it cannot continue this way. When a bill comes back that funds the entire Government and we are forced to vote for the bill or shut down the Government, that bill is going to pass. This means that if I consent to letting this bill go to conference, I am essentially consenting to enact whatever the conferees want to insert in the bill unamended.

We put a lot of trust in our conferees, and all I was asking was for an understanding from the committee that we know, at least in general, where the conference will be headed. I have not been able to get this commitment. I was given no information and no assurances.

Therefore, I am compelled to do what I think is right to protect the taxpayers and to provide integrity and accountability in the spending process.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, let me say right upfront, I hope this objection will go away sometime today. I think we are talking about whether something is done in writing or whether it is semantics. I didn't have to agree to what was in the letter that was written to the leader because our Military Construction bill meets all of the criteria they set forth. I didn't have to agree to their letter because everything in our bill is authorized or it is in the President's bill or it is in the future years' designations of priority by the Department of Defense. That is called a FYDP. It meets those criteria. We don't put provisions in our military construction conference committee reports that are not in the House or Senate bill.

All I can do is give my word that this is not going to turn into an omnibus. I am giving my word it is not going to be an omnibus. It is going to be the Military Construction and Veterans Affairs bill that was passed unanimously by the Senate.

I hope that all of the relevant parties will be able to sit down because I can't call this up for a vote. It would be spread out for so long as to lose the ability to go to conference. The House is planning to go out of session at the end of this week. I would stay here for 2 weeks to finish this bill because there is so much in it that is important. It is all new starts. This bill is filled with the priorities that the Department of Defense has in facilities on military bases all over this country, including quality-of-life housing for our military men and women. It has veterans affairs priorities and increases in funding for mental health and for research into post-traumatic stress syndrome. There are many items in this bill that will not be covered in a continuing resolution.

I hope we will all be able to sit down together. I hope the House will cooperate if we send this conference committee request to them. I am prepared to work all night and all day tomorrow to try to fit all of the timeframes.

Let me end by saying that we are very close between the House and the Senate. I think we can work out the differences between the House and the Senate. I am saying right now this will not turn into an omnibus appropriations bill. It will be a bill that funds military housing and quality of life for our men and women in the military and their families, and it will have the new starts that cannot be covered by a continuing resolution. We certainly meet the criteria or the Senate wouldn't have passed the bill unanimously.

So I am not saying the Senator from South Carolina is wrong in his statements about what happens in conference committee reports in many other areas and in the history of the Senate. He is right. Sometimes a conference report will turn into an omnibus, and sometimes you find things that are not in either the House or Senate bill. But I am saying today that would not be the case in our bill, nor has it been the case that I can remember in past bills. Maybe I am forgetting something. But by and large, our bill is straightforward. And by and large, our bill is supported by the entire Senate. It is not very far from the bill that the House passed, and I think if we all put our minds to this and put away—I don't think our leadership would be required to sign a letter and I don't think the chairman of the Appropriations Committee should be required to sign a letter. I think we should be good for our word around here. If we are not, then we have lost the spirit of this institution.

So I am saying today that I am going to go back to the drawing board. I am going to work with the Senator from South Carolina and the Senators from Oklahoma. I am going to work with my counterparts on the House side, and I am going to try to get a bill through here, and I am not going to stop trying for the rest of the time that one of our Houses is in session. I think we owe it to our men and women in the military, we owe it to the veterans who have already served. We owe it to those people who are coming back here without limbs that we are funding at additional levels, not only the prosthetics but also the training on how to be proficient in using those artificial limbs. Madam President, I think we can do it. I am committed to trying, and I hope everybody who is involved in this process will also try.

Let me also add that my counterpart, Senator FEINSTEIN, who is the ranking member of this subcommittee, is in full support of this bill. I have talked to her about the issue I am trying to address, and she is ready to go to conference. I do believe that if we will sit down and talk with everyone who is interested, everybody would be satisfied that we will keep our word and we will do what we intended to do, anyway, which is conference a bill that is going to take the differences in the House and Senate bills and resolve those differences. That is what we are supposed to do, and that is what I am committed to do.

Madam President, I yield the floor.

Mr. KENNEDY. Madam President, I know we have the call for party luncheons. I have some comments which are heartfelt about a colleague of ours, PAUL SARBANES, and I wonder if the Chair would indulge us for a few minutes to be able to make these comments now. We are debating the Secretary of Defense, but we have set that aside until after the conferences of our parties. Would it be permissible with the Chair if I made some brief comments?

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

Mr. KENNEDY. I thank the Chair for her courteousness and understanding.

(The remarks of Mr. KENNEDY are printed in today's RECORD under ''Morning Business.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m. today.

Whereupon, the Senate, at 12:56 p.m; recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

NOMINATION OF ROBERT M. GATES—Continued

Mr. THOMAS. Mr. President, 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. DOMENICI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

ORDER OF PROCEDURE

Mr. DOMENICI. Mr. President, on behalf of the leader, I ask unanimous consent that at 2:30 p.m. tomorrow the majority leader be recognized to speak.

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

The Senator from New Mexico is recognized.

THE APPROPRIATIONS PROCESS

Mr. DOMENICI. Mr. President, I come to the floor here today to share with my colleagues and my constituents my frustration with the inaction of Congress on its most basic responsibility, to enact bills to make appropriations for the Government for the coming year.

> No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

That is the Constitution of the United States. There is no responsibility more fundamental than the one I

have just read. The American people pay taxes and they expect the Congress to do something with those taxes every year. Part of it they expect to be spent on the operations of Government—for the payments of the Defense Department, for the payments of the Treasury Department, for all things that go on in the Energy Department. All of those functions of Government are put together and handled in appropriations bills that have a committee chairman and a ranking member, and each year, under our system, where it is annual, they are supposed to produce an appropriations bill that goes from House to House and becomes a final product when it has been passed in both Houses and gone to conference between the two Houses and comes out as a final bill, which goes to the President of the United States. That is the format.

There are 13 of those that cause the Government of the United States to function. Can you believe that many publications have scorned Congress? Some have blamed the House of Representatives, some have blamed the Senate, some have blamed the administration for sending an unrealistic budget last February. The blame game doesn't interest this Senator. We all share in this quiet conspiracy to duck fulfilling the most fundamental responsibility that we have and that is to vote on appropriations bills, to confer between the House so they are the same bill, the same package of requirements, requests, expenditures that we ultimately call a bill.

Some media analysts contend that the Senate was afraid to cast votes on appropriations bills, thinking these votes might be used against incumbent Senators in recently held elections. All sorts of reasons emerged that justified laying aside this appropriations bill or that one. Some feared that amendments to the bills might take too long, too much time. Amendments might be painful choices for Senators. Some of the votes might slow down the process and some might show up later in campaign commercials or propaganda.

This Senator has cast more than 12,000 votes, more than almost any other Senator in the Senate history. There are maybe five or six who have cast more. My votes may be characterized by my opponents in a campaign, using commercials and whatever else they would like. They can find almost any vote I have taken over the years I have been here.

I took this job knowing full well I would have to vote to decide, to choose, and that these decisions would absolutely be second-guessed by a whole host of people. So I reject the notion that the Senate saved itself by avoiding so-called hard votes. We had not and we did not take the votes, did we? And look at the results in November. If it were our Republican approach to save ourselves, we lost ourselves.

Now we have the end of a Congress and here sit the appropriations bills unattended, sitting over there on the various clerks' desks. All the work has been done except the final work where they have to come to each House and get approved.

What we will do, for and to the people of the United States, from this day forward is terrible. Since we do not have the bills passed on both sides, we will have a continuing resolution, named for another document where we will pass the Government spending for a period of time and say we will spend, and then we relate it to something. We normally do it for 20 days out of the year. This time we will have a continuing resolution with the bills that have not been passed. That should be used very seldom, this continuing resolution, and it is getting to be like apple pie around here. We use it all the time. Rather than do our work, we do a continuing resolution. We continue it by resolution, equating it most frequently to the work that has been completed by the House, for they have done their work first. Therefore, the Senate has little or no input into what the continuing resolution ultimately says we are going to spend money on.

It used to be that a continuing resolution was not watched very well and it was a way of putting all kinds of things on. That doesn't happen much anymore. So what we are getting out of this as Senators is nothing. We are getting little or no input into the appropriations process. The bills we handle, if we are chairmen or ranking members, are not going to get adopted at any time or even referred to at any time unless we decide, in the next 6 or 7 weeks, to do something together that will change that by reference or by adopting some new bill.

There is much to be done and clearly we are not on the right course at this point. We are not going to pass many of these bills except perhaps a military construction bill, which is no longer a construction bill, but it is a bill for the health and welfare of our soldiers, and for many other things, and it is for building many new things that have to be built here at home for them and, therefore, that Military Construction bill will probably be a must and it will be around, and people will be talking about it and the fact that it has to be done.

From my standpoint, this week, if this 109th Congress slinks into history, as seems to be scheduled, it will have completed work on only two appropriations bills, Defense and Homeland Security, and maybe the one I have just referred to as Military Construction. In place of the completed bills, we will have a continuing resolution through February 15, next year, about the time the President will send us a 2008 final fiscal year budget. We will be getting a new one before we have done anything about the old one. We will be getting a brandnew budget—imagine—and we will not have done anything about all of those that are sitting on the desks of clerks, waiting to do their part in appropriately spending our money.

Next year, we will look at the remaining 2007 bills, the much anticipated $100 billion Defense supplemental request that we all expect the President to suggest, and all 13 of the 2008 bills.

Does someone think this kind of procedure serves the public interest or some political interest? I believe it serves neither of the two.

For those Senators who are glad to see a continuing resolution because they think it saves money, think again. Not only will this continuing resolution not save money, but it will give reordering of priorities to the 110th Congress. I predict that we will spend more, not less, as a result of the strategy adopted by the Congress this year. The upshot will be that we have both failed to fulfill our constitutional responsibility and have spent more money.

What an outcome.

Who is to blame, then? Not the Senate Appropriations Committee, which reported every single appropriations bill by the end of July, the earliest such bills had been reported in 18 years. Not the subcommittee chairman, of which I am one, who worked to meet the deadlines set by the chairman and ranking member.

Those highly motivated members who wanted a full and open debate on the appropriations bills certainly cannot be blamed, although the outcome of their efforts will probably disappoint them by the middle of next year. Each Senator has the obligation to pursue what he or she believes is the correct policy, using any parliamentary means appropriate. I cannot condemn my colleagues who, for one reason or the other, find the appropriations process objectionable.

Here is what I suggest for the future. Let's vote. Let's report the individual bills, as Chairman COCHRAN did this year, on time. Then, let's bring the bills up on the floor. If members want to filibuster, that is their privilege. We vote on that. If cloture prevails, we have post cloture debate, and then vote again. Yes, it is time consuming, but it's our job. Let's vote.

Let me close by discussing briefly my own Energy and Water appropriations bill, which has awaited Senate action for almost 5 months now.

It is almost ludicrous that at this time in history, the 109th Congress failed to act on this bill. We read daily about the growing nuclear threat in North Korea; millions of words are written and spoken on the threat of an Iran with a nuclear capability. Six Arab, Sunni nations have now petitioned for a nuclear program through the International Atomic Energy Agency, including Saudi Arabia, contending that they need such programs for domestic energy purposes. Many analysts believe that the Arab nations observe the growing threat of a Shia Iran, with the potential for a nuclear weapon, and want nuclear programs for weapons purposes. We listen to witnesses tell us

of their fears of nuclear terrorism and the failures of the present nonproliferation programs.

For more than two decades now, these subjects have been the focus of much of my work as a Senator. And much of the good work that this Nation has done to address nonproliferation and nuclear terrorism is funded by the Energy and Water appropriations bill.

Yet at this dangerous time, the 109th Congress couldn't find time to take up the Energy and Water appropriations bill. In addition to hundreds of millions, almost billions of dollars for disposing of weapons grade nuclear material, and funding to try to stop nuclear material from shipment to this Nation, the bill funded alternative energy sources. It funds weatherization grants for Americans. It funds a brand new approach to handling nuclear waste here and abroad.

Let me close by discussing several important items in the bill, which languishes.

First, in the area of nuclear nonproliferation, the administration has given careful thought to how to handle the growing Iran and North Korea nuclear threat. Yet under the strategy adopted by this Congress on my bill, the Nonproliferation and International Security Account will be $53 million less than the House passed bill and the Senate committee-reported bill recommend. Think about that, short-changing that nonproliferation account because we were afraid to vote.

Second, and even more serious, one of the largest non-proliferation projects ever will be delayed. The Fissile Materials Disposition program, located in South Carolina, I add for the benefit of those two Senators, is known by the short hand of MOX. That program now has stopped construction, because the House passed bill eliminated all funding. And, since we have no Senate-passed bill, we cannot even negotiate levels on the continuing resolution. Think about this: the United States and Russia have spent the last 10 years negotiating a deal to eliminate 34 tons of plutonium from the nations' stockpiles and now the future of this effort is in limbo because Congress couldn't find the time to do its job.

As chairman of the Energy and Water subcommittee I was excited about the new initiatives proposed by the President including energy independence and to increase funding for science research in the Fiscal Year '07 request.

The Fiscal Year '07 budget took bold steps and made significant investment in nuclear power and alternative energy. Unfortunately, enactment of a CR will delay our investment in to alternative energy and maintain our increasing level of dependence on foreign energy sources.

Building on Energy Policy Act passed in 2005, the President supported increased funding for the research on cellulosic biomass, solar, hydrogen and advanced battery research. The Senate also restored funding geothermal development a renewable resources in the west with great potential.

The Senate Energy and Water bill supported the implementation of a loan guarantee program that was included in the Energy Policy Act of 2005. This is an innovative financial solution, which would not cost the Federal Government a dime in appropriated funding.

The backing by the Federal Government supports the commercial deployment of first-of-a-kind energy production technology. Without the language in the Senate bill, this program will not go forward and our Nation will not get closer to energy independence.

The Senate Energy and Water bill also fully funds the President's request for the Department of Energy's Office of Science. Our future economic growth and security will require our schools to train the next generation of scientists and engineers. We haven't done enough and are losing ground in scientific research. This budget will reverse that trend with investments in basic scientific.

The Senate fully funds the President's request for the Office of Science.

The Senate bill also provides important funding to support the licensing of a new nuclear power reactor that will met our growing energy demand without increasing greenhouse gases.

The bill closes the funding shortfall for the Nuclear Regulatory Commission in order to hire and train additional technical staff that will be needed to review the new license applications being developed by utilities. These priorities will not be recognized with continued delays with a CR.

This year the President outlined his plans for the Global Nuclear Energy Partnership. This program invests makes a large investment in addressing spent fuel stored at reactors all across the country by recycling. As Yucca Mountain continues to face delays, the Senate bill supports the administration's efforts to reduce, reuse and recycle commercial spent fuel.

I understand the challenges the leadership of Congress faces. Any of us who have served a chairman of the Budget Committee certainly understand the cross-currents in this Chamber. But, putting aside hard choices almost never leads to good results. We should remain in session this month until we fund the 2007 bills. After all, that's our job.

Since it appears there are no Senators wishing to speak, 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.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

APPOINTMENT OF CONFEREES—H.R. 5385

Mrs. HUTCHISON. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5385, the Military Construction appropriations bill, that the Senate insist upon its amendments, request a conference with the House, and the Chair be authorized to appoint conferees.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Mr. President, reserving the right to object. If the Senator from Texas would allow me to discuss with her our conversation with Leader FRIST. As we talked about earlier today, both the Senator from Texas, myself, and I believe the entire Senate and Congress want this bill to pass.

Senator HUTCHISON and myself have had the opportunity to meet with Leader FRIST to talk about the importance of passing this bill, as well as the importance of not adding additional appropriations and additional earmarks which were not part of the Senate or the House version of this bill or were not part of the President's budget.

If I could ask the Senator, is it her understanding that it is our general agreement and also leadership's that this bill will be kept to the basic bills which have been passed by the House and Senate and that it will return to the Senate floor as a bill that we have discussed with Leader FRIST?

Mrs. HUTCHISON. Mr. President, there was never any other intention. I have discussed this with Senator COCHRAN, chairman of the committee. I discussed it with Senator FRIST, our leader. I have discussed it with the ranking member, Senator FEINSTEIN. And most certainly we will bring back a conference report that has either material in the President's budget request, something that has passed the House or the Senate in this bill, and all of the projects will be duly authorized on the military construction side.

On the Veterans' Administration side, we worked very closely with the authorization committee, Senator CRAIG, Senator AKAKA, and others to assure that we have the approval of the committee leaders for all of the veterans' expenditures.

I have to say to the Senator from South Carolina that there are some very important initiatives in the Veterans bill that would not be covered in a continuing resolution. And there are very important commitments for new starts in the Military Construction bill that are necessary for us to keep pace with the BRAC project and with other military housing and quality-of-life projects that are included in the bill. It is going to be a Military Construction and Veterans Affairs bill with the priorities of the Senate. This bill passed unanimously in the Senate. We would go forward with the clear understanding that this is going to be a military construction and veterans affairs and military quality-of-life conference report.

Mr. DEMINT. Mr. President, I wish to thank the Senator for her openness and

tenacity in helping to get the agreements we need to keep this bill clean and focused on the needs of our military. I do not object.

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

The Presiding Officer (Mr. DEMINT) appointed Mrs. HUTCHISON, Mr. BURNS, Mr. CRAIG, Mr. DEWINE, Mr. BROWNBACK, Mr. ALLARD, Mr. MCCONNELL, Mr. COCHRAN, Mr. STEVENS, Mrs. FEINSTEIN, Mr. INOUYE, Mr. JOHNSON, Ms. LANDRIEU, Mr. BYRD, Mrs. MURRAY, Mr. LEAHY, and Mr. HARKIN conferees on the part of the Senate.

Mrs. HUTCHISON. Mr. President, this is a major step forward. I have been working with Senator FEINSTEIN to try to get conferees appointed for our bill. There is time in this session for the House and the Senate to come together and put a bill forward in the conference report that will do what is right by our military who are serving our country and protecting our freedom, who are in harm's way as we speak. There is time for us to take care of those good people. There is most certainly time for us to take care of our veterans and to make sure that the priorities which we have set this year, for heaven's sake, are passed in this session of Congress.

If anyone says to me we don't have time to have a conference, they are wrong. It is 12:40 in the afternoon. It is Wednesday. I will work all night, if necessary, and so will our great staff working with the House, if the House will sit down with us. Our military personnel and our veterans deserve what is in this bill. It is a bill which passed unanimously. The House passed a bill overwhelmingly as well. It will move our military quality of life up. That is certainly our intent.

This could not have been done without everyone's cooperation. I think that is what the people of America expect from the Congress. They deserve it. That is what we are going to give them.

I want to particularly say that Senator FRIST and Senator COCHRAN have been instrumental in allowing us to go forward. There has been a lot of emotional talk and rhetoric around what we do in these last few days of this session of Congress. I think everyone, including the Senator from South Carolina and the Senators from Oklahoma, have all risen above certain emotional feelings and have said: Yes, we are going to work together. I am very pleased that we are.

I am going to yield the floor in one minute and roll up my sleeves and try to get the Military Affairs, Quality of Life, Military Construction and Veterans Affairs bill in shape for us to pass this session of Congress and send a good conference report to the President of the United States, who I know will sign the bill.

I yield the floor. 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.

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

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

Ms. COLLINS. Mr. President, I ask consent that the vote on the pending nomination occur at 5 p.m. today, with the time until the vote equally divided between the chairman and the ranking member or their designees; further, that 20 minutes of the chairman's time be allocated to Senator SPECTER; provided further that immediately following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

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

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

Mr. DURBIN. I ask unanimous consent to be recognized in morning business.

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

(The remarks of Mr. DURBIN are printed in today's RECORD under ''Morning Business.'')

Mr. DURBIN. Mr. President, it has been my honor twice to sit down in my office with the nominee to be our next Secretary of Defense, Robert Gates. Both meetings have been very positive. The last was this morning.

When Dr. Gates came in early this morning, I congratulated him on his appearance before the Committee on Armed Services yesterday. He said: It is amazing what a little candor will do. That is what endeared him to the committee and resulted in this unanimous, bipartisan vote bringing his nomination to the floor. Dr. Gates was honest with members of the Committee on Armed Services. He will be honest with the American people. He understands that our efforts in Iraq are not going well and we need to change. He is a person who is dedicated to the kind of change which will be consistent with our values in foreign policy.

He told me honestly he didn't know what we should do in Iraq, but we need to examine the two primary missions we now face: establishing conditions of security on the one hand, training and supporting the Iraqis on the other. He said we may need to shift the balance between the two missions. That is not unlike the recommendations of the Iraq Study Group which were released today.

That commission delivered to the President a series of recommendations.

In just a short time, in about 2 hours, the Senate is expected to confirm Dr. Gates as the new Secretary of Defense with an overwhelming bipartisan vote.

Those two developments today provide an opportunity to change the course in Iraq. Of course, the ultimate responsibility is on our Commander in Chief, the President of the United States. On November 7, the American people spoke out clearly of the need for change.

Dr. Gates was an original member of the Baker-Hamilton group and agrees that change is necessary. Today, that group confirmed the need to change our policy and lay out a framework to redeploy American forces. Redeployment means basically removing them from the dangers of Iraq, placing them nearby to be called on if necessary but, more importantly, starting to bring them home. Only the Commander in Chief can make that happen.

The President has said he is not looking for a graceful exit from Iraq. I would have to say that America should be looking for the right exit from Iraq. The President was asked a few months ago: When will American troops come home? He said he would have to leave that decision to future Presidents. I don't believe America wants to see troops in Iraq facing the dangers of war for the next 2 years and for many years beyond. We believe we have done a great deed for the Iraqi people in removing their dictator and giving them a chance to have their own constitution and their own government. Now it is time for the Iraqis to stand and defend their own nation.

According to the Iraq Study Group, the most professional and proficient military in history has been stretched to the breaking point because of repeated deployments to Iraq. As of today, I have been given an updated figure: 2,907 American service men and women have been killed and 21,000 have been wounded. We have about 140,000 troops in Iraq today. We certainly owe it to these soldiers, these brave men and women and their families to initiate this redeployment process as quickly as possible.

The war in Iraq impacts our defense posture worldwide. Because of Iraq, we have fewer options to respond to emerging threats in this dangerous world.

In thinking about the war in Iraq recently, like many others I was struck by how many comparisons there are to the situation of Vietnam four decades ago. There are many differences, but there are many parallels.

In October of 1964, running for President, Lyndon Johnson said:

> We are not about to send American boys nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves.

In 1969, 5 years after that statement, there were over half a million American troops in Vietnam.

That same year, Johnson's successor, President Nixon, who had run on a campaign that he had a secret plan to end the war, said:

I'm not going to be the first American president to lose a war.

Well, both Presidents made a series of decisions that prolonged and expanded that war at enormous cost to our Nation. We have only to walk just a few blocks from this Capitol to the Vietnam Memorial to see the real cost of that war.

Perhaps like Presidents Johnson and Nixon, the Bush administration has gone through several phases on this war. First was the time of deception, when we were told there were weapons of mass destruction that did not exist, a link with al-Qaida that did not exist, and other claims about nuclear capabilities that did not exist.

Next came the phase of denial, where the President and some of his key advisers refused to recognize or adapt to the realities on the ground, dismissing the first signs of insurgency. You recall, I am sure, as I do, Vice President CHENEY saying the insurgency is in its last throes, and denying its growing strength as we have seen the casualties in Iraq mount by the day. Then they downplayed and denied the outbreak of sectarian violence that now seems, for all intents and purposes, a real civil war.

The third phase has been delusion. The President apparently continues to delude himself about Iraq. I hope this Iraq Study Group will be a turning point in his thinking.

