forward with a new strategy in Iraq. That has been my motivation from the very beginning, to put this institution on record on a bipartisan basis. I am not talking about one or two Senators on that side joining all the Senators on this side or vice versa, no, a truly on its face bipartisan consensus, albeit a resolution without any legal force and effect.

It is important that the people of this country give their support to the men and women in uniform and to a strategy which they hope will succeed in our goal of not letting Iraq implode and fall into greater disaster than it is experiencing today. So how do they go about it? The President, in his speech on January 10, explicitly said those who have other ideas, generally speaking, or concepts, bring them forward. That is what we have done. We have exercised what the President has given us, the option to come forward.

To quote the President: ''If Members,'' referring to Congress, ''have improvements that can be made, we will make them,'' he said. ''If circumstances change, we will adjust, showing flexibility,'' said the President.

Using that as our chart, we then proceeded as a group to figure out how best to comment on the President's strategy. We did say, and I repeat it, that the Senate disagrees with the plan to augment our forces by 21,500 and urge the President, instead, to consider all options and alternatives for achieving the strategic goals set forth below. Each Senator has to interpret that phrase, that sentence, as he or she so desires. I repeat that. Each Senator has the right to look at that and decide, one, do you disagree in any way with what the President is doing and the force of 21,500.

I believe we can accomplish the goals this country has set out to accomplish in Iraq, goals that were enumerated by the Baker-Hamilton commission, in a manner that we do not need a full force of 21,500. Indeed, that force, we now learn, could be somewhat higher than that number if you are going to have the essential support troops joined. Unfortunately, there was no reference to that made in the President's speech, and right now it is a matter of debate and contention.

I don't know what the additional figure is, but in my judgment, I say most respectfully that we do not in this resolution in any way challenge or contravene the constitutional provision that you are Commander in Chief and that you can deploy troops which, in your best judgment, are for the security of this Nation and the welfare of the troops. We don't challenge that. We simply accept your offer, we have expressed it, so we support it.

I support, for example, additional troops if they are necessary over and above the current level for operations in Al Anbar. On my last trip to that region, it was clear that the marines had enough troops to do certain portions of their mission, but it was also clear that additional forces were needed. Perhaps they could come from within the current force structure currently in Iraq. But perhaps you need—to use the word ''surge''—some modest surge to meet the requirements for Al-Anbar to be brought under a higher level of security.

Nothing in this resolution prohibits the President from having some portion of that surge force of 21,500 utilized to do those things which are essential—further training of the Iraqi forces, further embedding, enlarging the number of troops to be embedded with the Iraqi forces. Those are the sorts of things this Senator supports. Within the framework of this resolution, I can take those stands.

But I turn now to the principal thing we have in this resolution, and that is one of the main things that I believe has to have greater emphasis. It is as follows. We state it very clearly in a provision in our resolution:

> The United States military operations should, as much as possible, be confined to these goals, which were enumerated by the Baker-Hamilton Commission.

I go back and I read the goals here, all set forth on page 6 of the resolution. The military part of this strategy should: focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security.

Therein is the principal motivation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WARNER. I wonder if I could ask unanimous consent that I could proceed until such time as Senators desiring to come forth and address the standing order, namely——

The PRESIDING OFFICER. We have an order to lay down the motion to proceed. Will the Senator allow that to go forward at this time?

Mr. WARNER. Fine, if the Presiding Officer desires to do that.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXPRESSING THE SENSE OF CONGRESS ON IRAQ—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the motion to proceed to S. 470, which the clerk will report.

The legislative clerk read as follows:

> A bill (S. 470) to express the sense of Congress on Iraq.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. I wonder if I can ask unanimous consent at this time to proceed for another 5 minutes. Seeing my distinguished colleague on the Senate floor——

Mr. BROWN. If the Senator will yield?

Mr. WARNER. If I might finish the unanimous consent request? Then I will be happy to listen to the Senator.

In other words, at this point in time I ask unanimous consent that we proceed as in morning business such that I could complete in 5 minutes. And my distinguished colleague. We have been waiting for about 2 hours this afternoon. I do not know—perhaps I am mistaken—if there are Senators in the Chamber who wish to address the subject matter of the order just given by the Chair. I wouldn't want to interfere with them going forward.

The PRESIDING OFFICER. Without objection, there is an hour-and-a-half debate scheduled on this motion.

The Senator is recognized.

Mr. REED. Parliamentary inquiry: Is the Chair establishing an order for speaking?

The PRESIDING OFFICER. No order has been established.

Mr. WARNER. If I might say to my distinguished colleague, Mr. REED of Rhode Island, I think the Chair has granted me 5 minutes, to be followed by a period of about 5 minutes to my colleague from Nebraska, Senator BEN NELSON. From that point on, there may be those who wish to address the underlying order, or the Chair could recognize other Senators who wish to speak on the subject.

Mr. REED. If the Chair is ready, I ask that at the conclusion of the 5 minutes of Senator NELSON, I be recognized for 5 minutes.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, and I will not object, I ask unanimous consent that the unanimous consent agreement stipulate that following Senator REED's comments, I be recognized.

The PRESIDING OFFICER. Is there objection to the unanimous consent request as modified by the Senator from Texas? The Chair hears none and it is so ordered.

Mr. WARNER. Mr. President, I thank the Presiding Officer and the preceding Presiding Officer, my distinguished colleague.

I was speaking about the need to have greater involvement of the Iraqi forces. I ask unanimous consent to have this chart printed in today's RECORD.

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

TRANSITION IRAQ TO SECURITY SELF-RELIANCE—IRAQI SECURITY FORCES

*Ministry of Interior Forces**

Component	*Trained and Equipped*
Police	***~135,000
National police	~24,400

Component	Trained and Equipped
Other MOI forces	~28,900
Total	**~188,300

Ministry of Defense Forces

Component	Operational
Army	***~132,700
Air Force	~900
Navy	~1,100
Total	**~134,700

Total Trained & Equipped ISF: ****~323,000

*Ministry of Interior Forces: Unauthorized absence personnel are included in these numbers.

