

about one-third of Iraq's territory. Yesterday, just 1 month after this strategy became fully manned, Democrats are declaring it a failure and asking us to rally behind a 1½-page alternative that raises more questions, frankly, than it answers.

We have been down this road before. When the President decided to change course in Iraq last year, Democrats said his new strategy wouldn't work. They called it a failure before it began. Now just 1 month after that strategy became fully manned, they are calling it a failure again, even as it has started to show signs of military success.

The Iraq Foreign Minister told us what would happen if America walks away from this fight right now: a sharp increase in violence, thousands of civilian deaths, and a regional conflict that could involve several other countries in that area. Yet the Democratic leadership has yet to address the consequences of withdrawal. Here is their response to concerns about a victory by al-Qaida, genocide, and a regional war in the Middle East: Blame Bush. That may work on the stump, but it is not a very sophisticated foreign policy, and it is not going to solve the great problems we face in Iraq and in the broader Middle East.

Fortunately, many brave people are facing this problem head-on. Our top commander in Iraq says he can win this fight. He told us he wouldn't risk a single American life if he didn't think he could. All he is asking for is time. Can we at least give him what we agreed to in May?

This amendment is not a responsible alternative to the Petraeus plan. It is a page and a half of vague proposals.

Now, look, all of us are frustrated with the war, but we have committed to listen to General Petraeus and Ambassador Crocker. We did so through legislation. We need to listen to our top commander in the field. He deserves 60 days. More than 160,000 American soldiers and marines are fighting in Iraq right now. They believe in this mission. They are executing the plan, and they have a leader. He is asking for more time. Let's be fair and honor the legislation we passed in May. Let's wait for the report.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the Levin-Reed amendment requires the President to take steps to responsibly end the war that the country and our brave men and women in uniform deserve and demand, but it does not set specific troop levels and, certainly, schedules other than what we have already indicated, and that is the House-passed version, similar to ours, 120 days to start redeploying troops; as of April 1, according to the House, and May 1, according to us. There must be a change of mission. That change of mission will be directed toward counterterrorism, protecting our assets in the area, and also training the Iraqis. That is simply what it says.

Senators CARL LEVIN and JACK REED are uniquely qualified to offer this amendment. They have been joined in this amendment by others, including Senator HAGEL. This amendment sets a firm date and an end date to transition the mission to begin the reduction of U.S. forces. I have talked about that. It limits the U.S. mission.

This policy of the President—it is not Petraeus' policy; it is the President's—has, during the last 6 months, caused the deaths of over 600 more American soldiers and cost the American taxpayers more than \$60 billion. The amendment offered by the distinguished Senator from Virginia, Mr. WEBB, was a step in the right direction. It was defeated. We were not allowed to vote on that. It was offered to give our troops the relief they need—15 months in country, 15 months out of country. That is serious and important to our troops.

Our troops are in a difficult position. We are 3,000 officers short. The morning news reports that 13 percent of recruits, even though they are 15 percent down in recruitments, 13 percent of those they have, even though they have lowered qualifications significantly, 13 percent have criminal records and are going into the military.

Of course, the amendment that is offered by Senators LEVIN and REED requires that the reduction in force be part of a comprehensive diplomatic, regional, political, and economic effort.

The votes we have taken on Iraq thus far make two things very clear: First, the Democratic caucus is united in our commitment to changing the course of this Iraq intractable civil war. Our resolve has never been stronger. Second, until and unless the President awakens to his grievous misjudgments, it will take significant Republican support to end the war.

This week's vote on the Webb amendment was not encouraging. The Republican leadership blocked an up-or-down vote on an amendment to support our troops by increasing rest time between deployments. Republicans have every right to vote against bills and amendments they oppose. If they oppose troop readiness, let them go on record voting against it. But to block an amendment like that shows clearly that some Republicans are protecting the President and not the troops. Plenty of Republicans are talking the right way on Iraq now. They are expressing their disapproval for the President's policy, and this is a welcome step. But speeches won't end the war; only votes will.

We have a constitutional obligation. Section 1, article 8 says that we have an obligation to take care of our troops. We have a constitutional obligation. When we return to the Levin-Reed amendment next week, a final vote will come. We hope it is not blocked again procedurally. I hope all my colleagues, Democratic and Republican alike, will embrace this oppor-

tunity to finally end a war that has caused our country so much harm.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 1585, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1585) to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Nelson (NE) (for Levin) amendment No. 2011, in the nature of a substitute.

Levin amendment No. 2087 (to amendment No. 2011), to provide for a reduction and transition of U.S. forces in Iraq.

Reed amendment No. 2088 (to amendment No. 2087), to change the enactment date.

Cornyn amendment No. 2100 (to amendment No. 2011), to express the sense of the Senate that it is in the national security interest of the United States that Iraq not become a failed state and a safe haven for terrorists.

Dorgan/Conrad amendment No. 2135 (to amendment No. 2011), relative to bringing Osama bin Laden and other leaders of al-Qaida to justice.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:30 a.m. shall be for debate on amendment No. 2135, as amended, with the Senator from North Dakota, Mr. DORGAN, and the Senator from New Hampshire, Mr. SUNUNU, each controlling 10 minutes.

The Senator from North Dakota.

Mr. WARNER. Mr. President, might I inquire again as to the schedule of the vote?

The ACTING PRESIDENT pro tempore. The vote is presently scheduled for 9:30 or, if the speaking engagements end sooner, at the conclusion of those speaking engagements, at the back end of the time. The vote will not be shifted forward in order to accommodate Senators who are counting on the 9:30 vote beginning.

Mr. WARNER. I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized for 10 minutes. There is 8½ minutes remaining.

Mr. DORGAN. Would the Chair remind me when I have consumed half of that time? I want to yield the remainder of the time to Senator CONRAD.

The ACTING PRESIDENT pro tempore. I will.

Mr. DORGAN. In about 4 minutes, let me describe an amendment that is very simple. Yesterday, we received a report—it is described in today's paper—

on progress dealing with benchmarks in Iraq. There is only one reason we are given this report by the administration. It is because we required this report in law. The Congress said: We require you to give us this report.

There is another report we are not getting. We have not yet required it. Our amendment will require it. That is, What has been done and what is being done to bring to justice Osama bin Laden and the leadership of al-Qaida and those who committed the attacks against this country on 9/11/2001? What is being done to bring them to justice? It has been nearly 6 long years and Osama bin Laden remains free. More importantly, the threat against our country today is a threat by Osama bin Laden, the leadership of al-Qaida, operating from a secure and safe place in Pakistan, we are told, planning attacks against our country and others.

Here is the situation: August 2001, the Presidential daily briefing said this—the title was “Bin Laden determined to strike in the US.” That was August 2001. It is what was handed to the President back then.

Here is today. Our intelligence assessments, we are told by newspaper accounts: “Al Qaeda is better positioned to strike the West.” Think of that. Nearly 6 years later and al-Qaida is better positioned to strike the West.

Now, let me tell you what Mr. Negroponte told us in January of this year. He said: “Al Qaeda continues to plot attacks against our Homeland” from a “secure hideaway in Pakistan.” That is from Mr. Negroponte, the top intelligence official in our country.

He further said this in January of this year:

Al Qaeda is the terrorist organization that poses the greatest threat to U.S. interests, including to [our] Homeland.

Now, having known that, let me describe a couple of things we have been reading recently. This is February of this year:

Senior leaders of al-Qaida operating from Pakistan over the last year have set up a band of training camps in the tribal regions near the Afghan border, according to American intelligence and counterterrorism officials.

American officials said there was mounting evidence that Osama bin Laden and his deputy, al-Zawahiri, have been steadily building an operations hub in the mountainous Pakistani tribal area of north Waziristan.