For example, in a phrase that cannot help but remind us of Katrina and FEMA Administrator Brown, President Bush recently said of Prime Minister al-Maliki: He is the ''right guy for Iraq.'' What a contrast from the memo by the President's National Security Adviser, Stephen Hadley, which said:

The reality on the streets of Baghdad suggests al-Maliki is either ignorant of what is going on, misrepresenting his intentions or that his capabilities are not yet sufficient to turn his good intentions into actions.

When asked in October if we were winning in Iraq, President Bush said:

Absolutely, we're winning.

When Robert Gates was asked that question yesterday in his confirmation hearing, he said very clearly: No.

That gives me hope that with this Gates nomination and with this Iraq Study Group report we may have turned the corner. The Nation cannot afford deception, denial, or delusion when it comes to the situation in Iraq. Certainly, our soldiers and their families deserve better. They deserve change.

We will now have a much needed change in the Pentagon. I know Members on both sides of the aisle are eager to work with the new Secretary to make more changes. But, ultimately, it is the President's responsibility. The buck truly stops in the Oval Office. If the President recognizes the urgent need for a new direction in Iraq, we will see it happen, and soon.

The Baker-Hamilton commission has given the President a call to action, a roadmap to engage in broader diplomacy, to transfer responsibility to the Iraqis, and to redeploy American combat forces.

I hope President Bush, with the assistance of his new Secretary of Defense, Mr. Gates, will begin that redeployment process this January.

Consider our challenge. The Baker study group said we should have, basically, the combat forces of America gone by April 1 of 2008. With about 140,000 or 150,000 15 months before that date, we need to start seeing redeployment happen, and happen soon. Nothing could send a clearer signal to the Iraqis, the American people, and the world that we are truly moving down a new road in Iraq.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, I wish to take a few minutes to speak on the nomination of Robert Gates to be Secretary of Defense. It is my honor to serve under Chairman JOHN WARNER on the Senate Armed Services Committee. We are particularly proud of the fact that 1 out of every 10 persons in uniform in this country, or serving around the world, calls Texas home. So we are very proud of the military. We are pro-military. We believe in doing everything we can to support our men and women in uniform and particularly their families.

So it is with great joy that I say the President has chosen someone who currently serves as President of Texas A&M University to be the next Secretary of Defense. Even though Bob Gates is from Kansas originally, he has most recently become a Texan—at least we claim him because he has been living in College Station as President of Texas A&M these last few years.

I particularly commend the President for his selection and Mr. Gates for answering the call, once again, to public service. He is not a new face in this town. Having served as Director of the CIA, having served on the National Security Council, he has a distinguished record of public service. He has written extensively on military intelligence and matters of diplomacy.

My meetings with Dr. Gates, preliminary to the hearings we had this week on the Armed Services Committee, gave me great confidence that he is of the temperament and ability to lead the Department of Defense in what has to be the second most difficult job in Washington, DC; that is, to deal with an agency with the budget of about a half-trillion dollars a year and to perform what is the most important priority of the Federal Government: provide safety and security to the American people. That is a responsibility not only here at home, obviously, but literally all around the world.

On the matter of Iraq, which was the subject matter of most of the questions and comments of the committee during Dr. Gates' confirmation hearing, I think he understands the challenges that face us in Iraq and why it is that we must succeed. As he told me, and as he testified at the hearing, a failure in Iraq would lead to increased activity by al-Qaida, as well as regional instability in the Middle East. It could even lead to a regional—I think he used the term ''conflagration,'' where additional States that are not currently involved in the conflict in Iraq could find their interests at stake and could resort to military force. First, dealing with al-Qaida, and the result of a failed state in Afghanistan after the Soviet Union left there in 1989, ultimately led to the rise of the Taliban and gave Osama bin Laden a place to plot, plan, train, and then export terrorist attacks around the world, including in Washington, DC, and New York City on September 11. Beyond the terrorist threat, it is also clear that Iran has aspirations that will very much put the future of Iraq in jeopardy and our own safety in America as well.

As is widely known, Iran is primarily a Shia majority population. Iraq is composed of roughly three ethnic divisions—Kurds, Shia, and Sunni—and, clearly, Iran is taking advantage of the instability in Iraq to consolidate its position with the Shia in the south, which happens to be an oil-rich region of that nation. But, in effect, if our precipitous withdrawal from Iraq would leave a failed state and leave opportunities for Iranian hegemony, it would create further de facto partitions of Iraq which could perhaps cause the Saudis, as some leaders have suggested, to have to go into Iraq to defend the Sunni minority against ethnic cleansing by the Shia majority, perhaps in combination with Iran, and it would create an opportunity, perhaps, for the Kurds to create, in effect, a separate state in northern Iraq which would cause Turkey a lot of concerns, as has been frequently expressed.

I am pleased that Dr. Gates understands the seriousness of this challenge that confronts our Nation. This is one that is certainly bigger than any election or any political party because, as I said at the outset, it represents the single most solemn responsibility those of us who serve in the Federal Government have, and that is to provide for the safety and security of our own people at home.

Today, as everyone knows, the Iraq Study Group issued its report, and I am hopeful we can work together in this body with a new course in Iraq, working with the White House. Clearly, this is a job for the Commander in Chief. He has expressed a willingness to work with this bipartisan Iraq Study Group and work with Democrats and Republicans in the Congress to achieve victory in Iraq.

I hope Robert Gates' confirmation, his manner and temperament, one that earned him the support of a unanimous vote on the Armed Services Committee, will serve him well as he works on behalf of the President and the executive branch to deal with what is certainly the most significant challenge of our time.

I do want to, however, point out a couple of items in the bipartisan Iraq Study Group report because, obviously, there is a lot of public interest in it. This volume is 142 pages, and not many people have read every single page in it. So we have a number of people highlighting different portions of this 142-page document, perhaps a point they want to emphasize. I have a couple of points I want to emphasize because I think they are entirely consistent with what Dr. Gates has said during his confirmation hearing, and these points should be made clear.

On page 66 of the Iraq Study Group report—sometimes called the Baker-Hamilton commission report—the study group says this:

> The presence of U.S. forces in Iraq is a key topic of interest in a national reconciliation dialog.

And this is the point I want to emphasize. They go on to say:

> The point is not for the United States to set timetables or deadlines for withdrawal, an approach that we oppose . . .

I think it is important to make the point that the Baker-Hamilton study group, the Iraq Study Group, opposes timetables or deadlines for withdrawal.

They go on to say:

> The point is for the United States and Iraq to make clear their shared interest in the orderly departure of U.S. forces. As Iraqi forces take on the security mission, a successful national reconciliation dialog will advance that departure date.

I think what the Baker-Hamilton commission is saying is that withdrawals ought not to be based upon an arbitrary timetable, in effect, based on domestic political considerations but, rather, ought to be based upon security considerations—how can we best provide for the Iraqi people to be able to stand on their own to defend themselves and to allow the political process in Iraq to go forward where people can trade ballots and votes for bombs and bullets.

One other point I wish to raise. I am glad to see the Senator from South Carolina on the floor because there is a point that I know he agrees with and certainly one I think Senator MCCAIN and others have advocated which I happen to believe is an option the President ought to consider at the top of his list in terms of the course forward in Iraq.

We have heard the study by the Chairman of the Joint Chiefs of Staff, General Pace, at the Pentagon summarized into three options. I believe this was done by a newspaper or perhaps within the Pentagon itself. They summarized for the course forward to go big, go long, or go home.

Clearly, one can tell from my comments that I believe we all want our troops to come home. We are unified and of a single mind on that point. The question is, based on what criteria? Is it based on politics in the Congress or is it based on security, our long-term security, not just the Iraqis' but our security at home, lest Iraq become a failed state and a launching pad for future terrorist attacks.

The alternative ''go long,'' I believe, was explained as reducing the size of our forces in Iraq but basically making a multiyear commitment, a long-term commitment to have our troops there; frankly, an alternative that I don't think holds out much hope for success.

The American people are clearly anxious to see the situation in Iraq be stabilized, to see some improvement, and I think that brings us to the last choice that has been mentioned as a result of these Pentagon discussions: Go big. Let me explain what I mean.

I mean we need to surge American troops into the capital city of Baghdad for a temporary period of time—not a long-term or open-ended engagement—to provide the ability to back up the Iraqis to do what we need to do to clear, to hold, and then to build on that effort in Baghdad, to demonstrate not only that we can provide the security backing up the Iraqi forces, but also to create the basic security conditions that are necessary for the Iraqis to have that national reconciliation process to work out their differences the best they can, and then to provide for their own defense so we can bring our troops home.

But I want to make sure—because this is an important point—some, I believe, have represented this Iraq Study Group Report as an endorsement of a withdrawal of troops not based on security conditions, and I say this report does not endorse that approach, as I indicated.

With regard to the surging of troops in Baghdad on a temporary basis, as advocated by the Senator from South Carolina and the Senator from Arizona, and one that I find is the only really viable alternative we have in Iraq, the Iraq Study Group says this on page 73:

> We could, however, support a short-term redeployment or surge of American combat forces to stabilize Baghdad or to speed up the training and equipping mission if the U.S. commander in Iraq determines that such steps would be effective.

My hope is the President of the United States, the Commander in Chief, having this worthwhile report which makes clear that every option has been looked at without regard to ideology or partisan politics, that the report of the Chairman of the Joint Chiefs of Staff, consulting with the leadership at the Pentagon, together with even Secretary Rumsfeld's memo that was recently printed, a classified memo of all the alternatives that was recently printed in the newspaper, that the President has all of these various options available to him to go forward in Iraq.

I think Secretary-to-be Gates was correct yesterday when he said there are not any secret options. Basically, we know what the choices are with this report and the other reports that have come out. Simply stated, there is going to be a time for choosing. That choice and the consequences of that choice are very important because, clearly, what we are doing now is not working in Iraq and, clearly, there are dangers in terms of terrorist activity, in terms of Iranian ambitions, a country that is attempting to build, in defiance of the civilized world, a nuclear weapon.

There are tremendous risks and consequences of not getting this done right, and the American people deserve to know not only what the risk is, what the threat is, and the consequences of failing to live up to this challenge, but that we are doing everything we can in a bipartisan fashion as a nation, looking to the best minds and the best experience this Nation has to offer, to come up with a plan or an assortment of choices and then to give the President the opportunity to make the very best decision he can as Commander in Chief, a position conferred upon him by the Constitution, to lead this course change in Iraq so we do not have a failed state which would further endanger not only that region, but would endanger us at home.

In conclusion, those who think America can simply pull the covers over its head and the problem will go away or they simply think we can withdraw our troops—even in a precipitous fashion—and there will be no consequence to it, I cite the comments of GEN John Abizaid, the head of Central Command, who acknowledged that, yes, we could bring our troops home before security is established in Iraq, but the enemy would follow us here.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to speak on an unrelated subject for 10 minutes.

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

Mr. DOMENICI. And that the distinguished Senator from South Carolina be the Senator who follows.

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

ENERGY SECURITY

Mr. DOMENICI. Mr. President, just last week the price of natural gas was at $7.79 per million Btu's. That is nearly double the price it was 2 months ago. In October, natural gas was selling for $4.01 on the spot market. This kind of price instability it brings harms consumers, harms businesses, is devastating to manufacturers, and is a threat to our economy.

On August 1, 71 Senators in this Chamber cast what I consider one of the most important bipartisan votes of the year. We voted for the Gulf of Mexico Energy Security Act, a bill that will open 8.3 million acres in the Gulf

of Mexico for oil and gas exploration. The exploration could bring an estimated 1.26 billion barrels of oil and 5.8 trillion cubic feet of natural gas to market over the next several years.

That oil and that gas will be American. It will be extracted from American territorial waters, will be extracted by American companies and American workers, and will be on the coast of the Gulf of Mexico and will also share the royalties with the adjoining States, which has not been done before, sharing in a different way where they get much more of the proceeds.

That is a precedent which we have never accomplished before and which will do us good as we look around our other States to see if we can't do more like this effort.

The support for this bill came from my colleagues from the Northwest, the Southeast, and the Southwest, from the Northeast and the Midwest, from both coasts, from areas in between, and from both parties. We all acted to stem the rising tide of energy prices—something good for our country.

Those who voted for it and helped us with it know that the prices continue to rise for natural gas in our homes and our businesses, and we are awaiting the passage of this bill to stabilize prices for the next few years as this fountain full of natural gas descends upon the United States as a result of this new proposal and proposition in the Gulf of Mexico between our sovereign States and the U.S. Government to proceed with drilling. We cast that vote for families worried about high costs of energy. We cast that vote for American businesses, large and small, which have been hit hard by rising energy costs. We cast that vote for manufacturers who have been forced to shut down hundreds of U.S. plants in the last several years and for millions of American workers who lost their jobs when their plants closed. We heard the stories of all of these in our Energy Committee as we proceeded on this bill.

Occupying the chair is the distinguished new Senator from Florida. He remembers this testimony and these facts, and he anxiously waits, as I do as chairman and he as an active Member, for the House to take up this bill and pass it. They have a few alternatives. They can lose the bill and drop it and let it become dead; yes, indeed. But that seems to me to be the worst option of all. They also can pass it just like we sent it to them, and they will have a completed bill, and nothing further. They can affix it to any bill they choose to pass over there—the tax extenders—and send it to us, and, of course, if that is the case, we will have to do further work on it as it gets here. But that will be the rule as it applies to a bill which is not exactly the same as the one we sent them.

So we cast our votes, as I said, in the manner I have described.

Natural gas prices climbed 400 percent from 2002 to 2005. In that time, the chemical manufacturing industry alone closed 70 plants in these United States and plans to close 40 more, largely because of skyrocketing prices of natural gas. We joined together, Republicans and Democrats, to tackle that problem, and we passed, by strong bipartisan vote, a bill that is as important a step toward tackling our energy challenges as we have around us anywhere in either body, a small but meaningful step toward reducing our reliance upon foreign oil.

This week I hope, and I am confident, that the House will take up our bill. I anticipate equally strong bipartisan support from the House. This legislation is critically important for our consumers and our economy, for housewives and homes, and as we go down the line, we know natural gas is the life of America, and we will add a very significant inventory to America's large inventory, and it will be American, it will not be imported.

The legislation is critically important. The oil resources in this region are impressive, but vast reserves of natural gas are the real bonanza. We believe there is natural gas in lease sale 181 and lease sale 181 south to heat 6 million homes for 15 years—6 million homes for 15 years. Largely because of these gas services, the Wall Street Journal has called this bill an ''easy victory'' for the U.S. economy. On the other side of the political spectrum, the New York Times wrote: ''This bill meets an immediate need and is a reason to drill in the gulf.'' How can you get more than those two ends of the spectrum agreeing and 71 Senators from both sides of the aisle voting for it?

Now I cry out today to the House: Don't go out of session without passing the bill I have just described to you which awaits action from you. It is simple action: just an ''aye'' vote for a simple majority, and that is it. It will be done. This rather gigantic resource will then become available. It is in America, sitting there waiting for somebody to use it. It will be usable with that vote.

As I just told my colleagues, for purposes of an explanation and elaboration, 6 million homes—6 million homes—will have their gas for their full season for 15 years just from what we are going to do there. What an astounding achievement if we will just complete the work by having a vote in the House.

I was saddened to read that we continue to lose businesses because natural gas prices are too high. The National Association of Manufacturers estimates that 3.1 million high-wage manufacturing jobs have been lost since 2000, largely due to inadequate supplies of natural gas. This week, the House can join us in doing something about that, and I urge they do whichever they see as the best way to pass it. If they think it is best to do it freestanding and send it to us as we sent it to them, I wish them the best. If they choose to put it on the tax bill, I hope it will not just make it more difficult and cause the bill to be lost in the transit to the Senate, which appears simple but becomes cumbersome, at least once it hits the House and hits the Senate. It is nice and easy just coming over as it is walked over, but it is very cumbersome once it gets here. That is what would happen. It would then be discussed and perhaps debated, and it would have to have a vote. That is the second approach and far less desirable.

But the House can see the writing on the wall—do it now or perhaps never do it. What a shame. Do it now and you get the benefits I have indicated or, believe it or not, it could be that you won't get it ever. That is just not a good way to leave for this Christmas, as I see it, and I hope it isn't.

I thank the Senate for permitting me to speak today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I want to echo what the Senator from New Mexico said. He has a very good idea, and I hope the House will act on his recommendations.

Very briefly, I rise in support of the nomination of Dr. Bob Gates for Secretary of Defense. I believe he is the right guy at the right time. He has the background to be successful. I know this body will overwhelmingly confirm him. I wish him well in his very difficult but important task that lies ahead for the country and particularly for Dr. Gates.

Very briefly, here is what I expect from Dr. Gates and really everyone involved in the war on terror: a winning strategy. He said at the hearing in one of the answers to one of the questions I posed to him that he believed the war in Iraq was one of the central battlefronts of the war on terror. If you believe that, as he does and I do and the President stated, then you have to throw everything you have at winning because the outcome in Iraq really will affect the outcome of the war on terror. If you believe that, you fight it to win. He also said something I thought was equally true and very candid: We are not winning. Our military has won every battle, but the extremists are trumping the moderates, and extremism is winning out over moderation in Iraq because we don't have enough security in place to allow moderation to flourish.

My question to the country is, If we all agree we are not winning, can we all agree that we must not lose? I hope the country will rally around the concept that losing in Iraq will be devastating to our efforts in the war on terror. It will be devastating to forces of moderation in the region. It will empower extremists, religious extremists, al-Qaida, and others who have as their goal to topple all forms of moderation in the Middle East, to drive us out of the region—not just Iraq—and one day

destroy the State of Israel. If you believe it is the central backbone of the war on terror, I hope we can come together as a people in this country to make sure we have the resources on the ground to win.

Dr. Gates said that we did not have enough troops after the fall of Baghdad to bring about security. I think everybody believes that now. If General Shinseki was right and we needed 200,000 to pacify the country and secure the country after the fall of Baghdad, what has happened in the intervening months and years to require less troops? Nothing. It is far worse today in Baghdad than it was a year ago when I last visited. I was there on election day in December. People were walking around voting, very happy, very upbeat. Now people are afraid to go outside, and their children are under attack when they go out for the most simple things.

So I do hope that not only will he take over this job and start over with the Congress and the American people, that he will commit himself to winning this war, and the way to win, in my opinion, is to provide security so the political process can be successful. No Prime Minister, no historical figure or great politicians of the past could bring about a democracy in Iraq with this level of violence. It is chicken-and-egg stuff to me. You cannot have a political solution until you control the violence. When you have a high-crime neighborhood, you don't send in less police, you send in more. Our mistakes in the past have come back to haunt us. We have never had enough troops. The situation on the ground has gotten out of control. I do believe we can control it with a surge of American troops.

The goal is to come home, but the goal is victory. History will judge us not by when we left but what we left behind. The consequences of winning or losing in Iraq are central in the war on terror, and we have no other option, in my opinion, other than to win. The way to win over extremists is you stand boldly with moderates, and the way you win against people who could care less about humanity is to embrace the better parts of humanity and show the people who are trying to drive us out of Iraq that their agenda will lose to a better agenda, that their idea is second to ours.

People in the Mideast are dying for their freedom. People in Iraq are dying for their freedom. If you become a judge in Iraq, they try to kill your family. If you are a politician in Iraq, they don't say bad things about you, they try to kill your family. Let's stand with the moderate forces in Iraq. Let's make sure we win this war which is central to the war on terror, and the only way I know to win a war is to fight it with overwhelming force.

Mr. President, I yield the floor.

CHANGE OF VOTE

Mr. STEVENS. Mr. President, I wish to correct my vote on rollcall 271, the motion to waive the Congressional Budget Act point of order on Senate amendment No. 5205.

I am recorded as ''yea'' to waive the Budget Act point of order. It was my intent to uphold the point of order. Therefore, I ask unanimous consent that the record be changed so I will be recorded as voting against the motion to waive the budget point of order. The record should reflect my vote as ''nay'' on amendment No. 5205. It would not change the outcome of the vote.

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

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

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MARTINEZ. Mr. President, I ask unanimous consent to speak in morning business for 5 minutes.

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

Mr. MARTINEZ. Mr. President, I rise this afternoon first of all for the purpose of agreeing with my colleague from South Carolina and previously my colleague from Texas, both distinguish Senators who spoke in favor of the nomination of Dr. Gates to be our next Secretary of Defense.

I intend to support his nomination. I believe he has served our country well in the past, and we are fortunate that he is willing to step into a difficult position at a very difficult time in our history. I intend to support him. I commend the Armed Services Committee for their show of unity and bipartisanship in unanimously supporting his nomination. I hope there will be a strong vote in support of Dr. Gates as he heads into this very difficult assignment.

I think it is important we note today two other things—one, the need for us to look at this problem in Iraq with a sense of bipartisanship, with a sense of unity as Americans, putting aside the stripes we usually wear as Democrats and Republicans and looking at this problem as Americans concerned about a difficult problem, one that has taxed us but one in which we must succeed.

Today the President received the report of the Iraq study commission, a group of distinguished Americans who came together to give us recommendations. I commend the President for not only accepting their report but also highlighting how clear he was and the seriousness that will be given to the recommendations it makes.

Lastly, I wish to also take a moment to commend and thank Secretary Rumsfeld for his service to our Nation. I had the pleasure of meeting Secretary Rumsfeld when I was very inexperienced in the ways of Washington, a person from Florida, and I came here to serve in the President's Cabinet. During the time of the transition into this administration, I met Secretary Rumsfeld as we jointly prepared for our confirmation hearings before the Senate and proceeded to our jobs in the Cabinet. I came to know and appreciate this great American patriot, a man of incredible intellect and talent but also incredibly dedicated to our Nation. I came to truly appreciate his leadership and his skill as he led the Department of Defense initially through the treacherous attacks of September 11 where he, with his bare hands, was helping to dig the injured from the rubble of the Pentagon as that building was attacked on that unforgettable morning of September 11, 2001. I saw him next in our immediately following Cabinet meeting when the President asked all of us to try to pull ourselves together to help lead our Nation at this very difficult moment. He, in a certain and clear way, showed us a way forward and how our military would respond to the threats to our Nation—first of all, to secure the Capitol and New York City but then in a very clear and direct way on how to respond to those who had plotted these attacks in Afghanistan.

He led our country into a very successful and very clear and decisive victory in Afghanistan and then prepared our country and led us into the war in Iraq with a very difficult and still uncertain outcome.

In all of the debate and discussions that have ensued over the last several months about this difficult struggle in which we find ourselves today, I think too often we have been guided by the usual bickering and partisan politics, but not often enough do we stop to recognize a dedicated American who has served our Nation well. I am proud to call Secretary Rumsfeld my friend. But I am equally proud to say today that he has served our Nation with great distinction, that our Nation owes him a great debt of thanks and to his family as well, to his wife Joyce and to his children for the sacrifice that all of them have made so Secretary Rumsfeld could serve our Nation once again. At a certain age when many of us might be looking forward to retirement, he came to Washington once again to serve in a very difficult job and has done it with great distinction.

I thank Secretary Rumsfeld on behalf of Floridians, and I think a grateful nation as well, and the men and women in uniform he has led who I know thought so much of his leadership. I know he has given so much of himself to the transformation of our military to prepare us for the future. I, for one, rise today with a voice of thanks to a great American for his service.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Colorado is recognized.

Mr. SALAZAR. Mr. President, I rise to speak on behalf of the confirmation of Robert Gates as Secretary of Defense. When I looked at the testimony that was offered by Robert Gates yesterday in front of the Armed Services Committee, I was impressed by the qualities that he was proposing to bring to the job. I want to speak to some of those qualities this afternoon before we get to a confirmation vote on his nomination to be the next Secretary of Defense.