**Ministry of Defense Forces: Unauthorized absence personnel are not included in these numbers.

***Army numbers included Special Operations Forces and Support Forces.

****Does not include the approximately 144,000 Facilities Protection Service personnel working in 27 ministries.

Note.—Data as of January 22, 2007 (Updated biweekly by DOD).

Mr. WARNER. It is dated as of January 27, 2007. It says, ''Transition Iraq to Security Self-Reliance—Iraq Security Forces.''

It lays it out. This is what the American taxpayer has been expending—an enormous sum of money for 2½ years to train the Iraqi forces. I bring to your attention, for the Ministry of Defense Forces: the army, 132,700; air force, 900; the navy, 1,100; total, 134,700. Ministry of Interior, trained and equipped: police, 135,000; national police, 24,400; other MOI forces, 28,900; total, 188,300. That is a total of 323,000 forces trained in the past 2½ years.

In the resolution my distinguished colleagues and I have put together, we specifically say look at all options. I say the Iraqi's are the ones who should be responsible for these problems in Baghdad. We will give them support. We will give them the training. But I say to my colleagues here in the Senate, this is what we have trained these people to do. The Iraqi forces understand the language. They understand the culture. How does an American GI, being thrust into the darkened alleys of this city, with all of the crossfire between the Sunni and the Shia, and Shia upon Shia decide whom to shoot, how to direct the force?

The National Intelligence Estimate just released made mention of this. The report states—I shall read it.

The intelligence community judges that the term ''civil war'' does not adequately capture the complexity of the conflict in Iraq, which includes extensive Shia-on-Shia violence, al-Qa'ida and Sunni insurgent attacks on Coalition forces, and widespread criminally motivated violence. Nonetheless, the term ''civil war'' accurately describes key elements of the Iraqi conflict, including the hardening of ethno-sectarian identities, a sea change in the character of the violence, ethno-sectarian mobilization, and population displacement.

I say most respectfully to our President: Mr. President, recognize what we have done in 2½ years to train these people. Let them take the point. Let them take the brunt of the fight. And maybe we do not need 21,500, together with support troops, to go in and do the job we have trained these people to do themselves.

In this regard I would like to quote from T.E. Lawrence. This quote is also cited in the Army Field Manual on Counterinsurgency. Lawrence said:

Do not try to do too much with your own hands, better the Arabs do it tolerably than you do it perfectly. It is their war, and you are to help them, not to win it for them.

Additionally, the National Intelligence Estimate on Iraq also describes a very complex conflict between all parties in Iraq. Putting American soldiers in the midst of that will require military plans and orders to contain exquisite tactical detail sufficient to afford our men and women in uniform the ability to discern friend from foe in an urban environment.

I, and others, also remain very concerned about the command and control structure that has been planned for this operation in Baghdad. In his January 10, 2007, address to the Nation, President Bush stated that U.S. troops would be ''embedded'' in Iraqi formations. This left a very serious question about the unity of command. On February 1, General Casey described the command and control as '' a nonstandard arrangement.'' This nonstandard arrangement must be clarified and our resolution addresses this serious concern.

I yield the floor.

EXHIBIT 1

S. CON. RES. 7

Whereas we respect the Constitutional authorities given a President in article II, section 2, which states that ''The President shall be commander in chief of the Army and Navy of the United States''; it is not the intent of this resolution to question or contravene such authority, but to accept the offer to Congress made by the President on January 10, 2007, that, ''if members have improvements that can be made, we will make them. If circumstances change, we will adjust'';

Whereas the United States strategy and operations in Iraq can only be sustained and achieved with support from the American people and with a level of bipartisanship;

Whereas over 137,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States Armed Forces, and are deserving of the support of all Americans, which they have strongly;

Whereas many American service personnel have lost their lives, and many more have been wounded, in Iraq, and the American people will always honor their sacrifices and honor their families;

Whereas the U.S. Army and Marine Corps, including their Reserve and National Guard organizations, together with components of the other branches of the military, are under enormous strain from multiple, extended deployments to Iraq and Afghanistan;

Whereas these deployments, and those that will follow, will have lasting impacts on the future recruiting, retention and readiness of our Nation's all volunteer force;

Whereas in the National Defense Authorization Act for Fiscal Year 2006, the Congress stated that ''calendar year 2006 should be a period of significant transition to full sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq'';

Whereas United Nations Security Council Resolution 1723, approved November 28, 2006, ''determin[ed] that the situation in Iraq continues to constitute a threat to international peace and security'';

Whereas Iraq is experiencing a deteriorating and ever-widening problem of sectarian and intra-sectarian violence based upon political distrust and cultural differences between some Sunni and Shia Muslims;

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

Whereas the responsibility for Iraq's internal security and halting sectarian violence must rest primarily with the Government of Iraq and Iraqi Security Forces;

Whereas U.S. Central Command Commander General John Abizaid testified to Congress on November 15, 2006, ''I met with every divisional commander, General Casey, the Corps Commander, [and] General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future'';

Whereas Iraqi Prime Minister Nouri al-Maliki stated on November 27, 2006, that ''The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the politicians'';

Whereas there is growing evidence that Iraqi public sentiment opposes the continued U.S. troop presence in Iraq, much less increasing the troop level;

Whereas, in the fall of 2006, leaders in the Administration and Congress, as well as recognized experts in the private sector, began to express concern that the situation in Iraq was deteriorating and required a change in strategy; and, as a consequence, the Administration began an intensive, comprehensive review by all components of the Executive Branch to devise a new strategy;

Whereas, in December 2006, the bipartisan Iraq Study Group issued a valuable report, suggesting a comprehensive strategy that includes ''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'';