Finally, this week:

While the U.S. presses its war against insurgents linked to al Qaeda in Iraq, Osama bin Laden's group is recruiting, regrouping and rebuilding in a new sanctuary along the border between Afghanistan and Pakistan, senior U.S. military, intelligence and law enforcement officials said.

Now, the question is this: While we have soldiers going door to door in Baghdad in the middle of a civil war, with sectarian violence—

The ACTING PRESIDENT pro tempore. May we have order, please, for the Senator who is speaking on the floor.

Mr. DORGAN. The question is this: It has been almost 6 years since Osama bin Laden and the network of al-Qaida attacked our country on September 11, 2001. Osama bin Laden is still free. He has not been brought to justice. We are told he is operating in a secure hideaway in northern Pakistan. Al-Qaida is stronger than it has been in years, and we are told it is rebuilding and regrouping with terrorist training camps. It remains the greatest threat to our country.

We are told this after almost 6 years, two wars in two countries, hundreds and hundreds of billions of dollars spent here and abroad, the deaths of thousands of our soldiers and tens of thousands of our soldiers wounded, and the threat grows and remains, and those who perpetrated the attack against this country and now represent the greatest threat to our country live free in a secure hideaway.

President Bush said this in 2003:

I don't know where bin Laden is. I have no idea and really don't care. It's not that important. It's not our priority.

The ACTING PRESIDENT pro tempore. The halfway point has been reached.

Mr. DORGAN. It is a priority for this country, I would say to the President, and we ask for quarterly reports on what is happening in the search to bring the leadership of al-Qaida to justice.

Mr. President, I yield the floor to my colleague, Senator CONRAD.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, it has now been 2,131 days since 9/11. I think all of us remember that day. It was a horrific day. I will never forget having given a speech over in Crystal City that morning and having driven past the Pentagon, only to get to the Capitol and see that the Pentagon had been attacked and then seeing the incredible images from the World Trade Center and those buildings collapsing.

The President said at the time that we would hold Osama bin Laden and al-Qaida to account, that we would smoke them out of their holes, and that we would bring them to justice. It is 2,131 days later, and still Osama bin Laden has not been brought to justice, nor has Mr. Zawahiri, who now regularly broadcasts additional threats against our country.

I believe a very serious strategic mistake was made when the President chose to go to Iraq instead of finishing business with al-Qaida. In fact, we know special forces, who are experts in Arab culture, in Arab language, were transferred from the hunt in Afghanistan for Osama bin Laden and al-Qaida. Those special forces were shifted to the hunt for Saddam Hussein in Iraq. They were replaced by experts in Spanish culture. There are not many Spanish speakers in Afghanistan.

I have always believed it was a profound mistake not to finish business with Osama bin Laden and al-Qaida.

I had the benefit of going to high school at an American military base in Tripoli, Libya, north Africa, and living in the Arab culture for 2 years. I think I learned a great deal from that experience about that culture. I think strategically it has been a profound mistake for us to go into Iraq instead of keeping our focus and effort and energy on the people who did attack us—al-Qaida, led by Osama bin Laden, and not Saddam Hussein, the leader of Iraq. As awful and despicable a character as Saddam Hussein was, that should not have been the focus of our effort. The people who attacked us were al-Qaida, not Iraq.

Now we learn al-Qaida is “considerably operationally stronger than a year ago” and has “regrouped to an extent not seen since 2001,” a counterterrorism official said, paraphrasing a new intelligence report's conclusions. They are “showing greater and greater ability to plan attacks in Europe and the United States.” Are we not paying attention? Al-Qaida, according to these reports, has increased from 20,000 terrorist operatives to 50,000.

We need to redirect the emphasis and the focus of our security efforts and go after Osama bin Laden and al-Qaida. That is what this amendment does. It doubles the bounty on Osama bin Laden.

The ACTING PRESIDENT pro tempore. The time controlled by Senator DORGAN has expired.

Mr. CONRAD. I thank the Chair and conclude by saying that it requires an administration report on the strategy for bringing bin Laden and other terrorists to justice.

I urge my colleagues to support the amendment.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

● Mr. BIDEN. Mr. President, had I been present for the vote on the Dorgan amendment, I would have voted in favor of it.

We're coming up on the sixth anniversary of 9/11, and the bloodthirsty terrorist who plotted this slaughter of nearly 3,000 Americans is still a free man. Back then, could any of us ever have imagined such a failure on the part of this administration? Could any of us have believed that—more than half a decade later—Osama bin Laden would still be enjoying safe haven? Two wars and three elections later—and Osama remains unscathed.

What would our reaction have been nearly 6 years ago, had President Bush gone on national television and predicted this? What would we have said if he'd told us that the capture of the man who'd unleashed such horror simply wasn't a top priority of his administration? Would any American have believed him?

The amendment before us aims to make this a top priority. It obligates the administration to provide Congress with regular reports on the progress made, if any, towards the capture or

killing of Osama bin Laden and his closest confederates.

The White House seems to have forgotten bin Laden. The American people have not.●

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I simply say, I intend to vote for this amendment. But let us not be unmindful of the enormity of the sacrifice of the men and women of the Armed Forces of the United States—and, indeed, perhaps with the assistance of other nations—in trying to ascertain exactly where bin Laden might be and perhaps to get him. So much of this, quite understandably, cannot be revealed, but I assure the American public that our U.S. military in no measure has been asleep in its pursuit of this infamous man, Osama bin Laden.

I yield the floor to the Senator from Arizona.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, let me say two things about this amendment. First of all, I hope all of my colleagues will support it because it has been amended in a very important way, which I will discuss in a moment. But the first thing I want to say is, it is a false choice to suggest we should either be fighting in Iraq or going after Osama bin Laden. We need to be fighting al-Qaida wherever they are, and we are doing that, in Iraq and in the hills of Pakistan and Afghanistan and other places where these terrorists might be hiding, to the very best of our ability. We cannot leave Iraq to al-Qaida in order to go after Osama bin Laden.

To rewrite history here, to somehow suggest we have stopped trying to get Osama bin Laden is, I suggest, a willful misrepresentation of what our special forces are attempting to do. I agree with the senior Senator from Virginia that this is a very difficult and complicated matter in dealing with the Government of Pakistan and other issues that make it very hard to know precisely where Osama bin Laden is and to be able to kill or capture him.

That relates to the second point. When this amendment was drafted, there was a glaring problem with it. It increases the reward from \$25 million to \$50 million, but the way it was originally written, it was written for information “leading to the capture” of Osama bin Laden. We looked at the amendment and, in astonishment, sought to find the rest of the phrase that you usually see there, “the capture or death,” but it was not there.

I wondered: Is this yet another step in the effort of the majority party to make this a criminal effort rather than to acknowledge that this is a war against a sworn enemy of the United States? In a war, you capture the enemy when you can. When you cannot, if it is necessary to kill the enemy, you do. All of this brave talk about getting Osama bin Laden and criticism of the administration because

we have not gotten him seems to me a little bit hollow if the only way we are going to get him is to capture him.

Well, sure, it would be great to capture him, but we may have to kill him; therefore, the amendment which omitted the potential for killing Osama bin Laden was amended by Senator SUNUNU, who offered a second-degree amendment to raise the reward from \$25 million to \$50 million for the capture or death or information leading to the capture or death of Osama bin Laden. It is under those circumstances that I strongly support the amendment, as amended.

But I ask my colleagues on the other side—next week, we are going to have some other discussion about language which would criminalize this war rather than allowing it to be fought as the war it is against sworn enemies of the United States. Are we going to continue this trend where we treat it as a matter of criminal law rather than a war? I hope not because the other side does not treat it that way.

