CRAIG of Idaho, Senator DOMENICI, and a large additional group of Senators of both political parties who wish to see reauthorized the Secure Rural Schools and

Community Self-Determination Act which is also known as the County Payments Program.

Mr. President and colleagues, without this amendment, there is a very real prospect small counties in the rural West are going to fall into the Pacific Ocean. These small counties are now standing on the abyss because without county payments funding, they simply are not going to be able to pay for critical services such as law enforcement and rural education.

In Oregon, the sheriff of Grants Pass told me without county payments funding, he may have to call out the National Guard to protect public safety. The county commissioners of Curry County report that without county payments funding, they may have no choice but to dissolve their county altogether. Local officials in Coos County, just at the prospect of losing county payments funds, have already released prisoners from their jails. Local communities in many other States face similar hardships.

Some Senators may not yet be fully aware of what the county payments law is about, so I am going to give a brief explanation of how the program has come to be.

County payments are not welfare, but they are a more than 100-year-old Federal obligation that goes back to the creation of the Federal forest system. The deal was if Federal policy prevented local communities from maximizing their revenues from their forests, the Federal Government would provide a partial payment to these local communities so they could pay for essential services such as law enforcement and schools.

As environmental values changed in the 1990s, and these payments grew even smaller, Senator CRAIG of Idaho and I wrote the Secure Rural Schools and Community Self-Determination Act. That law compensated these rural communities for part of what they needed to pay for essential services. The act has worked extraordinarily well and expired at the end of last year.

In this amendment, our large bipartisan coalition—and I read only a number of the Senators from both political parties who are sponsoring this amendment—our large group seeks to put in place a new updated lifeline to small rural counties. County payments would be extended for 5 years and a new formula put in place to provide greater funding to more than 80 percent of the counties in our country. The formula is based on the current funding formula for county payments and the acreage of U.S. Forest Service and eligible Bureau of Land Management lands, along with a mechanism to focus support on those communities where there is greatest economic need.

In addition to the County Payments Program, this amendment also assists States with a similar program, the Payment in Lieu of Taxes Program. This is a program which compensates States for the loss of tax revenue from

Federal lands in their State. For the first time in modern history, this program will receive full funding, and it will result in additional support for each county with Federal land.

I note at this time, particularly, the exceptional work done by the chairman of the Senate Finance Committee, Senator BAUCUS, who, with Senator BINGAMAN and so many of our colleagues of both political parties, has been involved in these efforts. As a result of those combined efforts, this amendment is paid for with all funding beyond 2007 paid for by closing tax loopholes that have been identified by Senator BAUCUS, the chairman of the Senate Finance Committee.

This bipartisan amendment is supported by a diverse coalition, including the National Association of Counties, many labor organizations, and education advocates across the country. I urge the Senate this afternoon to recognize the exceptional urgency of this situation and to support the bipartisan effort to reauthorize the County Payments Program and to strengthen the Payment in Lieu of Taxes Program.

Rural communities across this country have been hit with a wrecking ball. With the change in environmental values, we have seen many of them, as they look to diversify their economies, reach out and find new industries, yet they have still had great difficulty in paying for essential services.

As they try to meet these challenges—and I am committed, as chairman of the Forestry Subcommittee, to work on finding new economic opportunities for these rural communities—the country should not turn its back on rural America as it looks to come up with vibrant, new economic prospects for the future.

These laws—the Secure Rural Schools and Community Self-Determination Act and the law that puts in place the Payment in Lieu of Taxes Program—provide essential funding and will be a lifeline as these communities work to transition into additional areas that make sense for resource-based economies.

Today, these small communities are asking the Senate to help them from falling into the abyss. The blow to rural communities, if they lose county payments, will be a crippling blow that, in my view, some rural counties simply will not be able to recover from.

Mr. President and colleagues, let us remember rural America as we consider this legislation. I hope Senators of both political parties will join the very large block of Democratic and Republican Senators who offer this amendment today.

Mr. President, we are waiting for a manager on the other side. A number of colleagues, particularly the Senator from Illinois, has been very gracious and very patient. I think what I wish to do is yield at this time. When a manager comes, we will resume deliberations.

I thank the Senator from Illinois for his patience.

The PRESIDING OFFICER. The Senator yields the floor.

Who seeks recognition?

The Senator from Illinois.

Mr. OBAMA. Mr. President, it is my understanding that at this point we cannot set aside the pending amendment because we are waiting for a floor manager.

The PRESIDING OFFICER. The Chair will advise the Senator from Illinois, unanimous consent needs to be sought and granted in order to proceed while the Cochran amendment is pending.

Mr. OBAMA. Mr. President, why don't I wait to find out whether it is possible for the Senator from Oregon to potentially call up his amendment. If not, then what I would like to do is speak on my amendment and find out when I can call up my amendment.

Mr. WYDEN. Mr. President, the Senator from Illinois has indicated he would speak very briefly. I ask unanimous consent that the Senator from Illinois could speak for his 5 minutes, and with the floor manager coming on to the floor, that we could then turn to the county payments legislation after the Senator from Illinois has spoken for 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Illinois is recognized for 5 minutes.

Mr. OBAMA. Mr. President, I ask unanimous consent that after I speak, if the Senator from Oregon is able to call up his amendment, I be able to call up my amendment as well thereafter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### AMENDMENT NO. 664

Mr. OBAMA. Mr. President, toward the end of World War II, Norman Rockwell created a cover for the Saturday Evening Post titled "Homecoming GI." It is a picture of a soldier returning from war. He has a duffle bag clutched in his left hand. He is looking up at the back of a brick building with laundry hanging from the back porch. A woman in an apron sees him with outstretched arms, and a young child races down the stairs. Everyone sees that soldier—the neighbors' kids, the man fixing the roof, faces from another window—and everyone welcomes that soldier who has come home from war.

That is what our Nation did for the millions of servicemembers who returned from the Atlantic and the Pacific. We watched them come home in waves. Some were just as strong as their first day in battle; others limped. We saw them crowd Times Square. We saw them walk down Main Street and sit on stoops. My grandfather, who fought in Patton's army, would often speak about this time as America at its finest. That homecoming didn't just happen; we were ready for it.

Long before the beaches of Normandy were stormed and the last battle was fought, in 1943 President Roosevelt said:

Among many other things, we are, today, laying plans for the return to civilian life of our gallant men and women in the armed services. They must not be demobilized into an environment of inflation and unemployment, to a place on a bread line, or on a corner selling apples. We must, this time, have plans ready instead of waiting to do a hasty, inefficient, and ill-considered job at the last moment.

These are the words of wisdom that we ignore at our peril.

Today we have more than 631,000 veterans from Iraq and Afghanistan and other parts of the global war on terror. According to a recent VA health care report, one-third—more than 205,000—have sought treatment at VA health facilities.

Even if the war in Iraq comes to an end soon—and I hope the Senate takes action this week to accomplish that goal—the war will live on with our servicemembers and their families for the rest of our lives.

Unfortunately, over the past month, we have all seen the disturbing pictures of neglect at Walter Reed. We have read about bats and bureaucratic redtape at the VA. We have seen too many stories about our veterans who have been forgotten—not greeted by the Nation that asked them to serve. The time has come for us to see this generation of veterans in all their valor and pain. We should provide them with a plan that is worthy of their courage and will help build back the military they love.

That is what Senator MCCASKILL and I are trying to do with the amendment we offer today.

First, we provide an additional \$41 million to hire more caseworkers to assist servicemembers navigating the military's bureaucracy. The last thing a wounded servicemember should have to face when they return home is a front line of paperwork and delay. Right now, the caseworker-to-servicemember ratio at Walter Reed is 1 to 50. Caseworkers help recovering soldiers schedule appointments, take care of their everyday needs, and fill out paperwork. Military caseworkers are overwhelmed. I understand the Army is reducing the caseworker-to-servicemember ratio to 1 to 17, and I applaud this move. Our amendment would help the military achieve this goal at all military hospitals.

Our amendment also provides \$30 million for the Armed Forces to create an Internet-based system for servicemembers to submit their paperwork electronically. No longer will amputees and servicemembers in wheelchairs have to go to countless offices to fill out duplicative forms only to learn that the forms have been lost in Government bureaucracy.

We also need to do more to increase the number of mental health crisis counselors available to assist recovering servicemembers and their families. Too many servicemembers are returning home with unmet mental health needs—stresses that are often experienced by their family members.

That is why our amendment provides \$17 million for more mental health crisis counselors.

While we all praise how our country treated the servicemembers returning from World War II, we must remember the lessons after Vietnam. The landmark National Vietnam Veterans Readjustment Study was congressionally mandated in 1983, 15 years after the height of that war. The completed report showed the vast majority of Vietnam veterans had successfully acclimated to postwar life.

We can't wait 15 years to plan and prepare for the readjustment needs of the servicemembers returning from Iraq and Afghanistan. The average age of a servicemember deployed since September 11 is 27. The average age of our Guard and Reserves is 33. Sixty percent of those deployed have family responsibilities, and 47 percent of those who have died have left families. Mr. President, 160,000 women have been deployed, and 10 percent of those women are single mothers. These men and women are going to face real challenges in readjusting to normal life.

Our amendment would provide for a study by the National Academy of Sciences of the mental health and readjustment needs of returning servicemembers. This study will assist the Department of Defense, the Veterans' Administration, and Congress in planning for the long-term needs of our veterans.

Last week I met a woman at Walter Reed. She is one of the 160,000 women who have been deployed, and she suffers from post-traumatic stress disorder. Most of us associate PTSD with men in combat, but many of the women in theater face firsthand dangers in their combat support roles. Driving a truck in Baghdad is one of the most dangerous missions around, and it is considered a support role. Women are witnessing the horrors of improvised explosive devices and the horrors of losing fellow servicemembers, and too many are experiencing the trauma of sexual harassment or abuse.

This young woman was very scared, and she trembled as we spoke. I asked her what we could do to help. She said that she could not handle group therapy sessions; she could only tolerate one-on-one sessions with counselors. Her experience is shared by many women. Treatment for women with PTSD, especially sexual abuse victims, is very different from treatment for men.

That is why as part of our amendment we want to provide \$15 million to address the unique mental health needs of women. This funding will ensure the development and implementation of a women's treatment program for mental health conditions, including PTSD. It will also include the hiring and training of sexual abuse counselors so that the servicemembers who suffer from this trauma do not have to suffer in silence. We can do this for the woman I

met at Walter Reed and the thousands who suffer like her.

The total cost of our amendment is \$103 million—less than one-tenth of 1 percent of the total cost of this bill. This is the least we can do for our servicemembers recovering at Walter Reed and other military hospitals.

I am proud that Veterans For America has endorsed our amendment, and I ask unanimous consent that their letter of endorsement be printed in the RECORD.

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

VETERANS FOR AMERICA,  
March 27, 2007.

DEAR SENATOR OBAMA: Veterans for America commends you for fighting to ensure that the service-related needs are met of the one and a half million men and women who have been deployed in our wars in Iraq and Afghanistan. We commend you for fighting to enact an amendment—based primarily on the provisions of the Dignity for Wounded Warriors Act (S. 713)—to the current emergency supplemental appropriations bill (S. 965).

This is the most important piece of legislation offered since the start of our wars in Iraq and Afghanistan.

Today's military is drastically different from any other we have ever sent to war. Too many of our troops are returning to a system that completely ignores their most urgent service-related health and readjustment needs.

One fact is quite striking: of the tens of billions of dollars spent to meet the needs of America's veterans, less than one percent is spent on this generation.

We waited almost 15 years after the end of the Vietnam War to examine the specific needs of my generation through the National Vietnam Veterans Readjustment Study. We fought hard for this study, and while we waited for its completion, tens of thousands of lives were shattered.

We cannot wait that long this time. The study included in your amendment will prevent us from failing thousands upon thousands of our service members and veterans. We must stop throwing money at a broken system that does not address the most urgent unmet needs of today's service members and veterans.

I also want to commend your efforts to recognize the challenges faced by women service members and veterans. The needs of women troops are being effectively ignored. This is a national disgrace.

Again, you have my sincere thanks and the thanks of millions of others who have proudly served our country.

Sincerely,

BOBBY MULLER,  
President.

Mr. OBAMA. I hope my colleagues will join me in supporting this amendment. At this point I turn the floor back to the Senator from Oregon, Mr. WYDEN, and I ask, if the floor managers are prepared, that I be able to call up this amendment after the Senator from Oregon does so with his amendment.

The PRESIDING OFFICER. Is there objection?

Mrs. MCCASKILL. Mr. President, I ask unanimous consent to speak to the Obama amendment and then go back to regular order.

The PRESIDING OFFICER. Is there objection?

Mr. OBAMA. Mr. President, I apologize. I should have allowed—

Mrs. MURRAY. Mr. President, if I could just clarify for all of us, could you tell us what the current unanimous consent agreement has in it?

The PRESIDING OFFICER. The pending amendment before the Senate is the Cochran amendment. The Senator from Illinois had asked unanimous consent to address the Senate for 5 minutes, and then when he completed, to yield back to Senator WYDEN to continue to discuss his amendment. There was no objection. Further, after the Wyden amendment was brought up, the next amendment to be offered would be that of the Senator from Illinois, Mr. OBAMA. There was no objection.

Mrs. MURRAY. Thank you, Mr. President.

The PRESIDING OFFICER. Without objection, the Senator from Missouri is recognized.

AMENDMENT NO. 664

Mrs. MCCASKILL. Mr. President, I rise to speak in favor of the amendment that will be offered by Senator OBAMA. Our amendment takes part of the legislation we have introduced, the Dignity for the Wounded Warriors Act, and moves it to the front of the line.

The question which has to be asked is, Why? Why is it important that this go into this bill at this time? There is a lot of talk about what should and shouldn't go into the supplemental. I think it is important we realize if we don't act immediately to begin to take the kind of care of our wounded they need to have, that they should have, that we are morally bound to give them, then we shouldn't be passing any more supplemental funding for any more activities in this war.

It is of primary importance to us that we take care of the men and women who have been wounded, who have given more than most Americans will ever give as it relates to this conflict in the Middle East.

I have to say, if you step back and look at this problem, it is not just the active military hospitals that this amendment deals with, but it is the entire system of medical care for our wounded and for our veterans.

I was struck last week when a report came out on all the veterans facilities around the country. This was an internal report done by the Veterans' Administration but contained in that report was a startling revelation. In that report they found there was a bat infestation in a veterans hospital in the State of the Senator from Oregon.

Now, one would think that if you found a bat infestation in a hospital alarms would go off, lights would signal, and the head of that hospital would step up and say: I failed. Oh, no. The head of that hospital said the bats had been helpful to the insect population. Understand that with this particular species of bat, there is more bacteria contained in an ounce of the droppings from this animal than any other species of bat. Microbiologists

yearn to study these droppings because of all of the bacteria that is contained in them.

Something is terribly wrong when we have a veterans hospital in this country that is putting up with an infestation of bats, and if we don't have it in us to fix this medical facility and all others like it in this country, then shame on us. Shame on our Nation that we can't do what we must do to take care of those who have taken care of us.

All the rhetoric about "support the troops"—forget about it if we can't do basic medical care for those who are coming home who are wounded. We specifically deal with that in our amendment, with the additional funds in this supplemental that we have added to the President's budget to care for our veterans and veterans facilities.

There is no job we have here that is more important. I hope my colleagues will support this amendment and the addition of about \$1.7 billion in funding to the supplemental for veterans care. They are both important. They are both moral imperatives. It is time we make that phrase—"support our troops"—more than a political phrase.

Mr. President, I yield to the Senator from Oregon, or to go back to regular order.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment, and I call up my bipartisan amendment on county payments and the payment in lieu of taxes.

Mr. COCHRAN. Mr. President, reserving the right to object, I do not intend to object but for the purpose of asking if there would be any objection to my offering an amendment on behalf of the Senator from Indiana, Mr. LUGAR, and then yielding to the Senator. We wouldn't have any debate, but we would just offer this amendment so it would be pending in the regular order.

Mr. WYDEN. I would be happy to proceed, but I recognize the manager on our side.

Mrs. MURRAY. Mr. President, if I could just clarify, is it amendment No. 690?

Mr. COCHRAN. It is amendment No. 690.

Mrs. MURRAY. Then we would not object.

#### AMENDMENT NO. 690

Mr. COCHRAN. Mr. President, I send to the desk an amendment on behalf of the Senator from Indiana, Mr. LUGAR.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. LUGAR, proposes an amendment numbered 690.

The amendment is as follows:

#### AMENDMENT NO. 690

(Purpose: To provide that, of the funds appropriated by this Act under the headings "DIPLOMATIC AND CONSULAR PROGRAMS" and "ECONOMIC SUPPORT FUND" (except for the Community Action Program), up to \$50,000,000 may be made available to support and maintain a civilian reserve corps)

On page 56, after line 18, insert the following:

#### CIVILIAN RESERVE CORPS

SEC. 1713. Of the funds appropriated by this Act under the headings "DIPLOMATIC AND CONSULAR PROGRAMS" and "ECONOMIC SUPPORT FUND" (except for the Community Action Program), up to \$50,000,000 may be made available to support and maintain a civilian reserve corps. Funds made available under this section shall be subject to the regular notification procedures of the Committees on Appropriations.

Mr. COCHRAN. I thank the Chair, and I thank the distinguished Senator from Oregon.

#### AMENDMENT NO. 709

Mr. WYDEN. Mr. President, I ask unanimous consent to set aside the pending amendment and to call up our bipartisan amendment on County Payments and the Payments in Lieu of Taxes Program.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself, Mr. REID, Mr. BAUCUS, Mr. BINGAMAN, Mr. SMITH, Ms. CANTWELL, Mr. DOMENICI, Mrs. BOXER, Mr. CRAIG, Mrs. MURRAY, Mr. CRAPO, Mr. TESTER, Mr. STEVENS, Mr. BENNETT, and Ms. MURKOWSKI, proposes an amendment numbered 709.

Mr. WYDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. WYDEN. Mr. President, a great many Senators of both political parties have signed on as cosponsors of this legislation: the distinguished Senate majority leader; the chairman of the Senate Finance Committee, Chairman BAUCUS; chairman of the Energy Committee, Senator BINGAMAN; Senators SMITH, DOMENICI, CRAIG, STEVENS, BENNETT, CANTWELL, BOXER, MURRAY, CRAPO, TESTER, and MURKOWSKI. A great many Senators have agreed to be cosponsors.

My understanding is that, perhaps, in a few minutes the Senate is going to be given a choice of two approaches on how to deal with this issue: the approach that I and a large bipartisan group of Senators are offering this afternoon or an approach that will be offered by the distinguished Senator from North Carolina, our colleague, Senator BURR, which, in my view, is very restrictive and, unfortunately, it is not in line with what Senator CRAIG and I sought to do on a bipartisan basis back in 2000.

Our law that was enacted at that time was called the Secure Rural

Schools and Community Self-Determination Act. Unfortunately, as I understand it, the proposal offered by the distinguished Senator from North Carolina would, for example, make it very difficult for local law enforcement to get some of these essential dollars that have been absolutely critical to public safety for all these years.

My view is that, under our bipartisan proposal, local law enforcement would have at least a fair measure of the resources they need to fight methamphetamine in local communities across the country. Our colleague from North Carolina, in his approach, would not make that possible.

So I hope that, as colleagues consider this debate, they will vote in favor of the amendment I offer this afternoon, on behalf of the large group of Senators of both political parties who have been intimately involved in this program for many years.

Our amendment is fully paid for through the good work of the chairman of the Senate Finance Committee, and I hope our colleagues will vote for our amendment and will reject the amendment of the Senator from North Carolina, which is much more restrictive and, unfortunately, forgets the second part of the legislation that is so vital to rural communities and that is law enforcement and roads and other essential services.

I had a chance to speak on this earlier, so I will be brief. Other colleagues would like to speak as well. The reality in rural America and the rural West is that communities are about to fall off a financial cliff.

They are going to lose these essential funds that have been part of a Federal obligation for more than a hundred years. It is not a welfare program. It is not some kind of a handout that goes to rural communities in the West. These are communities where the Federal Government owns most of the land. The local community is not allowed to maximize its revenues on those lands because the Federal Government has essentially said we are not going to treat them as private property, where you generate a sale and revenue and you pay for essential services.

So the Federal Government entered into an agreement more than a hundred years ago to provide compensation to those local communities where the Federal Government owned most of the land. What our bipartisan group wants to do is update and modernize that obligation that was incurred more than a hundred years ago when the Federal forest system was established.

Our amendment would resolve the budget crisis that is confronting rural communities by fully funding the County Payments Program for 2007, and then we set in place a formula that was negotiated for many months through a large group of Senators.

I have the chart indicating the new formula that has been put into place. It makes it very clear that Senators understand this program, because of the

will of this body, ought to be modernized. That is what we have done. But in addition to that effort, we have made sure the Payment in Lieu of Taxes Program, which compensates States for the loss of tax revenue from Federal lands in that State, would receive support as well. And every county in our country with Federal land would benefit from this particular program. The emergency funding is what gets us over the first year of the program; it is a 5-year program. Senator BAUCUS has been willing because he feels strongly about making sure when the Federal Government steps in and goes to bat for rural communities, that it will be fully paid for. On the Senate Finance Committee, because of Chairman BAUCUS's leadership, we are going to raise those funds by closing tax loopholes.

I know my friend from North Carolina is going to speak in a moment. I wish to note, again, a number of colleagues on the other side of the aisle who are supporting this: Senators SMITH, DOMENICI, CRAIG, CRAPO, STEVENS, BENNETT, and MURKOWSKI. They have all said that this amendment is the way to go if you want to stand up for rural communities. But if you want to make a break with 100 years' worth of history and not even give rural communities the opportunity to get support, as they historically have, for local law enforcement, then Senators can vote for the amendment offered by our colleague from North Carolina, Senator BURR. I hope my colleagues will not do that.

We are going to have two votes. One will be on the amendment I offered with that large bipartisan group of Senators I listed. I hope Senators will vote in favor of that amendment.

There will be another amendment offered by the Senator from North Carolina. For the reasons I have described this afternoon, I hope Senators will vote against that. Keep in mind that under the amendment offered by the Senator from North Carolina, if you have people who are concerned about local law enforcement they are not, under the amendment of the Senator from North Carolina, going to be able to get support as it relates to law enforcement—the needed support to fight meth and to be able to protect public safety in their communities. That is why the large coalition I have described this afternoon is in favor of what I am proposing.

The Senator from North Carolina has come to the floor. I have enormous respect for him. He is going to be the ranking member on the subcommittee. We don't happen to see eye to eye on this issue. I point out that the predecessor of the Senator from North Carolina, Senator CRAIG, is a cosponsor of this amendment. He remembers the history from back in 2000, when we came together. It is my intent to allow the Senator from North Carolina time to offer his amendment as well, and then at that time I would like to respond to what the distinguished Sen-

ator from North Carolina said about his amendment.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, is it possible for the Senator from Oregon to yield to me briefly so I could call up an amendment? I will call it up, would not discuss it and it can then be set aside and we can immediately go to the Senator from North Carolina.