First, I was impressed with his candor. I think his sense of what is happening in Iraq and his grasp of the facts, being straightforward with the committee and straightforward with the Senate in terms of how he views the picture of Iraq, is refreshing. I think what it tells all of us is that Dr. Gates will bring in the fresh eyes we need to have on the problem in Iraq so we can hopefully develop a new direction that is one that will work for our country. So I appreciate the candor with which he spoke yesterday in the Senate Armed Services Committee.

Second, I was also impressed with Dr. Gates and his openness with regard to considering all options in respect to questions that were asked of him by members of the committee. What he said, in effect, was that all options are on the table. He did not simply say that he had a specific course of action or that we were going to stay the course, but he said that everything needed to be examined. I think that is a refreshing attitude about this major problem in the Middle East that we have and we share as Americans today.

Third, I was impressed also by the quality of collaboration he talked about. I think in his statement to the committee, as he talked about working with all agencies and working with the Members of Congress, he was saying that this is an issue in Iraq that really is a problem that belongs to all of America. How we move forward with the issue of Iraq is something that is going to require all of us working together to be successful in Iraq. In so doing, I think he was making a statement that this is not just a Republican issue; it is not a Democratic issue; it is an American issue and we need to find a strategy and a direction for us to be successful.

I believe when you look at what has happened in the last 4, 5, or 6 weeks in America, what we see is a growing momentum for a new direction in Iraq. I think that new direction is set forth with a lot of things that are happening, developing a method that will hopefully bring this country together as we look for solutions. But let me say the Iraq Study Group in its own study, which I know is being heralded around the country today, starts out with a very candid assessment of what is happening in Iraq today and is set forth in the first paragraph of the Iraq Study Group Report. It says:

> The situation in Iraq is grave and deteriorating. There is no path that can guarantee success but the prospects can be improved.

When this study group says that the situation in Iraq is grave and deteriorating, there is a sense of candor with respect to what is happening on the ground in Iraq.

I had the honor and privilege of visiting Iraq with my friend from Virginia, Senator WARNER, for whom I have tremendous respect, and Senator LEVIN from Michigan for whom I also have tremendous respect, and that was in March of this last year.

I remember my conversations with my good friend from Virginia when he talked about how things changed in Iraq from the first time he had visited Baghdad to the time we were there in March. The fact is things have gotten worse with respect to the violence we saw on the ground. How we move forward is a very important challenge that we face in America.

I strongly believe we need to move forward in a bipartisan manner in developing new directions for our country with respect to Iraq. I believe we need to succeed in Iraq. I believe that getting the regional interests involved in helping us formulate a solution is very important and we need to continue to send a message to the Iraqi people and the Iraqi Government that they first and foremost have the responsibility to bring about the security that will allow their Government to function and the people of Iraq to have peace and stability, which is something that is very essential.

I believe we have the people and the leadership here in this body of the Senate to be able to chart that future bipartisan direction for the United States of America, not only in Iraq but in the Middle East. As was appropriately pointed out by the Iraq study commission, this is an issue that goes beyond Iraq. It is an issue that involves the entire Middle East and how we deal with this issue.

I will quote again another wonderful friend of mine, former President Bill Clinton, when he says, ''The eggs have been broken and now we have to make an omelet out of it.'' Or Secretary Colin Powell, who made the comment at one point in time that, ''We broke it, we bought it.''

We have a problem in Iraq and in the Middle East. In order for us to meet the challenges that face us, it is going to take tremendous bipartisanship leadership from all of us here in this body. I look forward to working with my colleagues as we move forward on this agenda.

I yield the floor.

Mr. WARNER. Mr. President, I say to our distinguished colleague from Colorado that I had the privilege of being with the distinguished ranking member, Senator LEVIN, Senator BIDEN, Senator LUGAR, Senator LIEBERMAN—a group of us at the White House—Senator ROCKEFELLER, Senator ROBERTS, counseling with the President on these various issues. It was an extraordinary meeting. I have had the privilege throughout my 28 years in the Senate to be in that Cabinet Room many times, but this was a very historic moment. The President listened very carefully to the perspectives and views of Members of the Senate, and we had an equal number from the House of Representatives. I am encouraged for the future. I am looking forward to our President assessing all of the options related to Iraq. I commended the Baker-Hamilton report during the course of our meeting. We talked about his interim study. We talked about the Pentagon input and the input of the Chairman of the Joint Chiefs. I am optimistic that our President is going to carefully consider all options. But we must wait and see as he, under the Constitution, has to make that final decision with regard to such changes that we may have in our policy.

I thank the Senator.

The PRESIDING OFFICER. Under the previous order, the Senator from Pennsylvania is allotted 20 minutes. We will have to either revise that previous agreement or take time.

Mr. WARNER. Mr. President, I have to say that I think, colleagues, we must maintain the 5 o'clock voting time. A lot of Senators rearranged their schedule. I was unaware because I happened to be away from the floor.

I yield the floor. I thank the courtesy of the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I have sought recognition to express my support for the nomination of Robert Gates to be Secretary of Defense and to use this occasion to comment about the proposed changes in policy of the United States in the conduct of the war in Iraq.

When Robert Gates was nominated to be Director of the Central Intelligence Agency in 1987 and I was serving on the Intelligence Committee at that time, concerns were expressed, including mine, that Mr. Gates had not been forthright in the preparation of the testimony of then-CIA Director Casey in disclosures about what happened in the Iran-Contra affair. Mr. Gates withdrew as a nominee for CIA Director at that time. However, he was again nominated in 1991 by President George H.W. Bush, and at that time I supported his nomination, thinking that whatever mistakes Mr. Gates had made in the past, he had learned from those mistakes.

President George W. Bush has now nominated Robert Gates to be Secretary of Defense. I believe he is well qualified to undertake this position. He has testified before the Armed Services Committee that he does not intend to be a bump on a log, has asserted his

independence, told me in a meeting which we had last week on November 30th that he would bring a fresh pair of eyes to the situation and would be open to change. There is no doubt that change is in the wind, considering the memorandum which has surfaced, written by Secretary of Defense Donald Rumsfeld the day before the election, and from comments made by National Security Adviser Stephen Hadley, and comments made by the President himself. It is my view that had we known Saddam Hussein did not have weapons of mass destruction, we would not have gone into Iraq. Once we had made the decision to go into Iraq, I think it not advisable to withdraw and leave Iraq in a condition of instability. But the situation there cannot go on forever, interminably, without some limitation and without change of policy because, as Robert Gates put it, we are not winning there and the situation is not improving there. So there has to be some change. Precisely what that change should be is a matter yet to be resolved, and yet to be considered. But a long list of alternatives has been proposed in a number of quarters.

Today, the commission, led jointly by James Baker and Lee Hamilton, has issued a report calling for some very fundamental changes. The Rumsfeld memorandum outlines a number of alternatives.

One of the important recommendations which was made by the Baker-Hamilton commission is that there has to be involvement by other nations in the region, especially Saudi Arabia, with all of its wealth, maintaining a hands-off position, and they ought to be helping to resolve the problems there. The Baker-Hamilton commission has further recommended that the United States engage in negotiations with both Iran and Syria perhaps on a multilateral basis.

My own view, which I expressed in an extended floor statement last June, is that the United States ought to negotiate directly with Iran. I also believe we ought to negotiate directly with Syria. In my June statement I also broadened to consideration of direct negotiations with North Korea. As I said at that time and reiterate, as has been pointed out, we need to keep our friends close and our enemies closer; that if we would undertake a dialog showing respect, showing courtesy to our opponents—we do not have to agree with them—I think that diplomacy and dialog have an excellent opportunity to lead to a solution; and, certainly as a matter of first impression, it ought to be what is undertaken.

It is my hope the President will move in the direction cited by the Baker-Hamilton commission and will go even further and engage in direct negotiations with Iran, Syria, and North Korea.

In October, I publicly urged that changes should be made promptly and not wait until after the election because we were sustaining so many casualties on an ongoing basis.

On October 22, during an interview with CNN, I was asked how much time does the Iraqi Prime Minister have to get tough to deal with the death squads and the militias before the United States has to reassess its strategy. I replied that I would say the time is already past.

I was encouraged by a lead story in the New York Times that day that the administration was considering some timetables. President Bush said in his Saturday address the day before that he was prepared to be flexible to make adjustments, if necessary, to be victorious. I said then that I don't believe a shift in tactics ought to wait until after the election; that there are too many casualties; and that if we had a better course, we should adopt it sooner rather than later.

When Senator WARNER came back from a trip to Iraq several weeks before the election and was quoted to the effect that things were going sideways, I called him and suggested to Senator WARNER and to other of my colleagues that it might be useful and appropriate to have a joint statement to the President as to the views that we got from our travels to our States and from our travels generally. It was apparent to me weeks before the election—really months before the election—that there was an ongoing descending pattern in which the American people were not in support of United States policy in conducting the war in Iraq. And the public opinion polls cited in my formal statement, which I will introduce into the RECORD, have shown that. The attitude of the troops in the field—again the specifics of my formal statement had shown that. It was my view that the will of the American people would be expressed at the election, and in no uncertain terms repudiating what the United States was doing in Iraq. And, of course, that did prove to be the case.

I had been concerned back in 2002 before the vote was taken on the resolution for the use of force as to what the United States was prepared to do once Saddam Hussein was toppled. What were the specifics on the evidence of weapons of mass destruction; what will be the costs in terms of casualties; and what will happen? I was speaking in 2002 about the conflicts among the Sunnis, the Shiites, and the Kurds.

Now we have a situation where it is up to the President to make the decision as to what will be done specifically; and that is his role as Commander in Chief. But the Congress also has a very definite, a very precise, and a very important role as we undertake the appropriations process.

From time to time there are comments by Members on a wide variety of subjects that funding should be cut off from executive operations in order to carry out Congress' will. That is done in the appropriations bill. When a Secretary of a given department is about to undertake something which the Members of Congress do not like, we provide that no funds appropriated in the bill shall be used to carry out a specific function. There has been a suggestion that funding ought to be cut off for the activities in Iraq. Certainly we would not cut off funding to leave our troops in harm's way, without adequate resources to carry out their mission. However, there may develop a congressional consensus which would reflect the will of the American people that there needs to be something done in Iraq, perhaps even staged withdrawals. Cutting down funding in stages to effectuate such staged withdrawals could accomplish congressional objectives and not leave our troops exposed, with sufficient planning in advance.

In light of the public opposition to the way we are conducting the war in Iraq, and very significant agreement among Members with that demonstrated public response, there remains the possibility that Congress could act with respect to the appropriations function to effectuate changes. That is certainly a course which I would not like to see happen.

It would be vastly preferable if, as a result of what has happened, including the Baker-Hamilton commission report and what Secretary Rumsfeld has said and the new approach of Secretary-to-be Gates—I think he will be confirmed later this afternoon—that the President will make a sufficient change in policy which will lead us in a better path.

Certainly the continued presence of U.S. troops in Iraq has two major problems—at least two major problems. First, it incites the insurgents to attack U.S. troops; second, it allows the Iraqis to continue to rely upon the United States to provide a defense and to provide military protection. They do not have the motivation to increase their police force and their military to handle the jobs themselves. The public opinion polls cited in my prepared statement are shocking in that the people in Iraq approve of the attacks against U.S. soldiers. We are in a very uncomfortable position.

In essence we may be on a watershed mark today with the confirmation of Robert Gates to be Secretary of Defense on a day when the Baker-Hamilton report has been filed which makes recommendations for changes. Ultimately, the President will have to make the decision.

We debated earlier this year proposals to have a withdrawal by stages in 2007 without a specification as to what there would be. We had a vote on withdrawal by July of 2007 which was decisively defeated, getting only 13 votes. The temper of the country is such that there is widespread public opposition to what is being done by the United States by way of military action in Iraq today. We learned the bitter experience of the Vietnam war, that we cannot conduct a war which is unpopular with the American people, which the American people reject.

In voting to confirm Mr. Gates, we will see the possibilities of a new chapter. But it is up to the President, it is up to the Commander in Chief to structure a change in policy which will ultimately take our troops out of harm's way, which will be done in a way consistent with maintaining stability in Iraq to the maximum extent possible to set the stage for Iraq to continue to develop its incipient democracy and, as per the Baker commission report, perhaps embed troops with the Iraqi military and the Iraqi police so they can undertake their own defense. But that will require the change in policy with all of the options having been presented by the variety of sources which I have cited.

I ask unanimous consent that the full text of my prepared statement be printed in the RECORD.

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

PREPARED STATEMENT OF SENATOR ARLEN SPECTER ON THE NOMINATION OF ROBERT GATES TO BE SECRETARY OF DEFENSE AND U.S. POLICY IN IRAQ

Mr. President. I seek recognition to speak about the nomination of Robert Gates to be the 22nd Secretary of Defense and our policy as it pertains to Iraq.

Robert Gates was first nominated to lead the Central Intelligence Agency in 1987 by President Ronald Reagan. At that time, I, along with many of my colleagues, held reservations about his nomination. Specifically, I was concerned about his role as Deputy Director of the CIA in helping to prepare former CIA Director William J. Casey for testimony before the Congress in which he failed to disclose the full details of the Iran-Contra Affair. I was also concerned about Gates' failure to recognize the possible impropriety of diverting funds from Iranian arms sales to the Contras. Reservations expressed by other members of the Senate and myself reportedly led to the withdrawal of his nomination.

In 1991, when Gates was nominated by President George H.W. Bush to lead the CIA, I supported his confirmation. In explaining my support for Gates on the Senate floor, I stated, ''To the extent that Mr. Gates has made mistakes, it is my conclusion that he has learned from them. I believe that as a matter of his personal qualifications he is an astute, experienced intelligence officer'' and that ''Mr. Gates is ready, willing and able to work with the Congress, allowing the Congress its appropriate oversight capacity.'' The majority of Senators at that time came to similar conclusions, resulting in his confirmation by the Senate. He served admirably as Director of the CIA for fourteen months and is the only career officer in the agency's history to rise from entry-level employee to Director. As was reported in a December 4, 2006 article in the Washington Post, ''even his critics describe it as a reasonably successful, modernizing tenure.''

At a time when our country is engaged in a world wide war against terror and is searching for answers on how to deal with the simmering civil war in Iraq, President George W. Bush has nominated Gates to replace Donald Rumsfeld as Secretary of Defense. During his confirmation hearing, Gates offered refreshing testimony, stressing he would ''listen closely'' to various sources of advice, form his ''own conclusions'', ''speak candidly'' about what needs to be done in Iraq and that he is not returning to service to ''be a bump on the log.''

After meeting recently with Robert Gates, I believe he will, as he told me in our meeting on November 30, 2006, bring a fresh set of eyes to the Department of Defense and to U.S. policy towards Iraq. My meeting, in conjunction with my review of his testimony before the Armed Services Committee, has led me to conclude Robert Gates can provide competent leadership at the Pentagon at this critical juncture in our nation's history.

The nomination of Robert Gates to head the Department of Defense is an opportunity to chart a new course. His personal relationships with Secretary Rice, a former subordinate, and his three decade relationship with National Security Advisor Stephen Hadley, will hopefully aid the transition and provide a new dynamic in the Administration's national security team. It is my hope that Gates will not only bring a fresh pair of eyes to our policy in Iraq, but also to our dealings with regional actors such as Syria and Iran.

In 2004, Gates co-chaired a task force of the Council on Foreign Relations that concluded that ''it is in the interests of the United States to engage selectively with Iran to promote regional stability, dissuade Iran from pursuing nuclear weapons, preserve reliable energy supplies, reduce the threat of terror, and address the 'democracy deficit' that pervades the Middle East as a whole.'' In response to a question submitted by the Senate Armed Services Committee on Iran, Gates expressed his belief that ''no option that could potentially benefit U.S. policy should be off the table'' and noted that ''in the worst days of the cold war the U.S. maintained a dialogue with the Soviet Union and China.'' Most recently, during his testimony before the Senate, he confirmed the position that ''our first option should be diplomacy'' to deal with the problems Iran poses.

I have consistently urged the Administration to work with Iraq's neighbors, including Iran and Syria, to develop cooperative stabilization efforts. To that end, I have personally met with Iran's Ambassador to the United Nations and Syria's Ambassador to the United States in an attempt to help facilitate such an effort. I have amplified my strong belief that dialogue with nations such as Iran and Syria, most recently in an essay ''Dialogue With Adversaries'' published in the winter edition of The Washington Quarterly. I ask unanimous consent that it be printed in the record at the conclusion of my remarks.

I have supported the Iraq Study Group, an independent, bipartisan commission led by former Secretary of State James Baker and former Congressman Lee Hamilton which was created by Congress in order to deliver an assessment of the situation in Iraq and recommend strategic options for the future. I expressed my support and interest in the work of group to CNN on October 22, 2006: ''Let's consider the alternatives and what Jim Baker and Lee Hamilton and his group are thinking about, sooner rather than later.''

The Iraq Study Group report, unveiled today, recommends that, ''Given the ability of Iran and Syria to influence events within Iraq and their interest in avoiding chaos in Iraq, the United States should try to engage them constructively.'' The report also notes that, ''The United States cannot achieve its goals in the Middle East unless it deals directly with the Arab-Israeli conflict and regional instability. There must be a renewed and sustained commitment by the United States to a comprehensive Arab-Israeli peace on all fronts: Lebanon, Syria, and President Bush's June 2002 commitment to a two-state solution for Israel and Palestine. This commitment must include direct talks with, by, and between Israel, Lebanon, Palestinians (those who accept Israel's right to exist), and Syria.'' I am pleased that the Iraq Study Group considered engaging in dialogue with regional actors and I appreciate its recommendations on how to move forward in Iraq.

Today, the Baker Commission concluded that ''stability in Iraq remains elusive and the situation is deteriorating.'' Yesterday, in testimony before the Armed Services Committee, Gates candidly responded ''No, sir'' when asked if we were winning in Iraq. One month ago to date, Secretary Rumsfeld drafted a memorandum declaring ''it is time for a major adjustment.'' All of these call for a change in U.S. policy.

A shift in policy in Iraq is overdue and I have long-expressed openness to considering any and all suggestions for a change in course. When Senator WARNER returned from Iraq on October 5, 2006, he made a public statement to the effect that things were ''drifting sideways'' in Iraq. I called him to express my view that I had found in my travels in Pennsylvania and elsewhere that the people were totally opposed to the way the United States was conducting the war in Iraq.

I expressed my concern to Senator WARNER that we were heading for an election debacle in the face of public opposition to the way we were handling the war in Iraq if modifications were not promptly made. I consulted with a number of my colleagues in the Senate about jointly advising the President of such concerns. There was a consensus that we not do so on a joint basis. I then had an extended telephone conversation with Presidential adviser Karl Rove to express my misgivings.

Later that month, I publicly urged that changes should be made promptly and not wait until after the election because we were sustaining so many casualties on an ongoing basis. On October 22, 2006, during an interview with CNN, I was asked: ''How much time does the Iraqi prime minister, Nouri al-Maliki, have to get tough to deal with the death squads, the militias, before the United States has to reassess its strategy?'' I replied: ''I would say . . . that the time has already passed. I was encouraged by a lead story in the New York Times today that the Administration is considering some timetables. President Bush said yesterday in his Saturday address that he's going to be flexible and would make adjustments if necessary to be victorious . . . We have James Baker saying that there are alternatives besides staying the course and cutting and running. I don't believe that a shift in tactics ought to wait until after the election. There are too many casualties there. If we have a better course, we ought to adopt it sooner rather than later.''

I believe that had we known Saddam Hussein did not possess weapons of mass destruction, the Congress would not have authorized the invasion of Iraq. I told CNN on September 24, 2006, that, ''By hindsight, we operated on faulty intelligence. And I think, had we known that Saddam Hussein did not have weapons of mass destruction before the war was started, I think the odds are very strong that it wouldn't have been started.'' However, we entered that country and we must to do everything in our power to not leave it in a condition that will continue to precipitate violence.

Prior to the U.S. invasion of Iraq, I publicly stated my concerns about the potential fallout from such action. On February 13, 2002, I took to the Senate Floor to express my belief that there should be a comprehensive analysis of the threat posed by Saddam Hussein and what an invasion would amount to in terms of U.S. casualties: ''We need to know, with some greater precision, the threat posed by Saddam Hussein with respect to weapons of mass destruction . . .

There also has to be an analysis of what the costs would be, some appraisal in terms of casualties . . . Then there is the issue as to what happens after Saddam Hussein is toppled.''

Eight months later, on October 7, 2002, I returned to the floor to again express my concerns: ''What happens after Saddam Hussein is toppled has yet to be answered in real detail.''

''What was the extent of Saddam Hussein's control over weapons of mass destruction? What would it cost by way of casualties to topple Saddam Hussein? What would be the consequence in Iraq? Who would govern after Saddam was toppled? What would happen in the region, the impact on the Arab world, and the impact on Israel?''

''In previous briefings, I have sought the administration plan as to what will be done after Saddam Hussein is toppled, and I think that is an area where a great deal more thought needs to be given. The situation in Iraq would obviously be contentious, with disputes between the Sunnis and the Shi 'ites, with the interests of the Kurds in an independent state, and it means a very long-term commitment by the United States.''

Nonetheless, now that we are there, I feel we should give the Iraqis an opportunity to solidify a democratic government and do our best to establish the capabilities of Iraq's army and police forces to provide adequate security. However, continuing violence and instability have made it apparent that Iraq is in a state of civil war and that the current policies of the U.S. and Iraqi governments need to be reassessed. I believe the recent resignation of Secretary of Defense Donald Rumsfeld and decision by Iraqi Prime Minister Nuri al- Maliki to speed transition of security responsibilities to Iraqi forces signal that the Administration and Iraqi government are ready to make changes.

The United States cannot prosecute a war which does not enjoy the support of the American public. The election results and other evidence demonstrate that the American people do not support the war in Iraq. Support has dwindled with those serving on the front lines. According to a February 28, 2006 Zogby poll, 62 percent of Americans believe that things are going badly in Iraq. Furthermore, 72 percent of troops serving in Iraq favor a pull out within the year. How much longer can we continue to prosecute this war that has become increasingly unpopular both with the American public and our troops? As I warned my colleagues on the Senate Floor on February 13, 2002: ''We have seen the bitter lesson from Vietnam that we cannot prosecute a war without the public support.''

There is a broad consensus that our policy in Iraq is not producing the desired results. A change in course is mandated not only because of the events on the ground but by the collective voice of the American people who spoke out during the November elections. The situation has reached a critical mass as we have recently seen the National Security Advisor, the Secretary of Defense and the President all recognizing a change is needed and, furthermore, indicating change will be forthcoming.

I commend President Bush's decision to ''look at new ideas'' and ''broaden the aperture of the debate'' as National Security Advisor Stephen Hadley stated on Meet the Press on December 3, 2006. The following day, the President stated that he is ''not satisfied with the pace of progress in Iraq.''

Further evidence that change is needed came from the Administration's point person and architect of U.S. action in Iraq, Secretary of Defense Donald Rumsfeld, in a November 6, 2006 memorandum: ''In my view it is time for a major adjustment. Clearly, what U.S. forces are currently doing in Iraq is not working well enough or fast enough.''

National Security Advisor Stephen Hadley confirmed that U.S. policy needs retooling when he restated the President's position, ''that what is going on in Iraq is not going well enough or fast enough'' and that ''some of those changes are going to be significant.''

Most importantly, the incoming Secretary of Defense, in response to a question posed by Senator LEVIN, the incoming Chairman of the Senate Armed Services Committee, ''Are we winning in Iraq?'' Robert Gates responded, ''No, sir.''