Whereas, on January 10, 2007, following consultations with the Iraqi Prime Minister, the President announced a new strategy (hereinafter referred to as the ''plan''), which consists of three basic elements: diplomatic, economic, and military; the central component of the military element is an augmentation of the present level of the U.S. military forces through additional deployments of approximately 21,500 U.S. military troops to Iraq;

Whereas, on January 10, 2007, the President said that the ''Iraqi government will appoint a military commander and two deputy commanders for their capital'' and that U.S. forces will ''be embedded in their formations''; and in subsequent testimony before the Armed Services Committee on January 25, 2007, by the retired former Vice Chief of the Army it was learned that there will also be a comparable U.S. command in Baghdad, and that this dual chain of command may be

problematic because ''the Iraqis are going to be able to move their forces around at times where we will disagree with that movement'', and called for clarification;

Whereas this proposed level of troop augmentation far exceeds the expectations of many of us as to the reinforcements that would be necessary to implement the various options for a new strategy, and led many members of Congress to express outright opposition to augmenting our troops by 21,500;

Whereas the Government of Iraq has promised repeatedly to assume a greater share of security responsibilities, disband militias, consider Constitutional amendments and enact laws to reconcile sectarian differences, and improve the quality of essential services for the Iraqi people; yet, despite those promises, little has been achieved;

Whereas the President said on January 10, 2007, that ''I've made it clear to the Prime Minister and Iraq's other leaders that America's commitment is not open-ended'' so as to dispel the contrary impression that exists; and

Whereas the recommendations in this resolution should not be interpreted as precipitating any immediate reduction in, or withdrawal of, the present level of forces: Now, therefore, be it—

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the Senate disagrees with the ''plan'' to augment our forces by 21,500, and urges the President instead to consider all options and alternatives for achieving the strategic goals set forth below;

(2) the Senate believes the United States should continue vigorous operations in Anbar province, specifically for the purpose of combating an insurgency, including elements associated with the Al Qaeda movement, and denying terrorists a safe haven;

(3) the Senate believes a failed state in Iraq would present a threat to regional and world peace, and the long-term security interests of the United States are best served by an Iraq that can sustain, govern, and defend itself, and serve as an ally in the war against extremists;

(4) the Congress should not take any action that will endanger United States military forces in the field, including the elimination or reduction of funds for troops in the field, as such an action with respect to funding would undermine their safety or harm their effectiveness in pursuing their assigned missions;

(5) the primary objective of the overall U.S. strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and strengthen the unity government, ultimately leading to improvements in the security situation;

(6) the military part of this strategy should focus on maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, conducting counterterrorism operations, promoting regional stability, supporting Iraqi efforts to bring greater security to Baghdad, and training and equipping Iraqi forces to take full responsibility for their own security;

(7) United States military operations should, as much as possible, be confined to these goals, and should charge the Iraqi military with the primary mission of combating sectarian violence;

(8) the military Rules of Engagement for this plan should reflect this delineation of responsibilities, and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff should clarify the command and control arrangements in Baghdad;

(9) the United States Government should transfer to the Iraqi military, in an expeditious manner, such equipment as is necessary;

(10) the United States Government should engage selected nations in the Middle East to develop a regional, internationally sponsored peace-and-reconciliation process for Iraq;

(11) the Administration should provide regular updates to the Congress, produced by the Commander of United States Central Command and his subordinate commanders, about the progress or lack of progress the Iraqis are making toward this end; and

(12) our overall military, diplomatic, and economic strategy should not be regarded as an ''open-ended'' or unconditional commitment, but rather as a new strategy that hereafter should be conditioned upon the Iraqi government's meeting benchmarks that must be delineated in writing and agreed to by the Iraqi Prime Minister. Such benchmarks should include, but not be limited to, the deployment of that number of additional Iraqi security forces as specified in the plan in Baghdad, ensuring equitable distribution of the resources of the Government of Iraq without regard to the sect or ethnicity of recipients, enacting and implementing legislation to ensure that the oil resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner, and the authority of Iraqi commanders to make tactical and operational decisions without political intervention.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Mr. President, I state again for my colleagues that this debate is not about support for the troops or support for their extraordinary work on the ground in Iraq. Our troops, the best fighting force in the history of the world, have performed admirably, honorably, and successfully under extreme and dangerous conditions in Iraq. We are not here today to besmirch their efforts, their work, or their sacrifice. To indicate otherwise is disingenuous and out of line.

This is not the time or the place for political attacks. The President even made an offer to Congress before a nationally televised audience on January 10 that, ''if Members have improvements that can be made, we will make them.''

This is a debate about a serious topic: What is the way forward in Iraq? How can we achieve a political solution without the additional loss of American lives?

One of my colleagues has said over and over, ''this comes down to if you support an escalation or not'' and ''the American people deserve this debate.'' For me, the question is, Will the Senate lead? Will the Senate express its opposition to the surge? I know many do not think passing a nonbinding resolution is leading, and I know others say the resolution goes too far. I say that, on an issue of this magnitude, an issue this important, it is critical for the Senate to speak with the strongest voice possible. Generating a revised resolution with broader appeal was putting our best foot forward in securing the strongest bipartisan vote possible.

I am proud to have worked with my colleague, Senator WARNER, the most recent past chairman of the Armed Services Committee, and our colleague, Senator COLLINS of Maine, in this cause. They have shown tremendous leadership on this issue, as have Senator LEVIN, Senator BIDEN, and Senator HAGEL. But it seems that even when it comes to the lives of our troops, partisanship prevails. Here we are, after weeks of negotiations, after weeks of public proclamations, after weeks of consideration, about to witness the minority choose politics over progress—and this is after we revised our original resolution to address some of the concerns that were raised by both Democrats and Republicans.