Mr. WYDEN. I have no objection.

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

AMENDMENT NO. 664

Mr. OBAMA. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may call up amendment No. 664.

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

The clerk will report.

The assistant legislative read as follows:

The Senator from Illinois [Mr. OBAMA], for himself, Mrs. MCCASKILL, Ms. MIKULSKI, Mr. HARKIN, Mr. KERRY, Ms. CANTWELL, Mr. BIDEN, Mr. BINGAMAN, Mr. CASEY, Mr. DURBIN, and Mr. BAUCUS, proposes an amendment numbered 664.

Mr. OBAMA. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriate an additional \$58,000,000 for Defense Health program for additional mental health and related personnel, an additional \$10,000,000 for operation and maintenance for each of the military departments for improved physical disability evaluations of members of the Armed Forces, and an additional \$15,000,000 for Defense Health Program for women's mental health services)

At the end of chapter 3 of title I, add the following:

**SEC. 1316. ADDITIONAL AMOUNT FOR DEFENSE HEALTH PROGRAM FOR ADDITIONAL MENTAL HEALTH AND RELATED PERSONNEL.**

The amount appropriated or otherwise made available by this chapter under the heading "DEFENSE HEALTH PROGRAM" is hereby increased by \$58,000,000, with the amount of the increase to be available for additional caseworkers at military medical treatment facilities and other military facilities housing patients to participate in, enhance, and assist the Physical Disability Evaluation System (PDES) process, and for additional mental health and mental crisis counselors at military medical treatment facilities and other military facilities housing patients for services for members of the Armed Forces and their families.

**SEC. 1317. ADDITIONAL AMOUNTS FOR OPERATION AND MAINTENANCE FOR THE MILITARY DEPARTMENTS FOR IMPROVED PHYSICAL DISABILITY EVALUATIONS OF MEMBERS OF THE ARMED FORCES.**

(a) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, ARMY.—The amount appropriated or otherwise made available by this chapter under the heading "OPERATION AND MAINTENANCE, ARMY" is hereby increased by \$10,000,000, with the amount of the increase to be available in accordance with subsection (d).

(b) ADDITIONAL AMOUNTS FOR OPERATION AND MAINTENANCE FOR DEPARTMENT OF THE

NAVY.—The aggregate amount appropriated or otherwise made available by this chapter under the headings "OPERATION AND MAINTENANCE, NAVY" and "OPERATION AND MAINTENANCE, MARINE CORPS" is hereby increased by \$10,000,000, with the amount of the increase to be available in accordance with subsection (d).

(c) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, AIR FORCE.—The amount appropriated or otherwise made available by this chapter under the heading "OPERATION AND MAINTENANCE, AIR FORCE" is hereby increased by \$10,000,000, with the amount of the increase to be available in accordance with subsection (d).

(d) INTERNET ACCESS TO PHYSICAL DISABILITY EVALUATIONS OF MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—Each Secretary of a military department shall, utilizing amounts appropriated by the applicable subsection of this section, develop and implement an Internet website to permit members of the Armed Forces who are subject to the Physical Disability Evaluation system of such military department to participate in such system through the Internet.

(2) ELEMENTS.—Each Internet website under paragraph (1) shall include the following:

(A) The availability of any forms required for the utilization of the physical disability evaluation system concerned by members of the Armed Forces who are subject to such system.

(B) Secure mechanisms for the submission of forms described in subparagraph (A) by members of the Armed Forces described in that subparagraph, and for the tracking by such members of the acceptance and review of any forms so submitted.

(C) Secure mechanisms for advising members of the Armed Forces described in subparagraph (A) of any additional information, forms, or other items that are required for the acceptance and review of any forms so submitted.

(D) The continuous availability of assistance for members of the Armed Forces described in subparagraph (A), including assistance through the caseworkers assigned to such members, in submitting and tracking forms, including assistance in obtaining information, forms, or other items described by subparagraph (C).

**SEC. 1318. ADDITIONAL AMOUNT FOR DEFENSE HEALTH PROGRAM FOR WOMEN'S MENTAL HEALTH SERVICES.**

The amount appropriated or otherwise made available by this chapter under the heading "DEFENSE HEALTH PROGRAM" is hereby increased by \$15,000,000, with the amount of the increase to be available for the development and implementation of a women's mental health treatment program for women members of the Armed Forces to help screen and treat women members of the Armed Forces, including services and treatment for women who have experienced post-traumatic stress disorder and services and treatment for women who have experienced sexual assault or abuse, which services shall include the hiring and training of sexual abuse crisis counselors for members of the Armed Forces who have experienced sexual abuse or assault.

**SEC. 1319. STUDY ON MENTAL HEALTH AND READJUSTMENT NEEDS OF MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WHO DEPLOYED IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM AND THEIR FAMILIES.**

(a) IN GENERAL.—Using amounts appropriated or otherwise made available by this chapter under the heading "DEFENSE HEALTH PROGRAM", the Secretary of Defense shall, in

consultation with the Secretary of Veterans Affairs, enter into an agreement with the National Academy of Sciences for a study on the mental health and readjustment needs of members and former members of the Armed Forces who deployed in Operation Iraqi Freedom or Operation Enduring Freedom and their families as a result of such deployment.

(b) PHASES.—The study required under subsection (a) shall consist of two phases:

(1) A preliminary phase, to be completed not later than 180 days after the date of the enactment of this Act, to determine the parameters of the final phase of the study under paragraph (2).

(2) A second phase, to be completed not later than two years after the date of the enactment of this Act, to carry out a comprehensive assessment, in accordance with the parameters identified under paragraph (1), of the mental health and readjustment needs of members and former members of the Armed Forces who deployed in Operation Iraqi Freedom or Operation Enduring Freedom and their families as a result of such deployment.

(c) REPORTS.—The Secretary of Defense shall submit to Congress, and make available to the public, a comprehensive report on each phase of the study required under subsection (a) not later than 30 days after the date of the completion of such phase of the study.

Mr. OBAMA. I ask unanimous consent that Senators CASEY, BAUCUS, and DURBIN be added as cosponsors.

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

The Senator from North Carolina is recognized.

Mr. BURR. Madam President, I ask unanimous consent to set the pending amendment aside.

The PRESIDING OFFICER (Mrs. MCCASKILL). Without objection, it is so ordered.

#### AMENDMENT NO. 709

Mr. BURR. Madam President, I ask unanimous consent to resume consideration of the Wyden amendment.

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

Mr. BURR. Madam President, I have deep respect for my colleague, Senator WYDEN. We worked together in the House. We will work together in the Senate. As he said, this is a small disagreement we have because I believe when you have a bill that says this money is going to be used for schools and communities, we should make a commitment that this money in fact does go to our Nation's schools. Today, through my amendment, we have an opportunity to make an obligation to education.

Seventy percent of our children in high school today graduate on time. In North Carolina it is 68 percent. That is 32 percent of students who don't graduate on time. We hear on the floor of this institution state all the time that there's a need to make a commitment to education. And I believe we need to make a commitment to it.

I believe we need to make a commitment on this bill. This program was set to sunset this year. That means the Congress, in the past, set this program to expire, to go away; that the Federal Government had met its obligation. I

don't disagree with the Senators from Oregon, Senator WYDEN and Senator SMITH, who have both been instrumental on this. North Carolina is a beneficiary. We have a tremendous amount of public land. I think it should continue. But at a time that we are required to prioritize where we make our investment, I believe we would help every community by saying 80 percent of the new money—not the money we were using up until this point but the almost \$500 million of additional money per year we are going to pump into this program, all new money, that 80 percent of it ought to be used for our schools. It ought to be used for public education and ought to be there to support school construction, K through 12, No Child Left Behind. It ought to focus on high school graduation.

We should take America's high school children from 70 percent graduation and drive it to 100 percent graduation. I heard the argument this was about economic development, about communities, about law enforcement. If you solve education, you lessen the need for law enforcement. The reason we need so many cops on the beat today, that we need more schools, is because our children don't have the skills to compete in the job market. So, yes, we can add policemen and make all Federal dollars open for every community to decide how they use them, but let me assure you, if we don't educate our children, no matter how much money is pumped into those communities, they will have cancer in them.

What am I doing? It is very simple. I am going to offer an amendment that requires 80 to 85 percent of the new dollars to be devoted solely to education. That way every community that is the beneficiary of this money—Oregon, with millions of dollars, and North Carolina, with the several million dollars it gets. It is not enough to solve the education problem, but it shows a commitment on our part to make sure we are willing to contribute the Federal dollars that are available to begin to address this cancer our kids have succumbed to.

#### AMENDMENT NO. 716 TO AMENDMENT NO. 709

At this time, Madam President, I send to the desk a second-degree amendment to the Wyden amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] proposes amendment numbered 716 to amendment No. 709.

Mr. BURR. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require that payments to eligible States and eligible counties only be used for public schools)

Beginning on page 13, strike line 22 and all that follows through page 17, line 18, and insert the following:

“(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to eligible counties shall be expended only for public schools of the eligible county.

“(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

“(1) ALLOCATIONS.—

“(A) IN GENERAL.—Except as provided in paragraph (3)(B), if an eligible county elects to receive its share of the State payment or the county payment, not less than 80 percent, but not more than 85 percent, of the funds shall be expended only for public schools of the eligible county.

“(B) ELECTION AS TO USE OF BALANCE.—Except as provided in subparagraph (C), an eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

“(i) Reserve any portion of the balance for projects in accordance with title II.

“(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

“(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.

“(C) COUNTIES WITH MODEST DISTRIBUTIONS.—In the case of each eligible county to which more than \$100,000, but less than \$350,000, is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county, with respect to the balance of any funds not expended pursuant to subparagraph (A) for that fiscal year, shall—

“(i) reserve any portion of the balance for—

“(I) carrying out projects under title II;

“(II) carrying out projects under title III;

or

“(III) a combination of the purposes described in subclauses (I) and (II); or

“(ii) return the portion of the balance not reserved under clause (i) to the Treasury of the United States.

“(2) DISTRIBUTION OF FUNDS.—

“(A) IN GENERAL.—Funds reserved by an eligible county under subparagraph (B)(i) or (C)(i)(I) of paragraph (1) shall be deposited in a special account in the Treasury of the United States.

“(B) AVAILABILITY.—Amounts deposited under subparagraph (A) shall—

“(i) be available for expenditure by the Secretary concerned, without further appropriation; and

“(ii) remain available until expended in accordance with title II.

“(3) ELECTION.—

“(A) NOTIFICATION.—

“(i) IN GENERAL.—An eligible county shall notify the Secretary concerned of an election by the eligible county under this subsection not later than September 30 of each fiscal year.

“(ii) FAILURE TO ELECT.—Except as provided in subparagraph (B), if the eligible county fails to make an election by the date specified in clause (i), the eligible county shall—

“(I) be considered to have elected to expend 85 percent of the funds in accordance with paragraph (1)(A); and

“(II) return the balance to the Treasury of the United States.

“(B) COUNTIES WITH MINOR DISTRIBUTIONS.—In the case of each eligible county to which less than \$100,000 is distributed for any fiscal

year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county may elect to expend all the funds for public schools in the eligible county.

Mr. BURR. Madam President, it is very simple. The question before us, whether it is a side-by-side we decide on or a second-degree amendment, is: Are we going to commit to using part of these Federal dollars that States deserve—because it is in many cases in lieu of Federal payments for a tax—are we going to commit those to local school systems to educate our children? That is the decision we will have.

At the end of the day, I am going to support Wyden-Reid-Baucus-Bingaman, and however many more people go on the chart before we actually have a vote, but before that vote we will have a decision as to whether we are going to make a commitment to education in this country, and I urge my colleagues to vote in favor of that.

Mr. WYDEN. Madam President, I see the distinguished Senator from Arizona is here, but I wish to briefly respond to the comments of Senator BURR.

When we do vote, again I would highlight that I hope Senators, on a bipartisan basis, for the amendment I am offering on behalf of the large group that includes Senator SMITH, Senator DOMENICI, Senator CRAIG, Senator MURKOWSKI, and a great many Senators on the other side, virtually every Democrat, will reject the Burr amendment. Here is the difference, and it is striking.

The Burr amendment, offered by our distinguished colleague from North Carolina, sets in place a Federal mandate. It is a one-size-fits-all approach that somehow we ought to decide here in Washington, DC what happens in these local communities. What I have decided, with our bipartisan coalition, is we ought to have an approach that gives local communities a lot of flexibility and a lot of freedom to design approaches that are tailor made to their area.

I have mentioned law enforcement, for example, as one critical area a local community might want to support under the approach I offer with our bipartisan group but which cannot be offered under the approach of the distinguished Senator from North Carolina, and there would be other examples as well.

For example, if a community was concerned about its roads and was troubled about the prospect that their roads were dangerous, so that, for example, in the snowy seasons it would be treacherous for kids to get to school, under our amendment local communities would have the flexibility to support some of that upkeep for local roads. I have been told in communities such as Fossil, in my home State, they don't think they even have a roads program without the county payments legislation. So there are stark differences between the approach offered by the Senator from North

Carolina and the bipartisan approach I am offering today with many of our colleagues.

At the end of the day, the difference is the Senator from North Carolina is offering a Federal mandate which ties the hands of local communities and local school districts, and I gather is one of the reasons some educational advocates have already come out against the amendment of the Senator from North Carolina.

I hope our colleagues will support the approach we are advocating today which gives local communities real flexibility, ensures that the Federal Government is keeping its obligation—its more than 100-year obligation—to these rural communities, but updates it, as we have sought to do with this payment in lieu of taxes provision in our amendment and with the new formula—a formula, as the distinguished Senator from Washington, the manager of the legislation, mentioned was arrived at only through some very difficult negotiations with many Senators involved.

So when Senators vote in a few minutes, I hope they will support the amendment I am offering today, with the large group of bipartisan sponsors, and reject the amendment offered by the Senator from North Carolina which, in my view, is a Federal mandate that greatly limits the ability to make the best use of these county payments dollars.

Mrs. FEINSTEIN. Madam President, I rise today in support of Senator WYDEN's amendment to the emergency supplemental appropriations bill that would provide critical funding for a multiyear extension of the Secure Rural Schools and Community Self-Determination Act and fully fund the Payment in Lieu of Taxes, PILT, Program.

This amendment provides nearly \$5 billion for rural schools, counties and communities through 2012—crucial to California's rural counties, which face a devastating loss in Federal funding.

Last Thursday, March 22, my colleagues and I on the Senate Appropriations Committee approved the inclusion of \$425 million in emergency appropriations to fund the Secure Rural Schools program for 1 year in the emergency supplemental—helping to immediately address the pending budget crisis confronting over 700 counties in 39 States, including my State of California.

This emergency funding adds \$425 million to the \$100 million available from the 25 percent of receipts that compensate counties for reductions in timber harvest on public lands.

However, our counties should not have to rely on emergency funding year after year and be faced with such uncertainty.

We must provide our rural counties with a stable funding stream so that they are not in the same dire situation next year and can plan for the future.

This amendment, supported by the National Association of County Offi-

cial, the National Forest Counties and Schools Coalition, and the National Education Association, would maintain a safety net for counties while gliding down funding in a predictable manner so counties can fiscally prepare for the future.

Specifically, this amendment would provide \$2.8 billion in funding over 5 years for a multiyear extension of the Secure Rural Schools Program. It would also provide \$1.9 billion to fund the Payment in Lieu of Taxes, PILT, Program for 5 years, from 2008 through 2012. This program compensates States for the loss of tax revenue from Federal lands in the State. It would also provide funding beyond fiscal year 2007 to be fully paid for by a combination of tax offsets.

In addition, it would provide California, Oregon, and Washington with additional transition funding in the early years to minimize the effects of the overall decline of the total authorization level to \$379 million in 2011 under the Secure Rural Schools Program. The additional transition funding for these States—California, Oregon, and Washington—would also help counties with adjusting to the new funding formula under the Secure Rural Schools Program.

The new funding formula would be based on the current formula of historical payments and the current acreage of U.S. Forest Service and eligible Bureau of Land Management lands, along with mechanism to focus support on those communities in greatest economic need.

Under this amendment, California's counties would receive \$283 million in funding from fiscal year 2007 to fiscal year 2011 from the Secure Rural Schools Program. Without this funding, mostly rural California counties would face sudden, catastrophic cuts. Counties in California would lose \$57 million this year alone if the Secure Rural Schools Program is not extended.

Last year, California's counties received \$69 million to fund their schools and road and forest improvement projects from this program. The loss of these Federal funds would have a devastating impact on California's rural counties, resulting in school closures, teacher layoffs, and some schools could even face bankruptcy or State takeover. Furthermore, essential road and forest improvement projects would be jeopardized.

For example, Trinity County received almost \$8 million in funding, and all school districts in the county could be faced with bankruptcy and would have to eliminate the school curriculum, cut one full-time school nurse—leaving one nurse to cover the entire 4,000-square-mile county—and cut music and arts programs.

Plumas County, which received \$7.5 million, would have to lay off teachers—resulting in increased class sizes in grades K through 12—eliminate all school librarians, and close school cafeterias.

Lassen County received \$4 million, and over half of the 10 school districts in the county would be faced with budget insolvency—resulting in school libraries being closed, teacher layoffs, the elimination of school-based health services, and the reduction of teacher training and student textbooks.

We simply cannot allow this to happen.

It is critical that we provide immediate and long-term funding to our rural counties that depend on the Secure Rural Schools Program for their livelihood.

This amendment would also fund the Payment in Lieu of Taxes, PILT, Program, providing \$1.9 billion over 5 years.

This means California would receive an estimated \$11 million or more in additional dollars annually on top of the \$21 million the State currently receives from the Payment in Lieu of Taxes Program.

In recognition of the reality that Federal lands pay no local property taxes, PILT compensates counties for the Federal lands within their borders. PILT compensation is especially important for rural counties with heavy concentrations of Federal lands that reduce their available tax base.

I urge my colleagues to support this amendment so we can ensure that our Nation's rural counties continue to receive much needed resources to serve their schools and communities.

Mr. CRAPO. Madam President, I rise today in support of the funding provided in the supplemental appropriations legislation for continuation of the Secure Rural Schools and Community Self-Determination Act, and the 5-year reauthorization of the program through the Wyden amendment. Counties and school districts across this country are poised to cut much needed jobs and services without this continuation. Many of us have heard the urgent calls from constituents. The message has been clear—"Please help us." And, I'm proud to answer that call by supporting this reauthorization.

For example, Idaho's Fremont County is one of the counties across the State and Nation that have been faced with a dire situation. Fremont County is looking at not only eliminating road and bridge services but also students would be impacted by a loss of nursing services for students, playground and safety equipment at elementary schools, library books, and continuing education instructions. Counties across Idaho face similar difficult emergency situations.

Ideally, management of our forested land would generate the revenue necessary to assist with services in cash-strapped communities with large amounts of federally owned land. Unfortunately, that just hasn't been the case for some time. We must continue to work to remove impediments to forest health and productivity. However, in the meantime, Congress must commit the resources necessary to ensure

that rural communities across this country do not have to forgo road maintenance, close libraries, and make cuts to children's education. Anything less is unacceptable.

The legislation before us today would respond by fully funding PILT through 2012 reauthorizing Secure Rural Schools through 2011, reauthorizing the valuable Resource Advisory Committees, RACs, and phasing down the payments over time. I urge other Senators to join me in supporting this amendment that fulfills the responsibility to these communities that shoulder the local cost of the public lands we all enjoy.

Thank you for the opportunity to share a few words.

Madam President, I yield the floor.

Mrs. MURRAY. Madam President, I thank the Senator from Oregon for offering this amendment.

Madam President, I ask unanimous consent that Senator SALAZAR be allowed to speak for 3 minutes on the pending amendment, and that Senator MCCAIN, who has been waiting, follow Senator SALAZAR with his comments.

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

The Senator from Colorado is recognized for 3 minutes.

Mr. SALAZAR. Madam President, I thank my good friend, the distinguished Senator from Arizona, and I thank Senator MURRAY and Senator WYDEN as well.

I wish to make two quick points in support of the amendment Senator WYDEN and our colleagues have brought to the Senate floor today.

The reality of the West in America is so much of our lands are owned by the Federal Government. We have about a third of the entire State of Colorado—and it is a big State, but it is about a third of that State—that is owned by the Federal Government. In some of those counties in my State, 95 to 98 percent of the lands is owned by the Federal Government as well. So they have been dependent on payments in lieu of taxes in order for them to be able to pay the expenses of their government.

Unfortunately, what has happened over many years in the past is there has not been the full funding of the Payment in Lieu of Taxes Program. The consequence of that is some of these small rural counties in my State of Colorado have not had the financial wherewithal to be able to move forward with the functioning of their government. I am hopeful the bipartisan coalition Senator WYDEN has put together will help us move forward in the full funding of the bill.

Secondly, I wish to make a quick comment about the Secure Rural Schools and Community Self-Determination Act of 2000. I fully support that part of this legislation. I know the importance of funding for those rural school districts. The rural school district I grew up in would receive about one-half of the funding that is being

spent in other school districts in the metropolitan areas. What this funding will do is help equalize the amount of funding we are putting into equal education opportunity for all people, so it doesn't matter whether you come from a wealthy urban area or you come from one of the poorest, most rural, remote areas, there will be that funding assistance so everyone in America has an equal educational opportunity.

Madam President, I yield the floor again, thanking my colleagues and Senator MCCAIN for yielding to me first.

Mrs. MURRAY. Madam President, I ask unanimous consent that following the Senator from Arizona, the Senator from Virginia be recognized for 7 minutes.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to set aside the pending amendment.

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

Mr. MCCAIN. Madam President, I rise in support of the amendment which we will be voting on at 5 p.m. that would, according to, I believe, the unanimous consent agreement, strike the language in this bill calling for a withdrawal of American forces from Iraq. These same provisions were rejected by the Senate 2 weeks ago by a 48-to-50 vote. Now here we are debating the same provisions that have the same serious problems. I hope they will be rejected again by the same, if not a larger, margin. Supporters of this provision say they want a date certain for a U.S. withdrawal from Iraq, but what they have offered us is more accurately described as a date certain for surrender—a date certain for surrender—with grave consequences for the future of Iraq, the stability of the Middle East, and the security of Americans at home and abroad. And they offer it just as the situation in Iraq, though still fraught with difficult challenges, is beginning to improve.

The new developments argue for more effort in Iraq rather than the withdrawal advocated by this bill's sponsors. As my colleagues know, I have been critical of the conduct of this war since 2003, and I very much regret that only now, 4 years into the conflict, are we beginning to implement the kind of strategy that was necessary from the start: a traditional counterinsurgency strategy that emphasizes protection of the population, economic development, and political progress, all with troop levels appropriate for the mission.