The Iraq Study Group Report states that the ''primary mission of U.S. forces in Iraq should evolve to one of supporting the Iraqi army, which would take over primary responsibility for combat operations. By the first quarter of 2008, subject to unexpected developments in the security situation on the ground, all combat brigades not necessary for force protection could be out of Iraq.'' I support this recommendation and I am pleased that President Bush, according to his National Security Advisor, is ''looking forward to the report'' and that he ''wants to listen to Republicans and Democrats in Congress.'' I would respectfully suggest that the President heed the work of the Iraq Study Group and the opinions of Congress.

From time to time, there are comments by Members that we should cut off funding for executive operations to carry out Congress's will. Certainly, we would not cut off funding to leave our troops in harm's way without adequate resources to carry out their mission. However, there may develop a Congressional consensus on staged withdrawals if the President does not initiate such a plan himself. Cutting down funding in stages to effectuate such staged withdrawals could accomplish Congressional objectives and not leave our troops exposed with sufficient planning in advance. In light of public opposition to the way we are conducting the war in Iraq and widespread agreement among Members with the public response, there is a significant possibility that Congress would act to curtail expenditures to effectuate staged withdrawals.

During a April 27, 2005 Defense Appropriations Subcommittee hearing, I expressed my concern over federal spending priorities directly to Secretary Rumsfeld: ''There is a lot of disquiet out there among the people as to what is happening in Iraq and disquiet as to what is happening to our discretionary budget. I chair a subcommittee which is responsible for education and health care and worker safety, and it's been cut by almost a full percent and with the inflation factor, I'm about $7 billion short. And that makes it very, very tough to sell when you have NIH and health-care program and Pell grants and education.'' I reiterated my concern in a May 19, 2005 letter to Sec. Rumsfeld: ''There is considerable angst in my state, and I suspect generally in the country, concerning the cost of our military operations in Iraq, especially when compared to the cuts in domestic discretionary spending.''

Giving the Iraq government a virtual blank check on our staying there is counterproductive in at least two important respects: First, it encourages the insurgents to violence against our troops there and against other Iraqis. Second, it encourages the Iraqis to continue reliance on our presence there to defend their stability.

Our presence in Iraq incites violence which results in increased U.S. and Iraqi deaths. On September 24, 2006, I told CNN, ''that the war in Iraq has intensified Islamic fundamentalism and radicalism . . . That's the focal point for inspiring more radical Islamic fundamentalism.'' According to the Department of Defense's Manpower Data Center, 99 U.S. soldiers were killed in support of operations in Iraq in October 2006. This represents the most U.S. casualties in a month since November 2004.

Not only are U.S. troops being attacked on a regular basis, but such action appears to be acceptable to the very populace we are attempting to aid. According to a September 27, 2006 USA Today article, ''About six in 10 Iraqis say they approve of attacks on U.S.-led forces, and slightly more than that want their government to ask U.S. troops to leave within a year, a poll finds.'' Further, The Washington Post reported that a survey conducted by the State Department revealed two-thirds of Iraqis in Baghdad favor an immediate withdrawal of U.S. forces.

According to the USA Today article, ''About 61 percent approved of the attacks—up from 47 percent in January. A solid majority of Shiite and Sunni Arabs approved of the attacks, according to the poll.'' Furthermore, ''Three-fourths say they think the U.S. plans to keep military bases in Iraq permanently.'' A consolidation of bases, as suggested by Secretary of Defense Donald Rumsfeld, in conjunction with an indication to begin removing U.S. forces from Iraq, would aid in alleviating this concern and potentially reduce attacks.

Our presence, with no indication of departure, has allowed the Iraqis to rely too heavily on the U.S. for security and has not spurned them to stand up an organic security capability. The Administration has deemed the rapid creation of an effective Iraqi fighting force as key to stabilizing Iraq and expediting the eventual withdrawal of U.S. forces. The rationale for this effort is that a well-trained, well-equipped Iraqi army can be effective in quelling the insurgency and can help smooth the process of restoring full and real sovereignty to the Iraqi government.

According to the Congressional Research Service, forty percent of total U.S. appropriations for reconstruction—nearly $14 billion—are aimed at building Iraqi security forces. Most of these funds—$10.5 billion—have been added since September 2004, as the security situation remained unstable and efforts to train forces appeared inadequate. According to the State Department, in mid-October 2006, there were 128,000 trained and equipped conventional Iraqi police and 129,700 army forces. Officials have stated that 325,000 security forces are needed to defeat the insurgency. In all, about 312,400 security forces are currently defined as ready for action.

However, various reports indicate that many fewer could be said to be capable of the most demanding jobs. During the past three years, poorly trained and equipped security forces, no-shows and desertions, dismissals of police for criminal behavior, bribe-taking for obtaining higher rank or for release of insurgent suspects, and infiltration of police and other units by sectarian militia groups have threatened U.S. plans to increase security using Iraqi personnel.

I am optimistic that the Iraq Study Group's report will usher in a new tone in the Iraq debate—one that will move away from the extremes of ''cut and run'' versus ''stay the course.'' I am hopeful that the convergence of this report and a set of fresh eyes leading the Department of Defense will produce an atmosphere allowing candid discussions on our policy resulting in a pragmatic shift in our course.

Secretary of Defense Donald Rumsfeld provided the impetus for change. In his November 6, 2006 memorandum ''Iraq—Illustrative New Courses of Action'' he suggests one option for the President to consider is to ''Begin modest withdrawals of U.S. and Coalition forces (start ''taking our hand off the

bicycle seat''), so Iraqis know they have to pull up their socks, step up and take responsibility for their country.''

On October 22, 2006, I told CNN: ''The Unites Sates is going to insist on a timetable from Iraq that we're not going to be the guarantors forever . . . I like the report in the [New York] Times . . . that the administration is considering timetables to tell the Iraqis that they're going to have to take a larger role in their own security, that they're going to have to show some progress no sectarian violence, and maybe even further consideration of the option of dividing Iraq into three segments, Shiite, Sunni and Kurd, so these warring factions will be less likely to kill each other''

The report issued by the Iraq Study Group states ''the United States should significantly increase the number of U.S. military personnel, including combat troops, imbedded in and supporting Iraqi Army units. As these actions proceed, we could begin to move combat forces out of Iraq. '' I concur that a phased withdrawal of combat forces is the best course of action at this juncture.

I am cognizant of what a premature departure may lead to in Iraq. The Iraq Study Group concluded that, ''Because of the importance of Iraq, the potential for catastrophe, and the role and commitments of the United States in initiating events that have led to the current situation, we believe it would be wrong for the United States to abandon the country through a precipitate withdrawal of troops and support.

In an interview with CNN on November 12, 2006, I concurred by stating, ''We don't want to withdraw if we're going to leave chaos. Troop withdrawals are definitely in the offing, but it's a military decision to determine when there's sufficient military force in the Iraqi army and in their police to maintain stability.''

U.S. forces should not remain in Iraq any longer than necessary. Iraqi government forces will ultimately be responsible for securing their country. As ever increasing numbers of Iraqi security forces are trained and able to conduct operations on their own, U.S. forces should gradually redeploy. According to NSA Stephen Hadley, Prime Minister Maliki has said ''that his goal is to be able to take responsibility of the security of his country middle of next year.'' I would suggest that we hold Prime Minister Maliki to his pledge and work to ensure that Iraqis are able to stand up and provide security.

It is my hope that the President will respond to the strong public reaction evidenced in the election results and widespread opposition by Members of Congress to our current military activities, the Baker Commission Report, the Gates testimony and the Rumsfeld memorandum to change the direction of our military efforts in Iraq. As Commander-in-chief under the Constitution, the President has the options and additional information to modify our military action in Iraq to meet these concerns.

It is imperative that the United States change the course in Iraq and I am optimistic that the confirmation of Robert Gates will be the starting point for that action.

I yield the floor.

Mr. SPECTER. I further ask unanimous consent that an essay which Christopher Bradish and I published in the current issue of the Washington Quarterly which goes into some greater detail about my own views as to the advisability of bilateral talks with Syria and Iran, as well as North Korea, be printed in the RECORD.

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

[From the Washington Quarterly, Winter 2006–07]

DIALOGUE WITH ADVERSARIES

(By Arlen Specter with Christopher Bradish)

Facing serious dangers from nuclear weapons from Iran and North Korea, the United States should be willing to negotiate bilaterally with those two nations. Success in diffusing these threats will require multilateral assistance from other world powers, but our willingness to treat Iran and North Korea with dignity and respect could go a long way in disarming those nations militarily and diplomatically.

My Senate assignments on the Intelligence Committee and Appropriations Subcommittee on Foreign Operations have provided me the opportunity to meet with Syrian President Hafiz al-Asad, Palestinian Chairman Yasser Arafat, Iraqi President Saddam Hussein, Cuban President Fidel Castro, Venezuelan President Hugo Chavez, and others.

Those meetings have shown me that people are people, even at the highest levels of government. They are interested in a candid dialogue. They accept differences and disagreements as long as the tone is courteous. Regrettably, the worldwide ''ugly Americans'' reputation is encouraged, in my opinion, by our unwillingness to at least meet and talk one on one without preconditions.

Sun-tzu's advice to ''keep your friends close and your enemies closer'' is a good admonition to keep in mind as we approach our relationships in the world. Admittedly, it is difficult to accord respect and dignity to countries such as Iran and North Korea, whom we have branded as part of the axis of evil. President Ronald Reagan invited Soviet leader Leonid Brezhnev to a dialogue weeks after labeling the Soviet Union the ''Evil Empire.'' It may not work, but it is certainly worth a try when the stakes are so high and our other strenuous efforts are not bearing fruit.

Perhaps irrelevant, my first assignment as assistant district attorney in Philadelphia was interviewing inmates for commutation of sentences to life imprisonment from death in the electric chair for first-degree murder. That experience taught me that you can have a meaningful dialogue with anyone.

IRAN

There is no doubt that Iran has been trying to flex its muscles since 1979 when the Shah was deposed. Iran is a proud nation with a rich history. In asserting its right not to be restrained in developing nuclear technology, Iran seeks to be a world power, and its leaders think that status and respect can be achieved by becoming a nuclear power. A good starting point for U.S.-Iranian relations would be to treat them as equals for the purpose of negotiations. It does not give them the same status as being a nuclear power, but it could be a good step forward if mighty America would treat them with respect while negotiating.

I have tried to visit Iran since the Iran-Iraq War ended in 1988. I have not yet succeeded. For many years, however, I have reached out to Iranians such as the former ambassador to the United Nations in New York, Seyed Muhammad Hadi Nejad Hosseinian, and his successor, Muhammad Javad Zarif, in an effort to foster an exchange of visits by Members of Congress to Iran and Iranian parliamentarians to the United States to try to open dialogue between our two countries. I thought my efforts finally came to fruition in January 2004 when plans were made for U.S. members of Congress to meet with Iranian parliamentarians in Geneva. Unfortunately, Tehran later rescinded the invitation, declaring it was ''not on their agenda.''

Terrorism, military nuclear capabilities, energy, Iraq, and the Israeli-Palestinian dilemma are all major issues confronting the United States and the world. All of these challenges are intrinsically linked with Iran, and none can be addressed or resolved without an appreciation for Iran's role in each. Undertaking this venture will not be easy, but in the words of Ambassador L. Bruce Laingen, the senior U.S. official held hostage in Tehran for 444 days, ''Diplomats should talk, even with our foes. That's what we do. It doesn't make sense for us not to talk to the Iranians. I'm not saying that I would confidently predict a breakthrough, but there must be some sort of dialogue.''

THE PROBLEM WITH OUTSOURCING FOREIGN POLICY

The United States has responded to Iran's challenge by correctly recounting Iran's dubious nuclear behavior and disregard for the international community but has avoided direct dialogue with Tehran. I commend the administration's change in course, deciding to deal with Iran through multilateral talks, and view it as confirmation that a change in our tactics is overdue. Prior U.S. policy committed to dealing with Iran via the UN Security Council and the Europeans. Prospects are dim, however, for garnering support from China and Russia for a UN resolution with teeth. Russia's and China's significant energy, military, and political interests restrict their ability to support tough action against Iran and represent a significant barrier to a successful resolution vis-à-vis the UN.

Although the Europeans are supportive of tough action against Iran, some are hesitant to continue down a path on which they feel the United States is not fully committed and not an active partner. Germany, France, the United Kingdom, the International Atomic Energy Agency (IAEA), and UN Secretary General Kofi Annan have all indicated that the United States needs to be directly engaged in the Iranian effort. My colleague, Senator Chuck Hagel (R–Neb.), in his May 8, 2006, Financial Times op-ed, highlighted the importance of U.S. involvement: ''U.S. allies will support tough action against Iran only if they are confident the U.S. is serious about achieving a negotiated, diplomatic solution. Continued unwillingness of the United States to engage Iran will make other states hesitate to support, and possibly oppose, these tougher measures.''

Periodically, I read that military options are some of these tougher actions that may be considered to confront Iran. Although the option should not be removed from the table, military engagement will do nothing to solve the litany of problems between our nations. We should only consider going to war when we have exhausted all options. Today, we are not there. In that light, I commend President George W Bush for his May 24, 2006, statement that ''our primary objective is to solve this problem diplomatically.'' I believe diplomatic options remain, and it is precisely these options that can prevent conflict.

Why has it taken so long to consider talking to the Iranian regime? Richard Armitage, former deputy secretary of state, told Time in a May 22, 2006, article that ''it appears that the Administration thinks that dialogue equates with weakness, that we've called these regimes ''evil'' and therefore we won't talk to them. Some people say talking would legitimize the regimes. But we're not trying to change the regimes, and they're already legitimized in the eyes of the international community. So we ought to have enough confidence in our ability as diplomats to go eye to eye with people—even though we disagree in the strongest possible

way—and come away without losing anything.''

To be certain, we find ourselves in this position in no small part due to Tehran's deceit and arrogance toward the international community. Nevertheless, U.S. policy toward Iran has played into the hands of President Mahmoud Ahmadinejad and the hard-line radicals in Tehran. Although the extent of Ahmadinejad's power remains unclear, the U.S. administration's discussions of regime change and refusal to rule out using nuclear weapons against the Iranian regime have bolstered its position. Such U.S. rhetoric, coupled with other policies, enhances Tehran's ability to tap nationalistic sentiments to solidify support for a nuclear weapons program, effectively taking the focus away from its constituents' discontent with failed domestic policies, most notably Ahmadinejad's poor stewardship of the economy. To some degree, we are the distraction buttressing his position. In this perfect storm, Ahmadinejad's rise on the wave of oil revenues and growing global discontent with U.S. policies has afforded him the forum, confidence, and leverage to challenge the United States and the international community.

DECIPHERING AND REACHING BEYOND TEHRAN

It is still unknown what level of power and influence Ahmadinejad holds within Iran. Some accounts indicate that Iran's elite, and even some hardline officials, are critical of Ahmadinejad's aggressive handling of the nuclear issue, whereas others report that he has amassed significant power. Nevertheless, it is important to remember that much of the power in Tehran does not rest with the president, but with Supreme Leader Ayatollah Ali Khamenei and the mullahs.

Khamenei installed Ali Akbar Hashemi Rafsanjani, an advocate of rapprochement with the United States, as chairman of the Expediency Council, a senior position as arbiter between the legislature and constitutional court. Rafsanjani, Ahmadinejad's adversary in the 2005 election, is thought to have been given the position to act as a counterweight to Ahmadinejad. Some accounts suggest that Rafsanjani has taken an increased profile in Iranian diplomacy, a move not likely done without the coordination and approval of Khamenei.

Despite the many factions within Iran's leadership, Ahmadinejad, former president Muhummad Khatami, Khamenei, and Rafsanjani all advocate a nuclear Iran. In addition, although Rafsanjani is considered to be a relative moderate, he has still labeled Israel as ''the most hideous occurrence in history,'' which the Muslim world ''will vomit out from its midst.'' Regrettably, these are the views held by those with whom we must engage.

Notwithstanding Iran's leadership, we must constantly remind ourselves of those over whom they rule. The United States should effectively communicate our desire for a prosperous Middle East, free of tyranny and oppression, that respects human rights and rule of law and where governments represent and reflect the desires of those they govern. Further, we should be frank when conveying our concerns and those of the world to the Iranian people over specific problems threatening peace and security. Nearly three-quarters of Iran's 70 million people are under the age of 30. Placing our disagreements with Iran's leadership aside, not letting these people know what we stand for and what we value would be irresponsible. The United States should focus on this emerging population and those who yearn for increased freedom and reform.

According to the Washington Institute for Near East Policy, a 2002 poll conducted by the Majlis, Iran's legislature, revealed that three-quarters of Iranians favored rapprochement with the United States and that nearly one-half believed U.S. policy was ''to some extent correct.'' In typical Iranian fashion, the two pollsters were later sentenced to nine years for ''publishing nonscientific research.'' It is precisely examples such as this that fuel disdain amongst Iranians for their leadership. Bush poignantly illustrated the plight and underscored the hopes of the Iranian people in a July 12, 2002, statement: ''The people of Iran want the same freedoms, human rights, and opportunities as people around the world. Their government should listen to their hopes. * * * As Iran's people move towards a future defined by greater freedom, greater tolerance, they will have no better friend than the United Stares of America.''

When Ahmadinejad or any Iranian leader calls into question the virtue and value of liberal democracy, we should respond by touting its successes. We should talk about our commitment to rule of law, individual liberties, and freedom of press and speech. Are not freedom of speech, press, and association liberties that the Iranian people would enjoy? Would those incarcerated in Iran for criticizing the government not wish to be freed? Most importantly, liberal democracy has better arguments than theocracy, and we should not shy away from this debate. Perhaps a crash course in the history of authoritarian failures would be the best place to start.

AN OPPORTUNITY FOR DIALOGUE

The concept of dialogue with Iran is not unfamiliar to this debate. Both sides have previously taken one step toward the table and one step back. Reports indicate that, in 2003, Iran, with the blessing of Khamenei, secretly proposed talks with the United States on Iraq and Iranian nuclear ambitions. That same year, the United States offered to send a high-level delegation to Tehran following the earthquake in Bam, only to be rebuffed by Iran. Unfortunately, this tentative shuffle never amounted to anyone sitting down at the table at the same time.

There are some indications, vague as they may be, that Tehran may again be interested in establishing dialogue with Washington. For example, on May 8, 2006, Ahmadinejad sent an 18-page letter to Bush. Following that letter, USA Today reported that Ali Larijani, Iran's top nuclear negotiator, said in a television interview that I ''[p]erhaps, it could lead to a new diplomatic opening. It needs to be given some time.'' Further, according to Time, a senior Iranian official described the letter as being designed to offer ''new ways for getting out of the current, fragile international situation.''

Muhammad Nahavandian, a close adviser to Iran's top nuclear negotiator, was reportedly in the United States for a few weeks during that same month. According to Newsweek, he told Robert Malley, a former Clinton administration official, that Khamenei was eager to broaden Tehran's tentative cooperation with Washington on Iraq and other subjects and that he was ''putting out feelers.'' In addition to these developments, I agreed with Bush's decision to authorize the U.S. ambassador to Iraq, Zalmay Khalilzad, to engage in discussions with Tehran, even if they were initially restricted to Iraq. In time, it is my hope that such discussions will lead to a broader dialogue.

What is most significant in our recent dealings with Iran is the offer for dialogue and how the offer in itself outweighs any terms set by either side. Although Tehran responded to our interest in joining talks by dismissing our conditions that enrichment be suspended, the offer clearly had an impact. On June 2, 2006, Saeed Laylaz, an Iran analyst living in Tehran, confirmed these sentiments to the Washington Post: ''The fact that [Secretary of State Condoleezza] Rice has announced the United States' willingness to hold talks with Iran is more important than the conditions she set.'' The administration's decision to consider dialogue has had a great impact in moving our countries closer to resolving our issues. As reported in that Washington Post article, ''Javad Vaeidi, the Iranian Supreme Council's deputy head for international affairs, agreed that the United States' overture was, in itself, a positive step.''

The consequences of an Iran with nuclear weapons would be grave. Tehran does not seem willing to cease uranium enrichment voluntarily or submit to the IAEA. The Europeans are running into walls in the form of China and Russia in the UN Security Council, and it is apparent that the UN has not been able to alter Iran's behavior. It is precisely Iran's ambitions that may drive regional powers such as Egypt, Turkey, and Saudi Arabia to pursue nuclear ambitions. The Middle East is already a volatile neighborhood. The phrase ''adding fuel to the fire'' does not approach describing what the introduction of nuclear weapons would mean, not only for the fate of the region but for the world.

The United States is not to blame for Iran's devious and deceptive behavior, nor their arrogance and defiance of the international community. I have called on the international community to act aggressively in dealing with Iran's involvement in the crisis in southern Lebanon. As I stated on the floor of the U.S. Senate on July 20, 2006, ''The United Nations ought to call Iran and Syria on the carpet to explain their conduct in backing Hezbollah, in providing personnel to do more than train Hezbollah, more than advisers being integral parts of the military offensive of Hezbollah.''

Twenty-seven years of silence broken only by a few whispers, however, has not worked and has left us in the dangerous predicament in which we find ourselves today. All the while, the United States has been watching from the sidelines. Something has to give. Current U.S. policy does not include direct talks with Iran with no preconditions. Perhaps it is time to stop passing notes to Tehran via the Swiss and to sit down and start talking.

NORTH KOREA

Just as the United States has been criticized by its European allies for not dealing directly with Iran, we have encountered similar criticism from Russia, China, and South Korea for not directly engaging North Korea. It is clear, as pointed out by John McLaughlin, former deputy director of the Central Intelligence Agency, that ''the North seems sure to engage us. It could be across a table. It could be with the consequences of its negative behavior or its own ability.'' The United States should focus on the table in hopes of preventing the consequences.

Today, North Korea exists in the dark, both literally and figuratively. The regime of Kim Jong-il actively pursues an unsupervised and unregulated nuclear program. This program and its long-range missiles pose a grave threat to regional security and represent a hostile posture toward the United States. Meanwhile, the 23 million residents of North Korea remain among the poorest and most repressed in the world.

A satellite photo taken of the earth at night reveals lights across much of the populated world. Yet North Korea, with the exception of a tiny dot denoting Pyongyang, is totally black. Ironically, this blank spot is symbolic for just about everything about

this country. It is a massive blind spot with very little known in the United States or elsewhere about exactly what is going on inside its borders. Even Kim's nuclear progress was unverified until recently.

What we do know, as Esther Pan of the Council on Foreign Relations observes, is that North Korea has ''developed a nuclear arsenal of an estimated six to eight nuclear weapons and continued to enrich nuclear fuel; removed its nuclear program from all international treaties, obligations, and safeguards; decided when to negotiate and when to drop out, and then set the terms for returning to negotiations; [and] steadily increased the amount of unconditional aid it receives from international sources,'' including more than $1 billion from the United States over the last 10 years. On October 9, 2006, North Korea claimed to have conducted an underground nuclear test. Given this disconcerting state of affairs, it may be appropriate for the United States to deal directly with North Korea.

I commend the administration for enlisting North Korea's neighbors to engage Pyongyang. Regrettably, that regime has refused to return to the six-party talks with China, Japan, Russia, South Korea, and the United States. On May 17, 2006, I was pleased to read in the New York Times that ''Bush's top advisers have recommended a broad new approach to dealing with North Korea that would include beginning negotiations on a peace treaty, even while efforts to dismantle the country's nuclear program are still under way.'' As reported, such a deal would be contingent on North Korea returning to the six-party talks, something I hope the North will do. Regardless, it is possible to address North Korea both in multilateral and bilateral fora.