So having amended the amendment to include “the capture or death” of Osama bin Laden, I am very happy to support it.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, does money make the difference? Because if money had made the difference, Osama bin Laden would be in his grave. But it has not made the difference. Intelligence, human intelligence, relationships, the ongoing development of those kinds of relationships we build around the world makes the difference.

Osama bin Laden is a phenomenal symbol today in a large constituency worldwide. We will add money, and all of us will support it. The intent of this amendment is good. But, as my colleagues have said, to suggest it is either/or, we cannot do both, nor should we—I suggest it is not that.

Are we going to melt the mountains of northern Pakistan? What, should we have tumbled the government of Musharraf in our pursuit of Osama bin Laden? I think that was not our choice, nor should it have been.

So we will add some money. We will add some intent. But, in the long haul, building back an intelligence organization, a human intelligence organization, that couples with and strengthens our technological capability to observe movement all over the world, ultimately, helps us pursue terrorist organizations, to go where they are and where they are training and to be able to topple them before they inflict injury upon us. That should be our goal. That is our goal. That is what has been our goal since 9/11. But we are so powerful, and we are all “Nintendo warriors” today. Remember that game, that electronic game, a few years ago, push buttons—zim, zam, boom—and it was all over with? That is not the way you fight war, although we as a society have grown to believe that.

When the human is involved, when the human intelligence decides to hide,

to divert, to connive, to organize, and ultimately to break through the barriers we build, our vigilance must be constant. We have just heard of their capabilities. We now must rest on ours.

I will support the amendment. But let us not be fooled that money makes the difference. It is the constant vigilance, the building of systems and organizations, the human intelligence, matched with our electronic and our technological capability, that will continue to allow us to be a safer nation in what Americans have now recognized is a very unsafe world.

I yield the floor.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. DODD), the Senator from Hawaii (Mr. INOUE), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from New Hampshire (Mr. GREGG), the Senator from Arizona (Mr. MCCAIN), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Idaho (Mr. CRAPO) and the Senator from Texas (Mr. CORNYN) would have voted “yea.”

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 1, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—87

Akaka	Craig	Lott
Alexander	DeMint	Lugar
Allard	Dole	Martinez
Barrasso	Dorgan	McCaskill
Baucus	Durbin	McConnell
Bayh	Ensign	Menendez
Bennett	Enzi	Mikulski
Bingaman	Feingold	Murkowski
Bond	Feinstein	Murray
Boxer	Graham	Nelson (FL)
Brown	Grassley	Nelson (NE)
Brownback	Hagel	Pryor
Burr	Harkin	Reed
Byrd	Hatch	Reid
Cantwell	Hutchison	Roberts
Cardin	Inhofe	Rockefeller
Carper	Isakson	Salazar
Casey	Kennedy	Sanders
Chambliss	Kerry	Schumer
Clinton	Klobuchar	Sessions
Coburn	Kohl	Shelby
Cochran	Kyl	Smith
Coleman	Landrieu	Snowe
Collins	Leahy	Specter
Conrad	Levin	Stabenow
Corker	Lieberman	Stevens
	Lincoln	Sununu

Tester	Warner	Wyden
Thune	Webb	
Voinovich	Whitehouse	

NAYS—1

Bunning

NOT VOTING—12

Biden	Domenici	Lautenberg
Cornyn	Gregg	McCain
Crapo	Inouye	Obama
Dodd	Johnson	Vitter

The amendment (No. 2135), as amended, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. LEVIN. Mr. President, what is the regular order?

The ACTING PRESIDENT pro tempore. The regular order would be the Levin amendment.

Mr. LEVIN. I call for the regular order.

The PRESIDING OFFICER. The amendment is now pending.

Mr. LEVIN. Mr. President, I ask unanimous consent that Senator SANDERS be recognized for 3 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WARNER. Mr. President, reserving the right to object, I wish also to accommodate the Senator from Minnesota.

Mr. LEVIN. I will amend that request.

Mr. COLEMAN. Mr. President, I understand the Senator from Vermont was going to speak for a couple minutes, and I wish to have the floor after that for no more than 10 minutes.

Mr. LEVIN. Mr. President, I amend my request to ask that after the Senator from Vermont speaks, the Senator from Minnesota be recognized for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. SANDERS. Mr. President, a number of Vermont families are traveling to Arlington National Cemetery this week. They are a special group and they are here for a very special reason. The group is called The Vermont Fallen. They represent the many families in our State who have lost a loved one during the war in Afghanistan or the war in Iraq.

On Saturday, July 14, The Vermont Fallen will come together to support Marion and Peter Dooley for the interment of LT Mark Dooley's ashes at Arlington National Cemetery.

A fellow Vermonter, Lieutenant Dooley was born July 15, 1978. He was a graduate of the 2001 class of Norwich University and served as a police officer in Wilmington, VT, as well as the Windham County Sheriff's Department. A first lieutenant in the Vermont National Guard, he served with the 3rd Battalion, 172d Mountain Infantry. He was killed west of Ramadi, Iraq, on September 19, 2005, when the scout platoon he was leading was ambushed.

The Vermont Fallen serves a wonderful and unique purpose. They allow families from Vermont who have suffered unimaginable loss to come together and support each other in a way that only they themselves can do.

Today, we honor the life and the loss of LT Mark H. Dooley. In doing so, we also honor the lives of all those brave Vermont soldiers who never came home.

Mr. LEVIN. Mr. President, if the Senator from Minnesota will yield before he speaks for a unanimous consent request.

Mr. COLEMAN. Yes.

Mr. LEVIN. Mr. President, I ask unanimous consent that after the Senator from Minnesota is finished, Senator BILL NELSON be recognized for up to 20 minutes on the pending amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I may offer an amendment.

Mr. LEVIN. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. COLEMAN. Mr. President, I am disappointed that an objection has been raised. I intended to offer amendment No. 2189, which is at the desk. It is a Coleman, DeMint, Thune, Inhofe amendment which would prohibit the FCC from reinstating the fairness doctrine.

I am not asking for a vote at this time. I only want an amendment to be put into the queue. Just recently, the House dealt with a similar amendment. That amendment passed the House with over 300 votes in favor. The vote was 309 to 115.

My amendment says that the FCC would not be able to reinstate the fairness doctrine. It says:

The Commission shall not have the authority to prescribe any rule, regulation, policy, doctrine, or other requirement that has the purpose or effect of reinstating or promulgating in whole or part the requirement that broadcasters, including the Armed Forces Network, present opposing viewpoints on controversial issues of public importance, commonly referred to as the fairness doctrine.

There is nothing fair about the fairness doctrine. In the past few weeks, there has been discussion among some of my colleagues on the other side of the aisle who have said very publicly that it is time to reinstate the fairness doctrine. We have troops in the field of combat today putting their lives on the line and part of what we protect in this country is the first amendment—is freedom of speech.

The fairness doctrine amendment is a relic of a bygone past. It was tossed on the ash heap of history in 1987. It was in place from 1949 to 1987. Its intended effect was to have the Federal Government monitor what is said on the airwaves and require broadcasters to present "fair" and "balanced" programming.

The effect was much different from that. In effect, it stifled speech. If you are a broadcaster and you own a station, you could be subject to some kind of penalty if you do not provide the kind of balance that the Government says you must provide. You may well choose—and, in fact, history has shown what has happened—you may choose simply to play country music. I love country music, but I also love free speech, and we do not want to put anything in place that stifles free speech.

We have gone from 1949, when we had a few TV stations and the information you got came from relatively few sources, to a world today in which we have broadband, high-speed Internet, satellites, blogs, and a whole range of information. And that is a good thing.

In the end, we in this body have to respond, have to listen to the voices of people. We want an informed and educated citizenship. We want them to get diverse views.