It is important that we point out that this is not simply about being opposed to a surge. It is about opposition to a surge to do what? To go into Baghdad? To go into the midst of sectarian violence, civil war, criminality? There is no opposition to continuing to support troops in Al-Anbar and even an increase in the troops to fight the bad guys in that location. But that is altogether different from going into Baghdad where our troops will be expected to be on the point and in harm's way in the midst of sectarian violence that is unparalleled across our great world today. But in strong support of Iraq, we must, in fact, do what we can to support Iraq but without putting our troops in the midst of that caldron.

The Baker-Hamilton report made things very clear. We have established benchmarks as well—that we should empower the Iraqi Government to be able to do what it can to quell its own violence. We cannot win their civil war. We cannot stop the violence in Baghdad. Only a political solution achieved by the Iraqis will be able to do that.

If we are to do our duty, if we are to exhibit leadership, let us begin by allowing a full debate on the resolutions we have pending. Let's talk about the President's plan to deploy American troops to the crossroads of civil war in Iraq. Let's talk about holding the Iraqi Government accountable for its responsibilities.

I am prepared to defend the resolutions I have offered with Senators WARNER, COLLINS, and LEVIN. I am prepared to vote on the McCain resolution. And I am prepared for the debate because its time has come.

I ask my colleagues, if not now, when? If not now, do we wait for more troops to die before we oppose the President's plan? If not now, do we wait for more violence, more unrest, more danger for our troops before we act? Some have said the President deserves one last chance to succeed. How do we ask our troops to do again what has failed in the past? We have had other surges that have not succeeded for a variety of reasons, not the least of which is the Iraqis have not shown up. So what is different this time?

I hope we do not look at this as our last hurrah.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Rhode Island is recognized for 5 minutes.

Mr. REED. Mr. President, I ask unanimous consent that the Senator from Florida, Mr. NELSON, be recognized after the Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, I have a list of speakers on our side, and I would ask to be recognized to ask if the Senator would revise his request that following Senator REED, Senator SPECTER be recognized for 7½ minutes. Then if we can alternate sides, and on our side, then, it would be the Senator from Texas, Mr. CORNYN, for 7½ minutes; Senator LIEBERMAN for 10 minutes; and then Senator HAGEL, who would use the remainder of our time, which I believe would be 8 more minutes. If we could revise the UC to reflect that order of speakers for our time, I would appreciate it.

Mr. BIDEN. Mr. President, reserving the right to object, may I get in the queue?

Mr. REED. Mr. President, might I suggest that while I speak an order be established, and at the conclusion of my remarks I would again make the unanimous consent for that order.

Mr. CORNYN. No objection.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I commend Senator WARNER, Senator NELSON, Senator LEVIN and others who have worked so hard on this resolution. I do believe, like my colleagues, that this measure and an alternative measure deserve an up-or-down vote by the Senate. That is what the American people want, and that is what they should receive.

We embarked on this effort in Iraq more than 4 years ago. From the very beginning I thought this was not a response to an imminent threat to the United States or even to the region. It was based upon highly speculative and, it turns out in many cases, flat wrong intelligence. It represents, in my view, a flawed strategy because the approach the President has taken in Iraq fails to recognize that the major regional threat was not Iraq but Iran and failed to recognize the huge amounts of resources that will be necessary to successfully occupy and stabilize a country the size of Iraq with the cultural and historical issues that are inherent in that country.

The strategy, as I said, I think was flawed. Strategy, to me, means having a clear objective and putting forth the resources necessary to achieve that objective. The objective in Iraq shifted from the WMD allegations, to terrorist connections allegations, to creating a transformative oasis of democracy and free enterprise in a country that has not seen that in many years. And the resources were never adequate for the task.

One of the most important resources in a strategy is public support. I think one of the major problems with the President's last address a few days ago when he talked about Iraq and his so-called new strategy is that, I believe, he squandered significantly the willingness of the American public to support any proposal made. Without that public support, it will be very difficult to sustain our activities in Iraq.

I think the proof of this failed strategy is evident. Today Iran is in an enhanced strategic position vis-a-vis the United States and is being much more difficult to deal with, with respect to the region and to its aspirations of nuclear technology. We have compromised our efforts in Afghanistan and in Pakistan where real significant threats exist to the world and to the United States. We have diverted our attention from North Korea and from the Iranian aspirations for nuclear technology.

According to many experts such as Hank Crumpton, who is leaving as the Assistant Secretary of State for Counterterrorism:

> We have made it more likely this country will be struck by terrorists, not less likely.

Of course, we can talk at length about the incompetent execution of these policies in Iraq, but I want to go right to the heart of what the President is talking about. He suggests that we have a changed strategy. I would suggest that perhaps we are changing our tactics; we are taking American units and putting them in the heart of Baghdad. But it seems that this surge is more of the same, more of the clear hold and build, more of involvement in the existing conflicts of the Iraqi people and not essential to our national security, which would be to protect ourselves from terrorists there, to stabilize the country so it doesn't disintegrate, and also to go ahead and to train, continually train the Iraqi security forces.

Many have criticized this surge on purely military grounds. Too few troops. The doctrine calls for more than 120,000 troops to cover the city of Baghdad. We will be lucky to muster 50,000 to 60,000 to 70,000. Including Iraqi security forces.

There is a lack of unity of command. There is uncertain leadership by the Iraqis. Their commanding general is a virtual unknown who has been plucked by Maliki to lead this effort, probably more for political reliability than for tactical skill. And the rolling start, the gradual buildup has already led many Iraqis in Baghdad to suggest that our efforts have further compromised their security, as evidenced by the bombing just a few days ago of a marketplace in a Shia neighborhood in Baghdad.