On June 1, 2006, Pyongyang extended an invitation to the United States for talks, which Washington declined. This may have been an opportunity worth taking. As Kevin O'Neill and David Albright conclude in their book, Solving the North Korea Nuclear Puzzle, ''Serious misunderstandings, missed opportunities, and false expectations have often plagued the U.S.-North Korean relationship.'' In my opinion, dialogue is one way to avoid these pitfalls in the future.

The problems in our bilateral relationship do not end with North Korea's nuclear ambitions. North Korea's human rights record is deplorable. The Department of State reported on March 8, 2006, that ''the government's human rights record remained extremely poor, and the regime continued to commit numerous serious abuses. The regime [has] subjected citizens to rigid controls over many aspects of their lives.'' The report cited extrajudicial killings, arbitrary detention, life-threatening prison conditions, torture, and forced abortions and infanticide, as well as denial of freedom of speech, press, religion, assembly, and association. The North is one of the world's preeminent counterfeiters and has long been suspected of trafficking drugs. While we work to quell the North's desire to be a nuclear state, we must not simply trade resolving the nuclear issue for another nefarious vice. A repressed, corrupt, and hungry North Korea is not a healthy, stable, and secure North Korea.

The complexities in our bilateral relationship with Iran and North Korea are different. On both accounts, however, we have failed to grasp the correlation between U.S. policy and nationalism and how it leads to support those in power. U.S. saber rattling and threats of regime change have permitted unsavory leaders in each nation to incite nationalist sentiments, leading them to strengthen their grip on power. As Henry Kissinger wrote in his May 16, 2006, Washington Post op-ed, ''Focusing on regime change as the road to denuclearization confuses the issue.'' I would go one step further and submit that it hinders our ability to denuclearize either North Korea or Iran. Hostile rhetoric and disengagement will not move us closer to the negotiating table nor a solution.

DIALOGUE, EVEN WITH FOES, CAN BE CONSTRUCTIVE

Involvement in foreign policy matters is a time-honored role for members of the Senate and one in which I have enjoyed participating during my quarter century in this body. Active involvement in these issues by members of the Senate is not meant to supplant the roles of the president, secretary of state, or their designees. Our foreign policy priorities are set by the executive branch.

Yet, my own experiences in this area, even with leaders such as Arafat or Saddam and on issues such as human rights with China, have convinced me that maintaining a dialogue and allowing cooperation in areas of common interest, even with our most pronounced foes, should be one of our nation's priorities because of its potential to yield positive results. I offer my own experiences, having traveled to 95 different countries, including Syria, Cuba, and Venezuela, as examples of why I believe maintaining an active dialogue and open lines of communication preserve the potential to find peaceful solutions to resolve differences with our adversaries.

My first opportunity to promote dialogue in the face of an international crisis came in the spring of 1982 when serving my first term. Following a Saturday radio address by Reagan, which noted that the Soviet Union and the United States had enough nuclear weapons to destroy the other, I proposed a Senate resolution calling for a summit between the leaders of each nation. Relying on the doctrine of mutually assured destruction was not a sufficient way to provide security for either nation. The obvious solution to this standoff was to have a negotiated arms control agreement.

Upon calling for a vote on my resolution during consideration of the annual Department of Defense authorization bill, I was sharply challenged by Senator John Tower (Tex.), a fellow Republican and chairman of the Armed Services Committee. Citing my short tenure, Tower questioned my authority and knowledge on the issue. Senator Paul Laxalt (R–Nev.), one of the first members to vote, supported my resolution. Tower told Laxalt, ''Specter's trying to tell the president what to do.'' He replied, ''Well, what's wrong with that? . . . Everyone else is too, but Specter's right.'' Following a lively debate, after which Tower was confident his position would prevail, my resolution was adopted by a vote of 90–8. It did not produce immediate talks between the United States and the Soviet Union, but it showed the support of the Senate for dialogue and may have given a little impetus for the summits during the 1980s.

SYRIA

I first traveled to the Middle East in 1964. In the intervening 42 years, I have made 24 trips to the region before and after election to the Senate. Since 1984, I have visited Syria 15 times, had nine lengthy meetings with Asad, attended his funeral on the only congressional delegation to Syria in 2000, and met with his son and successor, Bashar al-Asad, on three occasions. I have spent much of my time in the region shuffling between Damascus and Jerusalem, which led me to coin the term ''shuffle diplomacy,'' similar perhaps to Henry Kissinger's ''shuttle diplomacy,'' to describe my efforts to bring resolution to issues confronting these neighbors.

In 1988 I urged Asad to permit Syrian Jewish women to emigrate because the limited number of Jewish men in Syria presented them with limited opportunities for marriage. Asad resisted, citing that Syria was ''at war'' with Israel and that emigration had the potential to strengthen Syria's enemy. I continued to press this issue in subsequent meetings with him. As I reported in an article I wrote for the New York Post in 1994, after I continued to press the issue, ''Asad responded with a romantic offer that he would allow any Jewish woman to leave when a suitor came to Syria and took her to the United States to marry. That offer was relayed to the active Syrian Jewish community in Brooklyn and elsewhere.'' Ultimately, Syrian policy was altered to permit Jews to emigrate.

As a result of my many lengthy conversations with Asad, we developed a congenial relationship. In August 1995, I told Asad that when Yitzak Rabin, Shimon Perez, and Arafat received the Nobel peace prize for the Oslo accords, if Asad made peace with Israel, he too would be honored. Asad replied by laughing, saying that he might be well received in Stockholm but probably would not be permitted to return to Damascus. Nevertheless, I continued to urge Syria to participate in discussions with Israel in hopes of alleviating tensions between the two neighbors.

Asad had initially rebuffed offers to open talks with Israel, stating that Syria would only participate in talks sponsored by all five permanent members of the UN Security Council. Israel was opposed to this format, believing that only the United States would support Israel in such negotiations. When I pressed Asad on this issue again in 1990, he indicated that he had changed his position on the proposal and that Syria would be willing to participate in meetings organized by the United States and the Soviet Union. As I reported in a floor statement, this change was significant because it appeared to be part of a broader Syrian initiative. ''In our January 1989 meeting, I asked on three separate occasions, separated by respectable periods of time, what it would take for Syria and Israel to become friends. President Asad answered, after a third query, that it was not a question of friendship, but that 'normalizing' a relationship between Syria and Israel might be possible under certain circumstances.''

I relayed this offer to Israeli Prime Minister Yirzhak Shamir, who was ''surprised'' and ''pleased'' with Asad's overture. One year later, in October 1991, Syria participated in the Madrid peace conference cosponsored by Washington and Moscow. Although the three days of talks did not yield a peace agreement, the summit marked the first bilateral talks between Israel and Syria. It is preferable to have the Syrians, Lebanese, Jordanians, Israelis, and Palestinians airing their grievances over coffee at a negotiating table in Spain than through violence in the streets of the Middle East.

Five years later, during my 1996 visit to the region, I served as a line of communication between Jerusalem and Damascus. Prior to my visit, Israeli Prime Minister Benjamin Netanyahu indicated that his government would hold Syria accountable for the actions of Hizballah along the Lebanese border. This caused Syria to realign its troops in a posture hostile to Israel, resulting in a dramatic rise in tensions between the two countries. On one side, Syria's four-million-man army amassed, and on the other side lay Israel's sophisticated and combat-tested military of 1.5 million.

On August 27, 1996, I met with Netanyahu in Israel. During my report to the Senate, I informed my colleagues that ''Mr.

Netanyahu said he wanted to begin peace negotiations with his Arab neighbors,'' that he ''was eager to get to the negotiation table with Syrian President Asad,'' and that he ''asked me to carry a message to President Asad, whom I was scheduled to meet with the next day.'' The following day, I traveled to Damascus and met with Asad for three and a half hours. As I reported in a floor statement, ''I conveyed Israeli Prime Minister Netanyahu's message that Israel had only peaceful intentions toward Syria, that both sides should move immediately to reduce military tensions, and that Mr. Netanyahu wanted to reopen direct negotiations between Israel and Syria.''

Asad did not seem interested in the offer and told me that ''Syria would not go back to the table until Prime Minister Netanyahu reaffirms the land-for-peace basis of negotiations, and agrees to pick up where Israel's Labor Government left off.'' Asad further asked me to convey that Syria's troop movements along the border were routine and not intended to threaten Israel. I returned later that evening to meet with Netanyahu and relayed Asad's comments that the military action on the border was not to be interpreted by Jerusalem as aggressive.

Upon my return to the United States, I met Walid al-Moualem, Syrian ambassador to the United States, to get an update on the situation between Syria and Israel from his perspective. As reported in a floor statement at the time, ''Ambassador Al-Moualem told me that his government viewed my August round of talks between Prime Minister Netanyahu and President Asad as having been helpful in deescalating the dangerous tensions . . . and the Ambassador encouraged me to return to the region for another round of meetings aimed at helping the parties find a basis to reopen their peace negotiations.'' Moualem later told me that I had ''gained the trust and confidence and personal relationship with President Asad'' because I was ''objective'' even though ''nobody could question [my] support of Israel.'' I later received a similar suggestion from Netanyahu during a phone conversation.

As a result of this encouragement, I returned to the region three months later, in November 1996. During my November 20 meeting with Netanyahu, he informed me ''that tensions with Syria [have] been reduced since the August/September time period and that he wants to continue to de-escalate the saber rattling. He asked me to convey this and specifically that Israel has no aggressive intent against Syria.'' Netanyahu also told me to tell Asad ''that he wishes to [reopen peace talks] as soon as possible and that he is ready, willing, and able to be personally involved in such talks.''

I flew to Damascus after my meeting with Netanyahu to transmit the message to Asad. As reported in a floor statement, ''President Asad did generally seem to share Prime Minister Netanyahu's desire to continue to ease and avoid military tensions which could lead to unintended hostilities. . . . Asad received this portion of Prime Minister Netanyahu's message positively and reiterated his own return message to the same effect.''

Seven years later, on my 2003 trip to the Middle East, Prime Minister Ariel Sharon denounced Syria's harboring of terrorist organizations and its support for Hizballah in Lebanon. I asked him if he would be willing to enter into peace negotiations with Damascus, brokered by the United States, similar to those in which Prime Minister Rabin had participated in the 1990s. He acquiesced with the assurances that there would be no preconditions. I conveyed his response directly to President Bashar al-Asad three days later. Asad responded favorably, saying he was willing to participate in peace talks with Israel. He said he did not think it appropriate to conclude a treaty before Israel and the Palestinian Authority had reached a final settlement but that Syrian-Israeli talks could proceed on a separate track. Although other events in the region have eclipsed this opportunity, I believe we should continue aggressively to advocate peace between these nations so its failure does not become the lead story tomorrow.

CUBA

My experience with Syria provided an opportunity to reduce hostility between a U.S. adversary and one of our allies. My travels have also included three trips to Cuba and meetings with Castro since June 1999, most recently in August 2005. These sessions have given me the opportunity to understand how our nations' confrontational history has been viewed from the perspective of Cuba's leader. They have also proven to me that it is possible to find some areas of common ground, even with our most ardent foes. In time, it is my belief that small cooperative efforts can help to break down the barriers that divide us, leading to expanded cooperation and better relations.

Since the early 1960s, Cuba has been viewed as a Communist stronghold 90 miles off the coast of Florida. The Cuban missile crisis, suspicions of Cuban complicity in the assassination of President John F Kennedy, and rumored assassination attempts on Castro by the CIA have complicated our relationship. As a result, U.S. policy has consisted largely of isolating the island nation through comprehensive economic sanctions. During my first meeting with Castro in 1999, we talked about a number of the issues that have divided our countries for so long. I was particularly interested to hear him speak on the assassination of Kennedy because of my work as an assistant counsel on the Warren Commission. As I reported in a floor statement, Castro ''maintained that the Cuban government played no role in the assassination, and that it would have been insane for it to have become involved, given that the United States, by his reckoning, was looking for provocation or pretence to invade Cuba. . . . President Castro was relieved that the Warren Commission concluded Cuba was not involved with Oswald.''

On the Cuban missile crisis, Castro related how Premier Nikita Khrushchev had mistakenly revealed to him a promise by Kennedy to withdraw U.S. missiles from Turkey and Italy. As a result, Castro was told, Moscow would breach its agreement with Havana by removing its own missiles from Cuba, leaving the island vulnerable to a U.S. invasion in Castro's view. Castro saw a bright side to the Soviet withdrawal. As I reported in a floor statement, Castro stated, ''We preferred the risk of invasion to the presence of Soviet troops, because it would have established [the] image [of Cuba] as a Soviet base.''

Prior to that first meeting with Castro, I had examined the records of the Church Committee and found that there was evidence of eight or nine attempts by the United States to assassinate him. When presented with this number, Castro scoffed and said the actual number was more than 300. When asked how it felt to be the subject of so many attempts on his life, he responded by asking if I had a sport. When I told him I was a squash player, Castro retorted that ''avoiding assassination is a sport for me.''

In all of my three meetings with Castro, I pressed him on Cuba's deprivation of human rights and the failure to have contested elections. I also met with a delegation of human rights activists, many of whom had been jailed for expressing anti-Castro sentiments. As I reported in a floor statement, ''Having just come from a meeting with dissidents, I pressed Castro to release the political prisoners in his jails. Castro tried to shift the topic of conversation from his prisoners by bringing up the case of five Cubans convicted of spying in the U.S. whose convictions were recently overturned.'' In reply, I suggested to Castro that ''far from being an example of American wrongdoing, this kind of fair process is exactly the type of justice he should be offering to his own people. I also pressed Castro to open his country to democracy and dissent. He listened, but my exhortations obviously had no effect.'' I conveyed to Castro that if the Cuban government initiated some reforms on democratization or freedom of speech, U.S. policymakers would be more favorable to modifying trade policy toward Cuba.

These meetings have left me with the conviction that, before giving consideration to any modification of the U.S. embargo, relations between our two countries can be immediately strengthened in areas such as drug interdiction in the Caribbean and medical research. I proposed to Castro the possibility of U.S.-Cuban cooperation in drug interdiction efforts. Cuba occupies a strategic location for combating the flow of drugs from Latin America to the United States and could be very helpful to U.S. law enforcement efforts. In 1999, Castro said, ''[W]e are willing to cooperate''; and as I reported in a floor statement, he ''suggested a formal relationship with the United States in order to make progress on drug interdiction in efforts in the area.'' In my view, this remains an offer the United States should not only accept but robustly support.

To that end, I have introduced amendments to provide funding for such collaboration in the foreign operations appropriations bills each year since fiscal year 2001. I have been successful in convincing my Senate colleagues to support the provision. Regrettably, the House of Representatives was insistent on dropping the language because of anti-Cuban sentiment among a number of House members, which was supported by the Speaker of the House. Yet, when there were more material issues involved, such as farm trade, Congress was supportive.

Nonetheless, at my insistence, the FY 2002 Foreign Operations Appropriations Conference Report, H.R. 2506, included a provision directing the secretary of state to report on how U.S. counternarcotics assistance to Cuba would decrease the flow of drugs in the region. In July 2002, the State Department reported that, ''should Cuba make increased seizures and arrests, it could help impede the drug traffic through the Jamaica-Cuba-Bahamas corridor.''

Another area in which closer relations may be mutually beneficial is medical research. Scientists in Cuba have shown promise in developing a meningitis B vaccine. During my visit to Cuba in January 2002, I met with a team of researchers at the Finlay Institute in Havana, which entered into a cooperative agreement with GlaxoSmithKline in 1999 to develop this vaccine. Based in part on what I learned from these conversations, I remain convinced that a better relationship with Cuba and the erosion of existing barriers would benefit both countries.

VENEZUELA

After traveling to Havana last year, I had the opportunity to meet with Chavez on August 17, 2005. It is clear that the United States and Venezuela are at odds over many different issues, but there are areas of interest, such as drug interdiction, where our two countries can work together. These common interests can perhaps serve as a catalyst to construct a dialogue on our differences.

On August 7, 2005, 10 days before I arrived, Chavez suspended cooperation with U.S.

counternarcotics officials after accusing U.S. Drug Enforcement Administration agents of conducting intelligence operations. Prior to my meeting with Chavez, all efforts by the U.S. ambassador to Venezuela to secure meetings with high-level Venezuelan officials to resolve the dispute had been unsuccessful. After being briefed on the situation by our diplomats in Caracas, I met with Chavez and requested that he direct his ministers to meet with the U.S. ambassador. As I reported in a t100r statement, ''At the conclusion of our meeting, President Chavez agreed that it would be useful for his Foreign Minister and Minister of Interior to meet with our Ambassador the following week to try to resolve [U.S.-Venezuelan] differences on drug enforcement.''

After our discussion on narcotics policy, Chavez further suggested that consideration ought to be given to forging a new drug interdiction agreement. Although the State Department's ''2006 International Narcotics Control Strategy Report'' determined that Venezuela can no longer be certified as an ally in the war on drugs, the report noted that continued U.S. work with Venezuelan law enforcement: led to record cocaine seizures in 2005. The report also states that the United States is committed to renewing cooperation with its Venezuelan counterparts at all levels in the war on drugs in 2006.

During our meeting, Chavez expressed his concern about statements from the United States portraying Venezuela as a destabilizing force in Latin America. Specifically, Chavez mentioned comments made in Peru by Secretary of Defense Donald Rumsfeld in which the secretary referred to Chavez as ''a guy who seemed like a comic figure a year ago [that] is turning into a real strategic menace.'' I responded by calling on both sides to cease the harsh rhetoric that I believe is counterproductive to enhancing our bilateral relationship. On August 19, 2005, I wrote to Rumsfeld, stating that ''I believe there is a window of opportunity at this time to resolve the disagreement on drug interdiction policies'' and that ''it may well be helpful to, at least, have a moratorium on adverse comments on Venezuela.''

TALKING PAYS

These examples highlight but one senator's efforts to forge a dialogue with foreign leaders. The full weight of the White House and our diplomatic corps can accomplish much more. I encourage the administration to authorize more dialogue with those we consider combative or enemies. The United States will be in a better position when it is engaged in long, hard diplomatic slogs than military conflicts.

It is clear that isolation has not been successful on many fronts. It did not prevent Saddam from repressing his people, it has not crushed the government of Castro, and it certainly does not appear to be working in dealing with Chavez, Ahmadinejad, or Kim. It has been my experience that dialogue, even with pronounced foes, can lead to constructive results. This is particularly true if the conversation starts on areas of common interest and works up to the main areas of disagreement. Such an investment takes time and hard work to see results on our most critical national security interests.

The United States should treat each country and its leaders, no matter how horrific their views, with some form of dignity and respect for their sovereignty. The United States, perhaps more than any other nation in history, has a great capacity to serve as a conduit of peace. It is my hope that we take every opportunity to ensure this capacity is not wasted.

Mr. SPECTER. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to express my support for Dr. Robert Gates to be the next Secretary of Defense. Dr. Gates is poised to take an extraordinarily difficult job at one of the most dangerous times in U.S. history. He will face a number of pressing problems. Clearly, the most pressing problem facing Dr. Gates is determining the next step of U.S. operations in Iraq.

Today the Iraq Study Group released its report. It begins:

> The situation in Iraq is grave and deteriorating [and] there is no path that can guarantee success.

The study group makes a series of recommendations that are strikingly similar to the Levin-Reed amendment that was offered last June. These recommendations include engaging Iraq's neighbors, including Iran and Syria, encouraging the Iraqi Government to increase their efforts to bring security to their people, reconciliation and governance reforms to their nation, and the transition of the mission of our troops from combat operations to training; also, the recommendation that there be a complete redeployment of most of these combat forces by the beginning of 2008.

These recommendations are realistic but they are also very difficult and, I presume, not well liked—at least initially—by this administration. Evaluating and implementing these recommendations will be the daunting but necessary task of Dr. Gates.

Dr. Gates also needs to focus his attention on Afghanistan, the initial and proper focus on the war on terror. Reports make it increasingly clear that we are losing ground. The Taliban has regrouped and rearmed. This spring, they mounted the toughest resistance since 2001. Suicide attacks, which were once unknown in Afghanistan, have more than doubled this year. Lieutenant General Eikenberry, formerly the commanding general of Combined Forces Command Afghanistan, believes the fiercest fighting yet will be next spring.

NATO'S International Security Assistance Force has assumed control of forces in Afghanistan, but this force is only at 85 percent strength. Almost 5 years after the U.S. invasion of Afghanistan, only half of the money pledged by the international community to rebuild Afghanistan has been delivered and spent. Sixty percent of the country is still without electricity, 80 percent without potable water, and the unemployment rate is 40 percent. Without viable alternatives, residents of Afghanistan return to what ensures they will survive and, unfortunately, in many cases, that is growing poppies.

Last week, the U.N. and World Bank released a report stating that poppy cultivation increased 59 percent and opium production by 49 percent over the last year. It concludes that international efforts to combat opium production, which includes $400 million in U.S. counternarcotics funding, have failed. Dr. Gates will have to pay immediate attention to these issues in Afghanistan, a linchpin in our war against terror.

One of the unintended consequences of U.S. operations in Iraq is the enhanced strategic position of Iran. With the election of Iranian President Ahmadinezhad, the nation has become increasingly belligerent to the United States and Israel, a key ally of the United States. The Iranians continue to press for what they describe as a nonmilitary nuclear program. Despite the threat of international sanctions, they are developing their ability to enrich uranium, a necessary step for both a civilian nuclear program and a military weapon. The fear, which I believe is justified, is that with access to enriched uranium in the context of a nuclear power program, the Iranians would be unable or unwilling to avoid the temptation to use this material to construct a nuclear device.

Then there is North Korea, the actions of which have also become increasingly belligerent over the last 2 years. They have walked away from the agreed upon framework, ejected international inspectors, and now likely have enough plutonium to build 10 nuclear weapons. On the 4th of July they provocatively tested a long-range missile. The test was a failure, but it underscored their determination to challenge the international community. Finally, on October 9, they tested a nuclear device.

I argue that Iranian and North Korean nuclear aspirations raise the most serious strategic issues we face today. If these countries are not checked, then there is a significant probability of a regional arms race.

All of these international engagements, all of these international challenges, are creating enormous strains on our military, particularly our ground forces. Recent studies have shown that two-thirds of our Active-Duty Army and more than two-thirds of the National Guard are rated as ''nondeployable'' ''noncombat ready'' principally because of equipment shortages. This is a shocking and scandalous record.

This administration has allowed two-thirds of our Army forces to essentially be denied the equipment—in some cases, the personnel—to be fully represented for combat. Virtually every active brigade not currently deployed is not prepared to meet its mission if called upon.

One of the reasons these brigades are not ready is because of equipment shortages. Over a year ago, the Army estimated that in order to reset equipment being used in theaters of operation, it will require approximately $12 billion in funding every year of ongoing operations until 2 years after operations cease in Iraq and Afghanistan. The Marines have been slowly coming back from a $16 billion reset, but they still need $3 billion to draw even and will still incur annual operating costs.

Besides equipment, the Army and Marines must worry about their personnel. The present Active-Duty Army end strength is approximately 504,000. About 400,000 soldiers have done one tour of combat duty, and a third have deployed twice. In order to meet recruiting goals, the Army has increased the maximum age for enlistment and lowered the physical, academic, and ethical standards. To meet retention goals, the Army has implemented stop loss measures and offered increasingly large reenlistment bonuses. There are presently 184,952 Active and Reserve Marines on duty. Over the past 4 years, 169,558 have been deployed, a significant number of Active and Reserve Marines. This operational tempo simply cannot be sustained. Again, Dr. Gates will have to address this issue or risk the future health of the Army and Marine Corps.