The reality, in part, of why this issue even comes up is because of concerns from my friends on the other side of the aisle that talk radio somehow is dominated by conservatives. One may argue that perhaps broadcast journalism may be dominated by liberals. There have been studies that have shown that fact. But for us, we shouldn't care whether it is dominated. And as to a response of the Government coming in and trying to somehow measure and regulate—

Mr. DURBIN. Will the Senator yield for a question?

Mr. COLEMAN. I yield.

Mr. DURBIN. Mr. President, I ask the Senator, in the interest of an educated electorate, whether he thinks Americans should hear both sides of the story, a fair and balanced approach when it comes to information?

Mr. COLEMAN. I absolutely believe Americans should hear both sides. Absolutely. But I believe—strongly believe—the Government should not be in the position of deciding and dictating "now here is the other side."

In the world of communications today, Americans have all sorts of options to hear the other side. All they have to do is turn a dial, all they have to do is push a button, all they have to do is press a mouse, and they have that ability.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. COLEMAN. I yield for a question.

Mr. DURBIN. Does the Senator concede that the airwaves belong to the American people?

Mr. COLEMAN. Mr. President, I concede the airwaves belong to the American people.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. COLEMAN. I yield for a further question.

Mr. DURBIN. Does the Senator concede that those who use the people's airwaves to make a profit have to do it with a license from our Government?

Mr. COLEMAN. I understand and agree we have a licensing process.

Mr. DURBIN. Will the Senator yield for a further question?

Mr. COLEMAN. I yield, and I yield to the Senator from Illinois to present the entire question so I can continue.

Mr. DURBIN. I am not trying to delay the Senator from Minnesota. I will concede the sense-of-fairness doctrine has been set aside since the Reagan administration. Things have changed in broadcast journalism and many other aspects of journalism. I have not seen the Senator's amendment. I sense I know what it might be leading to, but I want to make sure the premise is something on which we may agree.

The airwaves belong to the American people. Those who profit from them do it by permission of the people through their Government and those who use those airwaves should do it responsibly and should seek to provide both points of view, both sides of the story so that Americans can reach a decision. I ask the Senator from Minnesota if he disagrees with any of those points?

Mr. COLEMAN. Mr. President, I say to my learned colleague from Illinois, here is our point of disagreement. There is no question, in fact, that there is a licensing process. I am a former mayor. We licensed a lot of things. But I think one of the basic principles at stake is we don't license and measure content when it comes to speech, and that is my concern. That, in fact, is because of the multiplicity of communications options that are available to citizens today—as I said before, blogs, Internet, broadband, and satellite—which we didn't have 20, 30 years ago.

Where my objection lies, and the importance of this amendment says Government should not be monitoring and regulating content. We are not talking about obscenity. There are things the Senator from Illinois understands the Government has an absolute right to monitor or to deal with. When we get to content—and that is my concern, that those who have raised the issue “bring back the fairness doctrine,” are bringing it back, and the cry then is to regulate content. And that is what I object to.

Mr. DURBIN. If I can ask the Senator to yield further for a question, there was a recent episode in the last 2 years when the Public Broadcasting Corporation took a show by Bill Moyers off the air and wanted to replace it with a show authored by the Wall Street Journal. There were complaints, obviously, that Mr. Moyers was too liberal in content.

Does the Senator from Minnesota believe that was a fair outcome or would he concede it would have been a fairer outcome to allow the American people to watch both shows, by the Wall Street Journal and Bill Moyers, and to hear both points of view and decide what they agree with?

Mr. COLEMAN. Two observations. First, I am thrilled I am having this discussion with the Senator from Illinois. My concern is that I just offered an amendment which was objected to. Had the amendment not been objected

to, we would have time for a full debate on this amendment.

The Senator from Illinois and the Senator from South Dakota have a great interest in this issue. I presume my colleagues on the other side of the aisle—the junior Senator from Massachusetts has raised concerns that we should reinstate the fairness doctrine. He said that publicly.

I would love to have this debate, and yet I stand here offering an amendment which is being objected to and so instead we are having this colloquy. I appreciate the question and will respond. But I am disappointed that the other side of the aisle will not give us an opportunity for a full debate on this issue.

In fact, I want all sides to be heard. What I don't want, and the fundamental disagreement is, for the regulatory power of Government to sit in judgment as Big Brother, to oversee and take stock with pencil and pad and take notes: Well, we had Sean Hannity over here. Now we have to get somebody on the left over there.

Balance should be heard, but we have a marketplace that provides that opportunity. We have folks who support the perspective of the Senator from Illinois, and we have folks who support my perspective. Sometimes we are the same. But for Government to dictate, that is the concern. That is why the FCC got rid of the fairness doctrine in 1987. It is why the Supreme Court raised questions about the necessity of the fairness doctrine. I don't think it is constitutional. We have not gotten to that question.

Mr. DURBIN. Will the Senator yield for a question?

Mr. COLEMAN. I will yield for one further question.

Mr. DURBIN. I am sorry to interrupt. Through the Commerce Committee or the appropriate committee of jurisdiction, we can really get into this question. But the Senator is arguing that the marketplace can provide. What is the Senator's response if the marketplace fails to provide? What if it doesn't provide the opportunity to hear both points of view? Since people who are seeking the licenses are using America's airwaves, does the Government, speaking for the people of this country, have any interest at that point to step in and make sure there is a fair and balanced approach to the information given to the American people?

Mr. COLEMAN. Mr. President, I will respond to the final question. There is a very clear disagreement here. The Government does not have the responsibility to regulate content of speech. That is what the first amendment is about. That is exactly what the first amendment is about. Government is not supposed to be regulating content, and at a time in 1949 when we had three-network TV stations, basically when we had limited channels of communication, I presume there was a legitimate concern on the part of some that in fact Government needs to step in and ensure balance. But now we are

in 2007. I cannot even conceive that the market cannot provide opportunities for differing positions because it does.

In the end, consumers also have a right, based on the market, to make choices. So if they make choices that say we want to hear more of one side than the other, that is OK. I think it is very dangerous, I say to my friend from Illinois—I think it is very dangerous for Government to be in the position of deciding what is fair and balanced. As we see on the floor of the Senate, oftentimes amongst ourselves, hopefully learned individuals who have the great and humble opportunity to serve in the Senate, we have differences as to what is fair and balanced.

The reason we have a first amendment is we get Government out of measuring, controlling, dictating, and regulating content. That is my concern, and that is what this amendment is about.

I would love to have a debate with the Senator from Illinois. I would have hoped that this amendment would simply have been put in the queue, would have been heard. I think Americans love a fair fight. I think Americans love this kind of dialog. There is nothing fair about the fairness doctrine. There is nothing fair if the intent—really, we have to lay it on the table—if the intent is to shut down or to limit the conservative talk radio. That is where the concern is. Yet, as I said before, one can raise questions about balance in the print media, one can raise questions about balance in the broadcast media, but I don't think it is the role of Government to be sitting there listening and then weighing, deciding what is fair and balanced, and then requiring, under penalty, a broadcaster to then have to present an opposing point of view.

What is going to happen—and history has shown this—broadcasters are simply going to say: Let's do something else. Why be in that position where there may be a line that may be crossed, and I don't know what that line is, and that line may change depending on who is sitting as FCC Chair.

As I said before, beyond first amendment principles, there are market principles. Talk radio has flourished because of the market. The consumer says, I want to listen, and they have been given choices. They can simply turn off the dial. They can shut off the radio if they don't want to listen, but it has flourished. It has flourished because of demand, and that is the market, not because of Government command, not because of Government control. We don't want the Government regulating content.