We are seeing today the emergence of precisely such a strategy. I would emphasize this point: This new plan is not "stay the course." We are not staying the course in Iraq and I would not support the status quo any more than I have over the past 4 years. Nor have we



merely deployed a new commander, however capable, and additional forces. America is engaged today in a fundamentally new strategy, a new approach to the war, an approach that is already showing encouraging signs that it might succeed.

Until now, U.S. forces did not attempt to defeat the insurgency and the terrorists, protect the population, and end the violence so political and economic progress could occur. Most American troops spent their days on large forward-operating bases making forays out into hostile territory in which they were subject to ambush. Today, U.S. troops, along with Iraqi forces, are out of the FOBs and living in small outposts. Today, U.S. forces are operating throughout Baghdad, even in Shiite strongholds such as Sadr City, Sunni areas such as Mansoor, and mixed districts such as Rashid. As of March 15, 24 joint security stations were operational, with many more planned. American forces in these stations are visible every day, living among the population, building confidence that we—and not the terrorists—will prevail. Contrary to some predictions, this has not increased U.S. casualties. And, not surprisingly, our presence has resulted in a dramatic increase in actionable intelligence about terrorists.

You might not know it from reading newspapers or watching the evening news, but in Iraq today there are real signs the new strategy is working. I wish to spend a few moments outlining some of this progress, not to paint an overly rosy scenario but, rather, to correct what has become an almost single-minded focus in the Congress on the prospects of defeat. The debate in Congress has an “Alice in Wonderland” quality about it: We are debating efforts to micromanage a conflict based on what the conditions were 3 months ago, not on what the reality is today. Conditions have changed in Iraq. The Baghdad security plan—the “surge”—is working far better than even the most optimistic supporter had predicted. The progress is tangible in many key areas despite the fact only 40 percent of the planned forces are in Iraq.

Allow me to review some specifics.

In Baghdad, the military has reported an increase in real-time, actionable intelligence provided to U.S. and Iraqi forces by a newly confident population. Prime Minister Maliki, who prevented U.S. troops from conducting certain Baghdad operations last year, has given the green light to American incursions throughout the city, including Shiite strongholds. All of the Iraqi army battalions called for under the plan have arrived, many at or above 75 percent of their programmed manning levels. Bomb attacks and murders are down since the surge began. Civilians killed in Baghdad numbered 1,222 in December, 954 in January, and fell to 494 in February. There are reports of Sunni and Shia moving back into neighborhoods from which they had

fled constant and horrific violence. Markets that have been subject to horrific car bombings have been turned into pedestrian malls that facilitate commerce and thwart terrorists.

Moqtada al-Sadr has fled, possibly to Iran, and has ordered his followers not to oppose the new Baghdad security plan. The Madhi army, purportedly dedicated to the expulsion of Americans from Iraq, does not today openly challenge either U.S. or Iraqi forces. American troops are engaged in reconstruction efforts in Saudi City, with the cooperation of the local mayor. In the western part of Baghdad, our troops are establishing new outposts in areas—these areas here—that have been conduits for al-Qaida in Iraq penetration into the capital city, and have begun to clear these areas of terrorists and insurgents. The net result of all of this is key Shiite leaders are now claiming the Baghdad security plan was their idea, and are taking credit for the increase in security—a development that would have been unthinkable 3 months ago.

There is progress outside Baghdad as well:

Throughout Anbar Province, Sunni sheikhs have banded together to fight al-Qaida in Iraq, and are pouring recruits into the police forces. Sixteen of twenty-six tribes in that western province are now working against al-Qaida. With numerous senior al-Qaida leaders killed or captured, the younger, less experienced leaders are making mistakes, such as targeting respected sheikhs and murdering children, that have alienated Sunnis and their leaders.

In the town of Ramadi, hundreds of Iraqi police last week conducted a major sweep. In the surrounding areas—all of these surrounding areas—including Haditha and Hit, U.S. and Iraqi are conducting operations against al-Qaida and insurgents while protecting the population.

In Diyala Province U.S. forces expelled al-Qaida forces from one of their major bases in January, seized major weapons caches, disrupted fighter networks, and cleared cities and villages of al-Qaida fighters. A U.S. Stryker battalion has reinforced Diyala and is conducting major operations against AQI forces seeking to reconstitute. At the same time, other U.S. forces in Diyala are acting against rogue Mahdi Army leaders in the province and are holding the Diyala and Tigris Rivers to combat re-infiltration into Baghdad.

On the belt to the south of Baghdad, al-Qaida has come under heavy U.S. pressure in recent weeks, with American forces destroying car bomb factories and uncovering major weapons caches in areas such as Yusufiya, Latifiya, and Salman Pak.

In Mosul, U.S. and Iraqi forces have killed and captured numerous al-Qaida operatives since December.

In Samarra, American and Iraqi troops have captured al-Qaida facilitators and north of the city,

Salahuddin Province, American troops have moved off of their forward operating base and into the town of Bayji, an important hub on the road network.

These developments, which have occurred just 1 month into the new strategy and with only a portion of the five additional U.S. brigades having yet deployed, suggest that, at long last, we have a strategy in Iraq that is succeeding. That is not to say that all is going well in Iraq; clearly, it is not. Violence continues, the Mahdi Army recently launched an attack in Basra, and one of Iraq's vice presidents was gravely wounded in a bomb attack. But we all know the negatives; we read about them every day and see them flash across our television screens hourly. The enemy knows how attention-getting car bombs are, and their strategy reflects this understanding.

We must try to stop such events, and push the Iraqi Government to move forward with its reconciliation efforts and meet the benchmarks laid out by the President. What we cannot do, and, for the sake of America's vital national security interests, we must not do, is give up just at the moment we are starting to turn things around in Iraq.

Yet in the face of this new reality, the proponents of the legislation offer one prescription for the future: withdrawal of U.S. forces. Despite the progress, despite the ongoing need for U.S. troops to stabilize Iraq and pave the way for a political solution, despite the moral burdens we have incurred as a result of our decision to topple Saddam Hussein, and, above all, despite the catastrophic consequences for vital U.S. interests that would follow a premature withdrawal from Iraq, the sponsors of this legislation would force precisely that.

To those who believe that the best course is to withdraw, I ask: Can you explain to the American people precisely what you believe to be the consequences of this action? If we follow the timetable included in this bill—to withdraw troops whether or not we are succeeding or failing; regardless of whether the country is secured; irrespective of whether the Iraqis can manage their own affairs alone, or whether the forces of terror and chaos will triumph—if we follow this timetable we risk a catastrophe for American national security interests.

Note that American national security interests are directly at stake. Not just Israeli interests, though Prime Minister Olmert has said that defeat in Iraq could be devastating for his country. Not just for our Arab friends and partners in the region, though they fear the consequences of massive humanitarian displacement, growing Iranian influence, and wider bloodshed. Not just for the Iraqis themselves, for whom genocide is a real prospect should sectarian violence spiral out of control. But for America. Success or failure in Iraq is the transcendent issue for our foreign policy and our national security. People say they want to defeat the terrorists. But if we withdraw

from Iraq prematurely, it will be the terrorists' greatest triumph.

Withdrawing before there is a stable and legitimate Iraqi authority would turn Iraq into a failed state, in the heart of the Middle East. We have seen a failed state emerge after U.S. disengagement once before, and it cost us terribly. In pre-9/11 Afghanistan, terrorists found sanctuary to train and plan attacks—including attacks against America—with impunity. If we leave Iraq based on an artificial timetable, al-Qaida will be free to plan, train for and conduct operations from Iraq just as they did from Afghanistan. We cannot make this fatal mistake twice.

If Iraq descends into chaos, the power vacuum there will invite further Iranian interference, at a time when Tehran already feels emboldened. Iraq's neighbors, from Saudi Arabia to Egypt to Turkey, would feel their own security eroding, and may intervene on the side of particular factions. This uncertain swirl of events could spark regional war severely damaging to America's fundamental security interests. And we would then face a terrible choice: watch the region burn, watch the terrorists establish new bases, with profound implications for the safety of Americans and their economic well-being, or send troops back into Iraq once again.

The proponents of withdrawal state that they envision no such catastrophe; they are not advocating a precipitous withdrawal but something more gradual, and they would leave American troops in place to focus on three limited objectives: protecting coalition personnel and infrastructure, training and equipping Iraqi forces, and conducting targeted counter-terrorism operations. But if these three missions sound familiar, that's because they formed the centerpiece of the strategy that was failing up until the beginning of this year. They would forbid counterinsurgency operations, protection of the population, and the other elements of our new strategy that are directly responsible for the successes we have seen this year. This legislation is a plan for failure. But neither failure nor success is the objective of its sponsors. They wish to get out of Iraq, whatever the consequences for America. They conceive no failure as worse than remaining in Iraq and no success worthy of additional sacrifice. They are wrong, terribly, terribly wrong.

These provisions draw a false distinction between terrorism and sectarian violence. Let us think about the implications of ordering American soldiers to target "terrorists," but not those who foment sectarian violence. Was the attack on the Golden Mosque in Samarra a terrorist operation or the expression of sectarian violence? When the Mahdi Army attacks government police stations, are they acting as terrorists or as a militia? When AQI attacks a Shia village along the Diyala River, is that terrorism or sectarian vi-

olence? What about when an American soldier comes across some unknown assailant burying an IED in the road? The obvious answer is that such acts very often constitute terrorism in Iraq and sectarian violence in Iraq. The two are deeply intertwined. To try and make an artificial distinction between terrorism and sectarian violence is to fundamentally misunderstand al-Qaida's strategy which is to incite sectarian violence. To say that targeting terrorist violence is allowable while stopping sectarian violence is illegal flies in the face of this reality, and would make it impossible to fight this war against terrorism, let alone prevail in it.

Some Senators have taken a different tack, arguing that Iraq is still winnable but that, by withdrawing troops, we will actually maximize the chances of success. They concede that a withdrawal will encourage insurgents and terrorists to unleash greater violence on the Iraqi people, but believe that such violence might induce Iraqi politicians to make the political decisions necessary to end it. Could this possibly be true? Can we, by withdrawing our troops from Iraq, actually increase the stability in Iraq rather than risk catastrophe, and induce a political solution rather than make it less possible? Is success in Iraq as simple as issuing redeployment orders, a move blocked only by stubborn commanders and civilian authorities?

GEN David Petraeus, for one, believes that it is not. Of course the dire situation in Iraq demands a political solution. That is undeniably true. But a political solution among the Iraqis cannot be simply conjured. It is impossible for meaningful political and economic activity to take place in an environment as riddled with violence as Baghdad has been. Security is the precondition for political and economic progress, and without security, we will not see the political progress all of us agree is necessary. In this regard, there are positive indications. Prime Minister Maliki went to Ramadi to reach out to Sunnis, and the Iraqi Government is pushing through a new de-Baathification law. The oil revenue sharing law has been approved by the Council of Ministers and should be approved by parliament soon. Reports indicate that Iraqi officials are in discussions with a number of non-AQI Sunni insurgent groups, while fighting has broken out between AQI and Sunni insurgents.

Reconciliation is not the inevitable outcome of the new strategy. On the contrary, there is no guarantee of success. What the situation demands is not a guarantee, but rather a strategy designed to give us the best possible chance for success. This, I believe, is what the new plan represents.

The provisions our amendment would strike would force redeployments of U.S. forces within 120 days, and nearly all troops would have to leave Iraq by March 31, 2008. This does not

incentivize the Government of Iraq to make tough decisions on reconciliation; it sets the stage for the Government's collapse. This arbitrary deadline informs our enemies when they need no longer fear American military power. It signals to the population that their best bet for security really does rest in the hands of militias, rather than the Government. It demonstrates to the Government that they cannot rely on us—after all, we are pulling out regardless of the situation or the consequences. And it tells the terrorists that they—not we—will prevail.

All of us want to bring our troops home, and to do so as soon as possible. None of us, no matter how we voted on the resolution authorizing this war, believes the situation that existed until recently is sustainable. But there is a new situation, a new reality in Iraq. This amendment ignores that reality and ignores the consequences that would flow from its adoption. When Congress authorized this war, we committed America to a mission that entails the greatest sacrifice a country can make, one that falls disproportionately on those Americans who love their country so much that they volunteer to risk their lives to accomplish that mission. When we authorized this war, we accepted the responsibility to make sure they could prevail. When we voted to send them into battle we asked them to use every ounce of their courage and fortitude on behalf of us.

This body unanimously confirmed General Petraeus. Why would we now deprive him of the opportunity to pursue the strategy he helped design and believes can work? Why would we hand our enemies a victory when we have finally taken the initiative and they are on the defensive? Let us give him and the soldiers he has the honor to command, Americans who are risking everything so that this new plan can succeed, the time necessary to achieve its objectives.

And let us elected officials who have the honor of overseeing the conduct of our soldiers' mission in Iraq exercise a lesser magnitude of courage—our political courage on behalf of them and the country they serve. If any Senator believes that our troops' sacrifice is truly in vain, the dictates of conscience demand that he or she act to prevent it. Those who would cut off all funding for this war, though I disagree deeply with their position, and dread its consequences, have the courage of their convictions, and I respect them for it.

If, on the other hand, you believe, as I do, that an increase of U.S. troops in Iraq, carrying out a counterinsurgency mission, provides the best chance for success in Iraq, then you should give your support to this new strategy. It may not be popular nor politically expedient, but we are always at our best when we put aside the small politics of the day in the interest of our Nation and the values upon which they rest.

Those are the only responsible, the only honorable choices before us. There

are no others. I wish there were. But here we are, confronting a political, military and moral dilemma of immense importance, with the country's most vital security interests and the lives of the best Americans among us at stake. May God grant us the wisdom and humility to make this difficult judgment in our country's best interests only, and the courage to accept our responsibility for the consequences that will ensue.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, under the previous unanimous consent agreement, at 3:45 we will return to the Cochran amendment. I ask unanimous consent that the Senator from Virginia, Mr. WEBB, proceed for up to 8 minutes and that the time remaining until 3:45 be allocated to the Senator from South Carolina, Mr. GRAHAM.

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

AMENDMENT NO. 692

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Madam President, I ask unanimous consent to call up my amendment No. 692.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WEBB] proposed an amendment numbered 692.

The amendment is as follows:

(Purpose: To prohibit the use of funds for military operations in Iran)

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON USE OF FUNDS FOR MILITARY OPERATIONS IN IRAN.**

(a) PROHIBITION.—Notwithstanding any other provision of law, no funds appropriated or otherwise made available by this Act may be obligated or expended for military operations or activities within or above the territory of Iran, or within the territorial waters of Iran, except pursuant to a specific authorization of Congress enacted in a statute enacted after the date of the enactment of this Act.

(b) EXCEPTIONS.—The prohibition in subsection (a) shall not apply with respect to military operations or activities as follows:

(1) Military operations or activities to directly repel an attack launched from within the territory of Iran.

(2) Military operations or activities to directly thwart an imminent attack to be launched from within the territory of Iran.

(3) Military operations or activities in hot pursuit of forces engaged outside the territory of Iran who thereafter enter into Iran.

(4) Intelligence collection activities of which Congress has been appropriately notified under applicable law.

(c) REPORT.—Not later than 24 hours after determining to utilize funds referred to in subsection (a) for purposes of a military operation described in subsection (b), the President shall submit to the appropriate committees of Congress a report on the determination, including a justification for the determination.

Mr. WEBB. Madam President, I have been on the Senate floor on a number of occasions to discuss the amendment which I am introducing today. I intro-

duced it on March 5 as S. 759, which is a bill to prohibit the use of funds for military operations in Iran without the consent of the Congress. I am offering this legislation today as an amendment to the fiscal 2007 emergency supplemental appropriations bill, with the support of the chairman of the Appropriations Committee.

This bill has received a good bit of discussion and also a good bit of correspondence from various citizens groups that have gone to Members' offices. I will not take a great deal of time in terms of going through a lot of the debate about it. I would like to say at the outset that I have taken great care in the preparation of this amendment to ensure that it will not in any way prevent our military forces from carrying out their tactical responsibilities in places such as Iraq and in other areas that are on the coastlines and border lines of Iran. But I would like to emphasize that, in my view, this amendment is essential to revitalizing the constitutional health of our governmental process.

The purpose of this legislation is to restore a proper balance between the executive and legislative branches when it comes to the commencement of war. Any general attack on Iran would be, beyond cavil, a commencement of a new war in a region that is already enduring two costly and debilitating wars. If this action is to be taken, it should be done only with the full and considered consent of the Congress.

At the same time, the legislation allows American forces to directly respond to attacks or possible attacks which might be initiated from Iran, as well as those which might be begun elsewhere and then carry over into Iranian territory.

Specifically, the amendment requires that the President seek congressional authorization prior to commencing any broad military action in Iran, and it allows the following exceptions: first, military operations or activities that would directly repel an attack launched from within the territory of Iran; second, those activities that would directly thwart an imminent attack that would be launched from Iran; third, military operations or activities that would be in hot pursuit of forces engaged outside the territory of Iran who thereafter would enter Iran; and finally, those intelligence-collection activities that have been properly noticed to the appropriate committees of Congress.

The major function of the amendment again is to restore the constitutional balance. No administration should have the power to commence unprovoked military activities against Iran or any other nation without the approval of the Congress, but the issue of the day is Iran.

I am offering this amendment partly due to my concern over President Bush's signing statement which accompanied the 2002 congressional resolu-

tion authorizing the use of force in Iraq. That amendment, if you read it carefully, indicates that this administration believes it possesses the broadest imaginable authority to commence military action without the consent of the Congress. It should not be left unanswered by this body.

This amendment will not take any military operations off the table, any options off the table. It will not tie the hands of this administration if our military forces are actually attacked from Iranian soil or territorial waters or by forces that retreat into Iranian territory.

This is responsible legislation. I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I understand I have 7 minutes; is that correct?

The PRESIDING OFFICER. The Senator has until 3:45—9 minutes.

Mr. GRAHAM. I was going to yield to Senator COBURN.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Madam President, I ask unanimous consent to call up amendments and set them aside. That way, they can be considered as called up. Senator GRAHAM has graciously allowed me some of his time to do that. The amendment Nos. are 648, 649, 656, 657, 715, 717, and 718.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. If the Senator would hold and let us take a quick look at that. Perhaps Senator GRAHAM could go ahead and use his time. We will talk, and then when Senator GRAHAM is done, before we begin the debate on the Cochran amendment, we can work with the Senator on an agreement on those amendments.

I object at this time, and I will work with the Senator to work out those amendments.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I would like to associate myself with the comments of Senator MCCAIN about what is going on on the ground in Iraq. I thought he did an excellent job of explaining that this new strategy is just what it is described as being—new. We are not sending more people to do the same old thing. It is a fundamentally different approach to how we handle the situation in Iraq.

The situation in Iraq is the result of not having enough forces on the ground in the early parts of the war. The security environment in Iraq got out of control. The terrorists seized an opportunity to divide the Iraqis by bombing the Samarra mosque, the third most holy site in the Shia region in Samarra. Ever since then, we have been in a conflict between Shias and Sunnis in Baghdad.

Anbar has always been about Sunni insurgents trying to topple this infant

democracy, and it has been the place where al-Qaida has been hiding.

The progress is that the Sunni insurgency—the tribal chiefs are beginning to understand that their lives are better with the unified Iraq; that if they can share in the oil revenues of the country, future Sunni generations will be benefited. I think Shias are beginning to understand that to reject Al-Sadr—his view of Iraq becoming a Shia theocracy is not going to be accepted by people in the neighborhood and other folks living in Iraq. So I think every group is beginning to understand that through political reconciliation, they have a better, brighter future. The way to get political reconciliation is to control the violence. That is why we need more troops, more troops to hold areas previously cleared, to buy time for political reconciliation and economic progress, and the early indications are that it is working.

Now, what is not working. The Congress is not working. I think the Congress is about to make history in all of the wrong ways. Do we really want to be the first Congress—maybe ever in the history of the country, that I am aware of—that would, by congressional enactment, set a hard date to withdraw from a war in Iraq with which our vital national security interests as Americans are intertwined? What are the consequences of leaving in March or any other date in 2008? What happens when we leave? No one who is offering these amendments has really thought that through.

I do believe that a failed State in Iraq jeopardizes our national security interests for decades, is a loss in the war on terror, is an empowering event for extremists, a death blow to moderation, and that we need to see this through by changing course, and this is exactly what we are doing.

Setting a timeline for withdrawal is saying you have no confidence in General Petraeus to execute the plan we sent him to execute. It is saying we have no confidence in our military to deliver, because the day you set that date, you are going to freeze political reconciliation. People are not going to do deals the same way when they know America is going to leave at a certain date because what happens when America leaves will be thought of in terms of the consequences of a particular deal.

If we leave and Iraq is in chaos, the police and the army are unable to deal with the wolves of terrorism, then they are overwhelmed, the country breaks apart, and the regional consequences and the consequences to the world are monumental, in my opinion.

The first rule of medicine is to do no harm. It should be the first rule of politics. And we have done harm with our Iraqi strategy. We have assumed the best and never planned for the worst.

Whatever mistakes the Bush team has made, and there are many, the Congress is about to make the greatest mistake of all; that is, to tell the

enemy what they have to do to get us out of Iraq on their terms, not ours. It is a death blow to moderation. Who in the Mideast will try to come together knowing that the United States cannot be counted on? What effect would it have on the worldwide terrorist networks if they believe, through their acts of violence and barbaric behavior, that America will leave?

We cannot let suicide bombers determine the fate of the 21st century. We cannot let people who will blow up children in a car determine the fate of Iraq. We cannot let that happen. We are bigger than that. We are better than that. I believe passionately, after five visits, with one more to come, that the people in Iraq want more. They are dying for their own freedom. I would leave tomorrow if I thought the Iraqi people were incapable of solving their problems. I do believe the majority of Shias, Sunnis, and Kurds want the same thing that every Member of this body wants for their family—a better life. They have looked into the abyss, and they are making the changes they need to make.

If we restrict funding, if we restrict our military commanders' ability to go after the enemy in all of its forms, we are doing them a disservice. If you set a hard deadline for withdrawal, you have doomed us as a nation to lose in Iraq. What good would it be for one person to be maimed or to die waiting on that day to come? If you pick March 2008, what do you tell a family member of the U.S. military why their loved one died or was harmed, knowing that the date killed our efforts to be successful? This is irresponsible. This does everything wrong that the Congress could do at a time when things could get better.

I cannot promise you success. But I know our last best chance lies with General Petraeus. Our last best chance lies with a reinforcement of a country and a military that needs it. The military needs this money. They deserve this money without strings attached. They deserve a chance to turn Iraq around to make us free.

The House may be satisfied with this vote on the supplemental, and they may think this is a victory for the Democratic leadership in the House. I think this is a shameful chapter in the history of the House. These votes to pass this bill were literally bought. There is money in this bill, the supplemental bill, that has nothing to do with the military, nothing to do with Iraq, and there was money being spent to buy votes to make sure we drive ourselves out of Iraq without consequence and the thought of what happens.