Dr. Gates also faces extraordinary budget challenges. The fiscal year 2007 Defense Appropriations Act was $366 billion, the largest Defense bill in history. Still, it is not enough. The Army's share of the fiscal year 2007 budget was $98.2 billion. Secretary Rumsfeld set the Army's fiscal year 2008 budget at $114 billion, an increase but insufficient. In response, Army Chief of Staff GEN Peter Schoomaker took the unprecedented step of refusing to submit the 2008 budget plan by the August 15 deadline. General Schoomaker has determined in fiscal year 2008 the Army needs $138.8 billion just to continue to operate. Again, it is an unprecedented step in which a Chief of Staff, a uniformed officer, would not submit his budget to the Secretary of Defense.

The Navy, which is not significantly involved in the Iraqi and Afghanistan theaters, is still key to our foreign presence around the world. Today's Navy fleet numbers 278 ships. The Chief of Naval Operations' 5-year shipbuilding plan calls for new ship construction with necessary funding of $14.1 billion beginning in fiscal year 2008 and rising to $19.1 billion in fiscal year 2012. This is a huge number, but without this critical funding our fleet will be in jeopardy. And, again, the Secretary of Defense has to respond to this request by the Chief of Naval Operations.

All of this is in the context of the regular budget. But as we all know, we have been funding operations in Afghanistan and in Iraq through supplementals. To date, $495 billion has been appropriated through these supplementals for our efforts in Afghanistan and Iraq. Press reports indicate that the Pentagon is preparing a new supplemental. The request is in the range of $127 to $150 billion just for an additional year of operations in these theaters of war.

There are several problems with these supplementals. They contribute directly to our Nation's deficit, which is $248 trillion. They do not allow the military to effectively and efficiently plan for the maintenance of troops, equipment, and operations because none of this spending can be counted upon in terms of the exact number and the timing of the passage of the supplemental. The supplementals, as large as they are, still are insufficient. The Army, even with supplementals, is citing billions of dollars in shortfalls, particularly with respect to equipment resets. They will not last forever, since I can anticipate, we all can anticipate, the reaction of the American public to another request for $100 billion or more.

Finally, when the supplementals do cease, either totally or in significant numbers of dollars, the Army and Marine Corps will still have troops and equipment in the field, with no funding. They will face a precipice, if you will: They still have a responsibility, they still have the personnel, they still have the equipment, but where is the funding? These are extraordinary problems that Dr. Gates is facing, most of them a direct result of poor decisions made by the administration and the Department of Defense.

Most of these issues were raised with Dr. Gates in yesterday's confirmation hearing. Although there were some issues that Dr. Gates did not yet have in-depth knowledge of, he was frank in his responses and open to the ideas and open to the advice of all who asked him questions.

For months, I and many of my colleagues have called for a change in our course in Iraq and in the rest of our foreign policy. I believe that Dr. Gates is a signal of that change. I do not believe that he is invested in the decisions, many of them bad, that have been made in the Department of Defense over the last 5 years. I also believe he will have a completely different management style from Secretary Rumsfeld, allowing civilians and military personnel to speak more freely. I believe these differences will allow honest, albeit difficult, discussions to take place and changes to be made.

I have had the opportunity to get to know Dr. Gates over the past 5 years. I have found that he is a thoughtful, experienced, and realistic voice on foreign policy. He is a good listener, and I think he will draw on a cross-section of views when making decisions. I commend him for leaving private life and a job he clearly loved to take on a very public job that will be thanklessly demanding.

Perhaps the most difficult task that Dr. Gates faces is bringing unvarnished reports of bad news to a President and inner circle who do not like to hear such things. However, I believe that Dr. Gates has the stature and the wherewithal and the will to do what needs to be done.

The months ahead are going to be difficult, not only for Bob Gates but also for our military. However, I have confidence that Dr. Gates will be an able leader and, therefore, I will support his nomination and wish him well in a very daunting task.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, while my colleague from Rhode Island is here, I want to ask him a couple questions. He is my friend, and he is one of the truly knowledgeable Members of the Senate on matters having to do with the defense of our country.

With all the things that the Senator has outlined, which are certainly true—the lack of equipment; the wearing out of equipment; the fact that some of our troops went into Iraq and did not have the proper equipment, even body armor; the fact that, as the Senator has stated, the recruitment goals are not being met; the fact that more and more of the load is being put on the Reserves and the National Guard, which is taking particularly the National Guard away from its initial responsibility with regard to the States—my question to the Senator would be, since these two Senators were quite impressed with the candor of Dr. Gates, is he going to be able to make a difference in his advice to the President? Will the President listen?

Mr. REED. Mr. President, I think the Senator from Florida has put his finger on a critical issue, perhaps the most critical. I believe Dr. Gates will give good, sound advice. He will listen. But the real question is, Will that advice be accepted by the President? And will the President be able to redefine policy in such a way that is realistic and achievable? And also, will he be able to articulate this policy and rally the support of the American public as we go forward—and not only the American public but the international community? But my sense, my hope is that Dr. Gates will take that first important step of speaking truth to power, even though it is unpopular truth.

Mr. NELSON of Florida. That is well said. Let me ask my colleague one further question of his opinion, Mr. President.

My question would be that one of the things this Senator was struck with yesterday in hearings, basically all day, was that he came to the table refreshingly open in a nonpartisan way, much more in a bipartisan way. We certainly have not seen a lot of the conduct of this war in the past several years being done in a bipartisan way.

I ask the Senator: How do you think Dr. Gates, as the new Secretary of Defense, is going to be able to involve that process, where those of us on both sides of the aisle will be able to participate and assist him in his role as Secretary of Defense?

Mr. REED. I have always been impressed by the fact that Bob Gates evaluates the quality of the idea, not just the source of the idea. I got to know Bob Gates in that same context of bipartisan foreign policy deliberation at the Aspen Strategy Group with a group of individuals. Some of our colleagues were there, including Senator FEINSTEIN and others. But it is chaired

by Brent Scowcroft, who was the National Security Adviser for President George Herbert Walker Bush, and co-chaired by Joe Nye, who was in the Clinton administration.

Bob Gates is someone who brings to the foreign policy arena this sense of reaching out to both sides. In fact, as he pointed out yesterday—and I think the Senator heard—one of the tasks he sees that he must perform is to create a bipartisan consensus to sustain the long war against terror beyond Iraq, beyond the current dilemmas we are facing. He will do that by reaching out, by listening, again, ultimately, by evaluating the ideas, not simply the source of those ideas.

Mr. NELSON of Florida. I say to the Senator, thank you. I thank the Senator for his responses. And his responses mirror the feelings of this Senator from Florida.

Mr. President, I wanted to come to the floor and announce that I had voted for Dr. Gates in the committee because I was impressed by a number of these attributes that the Senator from Rhode Island and I have discussed. And among them, clearly, are that this Senator grew up in an era in which it was understood that partisanship stopped at the water's edge. In other words, when it became matters of the defense of this country, that partisanship was over, that we came together in a bipartisan way.

Sadly, I can say that I do not think that is the way this war has been conducted with regard to reaching out across the aisle and involving both sides, who all have the constitutional responsibility of reflecting and representing the will of the American people. It is very hard to sustain a war unless you have the support of the American people. If that is not done in a bipartisan way, then sooner or later that good will is going to run out.

That is one of the things I was impressed with and pressed Dr. Gates about yesterday in the hearings: not only what appeared to be refreshing candor from him but also his approach, in a nonpartisan way, to these issues of war and peace. When we talked to him—as in the discussion recently in this Chamber, in the colloquy with the Senator from Rhode Island about the Guard and Reserves—he recognizes that is a problem. And he recognizes that what he is going to have to do is have a more responsible and direct way of utilizing existing forces because, in the short run, he is not going to be able to increase the forces considerably.

And he ruled out, in my question to him, any return to the draft. So that means he has to make the military, particularly the Army and the Marines, attractive in order to get the reenlistments and the enlistments. Certainly, he has his hands full there, while being able to keep the Guard's ability to respond to their respective States in those times of emergency.

Clearly, he had a refreshing candor about the question of what was the size force that was going to be needed, not only in Iraq but around the world. He recognizes that we have a problem right now in Al Anbar Province, that General Abizaid recently had told us he was going to increase the presence there by 2,200 marines in a Marine expeditionary unit, that that is a part of the country that is clearly not under control.

So I found our deliberations with him to be refreshing, direct, with the candor that ought to be forthcoming from a member of the President's Cabinet in his interaction with the Members of Congress. After all, this is a constitutional government, one in which there are shared powers—some powers with the executive branch but some powers with the legislative branch. The way to have this machine humming is to have those branches cooperating with each other. My first impression of Dr. Gates is he is going to be that kind of Secretary of Defense to help us continue to work together.

Mr. President, I yield the floor.

Mr. HATCH. Mr. President, today I rise in support of the nomination of Dr. Robert Gates to become the next Secretary of Defense.

I have had the opportunity to work with Dr. Gates on numerous occasions and must note that he was an excellent member of President George H.W. Bush's national security team during the first gulf war. This was highlighted by the fact he was nominated and confirmed to become Director of the Central Intelligence Agency shortly thereafter. Dr. Gates adds intelligence and diplomatic experience to a war that increasingly requires its leaders to go beyond tactical military expertise. Further, he is a pragmatist, who will work with allies and make necessary changes to our tactics and initiatives.

I was impressed by Dr. Gates' candid assessment of the war in yesterday's confirmation hearing. He asserted, correctly in my view, that the United States is not winning the war, but we are not losing, either. The status quo is not acceptable, and that is why the President has tapped him to do whatever it takes to bring a successful end to our efforts in Iraq. He spoke openly about our failures and our successes so far, and he underscored what is at stake: If we are not successful, it could ignite ''a regional conflagration'' in the region.

Dr. Gates understands that we need to refine not the objectives of our strategy but how we achieve our goals. The President and Dr. Gates remain committed to a course of action that achieves the goals best articulated by Dr. Zalmay Khalilzad, United States Ambassador to Iraq. He stated: ''Our goal is to enable Iraqis to develop a multi-ethnic, multi-sectarian representative democracy . . .'' that can fully meet is security obligations.

I appreciate his comments that he is ''open to a wide range of ideas and proposals.'' I know that he is a leader who will review the options and advise the President on what he believes is the best way to proceed.

Some of those innovative ideas will be found in the New Army Field Manual for Counterinsurgency Warfare. This is a vital document that will directly address what I have heard from many returning soldiers, that the Army's culture is one that emphasizes the use of firepower and conventional warfare rather stability and counterinsurgency operations. This new doctrine will immediately begin to transform our tactics and training, thereby being enormously helpful to our troops in Iraq and Afghanistan.

Dr. Gates has my full support. These are trying times for our Nation. Our resolve is being tested. I know that Dr. Gates is the right man to advise the President on the means to achieve our goals and help the Iraqi people usher in a new era in that country.

I yield the floor.PERSONAL COMPUTER^{J}059060-A06DE6-043-*****-*****-Payroll No.: 83315 -Name: ys update -Folios: 464s-465s -Date: 12/06/2006 -Subformat:

Mrs. FEINSTEIN. Mr. President, I rise today in support of the nomination of Robert Gates to succeed Donald Rumsfeld as the next Secretary of Defense.

I applaud the Senate Armed Services Committee and Senators WARNER and LEVIN for moving this nomination to the floor in a prompt but thoughtful manner.

I was heartened to see the forthrightness and candidness employed by Dr. Gates at his confirmation hearing yesterday.

He fully admitted the need for a ''change of approach'' in Iraq, stating his view that we are not currently winning the war and that the ''status quo'' is unacceptable.

Additionally, he expressed a willingness to use ''fresh eyes'' in looking for solutions and promised to keep all options on the table.

He committed to cooperating with the Congress in pursuing its oversight responsibilities and said he would always speak boldly and candidly about what he believed.

Finally, Dr. Gates talked about the complexities of the situation in Iraq, acknowledging that a number of major mistakes had been made, including: the lack of appreciation for how ''broken'' Iraq was economically, socially, and politically, and the costs associated when we invaded and the problems created by the mobilization of the Iraqi Army and the role that our deBaathification policy played in stoking the current insurgency.

It is my sincere hope that Dr. Gates' nomination signals that the administration intends to pursue a new direction in Iraq, and the Middle East region as a whole. The President should see the strong support for Dr. Gates as a call from Congress for moving away from the ''stay the course'' strategy he has pursued.

I hope that Dr. Gates will work with Congress to establish a clear-eyed and

pragmatic approach toward our Nation's defense policy and seek to restore the morale of our military.

I hope Dr. Gates will be open to dissenting views and allow the military personnel around him to share unvarnished, independent advice.

Dr. Gates is a well-qualified candidate for this critical position. His service at the top levels of the CIA and the National Security Council has provided close insights into the Pentagon's operations and policies.

As a former member of the Iraq Study Group, ISG, Dr. Gates understands the complex challenges our Nation faces. He will be in a unique position to implement the recommendations in the ISG report, and other options for pursuing a new strategy.

It is clear to me that during the recent midterm elections the American people voiced their disapproval with this administration's Iraq policies and voted for a change of course.

And the time for changing the course is now.

The Iraq War has now lasted longer than the United States involvement in World War II. More than 2,900 troops have been killed since March 19, 2003. More than 3,000 Iraqis are being killed in sectarian violence every month.

Today our military is stretched thin and its readiness diminished. Some of our troops are now on their third and fourth rotations. And, over in Iraq and Afghanistan, our military's equipment is wearing out or being destroyed at a cost of nearly $20 billion a year.

Ultimately, this war can only be won politically.

Our Nation must make it clear to the Iraqi government that this is not an open-ended commitment. Iraqis must step forward and take responsibility for their own security. Only they can make their country a stable state.

The administration's war planning was shortsighted and ill-conceived. By failing to provide adequate troops to secure Iraq, its infrastructure, its weapons depots, and its streets, this administration placed the entire mission in Iraq in jeopardy.

Dr. Gates has stated that he intends to improve the Department of Defense's planning efforts in regards to postcombat operations—a capability sorely missing from the current leadership.

I am also encouraged by Dr. Gates apparent willingness to involve Iran and Syria in diplomatic dialogue—a stark contrast from the Bush administration's current policy.

I hope that President Bush will accept the advice of the Iraq Study Group and Dr. Gates to engage in diplomacy to solve this crisis.

Additionally, Dr. Gates has expressed concerns regarding the Pentagon's continued expansion of intelligence activities since the September 11, 2001, attacks.

I share these concerns and look forward to working with Dr. Gates and Ambassador Negroponte to ensure that there is an appropriate and transparent division of responsibilities between military and civilian intelligence agencies.

Fifteen years ago, Dr. Gates came before the Senate as President George H.W. Bush's nominee to become the Director of Central Intelligence, DCI.

During 4 days of hearings, a number of questions were raised regarding his involvement and knowledge of the Iran-Contra scandal. In addition, allegations were aired regarding the manipulation of intelligence for political purposes.

These are serious concerns.

But what is critical to me today is that he shows an independent mind and willingness to eschew ideology and partisanship to do what is best for our men and women in uniform.

It is clearly time for instituting new leadership at the Pentagon—something I first called for almost a year ago. But such a change will only matter if the President himself is willing to pursue a different course.

I am looking forward to working with Dr. Gates on defense matters, to address the needs of our troops and their families, and to finally bring about a change in our Iraq policy—certainly the time is far past due.

Mr. DOMENICI. Mr. President, I rise today in support of Dr. Robert M. Gates to be Secretary of Defense.

The position of Secretary of Defense has always been one of the most important Cabinet positions in our country. Never has that importance been more clear than now, as we must decide on a path forward in the global war on terror, including Iraq.

I share my colleagues' concerns about the deteriorating conditions in Iraq. We must carefully assess the current situation in that country as well as our future involvement in Iraq. I am hopeful that Dr. Gates will help us accomplish these goals. He has experience with the current situation in Iraq as a former member of the bipartisan Baker-Hamilton Iraq Study Group. As part of that group, he has traveled to Iraq and met with Iraqi leaders and U.S. military commanders. I am optimistic that he will use this experience and knowledge to help chart a course in Iraq that results in the stabilization of that country.

I also hope that as a former member of the Baker-Hamilton Iraq Study Group, Dr. Gates will carefully review and analyze the Iraq Study Group's report, which was released this morning. I believe that report makes some very good recommendations and can serve as a vehicle for some changes relating to our policy in Iraq. I look forward to discussing those recommendations further in this Chamber.

The report recommends ''new and enhanced diplomatic and political efforts in Iraq and the region, and a change in the primary mission of U.S. forces in Iraq that will enable the United States to begin to move its combat forces out of Iraq responsibly.'' Renewed diplomatic and political efforts in the region make sense so that we can work with Iraqis to stabilize their country in the spirit of reconciliation. As the Baker-Hamilton report points out, ''if the Iraqi government moves forward with national reconciliation, Iraqis will have an opportunity for a better future, terrorism will be dealt a blow, stability will be enhanced in an important part of the world, and America's credibility, interests and values will be protected.'' In my mind, these have always been our goals in Iraq, and I look forward to working with Dr. Gates and my colleagues to accomplish those goals in a responsible way.

There are other recommendations in the report that are equally important. One such recommendation is that ''[t]he primary mission of U.S. forces in Iraq should evolve to one of supporting the Iraqi army . . .'' While I have never supported setting an artificial timetable for withdrawing U.S. troops from Iraq, I believe the Iraqi Government must take responsibility for their country. As such this recommendation regarding our troops' future role in Iraq makes sense, and I will work with Dr. Gates on this recommendation.

One other recommendation that I want to briefly reference is that ''the United States should provide additional political, economic and military support for Afghanistan . . .'' The global war on terror is a multifront war, and we must continue to focus on each of those fronts. I hope Dr. Gates will use his knowledge and experience to help Congress and the President make decisions about the full global war on terror, including operations in Afghanistan. Our work in Afghanistan is important, and I hope Dr. Gates will help us ensure that we do not lose sight of our near- and long-term goals in the overall global war on terror.

Dr. Gates has a long record of service in the area of national security, which I believe will serve him well as Secretary of Defense. He has 26 years of national security experience, including serving as an intelligence adviser to six different Presidents. He has worked at both the Central Intelligence Agency, CIA, and the National Security Council, including serving as the Director of the CIA.

Dr. Gates also has a distinguished career in public service. That service began almost 40 years ago when he was commissioned as an officer in the Air Force in 1967. He has received the Presidential Citizens Medal and the National Security Medal, as well as two National Intelligence Distinguished Service Medals and three Distinguished Intelligence Medals.

Mr. President, for all of these reasons, I support the nomination of Dr. Robert M. Gates to be Secretary of Defense. I look forward to working with him in the coming years on issues relating to Iraq, the entire global war on terror, and other issues important to our country's defense.

Mr. JOHNSON. Mr. President, yesterday the Senate Armed Services Committee voted unanimously in favor of Robert Gates' nomination to be Secretary of Defense. Following robust debate in the Senate, I plan to vote in favor of Dr. Gates' nomination.

During Dr. Gates' testimony before the Senate Armed Services Committee, I was encouraged by his candid assessment of the situation in Iraq. Dr. Gates acknowledged that we are not winning in Iraq and the status quo is unacceptable. He signaled his willingness to actively solicit the advice of military leaders on the ground and to work with members of both parties to develop a coherent strategy for Iraq. Dr. Gates' testimony was straightforward and refreshing. It is a step in the right direction toward resolving the crisis in Iraq.

At the same time the full Senate began debate on Dr. Gates' nomination, the Iraq Study Group released their recommendations for overhauling our policy in Iraq. The commission's report was stark and sobering and described the current situation in Iraq as grave and deteriorating.

I wholeheartedly agree with the Iraq Study Group's assessment that our commitment to Iraq should not be open-ended. U.S. support for the Iraqi government is strong, but Iraqi leaders must immediately make the necessary political decisions to create a sustainable political settlement.

As a member of the Iraq Study Group prior to his nomination, it is my hope Dr. Gates will heed the recommendations of the Iraq Study Group and encourage the Bush administration to change course in Iraq.

Mrs. BOXER. Mr. President, I rise in support of the nomination of Robert Gates to be Secretary of Defense. I believe that a change of leadership at the Pentagon will signal a new course of action in Iraq.

During his nomination hearing yesterday before the Senate Armed Services Committee, Dr. Gates spoke the truth about the war in Iraq. In a very plain spoken way, he leveled with the American people when he admitted that we are not winning in Iraq. His ability to admit that Iraq is in chaos leads me to believe that he will provide independent advice to the President and speak truth to power.

Our brave military men and women in uniform have done everything asked of them in Iraq. The failure of this administration to develop a realistic strategy for Iraq is the reason why we are not winning. Our military defeated the armed forces of Iraq, captured Saddam Hussein, and helped provide for three elections in Iraq. They cannot force a national reconciliation in Iraq and they cannot impose a political compromise.

The stress on our military is causing readiness to suffer and placing our military families under tremendous strain. Today's Iraq Study Group report says that ''U.S. military forces, especially our ground forces, have been stretched nearly to the breaking point by the repeated deployments in Iraq, with attendant casualties (almost 3,000 dead and more than 21,000 wounded), greater difficulty in recruiting, and accelerated wear on equipment.'' This is an unsustainable situation.

I look forward to working with Dr. Gates on improving the mental health policies and programs of the Department of Defense. We must not deploy military personnel with serious mental health conditions, such as posttraumatic stress disorder, and we should ensure that proper treatment is provided for those in need.

It is time for a change in course in Iraq and a change at the Pentagon is a step in the right direction.

Ms. SNOWE. Mr. President, I rise today to support the nomination of Robert Gates to be the 22nd Secretary of Defense.

Dr. Gates comes to this position with a lifetime of service to his Nation and fellow Americans. He has served his country in uniform, as a civil servant, a policymaker and as an adviser to six Presidents, both Democrat and Republican. He has also served America by running one of our top institutions of higher learning, Texas A&M University and by serving on the boards of institutions such as the National Association of State Universities and Land-Grant Colleges and the National Executive Board of the Boy Scouts of America. It is no coincidence that at his graduation from William and Mary, he was awarded the Algernon Sydney Sullivan Award for making the greatest contributions to his fellow man.

However, it is his character and ability to lead that will be most critical during this time of sweeping and historic challenges facing the Nation and the Department of Defense. We must satisfy ourselves that Dr. Gates not only has a plan to overcome these challenges but the personality, the drive and the skills to do so. That he once again accepted the call to national service at a time of grave crisis, requiring his departure from his beloved Texas A&M, to me speaks volumes about his character and dedication to service.

As the Nation faces the imperative of charting a new course and strategy in Iraq, rising violence in Afghanistan, global terrorism, the threats posed by nuclear states such as North Korea and possibly Iran and the increasing strains on our military, America requires a leader of Bob Gates's caliber, who has the national security experience, the political acumen and the managerial style necessary to mend rifts that have resulted in the loss of America's certainty and optimism. He will be responsible for ensuring a strong working relationship between the Department of Defense and Congress, trust between the civilian and military leadership in the Pentagon, and the credibility of the Department with the American public.

To accomplish this in the relatively brief but critical tenure he will have at the Pentagon, he will have to rely on his pragmatism and his ability to work with others to develop consensus in order to create the unified approach that is currently lacking in meeting our Nation's challenges. In his previous service, he has shown he has the ability to work with both sides with a high degree of competency and integrity—and I believe this capacity to work in a bipartisan fashion is critical to our ability to work through the challenges we face today.

One of his primary goals at the Department will be to foster mutual respect between our senior military leaders and the civilian leadership in the Pentagon. I look for him to provide our military leaders a clear voice on military operations. I believe he will listen to them and take their advice on such matters as planning for postcombat operations and force structure considerations in a manner that has been too long dormant.

As Dr. Gates assumes the helm at the Department of Defense he will be responsible for a variety of challenges ranging from the ongoing transformation of our forces, balancing operations, procurement and modernization accounts so our military forces have the tools they need to prevail now and in the future, to preparing those forces to meet global challenges from the Taiwan Straits to the jungles of South America.