The strategy we have to pursue is a complementary and reinforcing strategy involving military, political, and economic steps, together with regional and international diplomacy. It rests fundamentally on the capacity of Iraq and non-DOD, nonuniform military advisers to carry the day. Frankly, the Iraqi Government is in too many cases dysfunctional and incompetent, and elements outside of our uniformed military personnel—our State Department officials, our Agriculture officials, our Justice officials, our AID officials—have not been in Iraq in sufficient numbers and in sufficient quality to deal decisively with these issues. There is nothing in this plan which suggests that situation will change.

I think we are also at a point where we have been informed by the National Intelligence Estimate of the true nature of the struggle in Iraq. It is a sectarian battle between Shia and Sunni, with insurgents who, according to the NIE, accelerate the violence between these two sectarian groups. It is an existential battle where the Shias feel insecure because they have labored for many years under the yoke of the Saddam Hussein regime, and they don't want to go back there. It is existential from the Sunni position because they see themselves entitled to rule.

I think our best course is outlined in the Warner resolution, clearly stating our disapproval and disagreement with the augmentation as the resolution describes, and focusing ourselves on reconciliation, on both military efforts, but scaled back, and also concentrating on diplomacy and economic activities. I would hope that at least we could get a vote on it and, frankly, I think it will pass.

I yield the floor.

Mr. NELSON of Nebraska. Mr. President, is someone offering the order?

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I believe under the previous UC, if I am not mistaken, the Senator from Pennsylvania would be the next in our queue on our side. If I may ask for clarification, the order that I believe was encompassed in the UC on our side was the Senator from Pennsylvania, then the Senator from Texas, then Senator LIEBERMAN, the Senator from Connecticut, and then Senator HAGEL, the Senator from Nebraska.

Mr. REED. Mr. President, I believe, again, the Senator suggested we would alternate from side to side, and at the conclusion of—in fact, if I may, I have a unanimous consent stating that after Senator SPECTER, I would suggest that from our side the order be Senator NELSON, 5 minutes; Senator BIDEN, 10 minutes; Senator LEVIN, 10 minutes; and Senator SCHUMER, 5 minutes; and they would be alternating between the Republican side and the Democratic side, and the Republican side would be——

The PRESIDING OFFICER. Does the Senator from Texas modify his unanimous consent request to include the remarks and the proposal of the Senator from Rhode Island?

Mr. CORNYN. That is correct. If I could, just in the interest of clarity, and I know this is confusing, Senator SPECTER will be allocated 7½ minutes, followed by myself for 7½ minutes, Senator LIEBERMAN will be allocated 10 minutes, and then Senator HAGEL, 8 minutes, on our side.

Mr. WARNER. Mr. President, reserving the right to object, and I will not, I would like to have Senator COLLINS included for 10 minutes.

Mr. CORNYN. Mr. President, we have 33 minutes total.

The PRESIDING OFFICER. The Senator from Texas has 31 minutes to dole out.

Mr. WARNER. Could Senator COLLINS be accommodated subsequent to the other names that have been enumerated, just to add her to the list, for 10 minutes?

The PRESIDING OFFICER. The time is being counted now until 5:20.

Mr. WARNER. Very well. I will try and work with colleagues to see if we can find time for Senator COLLINS on somebody else's time.

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

Mr. SPECTER. Mr. President, I have sought recognition to oppose cloture on the pending motion to proceed on the issue of how to deal with the Iraqi problem.

As I look at this issue, it is one of enormous magnitude, and it ought not to be subject to shortcuts in the debate of the Senate. We pride ourselves on being the world's greatest deliberative body, and now is the time to show it. But what is happening on this motion for cloture and what is happening behind the scenes on negotiations is an effort to short-circuit debate on this matter of great importance, great magnitude. It is the issue which is engulfing the work of this body, the work of the House, and, really, all of Washington, and many of the eyes of the world are focused on this issue. There is no oxygen left in this town except on what to do on Iraq.

I suggest that this is not the kind of an issue where we ought to be short-circuited. There ought to be a full opportunity to debate this issue and all of its ramifications. What is happening behind the scenes is an effort to limit the number of resolutions and/or bills which may be offered as alternatives as to what the course of the United States ought to be on this very important subject.

Although it is arcane and esoteric and not subject to being understood, what is happening, again, behind the scenes, is the threat by the majority to fill up the tree, and that means when a bill is on the floor, if there is a first-degree amendment and a second-degree amendment, both of which are technical in nature and both of which may be offered by the majority leader because of the rule of priority of recognition, nobody else can offer an amendment.

Now, the countersuggestion has been made that there would be two amendments by the Republicans. That is down from five amendments, and it may be that even five are insufficient. As we debate this issue, other ideas may occur as to what ought to happen. But we are dealing with very complex issues.

On this state of the record, I cannot support an additional allocation of 21,500 troops because it is my judgment that would not be material or helpful in what is going on at the present time. This comes against the backdrop of extensive hearings in the Armed Services Committee and Foreign Relations Committee, and in the context of the military having given many estimates with many of those in key command positions saying that no more troops are necessary. This comes with the Iraqi Prime Minister Maliki saying a variety of things but at some times saying he doesn't want any more troops.

This debate ought to be taking up alternative proposals, and the one which is the most attractive to this Senator on this state of the record and has been endorsed by a number of the military is to give notice to the Iraqis that at some point in the future, with the exact time to be determined by the military experts, perhaps 6 months or perhaps some other point, that the Iraqis will be called upon to take over Baghdad, the security of Baghdad, to keep U.S. troops out of the line of fire between the Sunnis and the Shias, and that our current force would remain in Iraq to guard the infrastructure, to guard the oil wells, to give advice and to give training but not to undertake the major responsibility.

The obvious answer ultimately has to be a diplomatic solution, and as long as the Iraqis know that we are going to send in additional troops, that we are going to take over the responsibilities which they should be undertaking, they are going to sit back and let us do it. It is a matter of human nature. If Uncle Sam will do it, why should the Iraqis do it? But if we put them on notice that it is going to be their responsibility at a given time, then that puts the obligation on them.