If we do not pass a supplemental soon, Secretary Gates has laid out what happens in April, May, and June to our military. Because of time limitations, I will not go into detail on what happens to the military, but I can tell you with certainty that the military needs this money for ongoing op-

erations, and every month and week that goes by without this money going into the Department of Defense, major decisions have to be made that compromise troop safety, that hurt the quality of life of families, and keep this surge from being successful.

If your goal is to end this war because you think we have lost, choose an honorable path. The honorable path would be to come to this floor, offer an amendment to stop funding now and get out of Iraq as soon as possible. A date certain a year from now, a year and a half from now, whatever date you pick, it ensures we lose, and it ensures that the people who are left there to fight until that day comes get injured and die in vain.

This is the wrong way to run a war. This is the wrong way to fight terrorism.

Three weeks ago, I was at Guantanamo Bay listening to Shaikh Mohammed, the mastermind of 9/11, explaining why he was at war with us. He will be at war with us until his last breath. There are people like him in Iraq measuring us as a nation. Please do not send them the wrong signal. Fund our troops without condition. Stand behind General Petraeus because he deserves our support.

We sent him off to do a mission. Give him the resources to do it, and in time we will figure this out. This is not an open-ended commitment. I know as well as everybody else that we are not going to be in Iraq forever. But we need to be in Iraq on terms that will empower moderates and deflate extremists. I believe the Iraqi political leadership, given the breathing space, will have the ability, with our support, to reconcile their country because it is in their best interests. Literally thousands of Iraqis have died for their own freedom. What more can we ask of someone. Political reconciliation is hard. It took us 13 years to write our Constitution. We were at civil war among ourselves. Democracy is hard, but it is worth fighting for.

AMENDMENT NO. 643

The PRESIDING OFFICER (Mr. TESTER). The Senator from Washington.

Mrs. MURRAY. Mr. President, under the previous consent agreement, for the information of all Senators, we are now going to the debate on the Cochran amendment; is that correct?

The PRESIDING OFFICER. Under the previous order, the time until 5 p.m. is for debate with respect to amendment number 643, with the time equally divided and controlled between the two leaders or their designees.

Mrs. MURRAY. I yield 12 minutes to the Senator from West Virginia, Mr. BYRD.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the able Senator from Washington.

While I oppose the amendment by the Senator from Mississippi, I thank him for his courtesy in bringing this bill to

the floor. In order to facilitate Senate action on this critical supplemental bill, the Senate Appropriations Committee reported a bill by voice vote on Thursday, March 22. Again, I thank the able Senator from Mississippi, Mr. COCHRAN, for his support.

In this 2007 supplemental, the Congress is providing nearly \$100 billion to support our military and diplomatic efforts in Iraq and Afghanistan. This brings total appropriations for the wars to nearly \$170 billion for this year alone. When Congress approves this supplemental, it will have appropriated \$448 billion for the war in Iraq.

As the conflict in Iraq enters its fifth year, more than 3,220 members of the uniformed services have sacrificed their lives, with over 24,000 more wounded, many grievously wounded. The Iraq conflict most certainly has become a civil war. The American people need to know what we are accomplishing by remaining in Iraq. How much longer will Congress continue to blindly write checks for this failed strategy in Iraq? Supporting the troops means doing all we can to remove them from this violent internal sectarian conflict in Iraq.

The American people have made it very clear where they stand on this matter. A large majority of Americans, according to any number of polls, wants the troops home, and the sooner the better. I, for one, am not so stubborn that I will keep marching on toward some intangible success in Iraq, no matter how many may die, no matter how many may be wounded, and no matter how many families are torn apart by grief. A continued U.S. presence is a catalyst for violence in Iraq and in the region. It is time to remove that spark from this volatile situation and pursue a diplomatic track which may lead to a national reconciliation for the people of Iraq.

The language in this bill encourages a decrease in Iraqi reliance on U.S. troops to keep the peace in Iraq and pave the way for the Iraqi people to take steps toward national reconciliation. The language in the bill is not Draconian, nor is it precipitous. It is simply a recognition of the reality of the situation in Iraq. It calls for a gradual redeployment of U.S. troops in conjunction with concerted efforts to train and equip Iraqi security forces while building regional and international support for the Iraqi Government. The language permits continued counterterrorism operations by U.S. forces and allows a limited number of U.S. forces to remain in order to protect U.S. and coalition personnel and infrastructure. That is not a precipitous withdrawal. It is not cutting and running. Rather, it is a commonsense compromise between those who want all the troops home now and those who advocate a continued massive American presence in Iraq.

It is time—yes, time—to change course in Iraq before 3,000 more Americans and thousands more Iraqis are killed.

I urge my colleagues to oppose the amendment to strike section 1315(a) and (b) of the bill.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. I yield the distinguished Senator from Louisiana 5 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I rise to encourage all of my colleagues, Democrat and Republican, to support the Cochran amendment as a responsible action. The situation in Iraq is deeply controversial and divisive. As we debate it, everyone here and in the country say they are clearly for supporting our troops in the field and giving them what they need once they are put there to do their mission. That is why just a week or two ago huge numbers of Members of the Senate supported the Gregg resolution, 82 Senators saying clearly: We are going to support the men and women in uniform in the field; likewise, they supported in huge numbers the Murray resolution, 96 Senators, to support the men and women in uniform in the field.

I am afraid the path some are urging us to go down today belies that statement, contradicts that statement, and does not support those men and women in uniform in the field.

We all know the consequences of the Reid language. That language insists that the President pull our troops out of Iraq on a date certain with no regard at all for the conditions on the ground or the progress being made by our troops or the Iraqi Government. It micromanages the war, taking what is in the purview of the Commander in Chief and bringing it to Congress. The Reid language will absolutely draw a veto from the President. What would that do? It would delay for a significant amount of time getting aid, money, help, and equipment to our troops in the field.

We should not go down this path. This language will earn a veto from the President. Indeed, it would earn a veto from any President because it micromanages his responsibilities as Commander in Chief, and that will delay getting resources to folks in the field.

Our military leadership has said in no uncertain terms that they must get this supplemental funding to support the troops in the field by mid-April. This language will push all of that well beyond that deadline, will delay it by 5, 6 weeks or more, and endanger our troops in the field by not getting them the resources and equipment they need. That is not right. That is exactly contrary to what almost all Members of this body have spoken for: supporting our troops in the field.

This supplemental appropriations bill also has important help for the victims of Hurricanes Katrina and Rita on the gulf coast, emergency measures that are supported by the President and the Congress but have not yet been

fully funded. Just as we are playing politics potentially with our troops in the field with this veto scenario, we would be playing politics with this language, drawing a veto from the President, with the victims of the worst natural disaster in U.S. history. That is not right. It is politics over people. Worse than that, it is politics over our people in uniform. It is politics over our people who suffered the worst natural disaster in history. We should not go down this path. We should not be so cynical and callous. We should put our people in uniform first and get them the funds and support they need in the field as we promise to do speech after speech after speech.

Words are cheap. Actions, votes lead to consequences. That is what this debate and what these votes are all about—supporting our troops in the field, supporting the victims of the worst natural disaster in U.S. history.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield 10 minutes to the Senator from Nebraska, Mr. HAGEL.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, there will be no victory or defeat for the United States in Iraq. There will not be a military solution to Iraq. Iraq belongs to the 25 million Iraqis who live there. It does not belong to the United States. Iraq is not a prize to be won or lost.

We can help the people of Iraq, as we have been helping them over the last 4 years, with a tremendous amount of our American blood and treasure. We have much invested in Iraq. America has strategic interests in the Middle East. And we will continue to help the people of Iraq, as we will continue to protect our interests and those of our allies in the Middle East.

But the future of Iraq, however, will be determined by the Iraqi people. The future of Iraq will be determined by a political accommodation by the people in Iraq, which will result in a political resolution that will be supported by the Iraqi people, its regional neighbors, and other powers, including the United States.

After 4 years in Iraq, America's policy there should be designed to gradually pull the United States further away from the day-to-day responsibilities, those day-to-day responsibilities of defending Iraq and de facto governance of Iraq, and turning over those responsibilities to the Iraqis, not escalating—not escalating—our military involvement in Iraq.

Today, we are headed in the opposite direction. I will not support sustaining a flawed and failing policy in Iraq.

We are now in our fifth year in an active war in Iraq. Iraq is more dangerous today than at any time in the last 4 years. And—puzzling—the administration says, we are making real progress in Iraq. So if we are making

real progress in Iraq, then why are we putting more and more American combat troops into Iraq at the same time our allies are leaving or have already left?

The President's strategy is taking America deeper and deeper into this quagmire, with no exit strategy.

In January, we were told that 21,500 more U.S. troops would be sent to Iraq. This month, we learned that as many as 7,000 more U.S. troops, in addition to the 21,500, would be sent to Iraq. The Congressional Budget Office has estimated that the President's recent decision to escalate our military involvement could require as many as 48,000 additional U.S. troops in Iraq.

In January, the administration said progress on the Iraq war would be measurable by this summer. We have heard that at 6-month intervals for the last 2 years in oversight committee hearings. But now we are being told that additional troops could be required in Iraq well into next year.

This strategy to deepen America's military involvement in Iraq will not bring a resolution in Iraq. It will only continue to undermine America's standing in Iraq and the Middle East, complicating and limiting our diplomatic options, and doing further damage to our military. And we continue to finance and build the most powerful and unaccountable mercenary armies in history, like Blackwater.

We cannot continue down a path that is destroying our military and continuing to place our men and women in uniform in Iraq in the middle of a civil war.

In February, the Chairman of the Joint Chiefs of Staff, General Peter Pace, reported to Congress that there is now—his word—a “significant” risk that our military will not be able to respond to an emerging crisis in another part of the world. Why did he say that? It is because we are overburdened, overstretched. We are breaking our force structure—third and fourth tours.

Recently, the inspector general of the Defense Department issued a report on our National Guard. Our National Guard—our Army National Guard in America is broken. The Chief of Staff of the Army, General Schoomaker, has made similar, recent comments in open testimony before the Senate Armed Services Committee.

It is now time for the Congress to step forward and establish responsible boundaries and conditions for our continued military involvement in Iraq. That is our responsibility. Need I remind our colleagues in this body, the Congress of the United States is a coequal branch of Government with the President of the United States? We not only have moral obligations but we have constitutional responsibilities.

To hear some of my colleagues say we should dispense with this “frivolous” debate because the President has threatened a veto—what a waste of our time—if you logically follow that through, why do we need a Congress?

Why don't we let the President make all the choices, make all the decisions? There are some, I suspect, in this administration who would like that, some in this country would like that. But we tried a monarchy once. It is not suited to America. There are separations of power. Of course there are. But there are three coequal branches of Government.

It is now time for the Congress to step forward, after a disastrous 4 years in Iraq. The language in the Senate supplemental bill does this in a responsible way. The Senate language does not cut off funds. It does not impose a precipitous withdrawal of troops from Iraq. This language establishes a limited U.S. military mission in Iraq: counterterrorism, training Iraqi forces, and protecting U.S. personnel. That is not new. We have heard that from this administration over the last 4 years. This was not dreamed up. This idea that somehow you do not support the troops if you do not continue, in a lemming-like way, to accept whatever this administration's policy is wrong. That is what is wrong, and that is dangerous.

This language establishes a limited U.S. military mission in Iraq that focuses on the things we should be doing, we can be doing. This new and responsible mission would pull our troops out of the middle of Iraq's civil war. Is that wrong? Is there something wrong with that—asking these young men and women to put their lives on the line in the middle of a civil war in Baghdad, kicking down doors, with a bull's eye on their back—to pull them out of that? Is that wrong? Does that somehow display a cavalier attitude toward the support of our troops? I think not. I think just the opposite.

There is a timeline in the Senate language. But it does not establish a binding date for U.S. withdrawal from Iraq. Let's get that clear. It would establish the goal—those are the terms, goal—a goal that U.S. forces not involved in this more limited military mission be redeployed by March 2008. Is there something wrong with that? That means March of 2008 is 5 years we will have been there—5 years. We will have done significant damage to our Marines and our Army and our National Guard by then.

We have misunderstood, misread, misplanned, and mismanaged our honorable intentions in Iraq with an arrogant self-delusion reminiscent of Vietnam. Honorable intentions are not policies or plans or responsible. It may take many years before there is a cohesive political center in Iraq. America's options on this point have always been limited.

I support the President's decision to initiate a new diplomatic strategy and support a regional diplomatic process on the future of Iraq that began on March 10 at the regional security conference in Baghdad. But the President must devote his attention to foster those efforts. As the Baker-Hamilton

report made clear, we must develop a regional diplomatic strategy to achieve stability in Iraq.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HAGEL. Mr. President, I ask for 60 seconds to conclude my remarks.

Mrs. MURRAY. Mr. President, I yield the Senator 60 seconds.

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

Mr. HAGEL. America finds itself in a dangerous and isolated position in the world. We are perceived as a nation at war with Muslims. This debilitating and dangerous perception must be reversed as the world seeks a new center of gravity for this new century. The United States must begin planning for a phased troop withdrawal from Iraq. The cost of combat in Iraq in terms of American lives, dollars, and world standing has been devastating for our country.

The American people are demanding that we develop a bipartisan consensus for an honorable and responsible exit strategy from Iraq. If we fail to build a bipartisan foundation for an exit strategy, America will pay a high price for this blunder—one we will have difficulty recovering from in the years ahead.

Our actions today in the Congress begin this effort.

Mr. President, I thank you and yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am pleased to yield to the distinguished Senator from South Dakota, Mr. THUNE, 10 minutes.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I thank the Senator from Mississippi for yielding.

I rise in support of his amendment and also note that Friday of last week, March 23, was, in my view, a sad day because it was on that day the House of Representatives voted to usurp the responsibilities of the President of the United States as Commander in Chief of the Armed Forces. Unfortunately, the Democratic majority in the Senate, rather than reject this ill-conceived and dangerous line of thinking, has chosen to endorse it.

I believe the phased redeployment language in the supplemental is wrong. Today, I ask my colleagues to stop and think about the long-term effects the redeployment language is going to have. This language will do more than redeploy troops. It will set a precedent that Congress may interject itself into the military chain of command. This is not a slippery slope, it is a straight drop to the bottom.

War requires one Commander in Chief. Every civilization, from Greece to the British Empire, has understood this basic premise, as did our Founders.

Wars are unpredictable, and they are fluid. Success in any military conflict requires energy, speed, flexibility, and

adaptability. I thought the Senate understood this, particularly when we unanimously confirmed General Petraeus to be the commander of forces in Iraq.

What are our commanders in the field supposed to think? What orders are they to comply with? Are they going to conduct the surge or are they going to reorganize their forces to comply with redeploying the troops? Should we expect our commanders to read their operations orders or congressional conference reports to determine their priorities?

This effort, led by the Democratic majority, is simply a bad idea, and I hope my colleagues can see that the short-term gain they seek on this bill will lead to long-term consequences for the military.

The other reason I oppose the redeployment language is it confuses strategic policy with foreign policy. Both have the same goal: victory in Iraq and to bring our troops home. However, that goal is arrived at by very different means.

Our strategic policy is set by the President and by our military commanders. Conversely, our foreign policy is set by their diplomatic counterparts at the State Department. That is why interagency cooperation is important now more than ever. In order for the U.S. Government to effectively employ the elements of the national power, Congress must resist the temptation to intervene and ultimately make matters worse.

Redeploying our troops from Iraq on a published timeline is not going to end the war on terrorism. To me, the redeployment language in this bill is the strategic equivalent of the Maginot line. In World War II, the French built a wall and the Germans went around it. If we publish our deployment timeline, then Shia and Sunni insurgents, al-Qaida in Iraq, and Iranian instigators will all simply wait for us to leave and then begin their efforts to undo all we have worked for over the past 4 to 5 years.

The conflict we are fighting today is unlike any other we have fought. That is why I find the Democratic talking points about how the war in Iraq has lasted longer than this conflict or that conflict to be so disingenuous. They are right on one point: This is not World War II. It is not Vietnam. It is Iraq. It is the war on terror, and our efforts in Iraq cannot be looked at in a vacuum.

Iraq is a front in the war on terror, but it is not the front in the war on terror, because this war has no front. If you want to know where the front is in the war on terror, then get in your car and drive 10 minutes over to the Pentagon. That is a front. Go to New York and look at the gaping holes in the ground. That is a front. Or visit the field in Pennsylvania where a group of brave passengers forced a plane to the ground at the expense of their own lives. That is a front. If any of my col-

leagues are still wondering where the front is on the war on terror, you are standing on it.

In order to deal with this phenomenon, in almost every sector of U.S. security policy we are trying to push America's enemies further away. Port security is a perfect example. We are putting inspectors in foreign ports to inspect cargo before it comes to the United States, and we are allowing the Coast Guard to inspect ships further out at sea, all for the purpose of putting the enemy farther away from us. Yet in this instance, this bill seems to invite our enemies into the very heart of our country. To me, it simply does not make sense.

Our colleagues on the other side also like to note there were no Iraqis on the planes that attacked us on September 11. Well, there weren't any Afghanis either. In fact, if we follow this line of thinking to its logical conclusion about who was on those planes, then perhaps this Congress should change the 2002 authorization for the use of force and allow the President to attack Saudi Arabia, because the majority of the hijackers were Saudis.

Of course, such a line of thinking is ridiculous because this conflict is not about national identity, it is about ideology. It is about good versus evil, right versus wrong, freedom versus tyranny, and hope versus cynicism.

I will concede this administration has not handled Iraq as well as it could have, but I also believe this debate is more about our national identity or resolve than our involvement in Iraq.

I still believe that America, for all its faults, is a shining city on a hill, that our greatest export should be freedom and our greatest asset being people and ideas; that we are a beacon of hope to those who toil in the darkness of tyranny and oppression. I also believe if we pass this legislation, we are saying to the world the United States is committed to defending freedom only when it is convenient or popular. That is not the America I know. It is not the America my father, a World War II fighter pilot, taught me about or the country we should hope to become.

It is my sincere hope my colleagues will vote to support Senator COCHRAN's amendment to remove the troop withdrawal language from this bill. If we do not, I believe we will be doing more harm than good, despite the intentions to the contrary.

Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, we gather on another occasion to bring the Iraq war to its fateful end. While this effort may fall short again, we will continue to try to do what is in the national security of our country.

The Iraq war should never have been authorized. I was proud to say so in 2002, but I am even more proud of the plan I have offered that calls for com-

bat to begin redeploying on May 1 with the goal of all combat troops out of Iraq by March 2008.

We also must make sure that we are not as careless getting out of this war as we were getting in, and that is why this withdrawal should be gradual, and keep some U.S. troops in the region to prevent a wider war in the region and go after al-Qaida and other terrorists.

Those who would have us continue this war in perpetuity like to say that this is a matter of resolve on behalf of the American people. But the American people have been extraordinarily resolved. They have seen their sons and daughters killed or wounded on the streets of Fallujah. They have spent hundreds of billions of dollars on this effort—money that could have been devoted to strengthening our homeland security and our competitive standing as a nation.

No, it has not been a failure of resolve that has led us to this chaos, but a failure of strategy—a strategy that has only strengthened Iran's strategic position; increased threats posed by terrorist organizations; reduced U.S. credibility and influence around the world; and placed Israel and other nations friendly to the United States in the region in greater peril.

Iraq has been a failure of strategy and that strategy must change. It is time to bring a responsible end to this conflict because there is no military solution to this war.

Before we send our best off to battle in the future, we must remember what led us to this day and learn from the principles that follow.

We must remember that ideology is not a foreign policy. We must not embark on war based on untested theories, political agendas or wishful thinking that have little basis in fact or reality. We must focus our efforts on the threats we know exist, and we must evaluate those threats with sound intelligence that is never manipulated for political reasons again.

We must remember that the cost of going it alone is immense. It is a choice we sometimes have to make, but one that must be made rarely and always reluctantly.

We must remember that planning for peace is just as critical as planning for war. Iraq was not just a failure of conception, but a failure of execution. So when a conflict does arise that requires our involvement, we must try to understand that country's history, its politics, its ethnic and religious divisions before our troops ever set foot on its soil.

We must understand that setting up ballot boxes does not automatically create a democracy. Real freedom and real stability come from doing the hard work of helping to build a strong police force, and a legitimate government, and ensuring that people have food, and water, and electricity, and basic services. And we must be honest about

how much of that we can do ourselves and how much must come from the people themselves.

And finally, we must remember that when we send our service men and women to war, we make sure we have given them the training they need, and the equipment that will keep them safe, and a mission they can accomplish. And when our troops come home, it is our most solemn responsibility to make sure they come home to the services, and the benefits, and the care they deserve.

The cause to defend our country and our interests around the world will never end. It will be one of our country's constant threads through the ages. It is our sacred trust to ensure that those moments, those times of great struggle, are the right ones. And when they are not, we must continue to try and end those conflicts for the sake of our country, our service men and women, and the ideals we hold dear.

For these reasons, I strongly support the provision in the supplemental bill that calls for the withdrawal of American combat troops by March 31, 2008, and I will oppose any efforts to strip that provision from the bill.

Mr. BROWNBACK. Mr. President, we have arrived at a key moment for U.S. policy in Iraq. History recalls Operations Desert Shield and Storm in 1990 and 1991. It recalls the no-fly zones we maintained in the 1990s. It recalls the Iraq Liberation Act of 1998. It recalls our sanctions against Saddam Hussein. And when history records Operation Iraqi Freedom, it will remember whether Congress provided the direction necessary to complete the mission or chose to cut it off prematurely. History win judge today's vote.

The American people await this vote. The Iraqi people await this vote. Al-Qaida awaits this vote. The surge is now underway. I did not support the surge, but I hope it works. The first reports have been encouraging, but the fog of war remains thick. Over the next few months, we will be able to assess whether the surge is working or not. Now is hardly the time to set a date for retreat.

I am not saying we should have an open-ended commitment, but I am saying that our mission over there—and not politics over here—should drive our policy. I know many of my colleagues believe we have nothing to gain by staying. But I believe there is a way forward.

Everyone agrees that a political solution is crucial to success. And it turns out that the political solution Iraqis ought to pursue is the most American of all: Federalism.

Thankfully, in the early days in America, we did not have the kind of factional violence and terrorism we have seen in Iraq. But it certainly included rivalries between the colonies and different visions of the future.

The great solution chosen by the founding fathers was federalism—some-

thing embodied by the Senate itself. An Iraq with several federal regions, with Baghdad as a federal capital represents the best chance for Iraq to achieve stability.

If the surge works, federalism can provide the framework necessary to stabilize Iraq over the long term. If the surge fails, and Iraq's sectarian violence deepens, a federal Iraq will be the only choice available to separate the warring factions while keeping Iraq from breaking apart—something that we cannot allow to occur in such a vital region.