Another issue of concern facing Dr. Gates is the Department of Defense's relationship with other executive branch agencies such as the Department of Homeland Security and the intelligence agencies. In Dr. Gates' written answers to the questions posed by the Armed Service Committee, he states that DHS and DOD have the common goal of protecting the United States and that he will support any steps that can be taken to improve and strengthen interagency cooperation so that all agencies are prepared for and able to respond to threats facing the U.S. homeland.

As a member of the Senate Select Committee on Intelligence, I have witnessed egregious intelligence failures and a sweeping reorganization of the entire community. I have also emphasized the need to improve information sharing and strengthen interagency cooperation.

Dr. Gates has recently written that he was ''unhappy about the dominance of the Defense Department in the intelligence arena and the decline in the CIA's central role'' and that ''close cooperation between the military and the CIA in both clandestine operations and intelligence collection is essential.'' He also wrote that ''for the last decade, intelligence authority has been quietly leaching from the CIA to and to the Pentagon, not the other way around.'' During General Hayden's nomination hearing, I noted that one of General Hayden's primary challenges would be synchronizing the gears of our Nation's

intelligence collection capability. I believe Dr. Gates will now meet the challenge of synchronizing those gears at the Defense Department.

As someone who has had worked in the intelligence community for more than 27 years, I am confident that he is up to the task. I implore Dr. Gates to maintain that close cooperation so that, in his words, ''all agencies are prepared for and able to respond to the threats facing the homeland.''

In fact, it was while he was the Director of Central Intelligence in 1992 that he testified before the House Foreign Affairs Committee, of which I was a member, about the need for the Defense Department and the Intelligence Community to cooperate saying, ''Our national security institutions, especially defense and intelligence, must change—and they are changing dramatically—to meet the new and different challenges of this new and different world.'' At that hearing Dr. Gates also warned us that aside from traditional issues of national security, we should be alert to other dangers such as terrorism that cannot ''be resolved simply through the application of military force or diplomacy.''

Dr. Gates clearly understood then and understands now America's preeminent role in leading the spread of democracy and performing global policing, yet he also recognizes the regional and sectarian nature of 21st century conflict. This sense of historical realism will stand him in good stead as he grapples with what is and will be his greatest and most pressing challenge—the U.S. involvement in Iraq.

Dr. Gates is well versed in Middle East affairs, especially in Iraq and Afghanistan—having been the deputy national security adviser during the 1991 gulf war and providing oversight of U.S.-sponsored operations in Afghanistan under President Reagan. More recently, he cochaired a study at the Council on Foreign Studies in 2004 on U.S. relations towards Iran. Among the study's primary recommendations was that the U.S. directly engage with Iran on a diplomatic level and regarding Iranian nuclear programs.

He also recently served as part of the Iraq Study Group that is releasing its recommendations regarding U.S. strategic options this week. By all accounts, Dr. Gates spent considerable time in Iraq talking to Iraqis, soldiers, military leaders and diplomats to understand the myriad and intertwined complexities that will shape the future of Iraq. This understanding will be critical as he will have to proceed at full speed when he becomes Secretary—for we are long past the point where time is of the essence.

I believe that Robert Gates understands that we are at a critical juncture. As he said in his testimony yesterday, we are not winning the war in Iraq. He is straightforward in his approach and his language, and I believe he will offer a different and pragmatic approach. He rightly said during his testimony that there is not a military solution to Iraq—that this requires a political solution, and I believe he will signal to the Iraqi government that they and the Iraqi people need to decide if an Iraqi nation is more important to them than their sectarian interests. Because we can't decide that for them, and we can't make that happen for them.

There is no question that staying the course in Iraq is neither an option nor a plan and that the patience of the Congress and the American people is finite and our presence there is neither unlimited nor unconditional. I urge him to seek the advice of his military commanders regarding the roles and missions of our troops and to work in a bipartisan fashion with Congress to implementing the findings and recommendations of the Iraq Study Group.

In closing, it is critical is that this nomination represents a commitment by the administration to unite our Nation to bring a lasting resolution to the war in Iraq. A new perspective at the Pentagon from a Defense Secretary confirmed on an overwhelmingly bipartisan basis, coupled with the release of the bipartisan Iraq Study Group's consensus recommendations, must serve as a catalyst for cooperation in establishing a unified plan for progress and transition in Iraq. In fact, with the confluence of these two events, this day must become a pivot point for our presence in Iraq.

Bob Gates' temperament, reputation, and experience has prepared him well for this challenging assignment and I have every faith that he will serve our Nation well as the Secretary of Defense. I urge my colleagues to vote to confirm Dr. Robert Gates to be our 22nd Secretary of Defense.

Mr. SARBANES. Mr. President, this legislation, S. 2568 and its House companion H.R. 5466, the Captain John Smith Chesapeake National Historic Trail Designation Act, would create the Nation's first national ''watertrail'' and honor one of America's earliest explorers, Captain John Smith and the vital role he played in the founding of the first permanent English settlement in North America at Jamestown, VA, and in exploring the Chesapeake Bay region during the years 1607 to 1609.

Many Americans are aware of the upcoming 400th anniversary of Jamestown next year. The celebration is expected to draw record numbers of visitors to this area, including Queen Elizabeth II, as part of her recently announced state visit. What may not be as well known is that Jamestown and John Smith's voyages of exploration in present-day Virginia and Maryland were our Nation's starting points. America has its roots right here in the Chesapeake Bay region nearly 400 years ago—13 years before the founding of the Plymouth colony—when the Jamestown colonists disembarked from their three small ships on May 13, 1607. Under the leadership of Captain John Smith, the fledgling colony not only survived but helped ignite a new era of discovery in the New World.

With a dozen men in a 30-foot open boat, Smith's expeditions in search of food for the new colony and the fabled Northwest Passage took him nearly 3,000 miles around the Chesapeake Bay and its tributaries from the Virginia capes to the mouth of the Susquehanna. On his voyages and as president of the Jamestown Colony, Captain Smith became the first point of contact for scores of Native-American leaders from around the bay region. His friendship with Pocahontas is now an important part of American folklore. Smith's notes describing the indigenous people he met and the Chesapeake Bay ecosystem are still widely studied by historians, environmental scientists, and anthropologists. Chief Justice John Marshall wrote of the significance of Smith's explorations: ''When we contemplate the dangers, and the hardships he encountered, and the fortitude, courage and patience with which he met them; when we reflect on the useful and important additions which he made to the stock of knowledge respecting America, then possessed by his countrymen; we shall not hesitate to say that few voyages of discovery, undertaken at any time, reflect more honour on those engaged in them, than this does on Captain Smith.''

What better way to commemorate this important part of our Nation's history and honor John Smith's courageous voyages than by designating the Captain John Smith Chesapeake National Historic Trail? The Congress established the National Trails System ''to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation.'' National Historic Trails such as the Lewis and Clark Trail, the Pony Express Trail, the Trail of Tears, and the Selma to Montgomery Trail were authorized as part of this system to identify and protect historic routes for public use and enjoyment and to commemorate major events which shaped American history. In my judgment, the Captain John Smith Chesapeake National Historic Trail is a fitting addition to the 13 national historic trails administered by the National Park Service.

Pursuant to legislation we enacted as part of the Fiscal 2006 Interior Appropriations Act, in September 2006 the National Park Service completed a detailed study which found that the trail meets all three criteria for designation as a national historic trail: it is nationally significant, has a documented route through maps or journals, and provides for recreational opportunities. Similar in historic importance to the Lewis and Clark National Trail, this new historic trail will inspire generations of Americans and visitors to follow Smith's journeys, to learn about

the roots of our Nation, and to better understand the contributions of the Native Americans who lived within the bay region. Equally important, the Captain John Smith Chesapeake National Historic Trail will serve as a national outdoor resource by providing rich opportunities for education, recreation, and heritage tourism not only for more than 16 million Americans living in the bay's watershed but for visitors to this area. The water trail would allow voyagers in small boats, cruising boats, kayaks, and canoes to travel from the distant headwaters to the open bay—an accomplishment that will generate national and international attention and participation. The trail would complement the Chesapeake Bay Gateways and Watertrails Program and help highlight the bay's remarkable maritime history, its unique watermen and their culture, the diversity of its peoples, its historical settlements, and our current efforts to restore and sustain the world's most productive estuary.

This legislation enjoys strong bipartisan support in the Congress and in the States through which the trail passes. The trail proposal has been endorsed by the Governors of Virginia, Pennsylvania, Delaware, Maryland, and numerous local governments throughout the Chesapeake Bay region. The measure is also strongly supported by the National Geographic Society, the Conservation Fund, the Garden Club of America, the Izaak Walton League of America, the Chesapeake Bay Foundation and the Chesapeake Bay Commission as well as scores of businesses, tourism leaders, private groups, and intergovernmental bodies. I want to especially recognize and commend Patrick Noonan, chairman emeritus of the Conservation Fund, for his vision in conceiving this trail. I also want to thank the cosponsors of this measure, Senators WARNER, MIKULSKI, ALLEN, CARPER, BIDEN, SANTORUM, SPECTER, Representative JO ANN DAVIS, and the cosponsors of the House companion measure, as well as the chairmen and ranking members of the Senate Committee on Energy and Natural Resources and the Subcommittee on National Parks. Finally, I want to recognize and thank Judy Pensabene and David Brooks of the Senate Energy Committee staff and Ann Loomis in Senator WARNER's office for the tremendous assistance they provided in moving the measure forward.

The Captain John Smith Chesapeake National Historic Trail Act comes at a very timely juncture to educate Americans about historical events that occurred 400 years ago right here in Chesapeake Bay, which were so crucial to the formation of this great country and our democracy. I urge my colleagues to support this measure.

Mr. ROCKEFELLER. Mr. President, I rise today in support of the nomination of Robert M. Gates to be the next Secretary of the Department of Defense.

I believe that the defense and security challenges that our Nation faces at this moment are greater than we have faced in decades, and the strains on our Active Duty and National Guard and Reserve forces are commensurate with those challenges.

After much careful thought, going back to this body's consideration of Dr. Gates' nomination to lead the Central Intelligence Agency in 1991, I am convinced that he will provide the Department of Defense and our uniformed service members the competent leadership that they deserve that he will approach the necessity to change course in Iraq with great urgency and that he will provide the President with the pragmatic advice that this country so desperately needs; that his stewardship of the Department of Defense will include developing a cooperative and productive relationship with Congress; and that his career in the intelligence community will benefit the Government as the reorganization of our intelligence community continues.

I have been impressed with Dr. Gates' sincerity in his comments regarding the obligation we as policymakers owe the uniformed service members who carry out the policies we make. His testimony yesterday before the Senate Armed Services Committee included a moving statement about his relationships with members and former members of the Corps of Cadets at Texas A&M University, 12 of whom have lost their lives in the wars in Iraq and Afghanistan.

Like Dr. Gates, I am moved by the extraordinary sense of duty and service that our soldiers, sailors, airmen, and marines possess and by the extraordinary sacrifices they make willingly on our behalf. We must meet the fundamental obligation to serve them as well as they serve us. They deserve thoughtful and effective policies; they deserve to be set up for success in their missions; they deserve to be properly trained and equipped; and they deserve to be ever confident that their welfare is never subject to partisan political considerations within their civilian chain of command. Anything less is unworthy of these heroes.

I am strongly hopeful that Dr. Gates' long and distinguished career in public service, particularly in critical national security roles, gives him the proper perspective on the duties we owe our men and women in uniform. I am confident he will exercise these duties with great care and concern, particularly with regard to those service members who are in harm's way in Iraq and Afghanistan.

I also note Dr. Gates' candor and independence of thought, both in his public comments of recent years and in answering the questions of the members of the Senate Armed Services Committee during the confirmation process. Prior to his nomination as the next Secretary of Defense, Dr. Gates served on two noteworthy bodies whose work is highly relevant to the challenges he will undertake at the Department of Defense. First, in 2004 he co-chaired a Council on Foreign Relations task force with former National Security Adviser Zbigniew Brzezinski that resulted in a report entitled, ''Iran: Time for a New Approach.'' It is my hope that ''time for a new approach'' is a phrase that characterizes Dr. Gates' overall approach to many of the issues he will encounter at the Pentagon, but I would make special note of the fact that in this report, he recommended that the United States engage in direct talks with Iran. If this recommendation of engagement and proactive diplomacy is characteristic of the advice he will provide to the President in his new position, it will be a welcome change.

Second, prior to his nomination, Dr. Gates served on the Iraq Study Group, whose recommendations for a major change in course in Iraq we heard today. Dr. Gates' service on this body shows that he recognized early on that the administration's policy in Iraq was not working and needed a change in course. Since his nomination, I have been very pleased with his comments, particularly in his written answers to the Senate Armed Services Committee questions and in his testimony yesterday, regarding the urgent need for change in our Iraq policy. Unlike the previous Secretary of Defense and unlike the President himself, Dr. Gates has acknowledged forthrightly that the number of troops we sent to Iraq for the postwar period was insufficient. He recognizes that the planning for the postwar period was both inadequate and flawed and that the result now is a status quo that is absolutely unacceptable and must be changed with great urgency.

As many of my colleagues have noted, this is a fresh and candid perspective that has been sorely lacking in this administration for 6 years. It is my hope and expectation that Dr. Gates' independence of thought and bold push for necessary change will mark his tenure as our next Secretary of Defense.

In my capacity as chairman of the Senate Select Committee on Intelligence in the 110th Congress, I will be particularly interested in how Dr. Gates will handle the relationship between the Department of Defense and the intelligence community, which is still developing following the recent intelligence reforms and which I will be focusing on closely in the coming months.

This relationship is crucial to the production of accurate, unbiased intelligence, which in turn is essential for the development of sound national security policy for our country. As vice chairman of the Senate Intelligence Committee, I have spent 3½ years reviewing prewar intelligence on Iraq. We have found inadequate intelligence, inaccurate intelligence, ignored intelligence, and distorted intelligence, the sum of which led to a disastrous decision to take this country to war. This is a situation which cannot be repeated.

One of the principal concerns throughout the Intelligence Committee's Iraq inquiry has been the question of politicization of intelligence. This is an issue well known to Dr. Gates because it was a charge leveled at him in 1991 during his confirmation to be Director of Central Intelligence. Unresolved questions about possible politicization greatly influenced my opposition to confirming him for that position, and I am even more keenly concerned about maintaining the integrity of the analytic process based on my experience with the Iraq inquiry.

Fortunately, his service as the Director of Central Intelligence and his continuing contribution to the Nation since then have allayed the concerns I had in 1991. While his tenure as DCI was short, he accomplished a great deal. In a 1992 message to the CIA workforce he wrote ''seeking truth is what we are all about as an institution, as professionals and as individuals, the possibility—even the perception—that the quest may be tainted deeply troubles us, as it long has and as it should.'' While he disputed the specific accusations of politicization, he learned from the process. He established a task force to address politicization, and he implemented changes based on the task forces recommendation. I am encouraged that he will bring that experience to this new job as one of the primary consumers of intelligence.

I also am encouraged by Dr. Gates' views on the proper role of the Defense Department in relation to the CIA. Earlier this year he wrote of his unhappiness with what he viewed as an inappropriate dominance by the Defense Department. There is plenty of work for all of our intelligence agencies, but that work needs to be properly distributed and coordinated, and I think he understands the importance of that balance. I look forward to working closely with Dr. Gates on this issue if he is confirmed.

At his confirmation hearing, Dr. Gates demonstrated several qualities that I think make him a good choice for this job. He is smart but not arrogant. He is tough-minded without being closed-minded. And he is clearly taking on this enormous responsibility out of a sense of public service. I will support his nomination, and I hope he is confirmed.

Mr. FEINGOLD. Mr. President, our next Secretary of Defense will face unprecedented and wide-ranging challenges. Terrorist networks are developing new capabilities and sources of support around the world, the Taliban and al- Qaida are resurgent in Afghanistan, our military is over-stretched—all while the administration continues to devote so much of its resources to a self-defeating, Iraq-centric strategy.

I am not convinced that the President's nominee for this position, Robert Gates, has the will or ability to fix our failed Iraq strategy. Once confirmed, Mr. Gates will answer to the President, and the President still fails to recognize the need for a new course—one that includes a flexible timetable to redeploy troops from Iraq and re-focus on the fight against terrorism. Until the President recognizes that his Iraq policy is undermining our national security, simply changing one advisor for another may not make that big a difference.

Nonetheless, I will vote to confirm Mr. Gates. I believe that a president should be given great deference in selecting his cabinet. And Mr. Gates showed a refreshing candor and humility in his testimony this week—qualities that have been sorely lacking in this administration. He acknowledged that the United States is not ''winning'' in Iraq and that the status quo is not acceptable, and said that ''all options are on the table.''

There remain serious questions stemming from his role in Iran/Contra and charges that he politicized intelligence. I do not take these lightly. However, Mr. Gates is intelligent, experienced and well qualified for the position. And I am pleased that he indicated a willingness to work with the Director of National Intelligence ''to ensure that he has the authority that he needs to fulfill his responsibilities.'' I am also encouraged by his statement that he expects intelligence professionals to ''call the shots as they see them and not try and shape their answers to meet a policy need.''

I hope that Mr. Gates will follow through on these and other commitments. And I will continue working to change our Iraq policy so that we can devote greater resources to our top national security priority—going after the terrorists who attacked us on 9/11 and their allies.

Mr. BUNNING. Mr. President, I rise today to voice my opposition to the nomination of Robert Gates to be Secretary of Defense.

The safety and security of the American people must be our Government's top priority. We need to continue to do everything we can to protect our homeland. We cannot place our heads in the sand and ignore the fact that we remain a nation at war. Daily we face brutal enemies that despise the very principles that we stand for and our way of life.

At this time of war, our President and our Nation rely on the Secretary of Defense to provide sound advice and to lead our Armed Forces as they continue to combat our enemies. The Secretary of Defense has the responsibility of leading the strongest and most capable military in the world. He must be a man of vision who can adequately assess threats against our national security and formulate the best response to these threats.

The President nominated Mr. Gates for a managerial post of great difficulty and complexity, and I do not believe that he is the best person to help us meet our Nation's critical challenges. Mr. Gates has repeatedly criticized our efforts in Iraq and Afghanistan without providing any viable solutions to the problems our troops currently face. I am concerned with the message he is sending to our troops and our allies around the world. We need a Secretary of Defense to think forward with solutions and not backward on history we cannot change.

Mr. Gates also believes in directly engaging rogue nations such as Iran and Syria that are known sponsors of terrorist groups in Iraq, Lebanon and the West Bank and Gaza. I do not support inviting terrorists to the negotiating table. Such a shift in our Nation's foreign policy could have grave consequences for our national security.

Let me be clear that I am not here today to discredit Robert Gates' record of public service to our Nation. I am here to raise concerns with his nomination to be Secretary of Defense. It is a position of immense importance and carries a great deal of responsibility.

It is for these reservations that I find myself unable to support the nomination of Robert Gates for Secretary of Defense.

It is clear from following his Armed Services Committee nomination hearing and my colleagues' speeches that Mr. Gates will be confirmed to be the next Secretary of Defense. However, we cannot afford to fail in Iraq, Afghanistan, and other areas in the war against radical terrorists. I hope during Mr. Gates' tenure at the Department of Defense that we are able to make peace and progress on all these fronts. The future of our country depends on it.

Mr. BYRD. Mr. President, yesterday the Armed Services Committee conducted a thorough hearing on the nomination of Dr. Robert Gates to be the next Secretary of Defense. I commend Senator WARNER and Senator LEVIN for their leadership in holding a hearing which may be regarded as one of the most informative, important hearings to take place before that committee in recent years.

Dr. Gates also deserves credit for the forthright tone of the hearing. His testimony to the committee was marked by candor and a serious discussion of the complex challenges before our country. In a refreshing change, rather than toeing the administration's line, Dr. Gates's testimony appeared to reflect his own views on the situation in Iraq, our Nation's approach to the Middle East, the difficulties facing our military, and a number of other issues.

He sensibly acknowledged that real changes are needed in the administration's policy toward Iraq, that long-rumored plans of an attack on Iran or Syria would have dramatic consequences that would further endanger the region and the world, and that our military is being strained by the war in Iraq.

Dr. Gates appears to be set to be confirmed by the Senate as the next Secretary of Defense, but he will be walking into a buzz saw. The current leadership of the Pentagon, in its arrogance

and disdain for the Constitution, has alienated Congress and has seriously undermined the credibility of the Defense Department in a time of war. One of the first orders of business for the next Secretary of Defense will be to demonstrate to Congress and to the American people that the Defense Department is not a power unto itself, but it is a servant of the people. I have urged Dr. Gates to take that mission to heart and to make meaningful consultation with Congress, as the people's branch of Government, an absolute priority.

I have worked with Dr. Gates before, during his years of service in the Central Intelligence Agency. But this experience alone would not be sufficient to secure my support of his nomination. My primary concern with his nomination was not whether Dr. Gates had performed well in the past, but how he would approach the challenges that are before him.

Mr. President, I will support the nomination of Dr. Gates based upon the candor and independence that he displayed at his nomination hearing. I caution, however, that Dr. Gates must be on guard against becoming the moderate face of an administration which may yet be reluctant to make any real change in its deeply flawed policies toward Iraq. The American people need more than a pragmatic spokesman for administration policies, the people deserve a leader who will work to change the administration's dangerous course.

I urge Dr. Gates to carry out the candor and fresh thinking that he demonstrated at his confirmation hearing, and I hope the administration will follow Dr. Gates in this new approach.

Mr. DODD. Mr. President, I rise today to express my support for the confirmation of Robert Gates to become our Nation's next Secretary of Defense.

I recently had the opportunity to meet with Dr. Gates in my office. I appreciated his frankness, both in my discussions with him as well as during his confirmation hearing before the Senate Armed Services Committee.

He demonstrated candor and pledged independence that the current administration has been sorely lacking up until now. He also acknowledged that at this point, our operations in Iraq must place far more emphasis on finding a political solution rather than continuing to place an undue burden on America's Armed Forces.

It is for these reasons that I hope that Dr. Gates will serve as a critical voice for reason, leading our forces toward a proper exit from major operations in Iraq and toward rebuilding our war-battered Armed Forces.

Dr. Gates seemed to discern the cost of the war in Iraq, which has been mainly measured in the number of lives lost and U.S. treasury spent. Over 2,900 brave American servicemembers have now been killed in Iraq and over $400 billion in appropriations have been approved by Congress.

But there is another cost of war—our military's readiness. And, apparently, unlike his presumed predecessor, who believes that ''you have to go to war with the Army you have, not the Army you want,'' Dr. Gates has promised to address this issue, if confirmed.

Some two-thirds of our Nation's combat brigades are currently unable to report for duty according to current reports, largely due to battle-worn and damaged equipment. Dr. Gates seems committed to restoring our military's readiness and, I hope, will be willing to fully meet the Army's request of $25 billion in fiscal year 2008 to fund the repair, replacement, and recapitalization of this gear.

I concede that on a previous occasion I withheld my support for Dr. Gates when he was nominated for the position of the Director of Central Intelligence in 1991. At the time, I raised concerns over his past tenure at the CIA, including prior allegations of politicized intelligence. By all accounts Mr. Gates did a credible job as the Director of the CIA. It is my hope that his past experience has sensitized him to the danger that politicized intelligence can pose to our Nation's national security and to the ability of our military commanders to understand and carry out the mission on the ground in Iraq, Afghanistan and elsewhere as they seek to advance United States interests.