In the President's State of the Union speech, he was explicit that the Iraqis had to do two things: No. 1, end the sectarian violence, and, no. 2, secure Baghdad. And on this state of the record there is no showing that the Iraqis are capable of doing either.

It is my hope, as we listen to the Senators who have been engaged in these hearings, who have studied the matter in some detail, and as we explore the alternatives, explore the alternative resolution of putting benchmarks that the Iraqis have to meet, when we explore the alternative of limiting funding—which I think there is unanimity we cannot limit funding at a time when American troops will be put in harm's way—this is the time for the Senate to assert congressional responsibility, which we have.

When the President says repeatedly he is the ''decider,'' I say respectfully to the President that is a shared responsibility. Under the Constitution, the Congress has the authority to decide, to maintain armies. The Constitution specifically limited appropriations to 2 years.

However, if we are to assert that responsibility and that support, it seems to me we have to do it in a way which does not limit our debate. Right now, we are under a tremendous time pressure, with only an hour and a half to debate this important matter, and Senators are looking for more time. That is a very poor way for this Senate to approach this very important subject.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. NELSON of Florida. Mr. President, in November, General Abizaid told our Senate Committee on Armed Services, when asked did he need any more troops in Iraq, he said ''no.'' Admiral Fallon, who has been chosen by the administration to succeed General Abizaid, when asked did he think by the Senate taking a position in opposition to the President's determination to put 21,000 new troops in Iraq that was undercutting the military forces in Iraq, Admiral Fallon deferred and would not answer that, as some others had been quick to answer in the affirmative.

When General Casey was in front of our committee last week, when asked how many additional troops do you think should be put into Baghdad, he said two brigades—not the five brigades the President has determined.

What we have is a majority of Members in this Senate feel there should not be any increase. We have General Casey, the commander for the last 2½ years, saying there should only be a two-brigade increase. So there is, in fact, conflicting opinion.

If we are going to have any increase in troops in Iraq, the Marine generals in Anbar Province have convinced this Senator that an increase in Anbar Province would be helpful, but the conclusion of this Senator was that putting more American troops in the middle of Baghdad, in the middle of that sectarian violence, was not going to do any good; it was going to put more Americans in harm's way, particularly in the limited numbers the President is talking about.

If we wish to make a difference in Baghdad in the midst of all that sectarian violence, where it has been going on for 1,327 years, since the year 688 A.D., after the death of Mohammed, when the grandson was assassinated because he broke off and that became the Shiite branch and the Sunnis and the Shiites have been at it ever since, if you want to make a difference in Baghdad with all that sectarian strife, put in 50, 100, 200 or 300,000 troops. But 21,000—17,000 of which are going into Baghdad additionally—in this Senator's opinion, is not going to do the job.

As the Senator from Virginia knows, this Senator is one of his cosponsors. I support his resolution. I think it is very important there be truth and openness. In this Senator's position on

the Foreign Relations Committee, on the Senate Committee on Armed Services, and on the Intelligence Committee of the Senate, I have been hammering away at correct information over and over because what we have been dished out over the last several years has been incorrect information.

That leads us to this point where we have to make a judgment. We are a coequal branch. We are part of the formulation of policy, and it is intended that way by the U.S. Constitution that the people speak through us as well as through the President.

It is my privilege to say I support the Senator from Virginia in his resolution.

The PRESIDING OFFICER. The Senator from Texas is recognized for 7½ minutes.

Mr. CORNYN. Mr. President, as I try to count up the number of positions of Senators articulating either for or against the various resolutions, I count at least six, and maybe there are more.

There are some who say, yes, that the President's plan—basically, that General Petraeus, the architect of that plan, will have responsibility for implementing—that plan ought to get a chance.

Then there are those who say: No, we disagree with that plan. We do not believe that General Petraeus should get the additional five brigades that the plan calls for, but we do think in Anbar Province additional troops ought to go in to fight al-Qaida in Iraq.

Then there is a third position I count that says we think there shouldn't be additional troops, and we want to cap the number of troops, period, and we want to set a timetable for their withdrawal. That would actually be No. 4.

Some of the distinguished Members of this Senate have said these nonbinding resolutions are shooting with blanks. What we ought to do is have a vote on cutting off funds because that is the sole way that Congress can have a definitive impact on what is happening. We do not believe any funds should be appropriated for this effort. That is a fifth position, as I count it.

Then there are those—and I find myself in this group—who say: No, we shouldn't cut off funds that support our troops during a time of war. In fact, we ought to give this a chance.

Some of these positions may have some commonality and some may merge and diverge, but the point is, for the majority to say we have one vote on one resolution, in spite of the fact there are at least six positions, as I count them, on this issue is asking Members to accept limited debate and does not reflect the diversity of views in this Senate.

The vote we are going to have at 5:30 tonight—and I thank the distinguished Senator from Virginia and others who, perhaps, share a different view from me on the substance of the resolution, for supporting our right to have a fair process and to have all the various resolutions or, I should say, at least two, in opposition that ought to be offered, that Senators ought to be given the chance to vote for.

Senator REID, the majority leader, on the floor earlier asked rhetorically: What makes the Baghdad security plan different from the ones that have come before? Let me mention the specific answer to his question. First of all, this is an Iraqi-initiated plan for taking control of the capital of Iraq. No. 2, there will be adequate forces—Iraqis supported by American and coalition forces—to hold neighborhoods cleared of terrorist extremists. Third, there is a new operational concept, one devised not just to pursue terrorists and extremists but actually to secure the city once they are cleared. Fourth, new rules of engagement will pursue that Iraqi and U.S. forces can pursue lawbreakers, regardless of their communities or sect. Five, security operations will be followed by economic assistance and reconstruction aid, including billions of dollars in Iraqi funds, offering jobs and the prospect for better lives.