I believe that instead of giving the terrorists a reason to be hopeful and sending mixed signals to our forces in the field, we should be talking about the possibility of a federal Iraq. The Iraqi Constitution calls for it. The Iraqi Parliament passed a law supporting it. The Kurdish region proves that it can be successful. Yes, a federal Iraq may require the presence of U.S. forces for some period of time. But as we have seen in Bosnia, our deployments in support of a political solution endorsed by all sides can bring lasting peace and a chance for a brighter future.

For this reason, I urge my colleagues to vote in favor of the Cochran amendment. We need to stop talking about how to retreat and start talking about winning in Iraq. A conversation about a federal Iraq is the best way for the Senate to contribute to success in Iraq.

Mr. KENNEDY. Mr. President, I oppose the Republican effort to strike the critical section of this bill requiring our troops in Iraq to begin to come home in 120 days and that we finish the job in 2008.

This is a defining moment for our country. The American people are watching, and the world is watching. The issue is clear. Will we stand with our soldiers by ending their misguided mission and beginning to bring them home? Or will we stand with the President and keep our soldiers trapped in Iraq's civil war?

History will judge us. We can either continue down the President's perilous path or insist on a new direction. If we don't change course, we know what lies ahead—more American casualties, more deaths, more destruction, greater loss of respect for America in the wider world, and greater danger to our national security. A new strategy that makes Iraqis less reliant on our military is the best way forward.

More of the same misguided policy will result in more of the same tragedy for our military. We need a realistic strategy, and we need it now. Iraq is the overarching issue of our time. Our national security itself is at stake.

In this debate, we hear echoes of the past: We are accused of cutting and running. We are accused of giving comfort to the enemy. We are told we need to be patient and to accept the importance of staying the course. We are told we have to give the latest escalation a chance to succeed.

Listen to this comment from a high-ranking American official:

It became clear that if we were prepared to stay the course, we could help to lay the cornerstone for a diverse and independent Asia . . . If we faltered, the forces of chaos would scent victory and decades of strife and aggression would stretch endlessly before us. The choice was clear. We would stay the course. And we shall stay the course.

That is not President Bush speaking. It is President Lyndon Johnson 40 years ago, ordering a 100,000 more American soldiers to Vietnam.

Here is another quotation:

The big problem is to get territory and to keep it. You can get it today and it will be gone next week. That is the problem. You have to have enough people to clear it . . . and enough people to preserve what you have done.

That is not President Bush on the need for more forces in Iraq. It is President Johnson in 1966 as he doubled our military presence in Vietnam.

Here is yet another familiar argument.

We are not going to tuck our tail and run . . .

Those are not President Bush's words. Those are the words of President Johnson in 1966.

Here is another familiar argument:

We are being steadfast in Vietnam because we don't want the next generation of Americans to have to fight another war.

That is not President Bush, but it sure sounds like him. It is Vice President Agnew in December 1969.

Here is another familiar argument being used in the Iraq debate by the stay-the-course Republicans that we've heard before:

We think we can bring peace. We will bring peace. The peace that we will be able to achieve will be due to the fact that Americans, when it really counted, did not buckle, did not run away, but stood fast . . .

That is not President Bush. It is President Nixon in September 1969.

And here is another:

If, when the chips are down, the world's most powerful nation, the United States of America, acts like a pitiful, helpless giant, the forces of totalitarianism and anarchy will threaten free nations and free institutions throughout the world.

That's not President Bush. Those are the words of President Nixon in April of 1970.

These words from the past resonate painfully in today's debate on Iraq. In Vietnam, the White House grew increasingly obsessed with victory, and increasingly divorced from the will of the people and any rational policy. The Department of Defense kept assuring us that each new escalation in Vietnam would be the last. We were told to be steadfast, to stay the course, and not to retreat. There was no military solution to that war. But we kept trying to find one anyway. In the end, 58,000 Americans died in the search for it.

Echoes of that disaster are all around us today. Iraq is George Bush's Vietnam.

But we have heard all that in the current debate about Iraq as well. We



have heard for years that the administration has a plan for success, that progress is just around the corner. But the plans for success keep getting tossed aside for new plans. The administration has benchmarks to measure success, but there are no consequences when the benchmarks are not met. The timelines for progress keep getting extended. We have turned so many corners that we have ended up back where we started—trying to control Baghdad.

It is time to change direction. Mr. President, 3,200 members of our forces have been killed, and more than 24,000 have been wounded. The casualties keep mounting. The violence continues to spiral upward. Our troops are in the impossible position of trying to stabilize a country at war with itself.

The recent National Intelligence Estimate confirms the nightmare scenario unfolding for our troops. Iraq is sliding deeper into the abyss of civil war, and our brave men and women are caught in the middle of it. Prospects for halting the sectarian violence are bleak.

Greater chaos and anarchy are looming ahead. Needless additional U.S. casualties are inevitable.

The facts speak for themselves. According to the United Nations, nearly 35,000 civilians were violently killed in Iraq last year. Most were killed in Baghdad, where “unidentified bodies killed execution-style are found in large numbers daily.”

More than 2 million refugees have fled the violence in Iraq, and another 1.8 million have been displaced internally.

Our military should not be caught in the middle of this quagmire. Only a political solution can solve Iraq's problems.

General Casey, in his testimony to the Senate Armed Services Committee in June 2005, called for a political solution. He said:

If you look back historically at how insurgencies have been defeated, they have been defeated when the insurgents saw their options as better protected in the political process and their prospects for economic advancement can be better protected by the political process than fighting for them. And that's the essential element here.

Last August, General Abizaid spoke about the need for a political solution. He said:

Our troops are the best equipped, the best trained, the best led in the world. And I am enormously proud of them, and I have the utmost confidence in their ability to handle any mission. Yet, sectarian violence is worse than ever in Baghdad in particular. And I wonder about the validity of a strategy that says that less capable troops that are not as well equipped, trained and led as the best troops in the world can handle the security of this country if the upswing in violence has occurred despite the presence of the best troops in the world. It doesn't give me a lot of confidence in our underlying strategy. And it suggests to me that what we need is a political rather than a military solution.

General Petraeus, the new commander of our forces in Iraq, recently emphasized as well that there is “no

military solution” in Iraq. But no one in the administration has been able to clearly articulate a political solution or how it can take hold in the midst of this chaos.

Instead of giving the Iraqis a necessary incentive to get their political house in order by beginning an orderly redeployment of our troops out of Iraq, the President stubbornly insists on sending more and more American troops into Iraq's civil war. Escalation didn't work in Vietnam and it won't work in Iraq either.

Even worse, the administration has not been honest about the number of troops the President plans to send to Iraq for the surge.

On January 10, he announced that he had committed “more than 20,000” additional troops to Iraq. Within a few days, we were told the number was 21,500.

The Congressional Budget Office estimated that it would be far higher as much as 35,000 to 48,000 troops when support troops are included.

On February 6, I asked General Pace and Secretary Gates for the best military estimate as to the actual size of the escalation. Their answer was an additional 10 to 15 percent. General Pace said, “you're going to need no more than another 2,000, 2,500 troops on the ground.”

Nine days later, the number more than doubled. General Schoomaker told the Armed Services Committee his estimate was somewhere between 5,000 and 6,000 troops when he included imbedded trainers. Then, on March 6 Deputy Secretary of Defense Gordon England told a House committee “about 4,000, maybe as many as 7,000.”

On March 7, at the request of General Petraeus, Secretary Gates authorized an additional 2,200 military police troops.

We still don't have an accurate total for the size of this escalation. The administration refuses to speak with clarity and candor.

Since the current surge began, Shiite militias in Baghdad may be lying low, but violence has increased elsewhere in Iraq.

In Diyala province, in just 3 months, American casualties have exceeded the number for the entire year of 2006.

In January this year, 83 American soldiers were killed, compared to 62 in the same month a year ago.

Eighty more American soldiers were killed in February this year. In the same month last year, we lost 55 soldiers.

In March, we have already lost 76 soldiers, compared to 31 in March 2006.

Continuing our open-ended commitment to stay in Iraq will not bring victory. It will not stop the violence, and it will not protect our national security.

The administration has outlined military, economic, and political benchmarks to measure success. But it has not given any timeline to achieve them, and it has not specified any con-

sequences if the benchmarks are not met.

This same administration supported timelines for every Iraqi election and for drafting the constitution. Yet it remains emphatically opposed to any timeline for the redeployment of our military.

The American people have been patient. But America has now been in Iraq longer than it took us to win World War II. Instead of progress, we continue to see unacceptably high levels of violence, death, and destruction.

We are putting too much strain on our Army, especially the Army National Guard. Our forces are overextended. Many soldiers are now on their third rotation. In the long run, we can't protect our Army if we don't end the war.

Our troops have done their part. They have served with great courage. We are proud of their service, and we are ready to welcome them home.

It is time to change course. It is time to insist that Iraqis step up to the plate and take responsibility for their own future. It is time to begin to redeploy our troops out of Iraq. It is time to put the Iraqis on notice that our military will no longer be a permanent crutch for them to lean on and avoid their responsibility to achieve a political solution. As General Abizaid told the Armed Services Committee last November:

I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

The only practical way to accomplish the change that is long overdue is for American combat troops to begin to come home.

Those of us who opposed the war are used to the administration's attacks when we disagree with their wrong-headed policy. We have come to expect that.

They have questioned our patriotism and called us defeatists.

When we challenged the President's misguided policy, they accused us of having political motives and being partisan. But all of their criticisms have a hollow ring, because the administration has been so consistently wrong about the war in Iraq.

They were wrong about the link between al-Qaida and Saddam Hussein.

They were wrong about Saddam Hussein's possession of weapons of mass destruction. They were wrong about America being greeted as liberators. They were wrong about the insurgency being in its last throes. And they are wrong to deny that Iraq is in a civil war. The American people are far ahead of the administration. For all of us who oppose this misguided war, our goals have always been clear: to protect the lives of our soldiers and to protect our national security.

We have an obligation to stand up for our troops and stand up to our President when he stubbornly refuses to change course in Iraq.

This legislation will do that. It will change the mission of our military away from combat and require the

President to begin to redeploy American combat troops out of Iraq in 4 months. The target date for the completion of the redeployment is March 2008, 1 year from now. A limited number of troops would remain in Iraq after that, to train and equip the Iraqi Security Forces, to conduct counterterrorism operations, and to guarantee the safety of our soldiers.

Legislation is clearly necessary to give the Iraqi Government enough incentive to step up to the plate, work out its political differences, and take responsibility for Iraq's future.

Our proposal is consistent with the bipartisan Iraq Study Group's findings. It is also consistent with the wishes of the American people, who want most of our troops home within a year. How much clearer does it have to be before Republicans in Congress and the President finally respond to the voices of the American people? We are meeting our responsibilities by changing the mission of our military. We are not micromanaging the war.

Many of us oppose the war, but all of us support our troops. We don't want to keep sending more and more of them into the middle of a civil war. Under no circumstances do we want them to go to war without proper armor and equipment. Our troops deserve better. Their families and loved ones deserve better.

For the sake of our men and women in uniform in Iraq and the American people, it is time for us to take a stand. We need to adopt a new strategy. We need to make clear to the Iraqi Government that the mission of our troops must change and that we have a clear timeframe for their departure from Iraq.

The Senate will fail our troops unless we vote to change course and begin to bring our soldiers home.

At the end of this debate, the American people will know where each of us stands. On our side of the aisle, we stand with the American people. The voters told us in November to change course and begin to bring our troops home, and that is what we want to do.

We stand with our troops. We and we alone are the ones insisting on a policy worthy of their courage and sacrifice.

We stand for protecting America's national security. The war in Iraq has been a disaster from the start. It has made America more hated in the world. It has made it harder to win the war against terrorism. It has made it harder to work with other nations on every issue.

Peace and progress in Iraq must be earned by Iraqis and their neighbors.

We must no longer send our brave soldiers to an uncertain fate on the streets of Baghdad.

We must begin to bring them home, to the hero's welcome they have surely earned.

Mr. FEINGOLD. Mr. President, I strongly oppose the Cochran amendment, which would strike language in the bill that takes a significant step

toward ending our involvement in the war in Iraq.

The language I am referring to won the support of 48 Senators just a few weeks ago. I voted for it then and will vote to retain it today. While it does not go as far or as fast as I would like, it would effectively end the President's misguided policies in Iraq by terminating, within 120 days, the current open-ended military mission in Iraq. At that point, U.S. troops could remain in Iraq for three specified, narrow purposes. The remainder of our troops would be redeployed. This provision is binding and it would bring to an end our current involvement in perhaps the greatest foreign policy mistake in our country's history.

Some of my colleagues continue to argue that Congress should defer to the Commander in Chief when it comes to Iraq, that we should give him the opportunity to change course in Iraq, or that we should allow his escalation plan the chance to succeed. Those arguments ignore our congressional responsibilities. Congress authorized this war and it is in our power to bring it to a close. More importantly, we have not just the power but the responsibility to end a war that is draining vital national security resources in pursuit of a goal that cannot be achieved militarily. The political problems that are driving much of the insurgency and sectarian strife in Iraq are tragic and important. They require the attention of U.S. policymakers. They do not require in fact, they cannot be solved by a massive and indefinite U.S. military presence in Iraq. Our troops continue to perform heroically in Iraq but there is no military solution to Iraq's problems.

Some of my colleagues raise the specter of dire consequences if we redeploy U.S. forces from Iraq. That is precisely why we need a strategic approach to redeployment, one that addresses ongoing instability and other threats with our intelligence, diplomatic, economic and, in a limited manner, military capabilities. Not only is the continuation of this war not going to end sectarian and insurgent violence, it puts off the day when we develop a comprehensive strategy for Iraq that is sustainable and fits squarely within the larger struggle of fighting al-Qaida.

As long as the President's policies continue, our troops will continue to put their lives on the line, our constituents will continue putting billions of their dollars into this war, our military readiness will continue to erode, our Guard and Reserve members will continue to face heavy burdens, and our ability to respond to an array of national security challenges will continue to suffer. From Somalia to Afghanistan to the ongoing fight against al-Qaida, we face threats and challenges that require serious attention and resources. Right now, far too much of both are being spent on a single country. It is this single-minded and

self-defeating policy that needs to end, and it is up to Congress to do so.

Time and again, the President has made it clear that nothing not the wishes of the American people, not the advice of military and foreign policy experts, not the concerns of members of both parties will dissuade him from pursuing policies in Iraq that are not working. Faced with a clear mandate from the voters last November, he stalled for time, before announcing not just a continuation but an escalation of his policies. Congress cannot wait for the President to change course we need to change the course ourselves.

The provision that Senator COCHRAN seeks to strike represents a change of course. It requires redeployment of our troops while recognizing that the U.S. has an ongoing role to play in addressing the terrorist threat in Iraq. While Iraq was not a hot-bed of terrorism before the President led us to war in that country, al-Qaida and its allies are trying to use the anger and frustrations unleashed by that war to their advantage. Like Afghanistan and Somalia, Iraq will need to be closely monitored to ensure that it does not become a failed state and breeding ground for terrorism. And we must be prepared to pursue targeted missions to take out terrorists. But maintaining 140,000 U.S. troops in Iraq is not the way to defeat al-Qaida. And military operations of any size will only succeed if they are combined with other measures including diplomatic, economic and intelligence measures as part of a comprehensive strategy for defeating the terrorists who threaten our country. Al-Qaida is not a one-country franchise it is a global threat that requires a global response.

Mr. SPECTER. Mr. President, I have sought recognition to address the amendment offered by Senator COCHRAN. The Senate finds itself in the same position it was in just 2 weeks ago, when it considered an amendment offered by the majority leader, Senator REID. Senate amendment No. 643, offered by the Senior Senator from Mississippi, who is the ranking member on the Appropriations Committee, would strike the language that is essentially that of S. J. Res. 9, which the Senate rejected on March 15, 2007. I draw to the attention of my colleagues my statement in the RECORD of March 15, 2007, at page 53166.

As I stated 2 weeks ago, I would be prepared to cross party lines, as I have done in the past when I thought it warranted, if I agreed with the thrust of the resolution. Seven Senators of the minority joined with the majority in voting for cloture several weeks ago to move ahead with the debate and try to come to a resolution on the Iraqi issue. I was one of the seven. I would not hesitate to do so again if I agreed, but I cannot agree with the language requiring that not later than 120 days after enactment to have phased redeployment of U.S. forces, with the goal of redeploying by March 31, 2008, all U.S. combat forces in Iraq.

The thrust of the language in the bill, however, is to leave Iraq in a year, something that will ensure defeat—as setting a timetable simply enables our opponents to wait us out.

I think beyond that, the idea of having the Congress of the United States micromanage the war is simply not realistic, and perhaps it may even be unlawful. I note in the case of *Fleming v. Page*, in 1850, the Supreme Court said:

As Commander in Chief, he is authorized to direct the movements of the naval and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy.

That is a fairly forceful statement that it is not up to the Congress to micromanage a war but that it is up to the Commander in Chief, the President of the United States. That is not to say that the Congress does not have authority in the premises. I continue to seek hearings by the Judiciary Committee on the relative powers, authority of the Congress under the Constitution, with our power of the purse and our power to maintain and direct armies, contrasted with the President's power as Commander in Chief.

I believe, however, it is impractical and of questionable legal authority for us to seek to micromanage the war if the consequences of giving an order to the President would just enable the enemy to wait us out. That is not to say that at sometime in the future it may be necessary, and there may be a considered joint judgment by the Congress, to use the extraordinary power of the purse to implement our constitutional authority to maintain armies to effectuate a withdrawal.

I had one additional thought to the substance of my floor statement of March 15. We may find victory, unexpectedly, as Winston Churchill said in a June 18, 1940 speech, when he was commenting on World War I:

During the first four years of the last war the Allies experienced nothing but disaster and disappointment. That was our constant fear: one blow after another, terrible losses, frightful dangers. Everything miscarried. And yet at the end of those four years the morale of the Allies was higher than that of the Germans, who had moved from one aggressive triumph to another, and who stood everywhere triumphant invaders of the lands into which they had broken. During that war we repeatedly asked ourselves the question: How are we going to win? And no one was able ever to answer it with much precision, until at the end, quite suddenly, quite unexpectedly, our terrible foe collapsed before us, and we were so glutted with victory that in our folly we threw it away.

Churchill's words suggest that if we maintain our determination we can win although the path to victory, at the moment, is very uncertain.

Furthermore, the President has issued a veto threat should legislation contain the provision Senator COCHRAN's amendment would strike. Such an action would deprive funds vital to U.S. troops and the operations of the Department of Defense.

Mr. LEVIN. Mr. President, I thank the Senator from Washington for her leadership and floor management.

The Cochran amendment would strike the heart of the provision relating to Iraq from this supplemental appropriations bill. The main point of our provision is a requirement that the President commence a reduction of U.S. forces from Iraq not later than 120 days after enactment. Not included in the reduction would be those forces that are essential for force protection, training and equipping Iraqi forces, and conducting targeted counterterrorism operations.

This language is essential because nothing else has been successful in convincing the Iraqis that they have to take responsibility for their own country and that they must make the political compromises that are necessary to end the sectarian violence and defeat the insurgency in Iraq. Only when the Iraqis realize the mission of U.S. forces is going to change and that we are going to reduce the number of U.S. forces in Iraq will they realize we cannot save them from themselves, and that they need to act to meet the commitments they made to themselves and to us.

Commitments are only words unless they are fulfilled. Last month, during our debate on Iraq, I put in the RECORD Secretary Rice's letter to me of January 2007 which had an enclosure of the listing of the political commitments and the timelines the Iraqis themselves had established. Virtually none of those commitments has been met, despite the fact most of them were to have been fulfilled last year, and all but one were to have been accomplished prior to this month. They committed themselves to approve a provincial elections law and they set a date for a provincial elections law by October of 2006. They set a date to approve militias and other armed formations by December 2006. They set a date for the constitutional review committee to complete its work by January 2007. They made a commitment to conduct a referendum on constitutional amendments which was to have been accomplished by this month. They violated every single one of those commitments.

We need to retain this language. We need to retain the language that we begin to reduce the number of American forces in Iraq beginning in 4 months because that reduction is the action-forcing mechanism—the sign to the Iraqi leaders we cannot save them from themselves, and their future is in their hands, not our hands.

The most graphic demonstration of the importance of our provision is the fact that even our senior leaders in this administration, while opposing our position, have used the growing support for our position to try to impress upon the Iraqi leaders they have to move promptly to settle their differences and to meet their commitments.

Last month while in Baghdad, Secretary Rice used the restiveness in

Washington to emphasize to the Iraqi leaders the growth of American frustration with the absence of a political settlement in Iraq. She said she had “made clear that some of the debate in Washington is indicative of the concerns that the American people have about the prospects for success” if Iraq's leaders do not quickly take the steps needed to ensure longer-term stability.

Ambassador Khalilzad, in a television interview on March 9, said the debate in Congress:

Sends a message to the Iraqis that the patience of the American people is running out. And—

He said, Ambassador Khalilzad said—that is helpful to my diplomacy.

The Iraqi Study Group said:

The open-ended commitment of American forces does not provide the Iraqi government with the incentive that it needs to take political actions that give Iraq the best chance of quelling sectarian violence. In the absence of such an incentive—

The Iraq Study Group said—

in the absence of ending the open-ended commitment that has been made to Iraq, the Iraqi government might continue to delay taking those difficult actions.

I think perhaps General Casey said it best:

The longer U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the government of Iraq has to take the hard decisions about reconciliation in dealing with the militias.

General Casey had it right. Let us not sustain the Cochran amendment. Let's keep this critically important action-forcing mechanism in the bill where it will do some good to force those Iraqi leaders to finally recognize their future is in their hands, not ours.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. I yield 10 minutes to the distinguished Senator from Connecticut, Mr. LIEBERMAN.

Mr. LIEBERMAN. Mr. President, today the Senate approaches a decisive turning point in the history of our engagement in Iraq, a moment that will have repercussions not only for the future of that country but for the security of our country as well.

The immediate question before us is direct. Should Congress impose a deadline for the withdrawal of our troops from Iraq? To that question I answer: No, no, no.

We all know the circumstances under which this vote is taking place. The administration is politically weak. The war is politically unpopular. It has never been easier to advocate a withdrawal. But I cannot support it because I believe deeply that it would be wrong. Our cause in Iraq remains just and necessary, and we continue to have the prospect of achieving success there.

If passed, this legislation would order a withdrawal of American troops from Iraq to begin in 120 days, regardless of conditions on the ground, regardless of whether we are succeeding or failing, regardless of the consequences for

America's security, regardless of the consequences for our allies in the region, and regardless of the recommendations of the man we unanimously put in charge of our troops there—GEN David Petraeus. In short, this withdrawal would be ordered by this legislation regardless of reality.