Like never before, Americans have a wealth of information and viewpoints thanks to cable television, radio, the Internet, and that is a good thing, and let it flourish.

John Kennedy stated:

We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies, and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation that is afraid of its people.

Mr. President, I am not afraid of the people. I am not afraid of the people having access to the information and ideas they want access to, but I am afraid of the Government stepping in and regulating content. We have a first amendment that is the underpinning, the foundation, of all the other amendments. The fairness doctrine flies in the face of the first amendment. It was rejected in 1987. The idea of bringing it back today is a very bad idea.

This amendment specifically includes the Armed Forces Network. Our folks who are out there on the frontline fighting shouldn't be thinking that back home someone at the FCC is listening and monitoring and deciding what is fair and what is balanced. Let the people decide. Let the market decide. Let the first amendment flourish.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. LEVIN. Mr. President, will the Senator from Florida yield for a unanimous consent request?

Mr. NELSON of Florida. Of course, I yield to my distinguished chairman.

Mr. LEVIN. Mr. President, I ask unanimous consent that following the Senator from Florida, the junior Senator from Pennsylvania be recognized to speak as in morning business for 10 minutes.

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

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, is there a time limit on my remarks?

The ACTING PRESIDENT pro tempore. Twenty minutes.

Mr. NELSON of Florida. Mr. President, I come to this discussion of the Iraq issue from a position of having been in the political arena for 35 years. My brand of politics is moderation. My representation is generally recognized as being in the mainstream. That is clearly where my State of Florida and the majority of its politics is, in the mainstream of American politics.

Since so many people like to categorize us in little boxes of where our politics is, I am generally categorized in that box as a moderate Democrat. I am here today to state why I will vote for the Levin-Reed amendment with regard to the troops in Iraq.

How did I come to this conclusion? Remembering an Alfred Lloyd Tennyson poem, "Ulysses," he says, "I am a part of all that I have met." Certainly, my frame of reference was shaped in large part upon graduation from college, being commissioned as a lieutenant in the U.S. Army Reserve and being on active duty, first going on active duty as a 1st lieutenant and then, within a year—since that was the Viet-

nam era with rapid promotions—serving the second of my 2 years of active duty as a captain in the U.S. Army.

Vietnam was a tough experience for our country. As I went on active duty, President Johnson had announced he was not going to run for reelection, in large part, the Nation was split asunder over the issue of support of the war. Then during my 2 years of active duty, it was the beginning of the Nixon administration, and as they tried to grapple with the war, they concluded some 4 years later that we had to start withdrawing.

It was a time that certainly is different from now because there is such a respect for our troops now. That was not necessarily the case back then when I was in the military. Certainly, all the interaction I had as a military officer was the best, but that was not the case for a lot of returning soldiers. Indeed, they came home to an America that did not support them and did not stand up for them. We learned a lot of very painful lessons out of that Vietnam experience.

Most of us in this Senate who have the fresh memories of that time, when we go to the Mall to the Vietnam Memorial, there is emotion that is evoked—often the emotion of choking up, as you see those almost 60,000 names and you see those dramatic statues of both the men and the women who served in Vietnam.

One of the awful lessons of Vietnam is that you cannot conduct a war unless you have the support of the American people. Tragically, that is the situation we are getting to today. Today it is a lot different than Vietnam because there is outright unabashed patriotic support for our troops and the extraordinary job they are doing. But it is very clear, if you listen to the street, if you talk to your people back home, you realize the American people are not satisfied with the conduct of this war, they are not satisfied with the progress of this war, and the American people, in increasingly larger numbers, are not supporting this war.

How did I come to this conclusion to support the Levin-Reed amendment? Well, back in 2003, when we voted on the authorization for this war, I voted for it, as did most of the Senators here. The information we were given at the time was clearly information that we believed—that was that there were weapons of mass destruction, there were certainly chemical and biological weapons, and we were led to believe Saddam Hussein also had a very active nuclear program.

I am not talking about whispers behind the door or surreptitious notes that were passed in the night. I am talking about meeting after meeting—right up there in S. 407, the secure room in the U.S. Capitol—sometimes when 75 Senators were present, being briefed by the highest levels of the Government: The Secretary of Defense, the National Security Adviser, the head and deputy head of the CIA, the

head of the Defense Intelligence Agency. Over and over these were the impressions; indeed, the specific information that we received.

Yes, I got a copy of the National Intelligence Estimate, and it was in a meeting called by our chairman, JOE BIDEN, who had a classified meeting to discuss it with representatives of the intelligence community. Indeed, the Director of the CIA, George Tenet, at a later meeting, confirmed what others had already briefed, that there was a program that Saddam Hussein likely had to take unmanned aerial vehicles, put biological and chemical weapons on them, put them on ships off the east coast of the United States, and launch them over east coast cities of the United States.

Did I conclude there was an imminent threat to the interests of the United States by virtue of the information I was given? You bet I did.

George Tenet even confirmed that after the war started, the report's veracity.

What was worse—and what I was not told—was a major part of the intelligence community, the Air Force intelligence, disputed the unmanned aerial vehicles report. In fact, Air Force intelligence knew more about unmanned aerial vehicles than anybody else, and they said they were likely for reconnaissance purposes, not for offensive purposes.

So knowing today what I know—that none of that was true—would I have voted the same way? Of course I wouldn't. But I voted in 2002 for the war authorization on the basis of what I was told and which I believed.

In 2006, the agitation against the war continued to swell and the question came up about withdrawal. Again, I supported the administration, and I voted against a withdrawal timeline because I felt if we had a chance of success, we should not be micro-managing the military, and we should let them make their decisions.

But then things started to change. At the end of the year came a big change the report of the Iraq Study Commission. Jim Baker and Lee Hamilton, two of the most respected Americans, co-chaired this. Listen to names of the members of this commission who were unanimous. Larry Eagleburger, former Secretary of State. He replaced, by the way, Robert Gates, when Gates had to resign because the President was making him the Secretary of Defense. Gates was in on a lot of this Commission testimony.

Listen to the rest of them. Vernon Jordan; Ed Meese, former Attorney General; Sandra Day O'Connor, everybody knows who she is; Leon Panetta, former Chief of Staff to the President; Bill Perry, former Secretary of Defense; Chuck Robb, a former colleague here; Alan Simpson, another former colleague here.

These are the people who made up this Iraq Study Commission, and they came out unanimously. There were five



Democrats and five Republicans. It was co-chaired by Jim Baker, the former Secretary of State, and Lee Hamilton, the former chairman of the House Committee on International Relations. They said there has to be a different way and it had to be a goal of withdrawal next spring.

So when this issue came up again in the spring of 2007, I voted for the report's goal—an amendment sponsored by Senator LEVIN and Senator REED—the goal of the start of a withdrawal—a partial, gradual withdrawal—not a complete withdrawal, a gradual withdrawal. The goal was April of 2008. Now the amendment has been changed, to mandate a gradual withdrawal being completed by April of next year, 2008.

That doesn't mean a complete withdrawal. This amendment says is they are going to leave a good portion of the troops in Iraq to do a number of things. What are those things?

First, I wish to say that, except for the requirement of a withdrawal, the Levin-Reed amendment is very similar to the Iraq Study Commission report. Senator SALAZAR and a host of bipartisan Senators, including this Senator, are cosponsors of Senator SALAZAR's amendment. The Salazar amendment gives us almost word for word the Iraq Study Commission Report. What is before us today is something similar, but instead of the goal of withdrawal by next April, it is a requirement.

The Levin-Reed amendment would require the President to implement a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors. It would ensure that our troops who remain in Iraq will perform the most vital missions—that of protecting the United States and coalition personnel, training and equipping the Iraqi Army, and continuing to fight the terrorist groups, particularly al-Qaida—and it requires the President to appoint an international mediator with the authority to engage Iraq's various factions in an inclusive political process.