The reason I support the plan General Petraeus is largely the architect of, and the very same commander whom we have confirmed by unanimous vote about a week or so ago, is because I think it represents the last best chance for success in Iraq. I don't know anyone who believes the status quo is acceptable.

The question is, Are we simply going to give up and see a regional conflict? Are we going to see ethnic cleansing occur? Are we going to see countries that have Sunni majorities come to the aid of their Sunni brothers and sisters who might be the subject of ethnic cleansing by the Shia majority? Are we going to allow Iraq to become another failed state which will then serve as a launching pad for future terrorist attacks, perhaps including against the United States? The risks of that happening by doing nothing or by simply saying what we have been doing now is not working so we are simply going to refuse to endorse any alternative plan because we are not sure it is going to be successful is giving up before we should.

While opinion polls should not govern our conduct, it is significant the one question I have heard, when asked by Opinion Dynamics Poll on the process we are engaged in today, the question was: Congress has been considering a nonbinding resolution expressing opposition to the President's plan to send more troops. By almost two to one, Americans think passing a resolution would do more harm than good; 47 percent in this poll that was reported February 1, 2007, say it is likely to encourage the enemy and hurt troop morale compared with 24 percent who think it would make a positive difference to the policy of the United States toward Iraq.

Regardless of the sincerely held beliefs that I know Senators have on this very important topic, the last thing we should be forced to do would be to vote on a single resolution when there are so many different points of view that deserve full and fair debate on what is the most important issue that conflicts our country and, literally, the world at this time and that is the global war on terror, the central front of that war in Iraq and what we are going to do about it, whether we are going to give up or whether we are going to try to secure that country in a way that will allow it to govern and defend itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 10 minutes.

Mr. BIDEN. Mr. President, we will hear a lot, today and this week, of phrases such as ''last best chance,'' ''refuse to endorse an alternative plan,'' ''Iraq is a central front of the war on terror.'' Virtually no one subscribes to any of those three points—all of the experts who have given testimony, the Iraqi Study Group, the plans that have been put forward that are real alternatives.

The President has not put forward a plan. He has put forward a tactic, a tactic that most experts, including his own military, think will make a plan for success less likely to be able to be arrived at.

No one in this Senate, at least in this debate, at least from my perspective, is calling for us cutting and running—none of that. I hope we keep our eye focused, our eye on the ball.

The Senate is today taking a first step toward a bipartisan effort to prevent the escalation of a war in Iraq and to adapt a strategy for Iraq for leaving Iraq without leaving behind chaos.

The first step is to debate and vote the resolution offered by Senator WARNER and reintroduced by Senator LEVIN and me as a bill. That says the Senate disagrees with the President's plan to send 17,500 more American troops into the middle of a city of over 6.2 million people in the midst of a civil war, because what we are afraid of is that the Senator from Texas may be right; this may make things so bad that everyone will conclude there is no more chance of succeeding.

We have vital interests in that region. I am afraid this policy, this tactic of the President, is going to be a self-fulfilling prophesy. The question before us today is whether a minority of Senators will even allow a debate to start. That is what this is about. All they have to do—there will be other resolutions brought up; they are able to be brought up—all they have to do is take issue with this. They can stop the debate by getting 41 votes. But they can actually engage in debate and try to defeat the notion, when the message of this resolution is: Mr. President, stop. No more escalation, Mr. President.

Everyone from the Iraq Study Group to the Biden-Gelb plan, to every other plan that has been put out there says the way to get the Iraqis to reach a political solution is to begin to draw

down American forces. No one, including General Petraeus, whom I know fairly well, suggests there is a military answer. A political solution is required. So to my colleagues who are thinking about trying to block the debate, let me say this: Iraq dominates our national life. It is on the minds of tens of millions of Americans. It shapes the lives of hundreds of thousands of our men and women in uniform and their families. And that the Senate would not even debate, much less vote, on the single most urgent issue of our time would be a total forfeiture of our responsibility.

We have a duty to debate and to vote on the President's tactic. We have a duty to debate and vote on our overall strategy in Iraq. And we have a duty as Senators to speak out and say where we are.

Three weeks ago, Secretary of State Rice came before the Foreign Relations Committee and presented the President's plan. Its main feature is to send more troops, increase the total number of troops, and send them into Baghdad in the middle of a sectarian war.

The reaction on the committee, from Republicans to Democrats alike, ranged from skepticism, to profound skepticism, to outright opposition. That pretty much reflects the reaction all across the country.

So Senator HAGEL joined me and Senator LUGAR and Senator SNOWE. We sat down and wrote a resolution to give Senators a way to vote what their voices were saying, for we believe the quickest and most effective way to get the President to change course is to demonstrate to him that his policy has little or no support across the board, Democrats and Republicans.

After we introduced the resolution, the distinguished ranking member of the Armed Services Committee, Senator WARNER, came forward with his resolution. The bottom line of the resolutions is the same: Mr. President, don't send more Americans into the middle of a civil war.

There was one critical difference. As originally written, the Warner resolution left open the possibility of increasing the overall number of troops in Iraq, when in fact the Iraq Study Group and others said we should be declining to get action from the politicians in Iraq.

We believe that would have sent the wrong message. Not ramp up; again, to draw down, redeploy forces remaining in Iraq. And the best way to make that clear to the Iraqi people is to let them know we are not going to be there forever, as the President said. And they must begin to make the hard compromises necessary for a political solution that virtually everyone agrees is necessary to end this war.

So we approached Senator WARNER to work out our differences, and I am very pleased to say we succeeded in doing that. The language Senator WARNER removed from his resolution removed the possibility that it could be read as calling for a troop increase. With that change, we agreed to support his resolution. And I do.

When I first spoke out against the President's planned surge before the New Year, I made it clear I had one objective: I hoped to build and demonstrate bipartisan opposition to this plan because it was the fastest way to turn the President around. And that is exactly what we have done.