This congressionally ordered withdrawal of our troops from Iraq would essentially be giving up on our cause in Iraq just when our prospects are picking up there. It would snatch defeat from the jaws of progress in Iraq today—progress that is critically important to our success in the larger war against terrorism.

What then are the arguments given to justify such an arbitrary order to our troops from this Congress so far away?

First, proponents of withdrawal keep returning to the proposition that American soldiers shouldn't be policing a civil war. Surely my colleagues don't mean to say the U.S. military has never or should never police a civil war. That would certainly come as a surprise to our soldiers who have been keeping the peace in Bosnia and Kosovo over the past decade, dispatched there wisely and strongly under a Democratic President with the support of Democrats in Congress. Clearly, our military has policed civil wars in the past and will do so and must do so in the future. So why do proponents of withdrawal from Iraq keep insisting it shouldn't happen now? The answer has to do with the way some people choose to characterize what is happening in Iraq.

When they suggest our soldiers are stuck in a civil war there, it suggests the conflict has become hopeless, a pit of violence where there are no heroes, only villains, and where our military cannot possibly do any good. Is this the case? I think the facts suggest not. There are more heroes by far than villains in Iraq today and, most of all, there is the overwhelming majority of the Iraqi people who are the innocent victims of violence and want nothing more than to live secure and free lives.

Iraq has a government—a government freely elected by the people; a government where every day Iraqis of every ethnicity and sectarian identity come together. That is not a civil war. The Iraqi Government has faults and weaknesses, to be sure, and we should be using every instrument at our disposal to pressure its leaders to make better choices. But there is a world of difference between the moderates who compose the Iraqi Government and the extremists who seek to murder them.

The image of Iraq as a country in which everyone is complicit in the violence also overlooks something else. It overlooks the innocent victims of that violence who are the majority. The truth is we are confronted in Iraq today with a deliberated, calculated campaign of murder of civilians, often on the basis of religious identity alone, by insurgents and terrorists.

All of us should be able to unite around the proposition, therefore, that we as Americans have a moral responsibility not to pick up and walk away and turn our backs on the slaughter. Like the Serb death squads that tried to ethnically cleanse Kosovo or Hutu extremists in Rwanda, or the jingawit today in Darfur, the sectarian violence we are witnessing in Iraq is directed at the extermination of human beings on the basis of nothing more than who they are.

It is an awful irony of this debate that many of the same people who consistently and correctly call on the United States to do more to stop the genocide in Darfur now demand we abandon the Iraqis and invite a genocide there.

I know some believe the violence in Iraq is inevitable, the outgrowth of ancient hatreds that exist outside the bounds of normal politics. We heard those arguments before also. We heard them in the 1990s about Yugoslavia and about Rwanda. Surely, from those conflicts, we should know better than that now.

The wanton slaughter of innocent people that our soldiers are trying to stop in Baghdad, and now with some success, is not the inevitable product of ancient hatreds but the consequence of a deliberate, calculated strategy by an identifiable group of perpetrators, first and foremost al-Qaida. We know this because al-Qaida itself has said so. Its leaders have stated openly that they have worked to foment hatred, fear, and violence between Sunnis and Shiites, precisely because al-Qaida knows it represents their best opportunity to overthrow the elected Iraqi Government, to sow the seeds of chaos, to stamp out any hope of Middle Eastern democracy, and, sadly, as this debate shows today, to push the United States of America—the world's superpower, the embodiment of the hopes and dreams of so many for freedom—to the point of retreat from Iraq.

This is also why the notion expressed in the supplemental that we can separate the fight against terrorism from the fight against sectarian violence in Iraq simply defies reality. The fact is, the worst sectarian violence in Iraq is being committed by al-Qaida and other Islamist terrorists.

The biggest cause of the violence in Iraq is not the split between the Sunnis and Shiites but a specific ideology—the ideology of Islamic extremism—that is trying to exploit that divide for its own evil ends.

The success of that ideology is not inevitable. Thanks to General Petraeus, his troops, and the new strategy, sectarian violence is down. Maqtada al-Sadr has disappeared. The Mahdi army is splintering. Displaced Iraqi families are returning to their homes.

Of course, we will not know for some time to what extent the new strategy will succeed, but it is clear that, for the first time in a long time, there is

reason for cautious optimism about Iraq. Why would we, at this moment, order a withdrawal of the very troops that are bringing greater security and a cause for optimism?

Mr. President, the record of the past 2 months shows Prime Minister Maliki has allowed and encouraged U.S. forces to sweep into Sadr City. He has worked with General Petraeus to ensure that all of the Iraqi Army units required by the new strategy are available. He has flown to the heart of Al Anbar Province to meet with Sunni leaders. These breakthroughs have happened not in spite of but because of the American commitment to Iraq and because of the presence of General Petraeus and his troops.

I ask my colleagues to consider what it will mean if Congress now orders our troops to pull back from this battle, just at the moment that they are beginning to succeed. Consider the consequences if we knowingly and willingly withdraw our forces and abandon one of the few states in the Middle East to have had free, competitive elections as an alternative to extremism and violence.

I understand the frustration and anger and sheer sense of exhaustion so many feel about Iraq. I am acutely aware of the enormous toll this war has taken. But I ask those determined to order a withdrawal to think carefully about the consequences, and not just geopolitical but moral, for the United States. We cannot redeploy from our moral responsibility in Iraq or in our foreign policy, more generally. It is contrary to our traditions. It is contrary to our values. It is contrary to our interests. Yet that is precisely what this Congress will be calling for if we order our troops to withdraw now. That is precisely what the Congress will be calling for if we order our troops to withdraw from Iraq now, regardless of what is happening on the ground.

I appeal to my colleagues, don't do this. Give General Petraeus and his troops a chance to succeed for us in Iraq. Strike this language from this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. How much time remains on both sides?

The PRESIDING OFFICER. The majority has 12½ minutes. The Republicans have 13 minutes.

Mrs. MURRAY. Mr. President, I yield myself 2½ minutes.

We need to change course in Iraq. That is why I support the supplemental bill now before the Senate and oppose the Cochran amendment that is pending. This underlying bill finally sets a new direction for our mission in Iraq. It begins to redeploy our troops, and it helps us refocus our efforts on fighting and winning the war on terror.

Mr. President, our troops have done everything we have asked them to do. Now it is time to start bringing them

home. It is time for the Iraqi people and for the Iraqi Government to take responsibility for their own country. We should not be sending more and more Americans into the middle of a civil war. The conflict in Iraq is not going to be solved by military force alone. It is going to require a political solution among Iraqis. So this underlying bill sets benchmarks for the Iraqi Government on the types of progress that we all agree they ought to be making. They should not be stricken from this by the Cochran amendment.

The President wants to commit more American servicemembers to an open-ended conflict. This bill recognizes that we need a new strategy. We need to do what the Iraqi Study Group and what many generals and what the American people have called for. We need to redeploy our troops. The bill says a redeployment should begin within 120 days, and it sets the goal of having most U.S. forces out of Iraq by next March.

Importantly, this bill helps us take care of those who are injured fighting for our country. It is time we focused our attention on those men and women who have sacrificed so much, who have come home and have endured the hardship we have seen at Walter Reed and other facilities across this country. We need to make sure they get the resources they need, and this bill does that.

I am pleased to support the underlying bill. I oppose the Cochran amendment, and I support this bill because it sets a new direction for our policy in Iraq and it provides important new support for our servicemembers and veterans who are here at home.

I retain the remainder of our time.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I yield 8 minutes to the Senator from Virginia, Mr. WARNER.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I thank my long-term friend, the distinguished Senator from Mississippi. We came to the Senate together some 29 years ago. I commend him for the leadership he has provided throughout his many years and, particularly, on this coming vote, which is most important—not just to the Senate but to the whole Congress and to the people of the United States and to the world. I strongly support the amendment of the Senator from Mississippi, Mr. COCHRAN.

Some many weeks ago, shortly after January 10, when the President announced his new strategy for a surge, I was among those few voices on this side that expressed concern about that initiative. I believed that this Nation had invested so heavily in Iraq, in life, in limb, and an extraordinary amount of money, much of that having been spent on the training of the Iraqi security forces, and that the time had come for those security forces to bear the brunt of the battle. Our group, having

drawn up a resolution, endeavored to try to get it debated, but the record shows that opportunity, and the opportunity to vote on it, was not given. But that is history.

At this time, however, I believe the operations of our troops under the new strategy are well underway. We have many men and women of our Armed Forces in harm's way, and we must be very cautious as to the message we send at this time.

Mr. President, I say most respectfully that with this current draft we are trying to strike out the language that, if allowed to stand, would send a sound all over the world. It would be the bugle of retreat; it would be echoed and repeated from every minaret throughout Iraq: The coalition forces have decided to take the first step backward.

We cannot send that message at this time. I will be among those who will constantly challenge any aspect of the policies of this administration which I believe are not in the best interest. I have two amendments that, hopefully, will be considered in the context of the pending bill. One calls for an independent investigation—independent of the Department of Defense and all entities of the Federal Government—of the Iraqi security forces, principally the army and, to some extent, the police, to determine what the status is of those forces today.

What has been the result of the billions of dollars we have expended over 2½ years to train and equip them? Are they now, or in the immediate future, able to carry the burden of this fight to enable the people and the Government of Iraq to have greater security and eventually achieve the goals and the full reins of a democracy?

The other amendment I have calls for a table of benchmarks and a reporting sequence from our administration as to whether the Iraqis are or are not meeting those benchmarks because any option laid down is dependent on the capability of the Iraqi security forces. Early reports in the engagements thus far indicate that, in some measures, they have met the commitments they made to have sent battalions, to have engaged with such limited aggression that has been brought against them in the course of this surge and against the coalition forces. Nevertheless, it is the American forces that are primarily in the lead, primarily in the support role and carrying the greater burden of this battle.

So at this time I do not think it is wise to sound that bugle, that sound of retreat. Think of the consequences if that nation implodes and fractures and the Government and all of the gains that we have gotten thus far are lost. Think of the consequences on, for example, the potential for other energy sources to be developed in that region—energy that is vital to the world, energy that must flow from that region through the Straits of Hormuz that could be jeopardized if there is a con-

vulsion among the border states and the spreading of the anarchy that could simply flow from this most distressed land of uncertainty we call Iraq, this situation that is so fragile at this time.

So I urge my colleagues, with no disrespect to those who put this in the bill, to support the Cochran amendment.

Mr. President, while I have the floor, I simply ask unanimous consent to send a modification to the desk for an amendment filed, No. 698.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, I say to the Senator from Virginia, I would have to object at this time. We are happy to work with the Senator during the vote to deal with the modification.

Mr. WARNER. Mr. President, I respect the manager of the bill, and I thank her.

Mrs. MURRAY. How much time remains on both sides?

The PRESIDING OFFICER. The majority controls 10 minutes. The minority controls 6½ minutes. That includes 10 minutes for the leadership.

Mrs. MURRAY. I yield 3 minutes to the Senator from Illinois.

Mr. DURBIN. Mr. President, the amendment which we are going to vote on very shortly in the Senate is a historic amendment. It is an amendment which I think will be followed very carefully not just in the United States but around the world, particularly in Iraq.

Understand what this amendment does. The Cochran amendment removes the language which starts to bring American troops home. The Cochran language, instead, calls on the President to make periodic reports to Congress on the progress in Iraq. With all due respect to those who support that amendment, periodic reports will not bring this war to an end. Periodic messages from the White House will not turn over this war to the Iraqis to defend their own country.

What we have seen in Iraq is the worst foreign policy mistake in our time. We have paid so dearly in our Nation for this mistake. Over 3,200 of our bravest soldiers have given their lives. Over 24,000 have come home injured, some with serious injuries that will haunt them for a lifetime. We have spent \$500 billion of our treasure in Iraq that could have been spent in the United States for the betterment of our people. We have given to the Iraqi people more than any other Nation could ask for. We have stood behind them, we have deposed their dictator, we have given them free governance and a chance at a constitution and free elections. Now it is time for us to make it clear to the Iraqis that it is their country, it is their war, and it is their future.

This President recently said we need to continue to send soldiers, more soldiers, into Iraq. Sadly, many of them are being sent to battle without the equipment, the training, the rest they

need, and the time at home with their families. We are pushing these brave men and women to the limit. Voting for the Cochran amendment says it is enough that the President sends us every 60 or 90 days a report; that he tells us how things are going; how we are doing. Is that why we are in Congress, to receive reports from the President, to put them on a bookshelf somewhere and hope a staffer has time to read them? I think not.

What we are here to do is speak for the American people who want a new direction in Iraq. They want this Congress to stand up once and for all and say to this President that this policy has to change. American soldiers must start to come home in an orderly manner and the Iraqis have to stand and defend their own country. A vote for the Cochran amendment, sadly, will take away any type of incentive for the Iraqis to do the right thing for their own Nation.

Many have studied this over the last 4 years, a war that has gone on longer than World War II. They have come to the same conclusions—the Iraq Study Group and many others—it is time for the United States to announce a new policy. The Cochran amendment says we will stay with the old policy; we will receive periodic reports from the White House. That is not the answer.

What we need to do is to stand behind our soldiers by bringing them home as quickly as possible.

Mr. COCHRAN. Mr. President, I yield 3 minutes to the distinguished Senator from Texas, Mrs. HUTCHISON.

The PRESIDING OFFICER. Is there objection? That exceeds the Senator's time.

Mr. COCHRAN. How much time do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 1½ minutes before the 5 minutes.

Mr. COCHRAN. I yield 1½ minutes to the distinguished Senator from Texas.

Mr. MCCONNELL. Mr. President, I am going to use about 5 minutes of my leader time after Senator HUTCHISON, and she needs a minimum of 3 minutes. I will ask unanimous consent that Senator HUTCHISON be allowed to have 1½ minutes of my leader time, and I will take about 5 minutes.

Mrs. MURRAY. Mr. President, I will not object if we can add an equal amount of time to the majority side.

Mrs. HUTCHISON. Mr. President, let me ask for 2 minutes. I thought the last time the Chair announced the time it was 6½ minutes after Senator WARNER.

The PRESIDING OFFICER. It is 6½ minutes, but the leader gets 5 of those 6½.

Mrs. HUTCHISON. I understand. I ask unanimous consent that I be allowed 2 minutes, after which the leader will then be allowed his 5 minutes.

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

The Senator from Texas is recognized.

Mrs. HUTCHISON. I thank the Chair.

Mr. President, let me say that the distinguished deputy leader on the other side said that if the Cochran amendment passes, it will be the same strategy, nothing new, nothing changed.

Nothing could be further from the truth. In fact, the President heard what the people said in the elections of last year. The President has changed the policy. We have confirmed a general to go over there and direct a new strategy, which, by all accounts, is beginning to have some hope of success.

If we do what is in this bill, by not passing the Cochran amendment, it says that the President must commence the phased redeployment of U.S. forces from Iraq not later than 120 days after the date of this act. That puts a bulls-eye on our troops on the ground. It says we are not committed to do what we said we would do, to stand with Iraq to have a stable democracy in their country. It says that we are just going to leave.

We are not stating any benchmarks; we are not stating any success strategies; we are saying 120 days and we are gone. What do you think that does to our troops on the ground? What does it say to our allies? Most importantly, what does it say to the enemy? It says the greatest country in the world is going to be there as long as it is not very hard. But when it gets too tough for America, we will leave and we will walk out.

That should not be the message of the greatest country on Earth, and I hope we will pass the Cochran amendment and do what is right for our country for the long term.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Republican leader.

Mr. MCCONNELL. Mr. President, less than 2 weeks ago, a bipartisan majority of Senators put aside disagreements over the war in Iraq and agreed on at least one thing and that one thing was that announcing a surrender date for our troops is certainly not in our national interest.

It is wrong by the troops who have been risking their lives to bring stability and order throughout Baghdad and Iraq. Certainly, they do not want to tell the enemy they intend to run up the white flag 365 days from today. Setting a date for withdrawal is akin to sending a memo to our enemies to rest, refit, and replan until the day we leave. It is a memo to our friends, too, telling them we plan to walk away and leave them on their own, regardless of what we leave behind. We know as well as they do that we can expect the following: a Sunni minority exposed to the whims of the Shia majority, ethnic cleansing, and regional instability the consequences of which are painful to contemplate but easy to predict.

It is wrong by the commanders in the field, who have been sent into battle with a mission to fulfill and who know

better than we do how to carry out that mission.

It is wrong by the Iraqis themselves, who have risked their lives and fortunes on the strength of a promise that the United States of America would stand with them and see this struggle through until the end.

We voted against setting a surrender date, despite intense political pressure because common sense tells us that politicians in Washington don't tell the commanders on the battlefield when the fight is won.

Common sense told us something else a few months ago. It told us we had to change course, and that is exactly what we have done. We realized the only way we would win this fight would be to secure the city of Baghdad, the seat of the Iraqi Government, and home to a quarter of its population. We implemented a strategy to do it.

Some have said there is no military, only a political solution to ending the violence in Iraq. But we can't pretend the Iraqis will forge a political solution unless they are secure in their homes and on their streets. That is the key to the Petraeus strategy and to our efforts in Baghdad.

We have been pursuing that new course for the last few months. A Democratic-controlled Senate sent a new commander into the field of battle to carry it out. We have seen early signs of success, enough to believe this new approach was exactly the right thing to do.

Now Congress is being asked to fund it. I agree this is also the right thing to do. We are not about to pull the rug out from under our soldiers in the field just as they begin to carry out the mission we have sent them on. We are going to give them everything they need, and we are not going to slip a deadline now into their security package.

The Constitution gives those who oppose this war a clear and concrete way of expressing their views, and that is to vote against funding it. Attempting to have it both ways—by slipping a withdrawal date into this bill and making the support of our troops contingent on a dangerous and defeatist surrender date—was wrong a week and a half ago and it is wrong now.

It is also dangerous. President Bush has repeatedly said he will veto a bill that includes a surrender date. He said it again this morning. He said this spending bill, in its current form, assumes and enforces the failure of the new strategy even before American commanders are able to implement their plans and he will veto it if it reaches his desk.

I urge my colleagues not to take us down this path, not to delay the delivery of emergency funding to our troops by forcing a Presidential veto. There is no need. Nothing has changed since the majority of us voted against this very same timeline the week before last.

Stripping the withdrawal date will not prevent anyone in this Chamber

from expressing his or her views on Iraq. Its only effect would be to delay the delivery of much needed funding and equipment to our soldiers in the field. I strongly urge my colleagues to strike this dangerous provision and support the Cochran amendment.

Mr. President, I yield the floor.

Mr. REID. Mr. President, Senator KENNEDY has 2½ minutes, but he is not here, so I will proceed to wrap up the debate.

My friend, the Republican leader, said nothing has changed since the last vote. That is the whole problem, nothing has changed. Nothing has changed in over 4 years of this bloody war in Iraq. One course. That course has been followed from the very beginning and has never changed.

The choice tonight is very clear. It is as clear as it is important. It is a choice between staying the course in Iraq and changing the course in that faraway land. With their votes, Senators tonight can send a message to the President that it is time to come with us, to help find a new way and end this intractable civil war or Senators can allow this course to continue, allow President Bush to commit more U.S. troops in this open-ended Iraqi civil war.

After more than 4 years, the related deaths of 3,250 of our brave soldiers, and the wounded tens of thousands of these men and women, it is time we should change. This war is not worth the spilling of another drop of American blood. As it stands, this emergency legislation before this body tonight will send a signal to our President that it is time for a new direction, it is time to set benchmarks, it is time to send a signal to the Iraqi Government that they must take responsibility for their own people, and it is time to start redeploying our troops and recommitting ourselves to fighting al-Qaida and other terrorists around the world.

If this amendment passes, sending a message to the President to change course, that is the right way to go. If, however, Senators decide to allow the President to continue along the line he has outlined for more than 4 years, that would be a shame. That is what this amendment is all about, whether this carefully crafted legislation will be stripped from this bill. It would then turn out to be, instead of a bill that demands the President change his policy, that we will have a bill that gives the President a blank check and a green light to continue the failed course we have had in Iraq.

Without this language in the supplemental, the President would be free to keep U.S. troops in Iraq indefinitely, serving an impossible mission of policing an acknowledged civil war. Staying the course in Iraq will not lead to success. There are no military solutions. My friend, the Republican leader, said "some say." "Some say." Well, one person who says the war can't be won militarily is the man we have com-

manding the troops over there, General Petraeus. He said 20 percent of the war is military, the rest is political and diplomatic and economic. That is the way it is.

The bill, without this amendment, offers a responsible strategy in Iraq, which the American people asked for last November, a strategy that will maximize our chances to succeed in Iraq and enhance our ability to defeat al-Qaida. General after general after general has said that is the right strategy. A group of patriotic Americans devoted a year of their lives to giving the American people and this Congress and the President the advice of their collective wisdom—and it was wisdom—former Secretaries of Defense, Secretaries of State, college professors, former Members of Congress. They came to the conclusion that we have in this amendment. It is in this bill. The Iraq Study Group agrees with what we have in this legislation.

It is time for the Senate to put a stamp of approval on people such as Secretary Jim Baker. He is a man who is a card-carrying Republican. He served as Secretary of State, Chief of Staff for the President of the United States, and he has held other Cabinet positions. He is an example of what that Iraq Study Group was all about. They did it because it was the right thing to do. The reason we are having even minimal contact right now with Iranians is because of Secretary Baker. Secretary Baker said you do not only negotiate with your friends, you have to negotiate with your enemies.

I have come to know very well a person who is part of my security detail. He has traveled with me all over the country—has been to my home in Searchlight. He is now headed for his third tour of duty in Iraq. He has two little children. He is headed for Iraq. He leaves in less than a month. I admire James for his courage and his patriotism, but he should not be going back for a third go-around. He is a National Guardsman.

I understand how some of my colleagues feel. In this Chamber is JOE LIEBERMAN. There is not a Senator for whom I have more respect than JOE LIEBERMAN. I know how passionately he feels on this issue.

JOHN WARNER, seated across from me, is one of my friends. I can say that without any reservation or hesitation. We have served together for many years. I was his subcommittee chairman in the Environment and Public Works Committee. I know how he feels about this issue, how torn he is as to what is the right thing to do, what is not the right thing to do. I acknowledge the feelings of JOHN WARNER and JOE LIEBERMAN, but that does not take away from the way I feel about this issue.

I have said on this floor before and I will say it again, the sparsely populated State of Nevada has lost 39 soldiers in Iraq. The last one, I called his mother less than 2 weeks ago. Raul

Bravo is dead. He was 21 years old—a marine on his second tour of duty in Iraq. His mother expressed to me what a tremendous loss this was. He was the only man in her family, she said—she and her three daughters. I admire Raul Bravo for going to Iraq twice. He did what he had to do. But we have had too many Raul Bravos dying over there, unnecessarily, in the middle of a civil war.

I listened to my radio yesterday morning, as I do every morning. Yesterday morning: five dead soldiers the day before.