The Iraq Study Commission report says: Get going. Do an aggressive diplomatic effort in the region. All five Republicans and five Democrats on the commission said: You ought to open up to Syria, and you ought to open up to Iran, under the theory that, indeed, we ought to be talking to our enemies.

When I took off for the Middle East, about nine countries within a 2-week period before last Christmas, one of my stops was to return to Syria for a third visit with the President of Syria, Assad. The White House said don't go. The State Department came and visited me and said don't go.

I said the cat is out of the bag. The bipartisan Iraq Study Commission says we have to open up and talk to enemies. That is the commonsense thing to do.

I was attacked by Tony Snow in his White House daily briefing. Guess what happened? Thereafter, Secretary Rice

was meeting with the Syrian Foreign Minister, the same one with whom I met, along with President Assad.

It is all a part of the necessity of us engaging diplomatically in the region at the same time we are trying to figure out what to do with our military.

Earlier this year, over many objections, the President then decided he needed to send more troops to Iraq in a surge, and he said it was intended to bring about greater stability. I opposed the surge. I pointed out, from my experience and understanding of Iraq, the surge would put additional American soldiers and marines in the middle of the sectarian violence crossfire of a civil war.

The sectarian violence has only been going on for 1,327 years, ever since the battle of Karbala in 680 A.D. After that battle, you had, in effect, the Shiites separating from the Sunnis, and that has led to antipathy that it is hard for us in America to understand. Yet it continues.

I said at the time there was a surge that I would support, and that was in Anbar Province, which is mainly Sunni and where the real enemy is al-Qaida. I believed that marines are having some success.

I understand I have 1 minute left. Mr. President, I ask for an additional 5 minutes.

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

Mr. NELSON of Florida. I believed the marines were making progress. But there you had just Sunnis and you had al-Qaida that was trying to undermine the Sunni leadership, and the marines working with the Sunnis were having some effect. That is the part of the surge I supported. I did not support the surge going into Baghdad in the middle of the crossfire of a civil war.

The President ignored the findings and the warnings of the Iraq Study Group which recommended a comprehensive strategy for changing the course in Iraq.

So what has happened? In the last 6 months, we have spent more than \$60 billion and we have lost another 600 American lives and many more have suffered grievous injuries. Despite those losses, the sectarian violence has only increased.

Yesterday, the President reported that the Iraqi Government has failed to meet many of the benchmarks that we laid out earlier this year. Only the Iraqis can make the compromises necessary to end this war. Our continued open-ended presence has provided them with no incentive to do so. We cannot and we should not be in the middle of their civil war.

What we need is a diplomatic solution with an aggressive, diplomatic effort—which was argued by the Iraq Study Group.

We also need a political solution instead of a military solution. The possible solution that I am drawn to is the one put forth by Senator BIDEN. Under

the Iraqi Constitution, which is a federal form of government, it will allow autonomy of various regions or states that can provide for their own governance along with a National Government that will allocate the oil revenues according to the population.

But still, the President has not changed course in Iraq, despite the facts on the ground and the overwhelming desire of the American people.

So, with a heavy heart, it brings me today to say that we must by law insist that he begin the reduction of the forces in Iraq and the transition of our mission there. Along with others, I do not reach this conclusion lightly nor with any pleasure. I am extremely concerned by the great toll that this war has taken on our Armed Forces and our military families across this Nation, with the thousands killed and many more injured.

I am very concerned about the lack of training and the lack of time for recuperation for our troops, especially the National Guard and the Reserves. I am very close to the Florida National Guard.

I am very concerned about the situation in Iraq, that it keeps escalating, the violence, especially among Iraqis, and the lack of their production of an economic lifeline by the production of their oil. It is being lost to theft and to sabotage. They can't get their arms around it.

And I am very concerned about the plight of the Iraqi people, including now more than 2 million refugees.

I am concerned about the possibility of greater regional violence and instability. I am concerned about the failure of the Maliki government, the failure of the government in and of itself, but especially, as we see now, the failure of the government to lead and to enact necessary reforms.

I will conclude by saying, an open-ended commitment, keeping our troops in the middle of a civil war, is not the solution. We must not only demand that the President change course, but we must require that he do so. So I rise today in support of the Levin-Reed amendment.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania is recognized for 10 minutes.

#### CHILDREN'S HEALTH INSURANCE

Mr. CASEY. Mr. President, I rise today to speak about children's health insurance for a number of reasons, but principally because the President of the United States, several times in the last couple of weeks and months—but especially this past week—has spoken to this issue in a way that I think is misleading, in a way that I think does not do justice to this important, compelling issue: whether or not this country is going to make a real commitment to insuring all of our children.

This is an issue that you and I, Mr. President, have spoken about, as have many others in this Chamber. It is a major priority for the American people. I will give the bad news first. The

bad news is we have 9 million American children who have no health insurance. That number stares us in the face every day. There is no reason this Congress and this Senate should not do something about that.

It is particularly disturbing and insulting that we have not only 9 million uninsured American children, but we have that number in the face of some other numbers, like tax cuts for very wealthy people. Over and over again, in the last couple of years, this Congress and the Congress before it, has made judgments about priorities. I am afraid there are some people who are making that judgment again about tax cuts for very wealthy people over health care for children.

That is the reality. Unfortunately, we have now not only the 9 million uninsured, but here is another number. Of that 9 million, 6 million children of that 9 million are eligible for programs that can help them now, either Medicaid or the State Children's Health Insurance Program.

The final bit of bad news and the challenge for us, not only as a Senate but as a people, is that 80 percent of the 6 million who could be helped right now by both programs—80 percent of them come from working families. That should be disturbing to all of us.

Here is the good news. We can solve this problem. Not in one budget, not in one year, but over time if we make a real commitment. We can do it by supporting the SCHIP, the State Children's Health Insurance Program. In my home State we call it CHIP, but the Federal Government refers to it as SCHIP. In our State, over 160,000 kids are served by this program now, but there are tens of thousands of other children who are not covered right now. We need to cover them in Pennsylvania and across the country. We know there are millions of children right now across the country who are not covered today who could be covered if we make the full commitment.

When we talk about children's health insurance, a lot of people watching and a lot of people thinking about this issue say: Oh, it is another Government program. It will cost a lot of money. Why are we doing this?

Here is the evidence. We have a 10-year experiment in this country on children's health insurance. Thank God, under a Democratic President—Clinton—and a divided Congress, 10 years ago that commitment was made, and now we have the evidence. We know for all these children, 6 million covered—9 million not covered but 6 million covered, we know the tremendous benefit that means to employers way down the road. We also know what that means for the skills that are developed for one child and for many others. It is better for economic growth to ensure children. It is better for gross national product. It is better to build a skilled workforce with children's health insurance.

Here is the challenge we have, in terms of this year's budget. I and many

others, including the Presiding Officer and many people in this Chamber—mostly on this side but even some on the other side of the aisle—supported a proposal to say that over 5 years we would spend \$50 billion on children's health insurance.

It sounds like a lot of money, doesn't it. But when you break it down, \$10 billion a year for children's health insurance is a small investment over the life of that child and over the life of our country. That is what the goal was, and that still is the goal.

Here is the difficulty. We have to deal with the realities of the budget. Senator MAX BAUCUS and others on the Finance Committee—and, frankly, in both parties but mostly on the Democratic side—have worked out an agreement on \$35 billion, which is a very good start. We can grow that, but they deserve a lot of credit for making sure that money was put in the Finance Committee proposal that is still being worked on.

But Here is the problem.