In addition, I am also hopeful that Mr. Gates will work with me to revisit the administration's military commissions policy. During our discussions, we talked about the bill that I introduced last month called the Effective Terrorists Prosecution Act of 2006 which addresses some of the most serious problems with the bill that the President recently signed into law. I hope that Dr. Gates will consult with outside military and legal experts, as well as J.A.G. staff regarding the Military Commissions Act. I would further urge Dr. Gates to halt the Defense Department's plan to award a $125 million contract to build a new courthouse at Guantanamo Bay, to try detainees. This project was neither authorized nor appropriated by the Congress, and in my view, constitutes an egregious waste and abuse of taxpayers dollars on a facility designed to circumvent public and legal scrutiny into the treatment and trying of detainees.

Our Nation and our Armed Forces are facing significant challenges, and, above all else, Dr. Gates needs to meet today's security concerns head on, swiftly and effectively, without any ideological agenda. Recognizing the hard truth, that we are not winning the war in Iraq, was a good first step.

Understanding why we aren't winning was a good second step. As Dr. Gates explained in his testimony, and as many of us have been saying for quite some time, we failed to deploy enough troops in Iraq to win the peace, we mistakenly disbanded the Iraqi Army, and we banned thousands of Baath Party members from working in the Iraqi Government. Only by recognizing and understanding that these specific policies have caused so much damage can we begin the work of ameliorating the situation in Iraq.

I look forward to working with Dr. Gates in a bipartisan and level-headed manner to address these myriad problems, to adjust United States policy in Iraq and to rebuild our Nation's Armed Forces. This fall, the American people voted for change in our Government's policies, particularly in Iraq, and I am hopeful that the confirmation of Dr. Gates will represent one of these many vital changes.

Mr. OBAMA. Mr. President, my vote today for Robert Gates is a vote for significant change in our Iraq policy.

Last month, the American people uniformly rejected the policy-by-slogan approach to Iraq, rejected the false choice between ''cut-and-run'' and ''stay the course'' rejected ideological, insular, and wrongheaded leadership at the Pentagon. Dr. Gates' challenge will be to help President Bush chart a new course that takes a realistic view of the deteriorating situation in Iraq and makes the hard decisions to salvage an acceptable outcome to this long and misguided war.

There are several signs that give me hope that Robert Gates is up to this challenge. First and most important is the environment in which Gates is taking the Pentagon's helm. Following the election, it is clear the American people expect significant change in Iraq. President Bush nominated Gates with a mandate to find ''fresh perspective and new ideas'' for Iraq. And today's Iraq Study Group's report helped create a framework to move forward, in a bipartisan fashion, with a shift in U.S. policy. As I laid out in a speech 3 weeks ago, I believe this shift must include a phased redeployment of U.S. forces in Iraq, a new diplomatic effort that includes engagement with Iran and Syria and other key nations, and a stance that conditions further assistance to progress in Iraq. All of these were also proposed by the Iraq Study Group.

Second, in his own congressional testimony and comments, Dr. Gates has expressed openness to new ideas, saying that all options should be on the table for Iraq. He expressed refreshing candor in admitting past mistakes in Iraq. And Gates promised to work in a constructive, respectful way with military commanders, the Iraq Study Group, and Congress to find a new way forward.

Third is Gates' extensive experience. He served for 26 years in the Central Intelligence Agency and the National Security Council, and he was the only career officer in the CIA's history to rise from entry-level employee to Director.

Everyone knows that Gates' job will not be easy. There are no good options left in Iraq. There is no set of policy changes that can guarantee a good outcome. There is a great resistance to

change in this administration, from the President down. Among Presidential appointees, there still is significant danger in speaking truth to power.

The President, Senate, and the American people are putting a great deal on Dr. Gates' shoulders. I am voting for him with the hope that he can make us proud.

Mr. MCCONNELL. Mr. President, I rise to voice my strong support for the nomination of Dr. Robert M. Gates to be the Nation's 22nd Secretary of Defense. His intelligence, candor, and many years of national security experience make him an excellent choice to lead the Pentagon and our Nation's troops during this critical time in war on terror.

Dr. Gates wore his country's uniform as a U.S. Air Force officer; his service includes time spent with the Strategic Air Command, the prestigious unit once charged with protecting America from a nuclear attack by the Soviet Union. Dr. Gates's career includes two decades with the CIA, where he started as an entry-level employee and rose to the top position. And he spent 9 years at the National Security Council. Throughout his Government service, he has advised six Presidents.

Having previously served as Deputy Director of Central Intelligence from 1986 to 1989, Assistant to the President and Deputy National Security Adviser from 1989 to 1991, and Director of Central Intelligence from 1991 to 1993, Dr. Gates is one of the most qualified national-security specialists in the country.

As DCI he led over 100,000 employees and managed the Agency at a critical juncture at the end of the Cold War. And he has spent the last 13 years outside of government, giving him both a keen understanding of best business practices and a fresh perspective to tackle America's security challenges.

Dr. Gates has a proven record of bipartisan cooperation, demonstrated most recently by his tenure with the Iraq Study Group. As a member of that group, he has traveled to Iraq, met Iraqi leaders, and talked to our military commanders on the ground. He is ready to hit the ground running and lead the Pentagon from the day he is confirmed.

Five years into the war on terror, America has made great progress. But much hard work still lies ahead, as we continue to defend Americans here at home while fighting abroad the terrorists who would do us harm. The position of Secretary of Defense is more important than ever, and I believe the President has made an outstanding choice.

Dr. Gates has the wisdom and the ability to succeed. He will be a strong leader for the Pentagon and our brave men and women in uniform. I urge my colleagues to support his nomination, and I will wholeheartedly vote for his confirmation.

Mr. REID. Mr. President, I intend to support the nomination of Dr. Robert Gates as the new Secretary of Defense. I believe he will provide the Department of Defense, and the President's senior team, the new perspective and fresh ideas so desperately needed. He is a distinguished and seasoned public servant, and his long experience will serve him well in what will be a challenging post.

I want to thank Senators WARNER and LEVIN for making sure Dr. Gates received an expeditious and thorough hearing. With our Nation at war, we could not afford to let his confirmation drag.

I am hopeful that, when confirmed, Dr. Gates will serve as an agent of change in the administration—most importantly, on Iraq.

Yesterday, when asked if we are winning in Iraq, Dr. Gates said ''no.'' Today, the Iraq Study Group said the situation in Iraq is ''grave and deteriorating.''

The Iraq Study Group has done a tremendous and historic service to the American people and to the troops serving in harm's way in Iraq. Their report underscores the message the American people sent one month ago: there must be change in Iraq, and there is no time to lose. It is time for the Iraqis to build and secure their nation, and it is time for American combat troops to be redeployed. Each day the situation in Iraq continues to deteriorate. Time is not on our side.

This assessment rings particularly true today, as we learned that 10 U.S. troops were killed in fighting across Iraq, bringing the level of U.S. deaths to 27 in only the first 6 days of December. On average, almost three U.S. troops are killed each day. We do not have time for finger-pointing and pontificating from politicians—it is time for action and leadership.

Most experts agree that Iraq is now embroiled in a civil war, and our troops are caught in the middle. Policing a civil war between Shia and Sunni is not something for which our country or our military consented. We must begin to transition our mission in Iraq, reduce our combat footprint, and begin to extricate our troops from the middle of this sectarian strife. In short, we need more than a change in personality at the Defense Department, we need a change in policy. I urge the President to reach out to Congress and work with us to change course.

If the administration reaches out in a meaningful way, it will find Congress ready and willing to work as a partner. The Senate will do its part next year and conduct strong oversight to ensure the President carries out an effective change in policy. Our troops in Iraq, including hundreds of Nevadans, have sacrificed so much. It is time for President Bush to reward their effort by bringing the country together around a new way forward.

Once Dr. Gates is confirmed, I look forward to the Senate working with him and the President on this change of course in Iraq.

In addition, I look forward to working with Dr. Gates to change course on the other key challenges we face. Dr. Gates must come to Congress with a solid plan for addressing the readiness of our military which is under strain and at risk because of the administration's Iraq strategy.

Dr. Gates must help the administration develop an effective approach for curbing Iran and North Korea's nuclear ambitions. And Dr. Gates must spearhead a new effort to ensure a successful outcome for Afghanistan, as part of a broader fresh look at our strategy for the war on terror, the hunt for Usama bin Laden, and the struggle to empower moderates and combat violent extremists. These are serious issues that deserve to be addressed properly.

Hopefully, Dr. Gates can operate with the same level of candor and realism as Secretary of Defense as he has during his nomination process. The stakes for our Nation are high, and his task is a great one, but today, he has our support and a commitment to work together to solve this Nation's national security challenges.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I see no other Senators seeking recognition, so I think we may as well—the standing order is the vote begins at 5 o'clock?

The PRESIDING OFFICER. That is correct.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Is all time yielded back?

Without objection, all time is yielded back.

Mr. WARNER. I thank the Presiding Officer.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert M. Gates, of Texas, to be Secretary of Defense?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from North Carolina (Mrs. DOLE).

Further, if present and voting, the Senator from North Carolina (Mrs. DOLE) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH) and the Senator from Delaware (Mr. BIDEN) are necessarily absent.

I further announce that if present and voting, the Senator from Delaware (Mr. BIDEN) would vote ''yea.''

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 272 Ex.]

YEAS—95

Akaka	Bingaman	Byrd
Alexander	Bond	Cantwell
Allard	Boxer	Carper
Allen	Brownback	Chafee
Baucus	Burns	Chambliss
Bennett	Burr	Clinton

Coburn	Hutchison	Nelson (NE)
Cochran	Inhofe	Obama
Coleman	Inouye	Pryor
Collins	Isakson	Reed
Conrad	Jeffords	Reid
Cornyn	Johnson	Roberts
Craig	Kennedy	Rockefeller
Crapo	Kerry	Salazar
Dayton	Kohl	Sarbanes
DeMint	Kyl	Schumer
DeWine	Landrieu	Sessions
Dodd	Lautenberg	Shelby
Domenici	Leahy	Smith
Dorgan	Levin	Snowe
Durbin	Lieberman	Specter
Ensign	Lincoln	Stabenow
Enzi	Lott	Stevens
Feingold	Lugar	Sununu
Feinstein	Martinez	Talent
Frist	McCain	Thomas
Graham	McConnell	Thune
Grassley	Menendez	Vitter
Gregg	Mikulski	Voinovich
Hagel	Murkowski	Warner
Harkin	Murray	Wyden
Hatch	Nelson (FL)	

NAYS—2

Bunning	Santorum

NOT VOTING—3

Bayh	Biden	Dole

The nomination was confirmed.

Mr. WARNER. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action on this nomination.

Mr. WARNER. Mr. President, at this time, I congratulate and express my gratitude to the extraordinary staff of the Armed Services Committee. My distinguished colleague, the senior Senator from Michigan, and I have been together 28 years on this committee and have worked with this staff, almost all of them, throughout my 6-year tenure and many prior thereto when Senator LEVIN was chairman of the committee.

I want today's RECORD to reflect our appreciation and that of many Members of this Chamber who worked with the distinguished staff. I ask unanimous consent to print in the RECORD the chronological history of that staff, who were of great assistance to Senator LEVIN and me as we prepared for this important nomination and held the hearing yesterday.

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

MAJORITY STAFF AND NON-DESIGNATED STAFF—SENATE ARMED SERVICES COMMITTEE, OCTOBER 2006

Staff Director: Charles S. Abell.

Chief Clerk: Marie Fabrizio Dickinson.

Assistant Chief Clerk and Security Manager: Cindy Pearson.

General Counsel: Scott W. Stucky.

Counsel: Richard F. Walsh and David M. Morriss.

Professional Staff Members: Ambrose R. Hock, Lynn F. Rusten, Lucian L. Niemeyer, Gregory T. Kiley, Regina A. Dubey, Elaine A. McCusker, Diana G. Tabler, Robert M. Soofer, Stanley R. O'Connor, Jr., Kristine L. Svinicki, William M. Caniano, Derek J. Maurer, and Sean G. Stackley.

Nominations and Hearings Clerk: Leah C. Brewer.

Systems Administrator. —Gary J. Howard

Printing and Documents Clerk. —June M. Borawski

Security Clerk.—John H. Quirk V.

Special Assistant. —Catherine E. Sendak

Staff Assistants.—Benjamin L. Rubin, Jessica L. Kingston, Micah H. Harris, Jill L. Simodejka, and David G. Collins

Receptionist.—Fletcher L. Cork

Subcommitee on Airland:

Majority Professional Staff Members: Ambrose R. Hock (Lead), Stanley R. O'Connor, Jr.

Staff Assistant: Micah H. Harris.

Subcommittee on Emerging Threats and Capabilities:

Majority Professional Staff Members: Lynn F. Rusten (Lead), William M. Caniano, Regina A. Dubey, Derek J. Maurer, Elaine A. McCusker, Robert M. Soofer.

Staff Assistant: Jessica L. Kingston.

Subcommittee on Personnel:

Majority Professional Staff Members: Richard F. Walsh (Lead), David M. Morriss, Diana G. Tabler.

Staff Assistant: David G. Collins.

Subcommittee on Readiness and Management Support:

Majority Professional Staff Members: Gregory T. Kiley (Lead), Ambrose R. Hock, Derek J. Maurer, Elaine A. McCusker, David M. Morriss, Lucian L. Niemeyer.

Staff Assistant: Benjamin L. Rubin.

Subcommittee on Seapower:

Majority Professional Staff Members: Sean G. Stackley (Lead), Ambrose R. Hock, Stanley R. O'Connor, Jr.

Staff Assistant: Micah H. Harris.

Subcommittee on Strategic Forces:

Majority Professional Staff Members: Robert M. Soofer (Lead), William M. Caniano, Stanley R. O'Connor, Jr., Kristine L. Svinicki.

Staff Assistant: Jill L. Simodejka.

Majority Professional Staff Members for:

Acquisition Policy.—Ambrose R. Hock.

Acquisition Workforce.—Diana G. Tabler.

Arms Control/Non-proliferation.—Lynn F. Rusten.

Army Programs.—Ambrose R. Hock.

Aviation Systems.—Stanley R. O'Connor, Jr.

Budget Tracking.—Gregory T. Kiley.

Buy America.—Ambrose R. Hock.

Chemical-Biological Defense.—Derek J. Maurer.

Chemical Demilitarization.—Lynn F. Rusten.

Civilian Nominations.—Scott W. Stucky/Richard F. Walsh.

Civilian Personnel Policy.—Diana G. Tabler.

Combatant Commands.—

CENTCOM—William M. Caniano.

EUCOM—Lynn F. Rusten .

(Africa)—Regina A. Dubey.

JFCOM—William M. Caniano .

NORTHCOM—Robert M. Soofer.

PACOM—Lynn F. Rusten.

SOCOM—Elaine A. McCusker.

SOUTHCOM—William M. Caniano.

STRATCOM—Robert M. Soofer.

TRANSCOM—Sean G. Stackley/Stanley R. O'Connor, Jr.

Combating Terrorism.—William M. Caniano.

Competition Policy/Mergers and Acquisitions.—Elaine A. McCusker.

Competitive Sourcing/A–76.—Derek J. Maurer.

Contracting (including service contracts).—Elaine A. McCusker.

Cooperative Threat Reduction Programs.—Lynn f. Rusten.

Counterdrug Programs.—William M. Caniano.

Defense Laboratory Management.—Elaine A. McCusker.

Defense Security Assistance.—Lynn F. Rusten.

Department of Defense Schools.—Diana G. Tabler.

Depot Maintenance Policy.—Derek J. Maurer.

Detainee Policy.—William M. Caniano/Scott Stucky/David M. Morriss.

Department of Energy Issues.—Kristine L. Svinicki.

Environmental Issues.—David M. Morriss.

Export Controls.—Lynn F. Rusten.

Financial Management.—Gregory T. Kiley.

Foreign Language Policy.—Regina A. Dubey.

Foreign Policy/Geographical Region.—

Africa—Regina A. Dubey.

Asia/Pacific Region—Lynn F. Rusten.

Europe/Russia—Lynn F. Rusten.

Middle East—William M. Caniano.

South America—William M. Caniano.

Helicopters.—Ambrose R. Hock.

Homeland Security/Defense/Domestic Preparedness.—Robrt M. Soofer.

Humanitarian and Civic Assistance.—Regina A. Dubey.

Information Assurance/Cyber Security.—Elaine A. McCusker.

Information Management.—Gregory T. Kiley.

Information Technology Systems.—

(Business Systems)—Gregory T. Kiley.

(Tactical Systems)—Ambrose R. Hock.

Intelligence Issues.—William M. Caniano.

International Defense Cooperation.—Lynn F. Rusten.

Inventory Management.—Derek J. Maurer.

Military Construction/Base Closures.—Lucian L. Niemeyer.

Military Family Policy.—Diana G. Tabler.

Military Health Care.—Diana G. Tabler.

Military Nominations.—Richard F. Walsh.

Military Space.—Robert M. Soofer.

Military Strategy.—William M. Caniano.

Missile Defense.—Robert M. Soofer.

Morale, Welfare and Recreation/Commissaries/Exchanges.—Diana G. Tabler.

Nuclear Weapons Stockpile.—Kristine L. Svinicki.

Personnel Issues.—Richard F. Walsh/Diana G. Tabler/David M. Morriss.

POW/MIA Issues.—David M. Morriss.

Readiness/O&M.—Derek J. Maurer/Gregory T. Kiley.

Reprogramming.—Gregory T. Kiley.

Science and Technology.—Elaine A. McCusker.

Sexual Harassment/Sexual Assault Policy.—David M. Morriss.

Shipbuilding Programs.—Sean G. Stackley.

Small Business.—Elaine A. McCusker.

Special Operations Forces.—Elaine A. McCusker.

Stability Operations.—Lynn F. Rusten/Regina A. Dubey.

Strategic Programs.—Robert M. Soofer.

Test and Evaluation.—Elaine A. McCusker.

Transportation and Logistics Policy.—Derek J. Maurer.

Unmanned Aircraft Systems.—Stanley R. O'Connor, Jr.

Women in Combat.—David M. Morriss.

MINORITY STAFF—SENATE ARMED SERVICES COMMITTEE, OCTOBER 2006

Democratic Staff Director.—Richard D. DeBobes.

Administrative Assistant to the Minority.—Christine E. Cowart.

Minority Counsel.—Peter K. Levine, Madelyn R. Creedon, Gerald J. Leeling, William G.P. Monahan, and Jonathan D. Clark.

Professional Staff Member.—Creighton Greene, Michael J. McCord, Richard W.

Fieldhouse, Daniel J. Cox, Jr., Evelyn N. Farkas, Gabriella Eisen, Arun A. Seraphin, and Michael J. Kuiken.

Research Assistant.—Michael J. Noblet.

Subcommittee on Airland:

Minority Professional Staff Members: Daniel J. Cox, Jr. (Lead), Creighton Greene.

Subcommittee on Emerging Threats and Capabilities:

Minority Professional Staff Members: Richard W. Fieldhouse (Lead), Arun A. Seraphin, Evelyn N. Farkas, Madelyn R. Creedon.

Subcommittee on Personnel:

Minority Professional Staff Members: Gerald J. Leeling (Lead), Jonathan D. Clark.

Subcommittee on Readiness and Management Support:

Minority Professional Staff Members: Michael J. McCord (Lead), Peter K. Levine.

Subcommittee on Seapower:

Minority Professional Staff Members: Creighton Greene (Lead), Daniel J. Cox, Jr.

Subcommittee on Strategic Forces:

Minority Professional Staff Members: Madelyn R. Creedon (Lead), Richard W. Fieldhouse, Creighton Greene.

Minority Professional Staff Members for:

Acquisition Policy.—Peter K. Levine.

Acquisition Workforce.—Peter K. Levine.

Arms Control/Non-proliferation.—Richard W. Fieldhouse/Madelyn R. Creedon.

Army Programs.—Daniel J. Cox, Jr.

Aviation Systems.—Creighton Greene/Daniel J. Cox, Jr./Madelyn R. Creedon.

Budget Tracking.—Michael J. McCord.

Buy America.—Peter K. Levine.

Chemical-Biological Defense.—Richard W. Fieldhouse.

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CENTCOM—Michael 1. Kuiken/Gabriella Eisen.

EUCOM—William G. P. Monahan.

JFCOM—Michael J. McCord/Arun A. Seraphin.

NORTHCOM—Evelyn N. Farkas.

PACOM—Evelyn N. Farkas.

SOCOM—Evelyn N. Farkas.

SOUTHCOM—Evelyn N. Farkas.

STRATCOM—Madelyn R. Creedon.

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Detainee Policy.—William G.P. Monahan/Peter K. Levine/Jonathan D. Clark/Gabriella Eisen

Environmental Issues.—Peter K. Levine

Export Controls.—Evelyn N. Farkas/Peter K. Levine

Financial Management.—Peter K. Levine/Michael J. McCord

Foreign Language Policy.—Creighton Greene/Evelyn N. Farkas

Foreign Policy/Geographical Region.—

Afghanistan—Daniel J. Cox, Jr./Evelyn N. Farkas

Africa—Michael J. Kuiken/Gabriella Eisen William G.P. Monahan

Asia/Pacific Region—Evelyn N. Farkas

Europe/Russia—William G.P. Monahan/Madelyn R. Creedon

Iraq—Daniel J. Cox, Jr./William G. P. Monahan

Middle East—Michael J. Kuiken/Gabriella Eisen

South America—Evelyn N. Farkas

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Inventory Management.—Peter K. Levine/Michael J. McCord

Military Personnel Issues.—Gerald J. Leeling/Jonathan D. Clark

End Strength—Jonathan D. Clark/Gerald J. Leeling

Military Family Policy—Gerald J. Leeling/Jonathan D. Clark

Health Care—Gerald J. Leeling/Jonathan D. Clark

Pay and Benefits—Jonathan D. Clark/Gerald J. Leeling

Military Personnel Policy—Gerald J. Leeling/Jonathan D. Clark

Military Construction/Base Closures.—Michael J. McCord

Military Nominations.—Gerald J. Leeling

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Unmanned Aircraft Systems.—Creighton Greene/Daniel J. Cox, Jr.

Women in Combat.—Jonathan D. Clark/Gerald J. Leeling

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Georgia is recognized.

MORNING BUSINESS

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that I be recognized for up to 10 minutes.

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

COMMENDING SECRETARY OF DEFENSE RUMSFELD

Mr. CHAMBLISS. Mr. President, I rise today to commend a gentleman who has served our country with honor, integrity, and distinction for the past 6 years and who has sacrificed his energy, a comfortable private life, as well as his personal privacy in service to our men and women in uniform during the course of two wars that our country did not invite and did not welcome. That gentleman is Donald Rumsfeld.

As I have worked with Secretary Rumsfeld over the last 6 years as a U.S. Senator and as a U.S. Representative, he and I have occasionally disagreed, and those disagreements have been very public, very open, and very heartfelt on both sides. But there is no question in my mind that Don Rumsfeld has given the President and the United States as much commitment, energy, and service as any previous Secretary of Defense in the history of our great country. For that, this entire country owes Don Rumsfeld a debt of gratitude.

It sometimes surprises me that we can convince high-quality, intelligent, committed people like Donald Rumsfeld to leave private life, often near or at the end of their careers, to take jobs in government that require an enormous amount of commitment, sacrifice, and sometimes offer few rewards. These individuals could, without question, be better off financially and sleeping much better and might even be happier if they were doing something else. Donald Rumsfeld has served as Secretary of Defense during one of the more difficult times in our Nation's history. As a nation, we should be grateful that someone of his caliber has served as long and with as much distinction in the job as he has. I think we as a nation should be grateful, regardless of whether we agree or disagree with everything Secretary Rumsfeld has done or tried to do during his tenure. We should be grateful