I say sincerely that we should not spill any more blood there. We should start redeploying these troops, have them work in counterterrorism, force protection, training the Iraqis.

Every one of my colleagues should understand that the Prime Minister of Iraq told the President of the United States to his face the last time they met: Get the American troops out of Baghdad. That is what he told him. This was before the surge that the President came up with. The leader of the country of Iraq told the President of the United States: Get the American troops out of here.

The Iraqi people don't want us there. All the polls show overwhelmingly the people, Iraqi people, don't want us there. The majority of the people think it is OK to kill and injure Americans. Is that what we want to be involved in? I think not.

A lot of people worked very hard on the provision that is subject to being stricken from this bill. This is a good piece of legislation that is in this bill. It is the right thing to do. It is good for America. It is good for our world. And it is good for President Bush.

I yield back Senator KENNEDY's time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi.

Mr. WARNER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHN-SON) is necessarily absent.

Mr. LOTT. The following Senator is necessarily absent: the Senator from Wyoming (Mr. ENZI).

Further, if present and voting, the Senator from Wyoming (Mr. ENZI) would have voted "aye."

The PRESIDING OFFICER (Mr. SALAZAR). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—48

Alexander	Burr	Corker
Allard	Chambliss	Cornyn
Bennett	Coburn	Craig
Bond	Cochran	Crapo
Brownback	Coleman	DeMint
Bunning	Collins	Dole

Domenici	Lieberman	Shelby
Ensign	Lott	Snowe
Graham	Lugar	Specter
Grassley	Martinez	Stevens
Gregg	McCain	Sununu
Hatch	McConnell	Thomas
Hutchison	Murkowski	Thune
Inhofe	Pryor	Vitter
Isakson	Roberts	Voinovich
Kyl	Sessions	Warner

## NAYS—50

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Hagel	Nelson (NE)
Biden	Harkin	Obama
Bingaman	Inouye	Reed
Boxer	Kennedy	Reid
Brown	Kerry	Rockefeller
Byrd	Klobuchar	Salazar
Cantwell	Kohl	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Smith
Casey	Leahy	Stabenow
Clinton	Levin	Tester
Conrad	Lincoln	Webb
Dodd	McCaskill	Whitehouse
Dorgan	Menendez	Wyden
Durbin	Mikulski	

## NOT VOTING—2

Enzi	Johnson
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The amendment (No. 643) was rejected.

Mr. DURBIN. Mr. President, I move to reconsider the vote.

Mr. LEVIN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I am going to shortly suggest the absence of a quorum again. I want to tell everybody, it is going to take us a little while to figure out where we go next. I need to meet with Senator MCCONNELL, Senator BYRD, and Senator COCHRAN. This is not an easy proposition. We have cloture in the morning. As we have heard from both sides, this is a very important bill and we have to move as quickly as we can. Well over 100 amendments have been filed on this bill. That is going to throw a monkey wrench into things. Senator MCCONNELL has worked in good faith for us to get to the point where we are today. I hope I have done the same. I represented to Senator MCCONNELL we could have a vote on the Iraq bill, and we have done that. I represented to Senator MCCONNELL we could have a vote on the minimum wage, and we almost have that worked out. I represented to Senator MCCONNELL there were certain amendments a couple of his Senators wanted to offer and we were going to work that out, and I think we have done that.

There is something that is wanted on both sides, very important to Senator WYDEN and Senator SMITH, Senator BINGAMAN and Senator BAUCUS, and others. We are at a point where we can resolve that.

Beyond that, it is a legislative mess. Standing here in the well, I have had five Senators come up to me and say they had emergency things they needed done. I asked each of them: Is it in the supplemental? No.

It makes it tough to try to be everything to everybody. We need a little time to see what we can do to work through this. I want to be as fair as we can, but this is an unusual piece of legislation. We have a cloture vote in the morning. The staff will work during the night to find out which of the amendments that have been filed either are germane or appear to be germane or are not.

We will not have a vote in the near future. It will be a little while. I would say it will probably take us at least 15 minutes before we know where we are going. We have Senator COCHRAN, Senator BYRD, who are as experienced as anyone could be on this most important bill. We will do our best to give everyone an idea of where we are headed.

Mr. MCCONNELL. Will the majority leader yield for an observation?

Mr. REID. I am happy to yield to the Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I think we are close to sorting out a way to go forward, as the majority leader has described. As soon as we finish this colloquy, why don't we get about figuring out how to sort that out.

Mr. REID. I appreciate that very much. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the Senate now return to the Kennedy amendment and that a Grassley second-degree amendment be considered and agreed to; that the Kennedy amendment, as amended, be agreed to and the motion to reconsider be laid upon the table; that on Wednesday, March 28, there be 30 minutes of debate to run concurrently with respect to the Wyden amendment No. 709 and the Burr amendment No. 716, with the time equally divided and controlled between Senators WYDEN and BURR or their designees; that the Burr amendment be modified to be a first-degree amendment; that no amendments be in order to either amendment; that there then be 30 minutes of debate prior to a vote on the motion to invoke cloture on H.R. 1591, with the time equally divided and controlled between the two leaders or their designees; that upon the use of time, without further intervening action or debate, the Senate proceed to a vote in relation to the Wyden amendment, to be followed by a vote in relation to the

Burr amendment, and then a vote on the motion to invoke cloture; that there be 2 minutes of debate equally divided prior to each vote; that on Wednesday, it be in order for Senator HAGEL to call up amendment No. 707 and there be 90 minutes of debate under the control of Senator HAGEL; that upon the use or yielding back of that time, the amendment be withdrawn. That would be whether cloture is invoked or not. And it relates to the Hagel amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, we have taken, as you know, a long time to get to this point. There are a number of other Senators who have questions, and we are still in the process of working our way through that.

I further ask unanimous consent that Senator COBURN be recognized to call up six amendments en bloc—Nos. 648, 649, 656, 657, 717, and 718; that once they are reported by number, the amendments be set aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Virginia.

## AMENDMENT NO. 698, AS MODIFIED

Mr. WARNER. Mr. President, I know there has been a diligent effort on both sides to get the Byrd-Warner amendment cleared. I am hoping to get the final clearance from Senator STEVENS. I know where he is, and I have contacted him. If that could just be held in abeyance for a minute or two, in the meantime, may I modify one of the amendments that is filed at the desk?

I ask unanimous consent to modify amendment No. 698.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is so modified.

The amendment (No. 698), as modified, is as follows:

(Purpose: Relating to Iraq)

At the end of chapter 3 of title I, add the following:

## SEC. 1316. IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) On the fourth anniversary of Operation Iraqi Freedom, the regime of a brutal dictator has been replaced by a democratically elected government in the Arab world.

(2) United Nations Security Council Resolution 1723, approved November 28, 2006, “determin[ed] that the situation in Iraq continues to constitute a threat to international peace and security”.

(3) More than 137,000 United States military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States armed forces, and are deserving of the support of all Americans, which they have strongly.

(4) Many United States military personnel have lost their lives, and many more have been wounded, in Iraq, and the American people will always honor their sacrifices and honor their families.



(5) The United States Army and Marine Corps, including their Reserve and National Guard organizations, together with components of the other branches of the military, are under enormous strain from multiple, extended deployments to Iraq and Afghanistan, and these deployments, and those that will follow, will have lasting impacts on the future recruiting, retention and readiness of our Nation's all volunteer force.

(6) Iraq is experiencing a deteriorating problem of sectarian and intra-sectarian violence based upon political distrust and cultural differences between some Sunni and Shia Muslims, concentrated primarily in Baghdad.

(7) Iraqis must reach political settlements in order to achieve reconciliation, and the failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq.

(8) The responsibility for internal security and halting sectarian violence in Iraq must rest primarily with the Government of Iraq, relying on the Iraqi Security Forces (ISF).

(9) President George W. Bush said on January 10, 2007, that "I've made it clear to the Prime Minister and Iraq's other leaders that America's commitment is not open-ended" so as to dispel the contrary impression that exists.

(10) It is essential that the Government of Iraq set out measurable and achievable benchmarks and President George W. Bush said, on January 10, 2007, that "America will change our approach to help the Iraqi government as it works to meet these benchmarks".

(11) According to Secretary of State Rice, Iraq's Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006 that were—

(A) reaffirmed by Iraq's Presidency Council on October 6, 2007;

(B) referenced by the Iraq Study Group; and

(C) posted on the website of the President of Iraq.

(12) The Secretary of State indicated on January 30, 2007 that "we expect the Prime Minister will follow through on his pledges to the President that he would take difficult decisions".

(13) The Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff have testified about, and, or, provided unclassified material to members of Congress on Iraqi commitments and goals.

(14) Congress acknowledges that the Baghdad Security Plan is in its initially months and while there are signs of progress, there are also signs of difficulty and uncertainty. For these reasons, and others, Congress must have timely reports to evaluate in performance of roles under the Constitution of the United States.

(b) BENCHMARKS.—It is the sense of Congress that—

(1) United States strategy in Iraq, hereafter, should be conditioned on the Government of Iraq meeting benchmarks, as told to members of Congress by the President, the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, and reflected in the commitments of the Government of Iraq to the United States, and to the international community, including—

(A) forming a Constitutional Review Committee and then completing the Constitutional review;

(B) enacting and implementing legislation on de-Bathification;

(C) enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq

without regard to the sect or ethnicity of recipients, and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner;

(D) enacting and implementing legislation on procedures to form semi-autonomous regions;

(E) enacting and implementing legislation establishing an Independent High Electoral Commission; provincial elections law, provincial council authorities, and a date for provincial elections;

(F) enacting and implementing legislation addressing amnesty;

(G) enacting and implementing legislation establishing a strong militia disarmament program to ensure that such security forces are accountable only to the central government and loyal to the constitution of Iraq;

(H) establishing supporting political media, economic, and services committees in support of the Baghdad Security Plan;

(I) providing three trained and ready Iraqi brigades to support Baghdad operations;

(J) providing Iraqi commanders with all authorities to execute the Baghdad Security Plan and to make tactical and operational decisions, in consultation with United States commanders, without political intervention;

(K) ensuring that there Iraqi Security Forces are providing even handed enforcement of the law against all who break it;

(L) ensuring that, according to President George W. Bush, as Prime Minister of Iraq Maliki said "the Baghdad security plan will not provide a safe haven for any outlaws, regardless of [their] sectarian or political affiliation";

(M) establishing all of the planned joint security stations in neighborhoods across Baghdad;

(N) increasing the number of Iraqi security forces units capable of operating independently;

(O) allocating and spending \$10 billion in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis; and

(2) the achievement of these benchmarks by the Government of Iraq, or the demonstration by the Government of Iraq of satisfactory progress towards achieving these benchmarks, should be viewed as the condition for continued United States military and economic involvement in Iraq.

(c) REPORTS ON BENCHMARKS.—

(1) IN GENERAL.—The Commander, Multi-National Forces-Iraq, in coordination with the United States Ambassador to Iraq, shall submit a report to the Commander of United States Central Command not later than July 15, 2007, and every 60 days thereafter. The report shall detail the status of each of the specific benchmarks set forth in subsection (b), and conclude whether satisfactory progress has been made toward meeting the overall benchmarks as specified in that subsection, in a timely manner.

(2) ASSESSMENT BY COMMANDER OF CENTRAL COMMAND.—Upon receipt of a report under paragraph (1), the Commander of United States Central Command shall prepare an assessment of the report. The report and the assessment shall be submitted to the Secretary of Defense not later than July 20, 2007, and every 60 days thereafter.

(3) ASSESSMENT BY SECRETARY OF DEFENSE AND SECRETARY OF STATE.—Upon receipt of a report and assessment under paragraph (2), the Secretary of Defense shall, in consultation with the Secretary of State, prepare an independent assessment of the report and submit the report and all assessments, not later than August 1, 2007, and every 60 days thereafter, to—

(A) the Committees on Armed Services, Appropriations, and Foreign Relations and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services, Appropriations, and Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) REPORT BY THE PRESIDENT.—If any report or any of the assessments fail to indicate satisfactory progress in any benchmark, the President shall, within 30 days thereafter, submit to Congress a report on those benchmarks that failed to achieve satisfactory progress. The President's report shall provide an explanation of why satisfactory progress was not achieved and describe revisions to the January 10, 2007 strategy that reflect how satisfactory progress will be attained.

(5) TERMINATION OF SUPERSEDED REPORTING REQUIREMENT.—The reporting requirement in section 1227 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3465; 50 U.S.C. 1541 note) is terminated after the reporting period ending May 31, 2007.

(d) REPORTS ON READINESS OF THE ARMED FORCES.—

(1) REPORTS BY SERVICE SECRETARIES.—Commencing 60 days after the date of the enactment of this Act, the Secretaries of the military departments, in coordination with the Chiefs of the Services, shall report to the Committees on Armed Services and Appropriations of the Senate and the Committees on Armed Services and Appropriations of the House of Representatives, not later than 30 days before the date of embarkation, on the deployment of any unit of the Armed Forces of the United States, to include the Reserve Forces and National Guard (hereafter known as "the unit"), outside the United States and its territories that is not considered fully mission capable of performing reasonably assigned mission-essential tasks to prescribed standards, under anticipated conditions in the theater of operations, of the supported combatant commander.

(2) ASSESSMENT OF RISK.—Subsequently, the supported combatant commander, in coordination with the Commander of Joint Forces Command, shall assess the risk of the deployment of the unit as significant, high, medium, or low, and specify to the Secretary of Defense corrective actions to reduce that level of risk from significant, high, or medium to low, not later than 20 days before the embarkation of the unit.

(3) TRANSMITTAL OF ASSESSMENT.—Thereafter, the Secretary of Defense, in coordination with Chairman of the Joint Chiefs of Staff, shall forward the aforementioned risk assessment to the Committees on Armed Services and Appropriations of the Senate and the Committees on Armed Services and Appropriations of the House of Representatives, not later than 10 days before the date of embarkation of the unit, with a statement that—

(A) the risk associated with the deployment of the unit has been mitigated to satisfaction; or

(B) the deployment of the unit has been cancelled, delayed, or determined to be of such significant importance that deployment of the unit is essential and the level of risk of that deployment is vital to the national security of the United States.

Mr. WARNER. Mr. President, I will advise the leadership as soon as I get a message. I thank the distinguished leaders.

AMENDMENT NO. 798 TO AMENDMENT NO. 680

The ACTING PRESIDENT pro tempore. Under the previous order, the

clerk will report the Grassley second-degree amendment.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. GRASSLEY, proposes an amendment numbered 798 to amendment No. 680.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The ACTING PRESIDENT pro tempore. Under the previous order, the amendment is agreed to.

The amendment (No. 798) was agreed to.

AMENDMENT NO. 680, AS AMENDED

The ACTING PRESIDENT pro tempore. Under the previous order, the Kennedy amendment No. 680, as amended, is agreed to.

The amendment (No. 680), as amended, was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized under the previous order.

AMENDMENTS NOS. 648, 649, 656, 657, 717, AND 718, EN BLOC

Mr. COBURN. Mr. President, I call up six amendments en bloc: 648, 649, 656, 657, 717, and 718, and I ask that they be set aside after they are reported.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendments (Nos. 648, 649, 656, 657, 717, and 718, en bloc) are as follows:

AMENDMENT NO. 648

(Purpose: To remove \$100 million in funding for the Republican and Democrat party conventions in 2008)

At the appropriate place, add the following: Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available in this Act may be available for reimbursing State and local law enforcement entities for security and related costs, including overtime, associated with the 2008 Presidential Candidate Nominating Conventions, and the total amount made available in this Act in Title II, Chapter 2, under the heading "State and Local Law Enforcement Assistance" is reduced by \$100,000,000.

AMENDMENT NO. 649

(Purpose: To remove a \$2 million earmark for the University of Vermont)

At the appropriate place, add the following: Notwithstanding any other provision of this Act, Sec. 3608(b) of this Act shall not take effect.

AMENDMENT NO. 656

(Purpose: To require timely public disclosure of Government reports submitted to Congress, and for other purposes)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) POSTING OF CERTAIN REPORTS ON INTERNET WEBSITES.—Each report described in subsection (b) shall be posted on the Internet website of the department or agency submitting that report for the public not later than 48 hours after the submission of that report to Congress.

(b) COVERED REPORTS.—The reports described in this subsection are each report (including any review, evaluation, assessment, or analysis) required by a provision of this Act to be submitted by any department or agency to Congress or any committee of the Senate or the House of Representatives.

(c) REDACTION OF CERTAIN INFORMATION.—In posting a report on the Internet website of the department or agency under subsection

(a), the head of that department or agency may redact any information the release of which to the public would compromise the national security of the United States.

AMENDMENT NO. 657

(Purpose: To provide farm assistance in a fiscally responsible manner)

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NO. 717

At the appropriate place, insert the following:

SEC. \_\_\_\_ INAPPLICABILITY OF CERTAIN PROVISIONS.

Notwithstanding any other provision of this Act, titles II, III, and IV of this Act shall not take effect.

AMENDMENT NO. 718

At the appropriate place, insert the following:

SEC. \_\_\_\_ INAPPLICABILITY OF CERTAIN PROVISIONS.

Notwithstanding any provision of this Act, titles II (except for chapter 8 and 9 of title II), III, and IV of this Act shall not take effect.

The ACTING PRESIDENT pro tempore. The amendments are pending en bloc.

Mr. LUGAR. Mr. President, I have filed amendment No. 670 to H.R. 1591. This amendment authorizes the Secretary to spend up to \$50 million for the establishment and maintenance of a civilian reserve corps to address postconflict situations and other emergencies overseas. The amendment provides the Secretary the flexibility to use a portion of the funding in this act to make an urgent effort to recruit and train more civilians in planning and managing stabilization and reconstruction.

The Senate embraced the creation of such a civilian corps when it unanimously passed S. 3322 last May. The funding in this amendment matches the level provided in the House version of the emergency supplemental.

If enacted, this amendment provides the Secretary with access to immediate funding to recruit and send civilians with the appropriate skills to assist in reconstruction and stabilization in Iraq and Afghanistan, as well as to emerging trouble spots around the world. The United States must have the right structures, personnel, and resources in place when an emergency occurs. A delay in our response of a few weeks, or even days, can mean the difference between success and failure.

Both the State Department and the Defense Department are keenly aware of the importance of this amendment. They understand that, if we cannot work together better as a government in postconflict and other unstable situations, the United States may come to depend even more on our military for tasks and functions far beyond its current role. This amendment builds on the planning that has already taken place to develop a civilian reserve and jumpstarts it so that it can be available as soon as possible.

Mr. President, I would like to have printed in the RECORD at this point a letter from the Secretary of State

strongly endorsing the need for the funding contained in this amendment.

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

THE SECRETARY OF STATE,

Washington, DC, March 27, 2007.

Hon. RICHARD G. LUGAR,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LUGAR: I am writing to express my strong support for including funding of \$50 million in the supplemental appropriations bill to establish a Civilian Reserve Corps. Since our supplemental funding request went forward, we have worked diligently to refine a proposal to jump start the creation of a Civilian Reserve Corps. We are pleased the House of Representatives agrees and has included \$50 million in its supplemental appropriations bill for this purpose. We believe that we are able to justify and to spend wisely these funds in building a reserve capability to complement our internal surge capacity.

We have seen the dangers to U.S. interests that can occur from unstable and ungoverned territories that foster the emergence of terrorist organizations. We must find new and better ways to respond to the urgent demands of post-conflict stabilization and reconstruction. The Civilian Reserve Corps, which the President proposed in his State of the Union address, is one way to do just that. We cannot create stability, reconstruct economies, and foster the growth of institutions with military solutions; for these purposes we must call on American civilians who have the necessary expertise to assist in these vital tasks.

The Civilian Reserve Corps will tap the creativity, the energy, and the idealism of the American people. I look forward to working with the Congress to advance and refine the legislation which will authorize the use of these funds.

Sincerely,

Condoleezza Rice.

Mr. LUGAR. In testimony before the Senate Armed Services Committee on February 6, Secretary of Defense Robert Gates and Chairman of the Joint Chiefs Peter Pace talked about the urgent need for civilian expertise in the Iraq stabilization effort. General Pace also called for more civilian resources for the broader worldwide effort, people who can build judicial and rule of law systems, provide engineering expertise, and bring clean water and electricity to people "before a country devolves into a state where the terrorists can find a home."

Passing the amendment will demonstrate that there is a keen understanding in the Senate that we need to move forward now to strengthen our civilian reconstruction capabilities in Iraq and Afghanistan.

I recommend this amendment to my colleagues and urge its adoption.

Mr. BIDEN. Mr. President, once again we are debating additional wartime funding for Iraq. Once again, we are trying to mitigate the damage caused by the President's utterly failed Iraq policy and the failure to properly plan for and manage the aftermath of Saddam Hussein's fall. I have spoken many times about how damaging this lack of planning has been to our efforts in Iraq and to our standing in the world.

For the past 2 months, the spotlight has shone on another administration failure in this war: the shameful conditions our wounded soldiers face as outpatients navigating the military health system when they return from Iraq or Afghanistan. This is another example of gross mismanagement and a strained system. As such, I will offer amendment No. 766 to improve the care that members of the Armed Forces and veterans receive at Walter Reed and other military medical facilities.

The purpose of this amendment is to ensure that some of the reasons for concern at Walter Reed do not occur in the future. As the living conditions for outpatients at Walter Reed Army Medical Center indicate, moving to private contracts for maintenance can cause problems. After a private contract was awarded for maintenance and upkeep of buildings on the campus of Walter Reed Army Medical Center, a maintenance crew of approximately 300 was whittled down to 50 by the time the contract went into effect. Many of the terrible living conditions found in Building 18 were a direct result of delays in building repair and maintenance because of a shortage in manpower. To prevent this situation from occurring again, this amendment calls for public-private competitions of maintenance services at military medical complexes to stop while our country is engaged in military conflicts. It also calls for a Government Accountability Office review of contracting-out decisions for basic maintenance work at military facilities.

Other problems discovered at Walter Reed are directly attributable to shortages resulting from pressures to cut budgets for military medical services. These cuts cannot be tolerated at a time when military medical services are needed to treat servicemembers who have been wounded in Iraq and Afghanistan. As such, this amendment would require medical command budgets to be equal to or exceed the prior year amount while the Nation is involved in a major military conflict or war.

Another issue that the conditions at Walter Reed brought up is whether or not the facility should be closed as the Base Realignment and Closure Commission recommended. The Commission recommended building new, modern facilities at the National Naval Medical Center at Bethesda and at Fort Belvoir to improve the overall quality of care and access to care in this region. Military leaders have indicated that the planned closure has limited their ability to attract needed professionals to jobs at Walter Reed and there have been concerns raised whether adequate housing for the families of the wounded has been properly planned. To deal with that, this amendment requires the Department of Defense to submit to Congress within one year a detailed plan that includes an evaluation of the following: the desirability of being able to guarantee profes-

sional jobs for 2 years or more following the closure; detailed construction plans for the new facilities and for new family housing; and the costs and benefits of building all of the needed medical treatment, rehabilitation, and housing before a single unit is moved.