In the face of that bipartisanship 10 years ago, and every year since on children's health insurance—in the face of all the benefits to our economy, not to mention the life of a child, and also in the face of the consensus that is emerging now in this body about the priority of children's health insurance, to get at least the \$35 billion over 5 years—here is the problem. We have a President who thinks something else.

President Bush recently talked about this initiative, to get \$50 billion or even to get \$35 billion, as somehow a federalization of health care for children, which is, I guess, to some people a scary word, a word that causes them concern.

But there are a lot of Governors across this country, Republicans and Democrats, who think otherwise. So I think I have a basic question for the President, and I will conclude with this because he has been misleading people on this issue. Here is the question for the President of the United States. If you can give a tax cut in 1 year for people making over \$200,000 a year, that amounts to \$100 billion, if that is your policy, to give \$100 billion in tax cuts to very wealthy people, why would you not be willing to spend \$10 billion a year for children's health insurance?

That is the question I have for the President. So if this President and this Congress are concerned about a skilled workforce and developing entrepreneurs and people to contribute to our economy, we better make a commitment to children in the dawn of their lives to make sure they can have the skills they need down the road. But even apart from the skills, it is the right thing to do. Mr. President, if you can help the millionaires, the multimillionaires, and the billionaires, why won't you make a full commitment to help the children of America, the working poor and middle-income children?

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, the motion now that is pending is the Levin-Reed, et al., amendment. The floor is open for Senators to come and speak on that amendment. I would hope those who have speeches will do that. We need to get to a vote on this amendment early next week. There is no reason this amendment should be the subject of a filibuster with the subject that is on every American's mind. They want us to be able to vote up or down on this amendment. I hope it is not necessary that there has to be a cloture motion, because the Senate should express its will on a subject of this importance. But this is one of the many times that will be available in the next few days to speak on this amendment. We will be here Monday afternoon. We are here now. We will be here Tuesday, obviously, before the meetings of our parties at lunch. But I would hope people would take advantage of this opportunity to come and speak, pro or con, on the pending amendment, because there is no excuse for a filibuster on an amendment of this importance that the entire country is watching. This is one of a number of opportunities we are going to have in the next few days for Senators to express their opinion. I hope they will use this opportunity.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. 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. LEVIN. Mr. President, we know of two speakers who do wish to come over here shortly, about 11:20 and 11:30. We do not know of any other speakers who wanted to be recognized at this point.

We are on the bill now. In a moment I am going to ask consent that we go into morning business, with speakers limited to 10 minutes each. But I want to note my good friend from Virginia has suggested that we make it clear to the body that we are on the bill now. The amendment which is pending is the Levin-Reed, et al., amendment, and that we will, after we leave here today, be returning on Monday, at a time that the leaders will set, to this bill. This bill will be the pending matter. This amendment will be the pending matter on Monday when we return.

I thank the Senator from Virginia for suggesting that we make that clear.

I yield the floor.

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

Mr. WARNER. Mr. President, I concur in the distinguished chairman's observation. I wish to compliment you and the ranking member, Mr. MCCAIN, for the progress you have made this



week on this bill. Having had this responsibility, sharing it with you for these many years, I would say the two of you have done exceptionally well.

Mr. President, also it is my intention—I am doing the final bit of drafting on an amendment by myself, with the distinguished Senator from Indiana, Mr. LUGAR. I hope to be filing that before 12 noon today.

Mr. LEVIN. Mr. President, we also urge colleagues who still have amendments they wish to have considered to bring those amendments here to the floor by noon; to bring them here on Monday, because Senator MCCAIN and I have both spoken on the necessity of getting amendments that are going to be filed to be filed by the end of business on Monday.

We have a lot of amendments we have got to consider. Hopefully we can clear some. But the body would be very—colleagues would be doing the body a favor to get these amendments in if there are any additional amendments they want to consider.

Mr. PRYOR. Mr. President, I rise today in support of Senator LEVIN's amendment to the National Defense Authorization Act for fiscal year 2008. This legislation is long overdue, and I hope all my colleagues will support its swift implementation. I want to thank the chairman of the Senate Armed Services Committee, Senator LEVIN, Senator MCCAIN, and the chairman of the Veterans' Affairs Committee, Senator AKAKA, for their leadership on this issue, and I commend them for the good work they have done. I also want to thank my colleagues for working so closely with me to get this legislation passed.

A few months ago I had the pleasure of introducing the Wounded Warriors Assistance Act of 2007 with my good friend from Georgia, Senator SAXBY CHAMBLISS. Our intent was to correct the injustice done to our returning wounded veterans and to improve the access and quality of health care our military personnel receive. There have been too many cases where our veterans have slipped through cracks in the system, and this is why I support the Levin amendment to H.R. 1585. It is a comprehensive policy of care and management for servicemembers with combat-related injuries or illnesses, a concept which mirrors the intent of the legislation I introduced. I worked on this legislation for a long time, and I am proud to have worked with the Senate Armed Services Committee and Senator CHAMBLISS to put forth meaningful language that has the potential to directly help those who defend our country.

This legislation will provide our veterans with assistance to make sure their medical needs are met and bureaucracy does not interfere with their progress. While this legislation addresses enhanced health care, traumatic brain injury and post-traumatic stress disorder, disability evaluations, and improvement of facilities housing

military patients, this amendment will ultimately restore confidence in the integrity and efficiency of the military medical system and ensure our wounded warriors feel secure in the fact they will always receive committed, quality care. This act will also increase training for health care professionals and medical case managers and make a physician or health care professional available to help veterans navigate the medical evaluation board process, translate findings and recommendations, and explaining medical terms and regulations. This process is a critical crossroad in a service man or woman's career and can be very emotional, confusing, and stressful. I do not believe our returning veterans should have to deal with any more adversity or undue stress while trying to recover from their injuries, and this legislation will make this process easier for them.

Another provision that I am particularly proud of is the section on disability severance pay. This addition expands the population that is eligible for the enhancement of disability severance pay to include injuries incurred during performance of duty in support of combat operations. Oftentimes our military personnel are wounded in training exercises before they are sent into theater, and in current law they are not eligible to receive disability severance pay. For example, if a soldier is wounded while training to fast rope out of a helicopter, he or she will now be fairly compensated for their sacrifice in support of combat operations.

In my home State where 369 Arkansas soldiers have been wounded, my office has provided immeasurable assistance to ensure those veterans get better care. I am honored to support this legislation as it also affects over 25,000 wounded warriors nationwide. I frequently make trips to Walter Reed Hospital, and I visit wounded Arkansans who are some of the most determined and inspiring individuals I have ever met. However, they will still require top notch medical care and a lot of prayer in order to recover, and I want to make sure they get it.

Again, I am proud to support Senator LEVIN's amendment to H.R. 1585, and I am happy to see it adopted into the fiscal year 2008 National Defense Authorization Act. We owe nothing less than the best for our troops who make great sacrifices for defense of this country. I firmly believe this legislation is what we need to reform and modernize the way we care for our wounded soldiers.

Mr. BYRD. Mr. President, yesterday the Senate voted on an amendment offered by Senator SESSIONS, amendment No. 2024, that stated the policy of the United States on the protection of the United States and its allies against the possible threat from the potential development of Iranian ballistic missiles. I supported that amendment, but my vote should not be misconstrued as a blanket endorsement of missile defense installations, nor as support for military action against Iran.