Another major problem and source of frustration for injured soldiers is the length of time it takes to receive a disability determination. In order to hasten the disability determination process, we need to ensure that the Department of Defense has information systems capable of communicating with those in the Department of Veterans Affairs. The VA has been a leader in implementing electronic medical record keeping, but we have to improve the capability of the Department of Defense to send electronic medical records to the VA to speed up the disability determination process. Making the disability determination system more efficient can reduce the stress on the soldiers and their families going through the determination process.

Caseworkers are also critical. They schedule appointments and make sure wounded servicemembers get the rehabilitative and follow-up care they need. As more and more soldiers and marines come home wounded, many military caseworkers are overwhelmed. To improve the care given to servicemembers, this amendment requires a minimum ratio of case managers to patients of 1 to 20, that case managers have contact with recovering servicemembers at least once a week, and that case managers be properly trained on the military's disability and discharge systems so they can better assist patients with their paperwork.

Currently, many combat veterans returning from Iraq and Afghanistan have service-related mental health issues like posttraumatic stress disorder, PTSD, and traumatic brain injury, TBI. Many have labeled TBI the "signature injury" of the Iraq and Afghanistan conflicts. It is estimated that as many as 10 percent of those serving or who have served in Iraq and Afghanistan have brain injuries. That would mean about 150,000 of the 1.5 million soldiers who have served in Operation Enduring Freedom or Operation Iraqi Freedom have suffered a brain injury. In many cases, these injuries are not diagnosed because there is not an external wound. Depending on the severity of these injuries, returning soldiers can require immediate treatment or not have symptoms show up until several years later. This amendment calls for every returning soldier to be screened for TBI. While the VA has announced plans to do this, it needs to happen in active-duty military medical facilities too. In addition, the amendment calls for a study on the advisability of treating TBI as a presumptive condition in every service's disability evaluation system, as well as the VA disability evaluation system.

We often hear about the 25,000 soldiers and marines who have been

wounded in these wars—but that figure grossly underestimates the demand that the VA health care system faces. Since our country was attacked on September 11, 2001, more than 1.5 million soldiers have been deployed to Afghanistan, Iraq, and other locations. Of these, 630,000 are now veterans and, according to the Department of Defense, more than 205,000 have already received medical treatment through the Department of Veterans Affairs. A recent Harvard study on the long-term costs of treating these new veterans estimates that by 2012 more than 643,000 veterans from Iraq and Afghanistan will be using the VA system, an almost three-fold increase of what the system faces now. With a significant backlog of claims currently existing, the system is in desperate need of an upgrade. To address this concern, my amendment directs the Secretary of Veterans Affairs to submit to Congress a plan for the long-term care needs for veterans for the next 50 years.

In addition to this amendment that I offer today, I am happy to have also joined with my colleagues Senators OBAMA and McCASKILL and offered an amendment based on the Dignity for Wounded Warriors Act. My amendment complements the Obama and McCaskill amendment to improve the care our wounded soldiers receive at Walter Reed Army Medical Center and other military medical facilities. I believe both amendments will make medical care better for our military personnel and veterans. I also commend the Appropriations Committee for already providing approximately \$3.1 billion in funding above the President's request for health programs in the Department of Defense and the Department of Veterans Affairs. Providing \$1.3 billion for defense health programs and \$1.767 billion for veterans' health programs is a great step to fix some of the problems we currently face.

It is our highest obligation to heal the hundreds of thousands of brave men and women who will bear the physical and emotional scars of these wars for the rest of their lives. While President Bush and his administration may have failed to plan adequately to ensure that these soldiers and veterans receive the care that they deserve, we in Congress must act now to improve this situation.

Mr. BAUCUS. Mr. President, I am pleased to join with the senior Senator from Massachusetts, the chairman of the Health, Education, Labor, and Pensions Committee, in support of amendment No. 680. The substance of this amendment is what the Senate passed by a 94-to-3 vote as the minimum wage and small business tax bill on February 1.

This amendment would thus extend to hard-working Americans a long-overdue increase in the minimum wage. It is long past time when Congress should have increased the minimum wage.

Now some worry that an increase in the minimum wage would burden small

businesses. Smaller businesses employ a disproportionate share of workers earning the minimum wage.

Representatives of small businesses have therefore argued that any increase in the minimum wage should be accompanied by tax incentives targeted for small businesses in order to lower their costs.

Small business is particularly important in rural States like Montana. Rural communities generally do not have large employers. Rural families rely on small businesses for jobs.

The Finance Committee has jurisdiction over taxes. The committee held a hearing on January 10 entitled "Tax Incentives for Businesses in Response to a Minimum Wage Increase." The committee heard from a variety of witnesses, including labor economists, small business owners, and tax experts.

Following that hearing, the committee held a markup on January 17. The committee reported an original bill called the Small Business and Work Opportunity Act of 2007.

That bill is a revenue-neutral bill containing a number of tax incentives for small businesses and businesses that hire minimum wage workers. The committee favorably reported the bill by unanimous voice vote. And the majority leader included that bill in its entirety in his amendment to the House-passed Fair Minimum Wage Act. That bill passed the Senate on February 1.

Now the chairman of the Health, Education, Labor, and Pensions Committee and I have included that bill in its entirety in our amendment to the House-passed supplemental appropriations bill, the U.S. Troops Readiness, Veterans' Health, and Iraq Accountability Act.

The small business tax provisions included in this amendment will help small businesses to succeed. These provisions will spur investment and thus create jobs. They will provide greater opportunity for workers looking for a job. They all enjoy strong support.

To carry out day-to-day activities, small business owners are often required to invest significant amounts of money in depreciable property, such as machinery. The amendment would help business owners to afford these large purchases for their businesses. To do so, the amendment would extend for another year expensing under section 179 of the Internal Revenue Code.

New equipment and property are necessary to successfully operate a business. But large business purchases generally require depreciation across a number of years, and depreciation requires additional bookkeeping.

Expensing under section 179 allows for an immediate 100-percent deduction of the cost for most personal property purchased for use in a business. In 2007, small business owners may deduct up to \$112,000 of equipment expenses.

When small business owners are able to expense equipment, they no longer have to keep depreciation records on

that equipment. So extending section 179 expensing would ease small business bookkeeping burdens.

The amendment would also allow small business owners to quickly recover the cost of improvements to their establishments through extension and expansion of the 15-year straight-line depreciation period for leaseholds and restaurant improvements. Without this provision, they would have to depreciate over the course of 39 years.

Allowing retailers and restaurants to use a 15-year straight-line depreciation period would help entrepreneurs who open a business or remodel their property. The entrepreneur's investment could be recovered over a period of time more closely reflecting wear and tear.

The amendment would extend the 15-year recovery period for leasehold and restaurant improvements. The amendment would also broaden the provision to allow retail owners and new restaurants to take advantage of this shortened depreciation period.

The amendment would also help businesses to provide jobs for workers who have experienced barriers to entering the workforce by extending and expanding the work opportunity tax credit or WOTC.

WOTC encourages businesses to hire workers who might not otherwise find work. WOTC has been remarkably successful. By reducing expenditures on public assistance, WOTC is highly cost-effective. The business community is highly supportive of these credits. Industries like retail and restaurants that hire many low-skill workers find it especially useful.

The amendment would extend WOTC for 5 years, and the amendment would expand the credit to make it available to employers who hire veterans disabled after 9/11.

As of July 2006, nearly 20,000 members of our Armed Forces were wounded in action in Operation Iraqi Freedom and Operation Enduring Freedom. Many of these soldiers are now permanently disabled. Many do not know what they are going to do. We need to help these young men and women. A modest tax incentive to help them get back into the workforce is one place to start.

The amendment would simplify the way that small businesses keep records for tax purposes. The cash method of accounting is often the easiest method of accounting. Allowing small business to use the cash method reduces the administrative and tax compliance burden of these businesses.

The amendment would let more businesses take advantage of this method. Businesses with gross receipts up to \$10 million would be able to use the cash method.

The amendment helps small businesses by modifying S corporation rules. These modifications reduce the effect of what some call the "sting tax." These modifications improve the viability of community banks.

Senator GRASSLEY, members of the Finance Committee, and I have worked to develop a balanced package, and I believe that we have succeeded.

The language included in the amendment is a responsible package that will ensure the continued growth and success of small businesses.

We have also paid for it. Most of the offsets are proposals that the Senate has supported several times before.

The offsets include a proposal to end future tax benefits for abusive sale in/lease out tax shelters, or SILOs. These deals use foreign tax exempt entities to generate sham tax deductions. Even after Congress shut these deals down in 2004, some taxpayers continue to take excessive, unwarranted depreciation deductions on German sewer systems and the like. The IRS says that it has 1,500 of these deals under audit, involving billions, yes, billions, of dollars.

The offsets include doubling fines, penalties, and interest on taxes owed as a result of using certain abusive offshore financial arrangements to avoid paying taxes. Taxpayers who hide their money from the IRS through offshore credit cards and other shady financial arrangements need to get the message that this Congress is serious about ending these abuses.

The offsets include closing corporate loopholes for companies who reinvented themselves as foreign corporations to avoid paying tax here in America. In March of 2002, Senator GRASSLEY and I made it clear that those who put profits ahead of patriotism did so at their own peril. The amendment would treat those who moved offshore after that date like a U.S. company, and the amendment would make those companies pay U.S. taxes.

The hard-working American taxpayers whom we are trying to help in this amendment should not have to pay more in taxes because some taxpayers are abusing the tax system through tax shelters. They also should not have to bear the burden of civil settlements and punitive damages paid by companies who engage in questionable behavior.

These are sound tax policy changes. Let us finally enact an increase in the minimum wage, and let us also pass this useful package of tax benefits to help America's small businesses. I urge my colleagues to support the amendment.

Mr. LUGAR. Mr. President, along with Senator BOND and Senator COLEMAN, I will offer an amendment that addresses an issue about which there has been much news reporting and hearings in both House and Senate subcommittees; namely, the situation facing Iraqi and Afghani interpreters and translators who are bravely working on the front lines with our soldiers and diplomats. Such work is vital to our efforts in these two conflicts, yet it often makes them and their families targets for insurgents. This past week, Mr. George Packer wrote a lengthy piece in

the New Yorker on this that I commend to my colleagues.

My interest in this issue, like many of my colleagues, began last summer when I received e-mails from a first lieutenant in the Indiana National Guard who had recently returned from a tour in Iraq and from a sergeant in the Army who was at the time serving in a combat support hospital, also in Iraq.

Aaron Inkenbrandt wrote:

During my year in Iraq, I served as a military Transition team member. As such, I lived exclusively with Iraqi forces and acted as a mentor and advisor to them. My team and I did much to build and train these forces under very difficult circumstances. However, we could not have achieved success without our Iraqi interpreters. I believe that our Nation must reciprocate the loyalty proved by these men by offering to them sanctuary in the United States.

Iraqi interpreters are an outstanding group of people. These men not only act as our communicators but also our cultural advisors and our friends. Our interpreters share with us the dangers of combat and the rigors of military life. While interpreters are generally well paid, the risks associated in assisting Coalition forces are extraordinary. Both at work and at home, interpreters fear for their lives. This fear is often so great that they cannot tell even their closest relatives what they do for a living.

The insurgency in Iraq has made clear that they will murder any Iraqi caught assisting Coalition Forces. Interpreters are especially prized by insurgents who often pay high bounties for their killings or capture. Iraqis not associated with the insurgency are also hostile toward interpreters. Many Iraqis believe, though wrongly, that interpreters are snitches or traitors. Such hostility makes life very difficult for Iraqi interpreters."

The withdrawal of Coalition Forces will likely increase rather than decrease the danger posed to interpreters. Without our protection, former interpreters will be left defenseless before their enemies and subject to persecution by their friends. In my opinion, [it] would be immoral and contrary to the precepts of our Constitution to abandon these brave patriots in light of the vast sacrifices that they have made in the cause of freedom. Therefore, I implore you to advocate preferable immigration status to all Iraqi interpreters whose loyalty we reasonably ascertain.

The e-mails, and a cable that our then Ambassador to Baghdad, Zalmay Khalilzad, released regarding the life-threatening conditions our Foreign Service Nationals were facing prompted me to write to the Secretary of State last July about the issue. I encouraged her to develop a policy to address these various situations and suggest legislative language. The United States has experience and tradition in this respect from past wars that provide precedent and guidance.

The amendment I am offering today with Senator BOND and Senator COLEMAN is not a conventional amendment for an emergency supplemental, but because it has a direct impact on the missions in Iraq and Afghanistan, we are hopeful this can be included in the package.

By virtue of a provision crafted by former Congressman John Hostettler of Indiana, the 2006 Defense authorization

bill established a program to allow 50 Iraqis and Afghans who have worked for the U.S. military as translators for at least 12 months to come to the United States on a special visa. The program has been underway now for just over a year and has been met with success and approval by all of the agencies who work with it.

Since instatement, 445 applications have been received. 377 have been approved, 10 denied and 58 are pending. Under the current cap of 50 per year, it will take until 2016 to admit those currently in the queued—and their families—for entry to the United States.

In order to help reduce this wait-time, my colleagues and I have crafted an amendment that expands the program to 300 admissions per year and also makes some other technical changes. We change the language to include interpreters as well as translators—as that is the proper term for those who translate conversation while translators work on documents. We also authorize the U.S. Ambassadors in Iraq and Afghanistan to nominate non-Department of Defense personnel under this program, and we exempt those admitted under this program, and their families from the numerical cap of immigrants who enter in this same, so-called 4th Preference category. Finally, we wish to sunset the program after 3 years.

Mrs. FEINSTEIN. Mr. President, we have before us today a supplemental appropriations bill that will finally start the process of bringing our troops home.

The United States today is in its fifth year in Iraq. The administration offers no apparent road out of Iraq. It offers only an escalation plan that keeps growing, and an open-ended commitment to a civil war.

The Congress of the United States has an obligation to express its voice on this matter and to offer a solution.

The search for a solution has been difficult. We have come to the floor many times this year, and we have struggled to find the right course of action.

I believe that path is before us today.

This legislation would initiate the orderly drawdown of our forces and re-define the mission for a small supporting force that would remain. It sets benchmarks for the administration and for the Iraqi Government.

This legislation calls for actions which this administration has stubbornly resisted, including the prompt phased redeployment of U.S. forces from Iraq. This redeployment would begin within 120 days of the legislation being enacted.

The legislation sets a goal of March 31, 2008, for redeploying major combat forces from Iraq. A smaller force would be allowed to remain, with its mission limited to protecting American and coalition personnel and infrastructure, training and equipping Iraqi forces, and conducting targeted counterterrorism operations.

This supplemental also calls for a vigorous "diplomatic, political, and economic strategy."

This strategy would involve "sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq."

This is the key to ending the violence in Iraq—the recognition that the solution to Iraq lies not in U.S. force but in political accommodation among the Iraqis.

This legislation also sets benchmarks for the Iraqi Government.

These include deploying trained and ready Iraqi security forces in Baghdad; strengthening the authority of Iraqi commanders to make tactical and operational decisions without political intervention; disarming militias and ensuring that Iraqi security forces are accountable only to the central government and loyal to the Iraqi Constitution; enacting and implementing legislation to ensure that Iraq's oil is distributed to all Iraqi citizens in an equitable manner; enacting and implementing legislation that reforms the de-Ba'athification process in Iraq; ensuring a fair process for amending the Iraqi Constitution to protect minority rights; and enacting and implementing rules to protect the rights of minority political parties in the Iraqi Parliament.

Finally, this supplemental requires that the top U.S. commander in Iraq report to Congress on progress by the Iraqi Government in meeting these benchmarks—30 days after this act is enacted and every 90 days thereafter.

Our Nation's present course of action is untenable and unsustainable.

Our very purpose for being in Iraq bears little resemblance to the reasons Congress authorized the use of military force in October 2002. What do we have as we enter the fifth year of this war? A terrible human toll in dead and injured—3,200 Americans killed, more than 24,000 wounded, with estimates of Iraqi civilian deaths that soar well into the six figures and a toll on our Treasury that is unsustainable.

According to the Congressional Research Service, the Iraq war is already the fourth most expensive war in U.S. history, behind World War II, Korea and Vietnam. We are spending roughly \$8.4 billion in Iraq a month—more than \$2 billion a week. So far we have spent nearly \$400 billion in Iraq. Think of the opportunity costs to this Nation. Wars cost money. I understand this. But we cannot continue this level of spending on a distant civil war with no exit strategy. If we keep our combat forces in Iraq for years to come—as this administration seems intent on doing—it will likely become the second costliest war we have ever waged.

Our military cannot continue to bear this heavy burden. This war has eroded our troop readiness, depleted military equipment, and left our fighting forces weary.

Consider these developments:

Army and Marine officers say the rapid pace of deployments into Iraq has put the readiness of their troops into a "death spiral"—with 40 percent of gear worn out and soldiers and marines left fatigued and undertrained. Our Nation owes our fighting forces better than this.

The 3rd Infantry Division, scrambling to meet deployment orders, reportedly has sent injured troops back to Iraq—including ones so badly injured that they could not put on their body armor. We owe our fighting forces better than this.

The Army's medical facilities are understaffed and underfunded—not just at Building 18 at Walter Reed—and its medical staff is overwhelmed. We owe our fighting forces better than this.

Some 1,800 Marine Corps reservists will get letters this week notifying them that they are being involuntarily recalled for a year, thanks to a shortage of volunteers to fill some jobs in Iraq.

This follows news that should make everyone in this Chamber take notice: The 82nd Airborne Division—the storied "All-American" Division—is so strained by this war that it can no longer respond on short notice to a crisis.

For decades, the 82nd Airborne has kept a brigade on round-the-clock alert—ready to respond to a crisis anywhere around the globe within 18 to 72 hours. But The New York Times reported on March 20 that the 82nd Airborne can no longer meet this standard—a standard it has long held with pride.

I believe the supplemental that we have before us today is the solution to the Iraq problem. It provides a vehicle for Congress to express its sense on Iraq and to require the President to take concrete, measurable steps forward. It sets clear deadlines and requires vigorous regional diplomacy. It sends a message to an administration marked by arrogance and declares to the Iraqi Government that their time has come.

Zalmay Khalilzad, the outgoing U.S. Ambassador to Iraq, said as much Monday, March 26, in his farewell news conference.

Mr. Khalilzad was direct: The Iraqi leadership must understand, he said, that time is running out.

Finally, most importantly, this legislation begins the process of bringing our troops home.

We have a choice today. We can vote for a clear-headed Iraq policy or do nothing. We can exercise our constitutional oversight duties or we can be a rubberstamp for a failed Iraq policy.

I urge my colleagues to choose the first path. To choose the other is to abdicate our responsibility.

(At the request of Mr. LOTT, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. ENZI. Mr. President, I would like to state my position on the Cochran

amendment No. 643 voted on by the U.S. Senate.

I was unable to vote due to a family emergency but would have voted in favor of the Cochran amendment. I was pleased to be an original cosponsor of the amendment.

I do not support congressional micro-management of military operations and I do not support the congressionally mandated phased deployment of our troops in Iraq.

Troop redeployment decisions should be made by military leaders and the combat commanders who are on the ground in Iraq. I do not favor a set redeployment date, reporting to our enemies in language "cut in stone."

Congress must provide our troops with the resources they need when they need it. I fully support our Armed Forces personnel in their current military operations in Iraq and Afghanistan.

I want our troops to come home as soon as possible. My goal has always been for American Armed Forces to stand down as the Iraqi forces stand up. The United States cannot abandon the efforts of the people who have sacrificed so much. ●

#### MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate now go into morning business, with Senators allowed to speak for 10 minutes on each side.

The ACTING PRESIDENT pro tempore. Is there objection?

Hearing no objection, it is so ordered.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator COBURN be recognized for up to 1 hour.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### HEALTH CARE

Mr. COBURN. Mr. President, I understand that I am to be able to speak as in morning business for up to 1 hour.

The ACTING PRESIDENT pro tempore. We are in morning business, and the Senator is recognized for up to 1 hour.

Mr. COBURN. I thank the Chair.

Mr. President, if you go out in our country and you ask, besides the war, what is on people's minds, the No. 1 topic you will hear about is health care. And what are the questions that you hear? Why can't I choose my own doctor? Why can't I pick my own health insurance plan? Why do my premiums increase every year but my benefits don't increase? Why do I have trouble understanding which benefits my health plan offers? Why does my employer get a tax break from my health care but I don't? Who can make the best health care decisions for my family, us in Washington, the insurance bureaucrats, other people, my employer, or how about me? How about me getting to make a decision about my health care?

There is no question America's health care is broken. It is not that we are getting bad care, it is that we pay a tremendous amount for what we get in our care. The estimates are anywhere from \$1 out of every \$3 to \$1 out of every \$4 we spend on health care doesn't go to help anybody get well in this country and doesn't go to help anybody prevent having an illness. That is \$2.2 trillion, and it will be over \$2.3 trillion this year.

When you see what happens—and these are not my numbers, by the way; these are Price Waterhouse numbers, a breakdown on health care dollars—what you see are some pretty interesting statistics. You see that when we go to spend \$1 on health care, 35 percent of it goes to hospitals, 21 percent of it goes to doctors, 15 percent goes to prescription drugs, and 5 percent goes to equipment.

All the rest of that, the medical liability insurance—nobody realizes that is 10 percent. Ten cents out of every dollar we spend goes to medical liability. We are insuring against a problem in health care—10 percent. It costs us 6 percent to process the claims. One-half of all the claims filed against all the insurance companies in this country are denied because the people haven't met their deductible, and yet we keep sending the claims, keep spending the money.

One out of every three people who works in a hospital, one out of every three people who works in a doctor's office doesn't do anything to help anybody get well. Why is that?

It is because of the system we have set up. If you add this 10 percent for liability insurance, 6 percent for processing, 5 percent for marketing, 23 percent for the insurance industry profit—and I doubt seriously it is that low—what you come up with is 24 percent, as a minimum, that doesn't have anything to do with helping anybody get well.

Now, why is that? Why is it we have this system? It is because we have somebody besides the patient choosing what they will get in terms of health care. In Medicaid, it is your State. Oftentimes in Medicaid it is your State paying a very low rate, so now you get to choose from those who will accept the lowest rates. In Medicare, they tell you exactly what the price is. We spend all our time around here trying to change Medicare, because when we push on the balloon one way, something else pops out.

So whether it is the Deficit Reduction Act or some of the other things we have had, what we find is we cannot control this tiger because we have a bureaucratic maze that nobody understands. When we try to use price controls, when we try to limit expenditures, we end up losing control.

So what happens? Who makes your health care decisions? Either CMS, the Center for Medicare Services, in conjunction with your State, either for Medicare or Medicaid, your employer, or an insurance company.