The amendment by Senator SESSIONS noted Iran's continuing work on a nuclear program despite the many concerns voiced by the international community, as well as Iran's development of ballistic missiles of increasing range and sophistication. Iranian success in these two areas might eventually pose a threat to the forward-deployed forces of the United States and NATO allies in Europe. In the longer term, an Iranian nuclear and ballistic missile program could perhaps pose a threat even to the U.S. mainland. I must state clearly and unequivocally, however, that the best way to confront these possible long-term threats is diplomatically. Iran's nuclear and ballistic missile programs are not an imminent threat to United States security by anyone's reckoning. The best defense against an Iranian nuclear weapon is for that weapon never to have been developed. We have time, working together with the international community, to direct Iran toward a more peaceful path. I note the good news being reported in today's newspapers that Iran has agreed to allow IAEA inspectors in to inspect its nuclear facilities. This is a step in the right direction, and we should support these efforts to bring Iran into compliance with its international obligations. We will not tolerate an illicit nuclear weapons program, but neither should we rush headlong into militant provocations.

The Sessions amendment stated the policy of the United States to "develop and deploy, as soon as technologically possible, in conjunction with its allies and other nations whenever possible, an effective defense against the threat from Iran described in subsection (a)(1) that will provide protection for the United States, its friends, and its North Atlantic Treaty Organization allies. . . ." Further, the amendment stated that deployment of these defenses should be complementary to any missile defenses that might be deployed by NATO in Europe.

This amendment does not say anything new, and it does not imply a change in U.S. policy. The United States and its allies have been developing missile defenses for many years now. The bill to which this amendment was offered contains an additional \$315 million to accelerate several missile defense programs aimed at protecting the United States and its allies. The Aegis program, the Patriot PAC3, and the THAAD system program will all benefit from those additional funds. Importantly, the underlying bill limits the availability of authorized funding for missile defense installations in Europe until two conditions have been met: one, approval is given by the countries in which missile defense components are to be located; and, two, 45 days have elapsed since Congress receives a report from the Secretary of Defense on the proposed deployment. These requirements will help to ensure that ballistic missile defense programs

are not put in place hastily or unwisely.

I voted for the amendment because I agree with its underlying sentiment, which is that the United States should prepare defenses against foreseeable threats. What I fear, however, is that the votes in favor of this amendment will become fodder for attempts to further increase funding for missile defense programs that are already more than adequately funded and which history has shown us time and again are technologically challenging and cannot be rushed. Over the years, I have seen this tactic used time and again for missile defense programs. It does not matter how much more money is thrown at them, the technology cannot be rushed. Given the demands for funding for troops in harm's way now from mortar rounds, bullets, and IEDs, we must be cautious of attempts to further bloat a program intended to confront a far-off threat that may never materialize. My vote in favor of a policy of adequately preparing for a long term threat over the long term should not be interpreted as support for excessive spending on missile defense development and deployment. Further, it must not be interpreted as a vote suggesting that the situation at this time justifies the President to use military force in Iran.

Ms. MIKULSKI. Mr. President, I am proud to cosponsor the Dignity for our Wounded Warriors Act, which has just been approved as an amendment to the fiscal year 2008 Department of Defense authorization bill. Under the leadership of Senators CARL LEVIN, PATTY MURRAY, and DANIEL AKAKA, we have drafted this comprehensive response to the failures of the Bush administration to properly care for our wounded servicemembers and veterans.

We were all shocked and awed by the sorry state of outpatient care at Walter Reed. More than 22,000 Purple Hearts have been awarded in Iraq. We know now that our troops have been twice wounded—once on the battlefield and again battling a bureaucracy at home.

We know that acute care for our injured troops has been astounding. Our military medical doctors and nurses are performing heroically, giving our troops historic rates of survival against devastating new weapons of war. We owe a debt of gratitude to these military medical professionals and to the medics on the battlefield. But while we have saved their lives, we are failing to give them their life back. Outpatient care, facilities, social work, case workers, disability benefits—the whole system seems dysfunctional.

In March, I visited Walter Reed and met with outpatients at Mologne House. I am so proud of their service and sacrifice for our Nation and so embarrassed by the treatment they have received. We know this problem isn't limited to Walter Reed. It is part of the reckless incompetence of this administration. They took us into this war without a plan for winning it or caring

for those we ask to fight it. That is why the Senate has today taken this important step to provide the care our troops, veterans, and their families have earned.

This is a comprehensive bill to address the treatment and care of injured veterans and servicemembers. To ensure that what happened in Building 18 at Walter Reed never happens again, the bill establishes minimum standards of repair and maintenance for military treatment facilities and outpatient housing. It authorizes at least \$73 million in additional funding to enhance care for traumatic brain injury, TBI, and post-traumatic stress disorder, PTSD, including \$3 million for pilot projects to monitor TBI; \$10 million for Centers of Excellence for TBI; and \$50 million for additional TBI and PTSD research. This is in addition to the \$900 million in funding for TBI and PTSD programs added by Congress to the fiscal year 2007 Emergency Supplemental Appropriations Act.

To support a smooth transition for injured troops from military medical care to the Veterans' Administration, this bill also authorizes \$10 million for a joint DOD/VA office for electronic health records and establishes comprehensive readjustment studies for Iraq and Afghanistan veterans by the Defense Department, the Veterans' Administration, and the National Academy of Sciences.

To develop a better understanding of the signature wounds of the wars in Iraq and Afghanistan, the amendment directs DOD to establish Centers of Excellence for TBI and PTSD and to report to Congress on their progress. It requires comprehensive plans for prevention, diagnosis, and treatment of TBI and PTSD as well as long-term studies, clinical trials, and research about mental health, TBI, and PTSD.

Our amendment also addresses the unique needs of female servicemembers by requiring DOD and the VA to take into account the needs of women servicemembers and women veterans in every aspect of patient and veterans care. Every report required by the amendment must include a description of how it specifically addresses the needs of our women warriors. It requires DOD and the VA to review the need for mental health treatment tailored to meet the needs of female servicemembers and veterans and requires the two agencies to develop a joint policy for the treatment and care of mental health, TBI, and PTSD for female servicemembers and veterans.

To cut through the health care bureaucracy, our bill entitles any servicemember or former servicemember with "severe injury or illness" to treatment in any DOD or VA approved medical facility, whatever is closest or most convenient for the patient. It also authorizes military and VA facilities to provide counseling and medical care for families and caregivers who are supporting servicemembers—this is important support for those who have to

travel to a treatment facility in order to support their injured loved one.

To help injured servicemembers transition from DOD health care to the VA system, the amendment requires improved information sharing between agencies and establishes common processes, procedures, and standards between the two agencies. It also institutes a 3-year overlap of healthcare service between DOD and VA for severely injured servicemembers, so no injured servicemember is allowed to fall between the cracks.

This amendment also takes several important steps to improve the quality of care in the VA health care system. It requires the VA to create rehabilitation and reintegration plans for veterans suffering from TBI and to provide nursing home care to veterans with severe cases of TBI. The amendment also extends the window of time during which veterans can seek combat-related medical care, from 2 years to 5 years. This will especially help veterans suffering from PTSD, which can take several years to develop and diagnose.

Mr. President, our Nation has a sacred commitment to honor the promises we make to troops and their families when they answer the Nation's call to duty. I am proud to fight each year to make sure these promises made are promises kept. This amendment honors our Nation's service men and women.

#### MORNING BUSINESS

Mr. LEVIN. Mr. President, while the Senator from Virginia is on the floor, I ask unanimous consent that we proceed to a period of morning business, with Senators recognized for up to 10 minutes each.

Mr. WARNER. No objection.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

#### TOBACCO

Mr. DURBIN. Mr. President, there is hardly a family in America that hasn't had an experience with tobacco and cancer. My family is no exception. When I was 14 years old, my 53-year-old father died of lung cancer. He smoked two packs of Camels a day. He was hopelessly addicted to tobacco, and we lost him at what I now view as a very early age. I can recall, as a student in high school, being in his hospital room when he drew his last, labored breath and the sadness that fell over me on