Now we have a real opportunity for the Senate to speak clearly. Every Senator should be given a chance to vote on whether he or she approves or disapproves of the President's tactic to send more troops into the middle of a civil war.

The debate we will have is important, but the debate is as important as the vote. And I hope the American people carefully listen. I predict they will hear very few colleagues stand up and support the President's plan to send more troops into the middle of a civil war. Listen to the voices. Listen to the voices as well as the votes.

Just as important as what we are voting against is what we are voting for. This bill, similar to the Biden-Hagel-Levin-Snowe provision, makes three things clear.

First, Iraq needs a political settlement. Second, the United States has to work with other regional powers. And third, the mission of our forces should be confined to counterterrorism, training, and maintaining the territorial integrity of Iraq.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. There is 2 minutes 55 seconds.

Mr. BIDEN. I will continue, Mr. President.

As I said at the outset, this is the first step, this rejection of the President's increase of more troops into Iraq into the middle of a civil war. But it can set the foundation for everything that follows.

If the President does not listen to the majority of Congress and the majority of the American people, we will have to look for other ways to turn this surge around.

Even if we succeed in this effort, we still need to turn our overall policy around. We need a strategy that can produce a political settlement in Iraq. That is the only way to stop the Shiites and the Sunnis from killing each other and to allow our troops to leave Iraq at an appropriate time without trading a dictator for chaos.

But today my message is simple. The American people want us to debate Iraq, the most important issue of our day. They expect it. They demand it. And if we attempt to hide behind procedure and delaying tactics, I believe the American people will not be very happy. They get it. The question is, Do we?

Are you for or against the President escalating this war in Iraq? I am against it. I believe the majority of Members on both sides are as well. We should vote on that.

I yield the remainder of my time.

The PRESIDING OFFICER (Ms. STABENOW). The Senator from Connecticut is recognized for 10 minutes.

Mr. LIEBERMAN. I thank the Chair.

Madam President, America has reached a critical crossroad in the war in Iraq. More than 4 years ago, this Senate voted to authorize the use of force against Saddam Hussein, a tyrant who slaughtered his own people, attacked his neighbors, and threatened our security.

Thanks to the courageous service of the men and women of the American military, that evil regime was overthrown and in its place came hopes for a democracy in the heart of the Middle East, hopes for a victory in the war for the hearts and minds of the Muslim world.

As of today, sadly, as we all know, those hopes have not been realized. Because of the ruthless conduct of our enemies in Iraq, as well as our own failures, we instead today find ourselves on a knife's edge in Iraq.

Now a new course has been chosen. A new commander is in place in Iraq, confirmed unanimously by this Senate. A new Secretary of Defense is in place at the Pentagon, also confirmed overwhelmingly by the Senate. And a new strategy has begun to be put into action on the ground in Iraq by American troops.

It is altogether proper that we debate our policy in Iraq. It should be a debate that is as serious as the situation in Iraq and that reflects the powers the Constitution gives to Congress in matters of war.

But that, sadly, is not the debate that the Warner-Levin resolution invites us to have. I am going to speak strongly against this resolution because I feel strongly about it. I do so with the greatest respect for my colleagues who have offered it. But I believe its passage would compromise America's security, and I will say so within the clearest terms I can muster.

The resolution before us, its sponsors concede, will not stop the new strategy from going forward on the ground in Iraq. In fact, as we speak in the Senate, thousands of American troops are already there in Baghdad, with thousands more moving into position to carry out their Commander's orders. This resolution does nothing to alter those facts.

Instead, its sponsors say it will send a message of rebuke from this Senate to the President of the United States, from one end of Pennsylvania Avenue to the other. But the President has made clear he will not be deterred in carrying out what he sees as his duties and responsibilities as Commander in Chief.

And there is a world well beyond Pennsylvania Avenue that is also watching and listening to what we do. What we say is being heard in Baghdad by Iraqi political leaders, by moderates trying to decide whether we Americans will stand with them over the long term.

What we say is being heard by our men and women in uniform who naturally will be interested in knowing whether we support the plan they have been asked to carry out at risk to their own lives.

What we say in the Senate will be heard by the leaders of the thuggish regimes in Iran and Syria and by al-Qaida terrorists eager for evidence that America's will is breaking.

And what we say in the Senate will be heard across America by our constituents who are wondering if their Congress is capable of serious action, not hollow posturing.

This resolution is not about Congress taking responsibility. It is the opposite. This is a resolution of irresolution.

For the Senate to take up a symbolic vote of no confidence on the eve of a decisive battle is unprecedented. But it is not inconsequential. It is an act which I fear will discourage our troops, hearten our enemies, and showcase our disunity. And that is why I will vote against the motion for cloture.

My colleagues, if you believe that General Petraeus and his new strategy have a reasonable chance of success in Iraq, then you should resolve to support him and his troops through the difficult days ahead and oppose this resolution.

On the other hand, if you believe this new strategy is flawed or that our cause is hopeless in Iraq, then you should put aside this resolution—nonbinding—and you should vote to stop what is happening in Iraq, vote to cut off the funds, vote for a binding time line for American withdrawal.

If that is where your convictions lie, then have the courage of your convictions to accept the consequences of your convictions. That would be a resolution.

This nonbinding resolution before us, by contrast, is an accumulation of ambiguities and inconsistencies. It is at once for the war but also against the war. It pledges its support to the troops in the field but then washes its hands of what they have been commanded to do. It urges more troops be sent for Anbar Province but not for Baghdad.

My colleagues, we cannot have it both ways. We cannot vote full confidence in General Petraeus but no confidence in the strategy he says he needs for success.

We cannot say our troops have our full support but disavow their mission on the eve of battle. This is what happens when you try to wage war by committee. And that is why the Constitution gave the authority of Commander in Chief to one person, the President.

Cynics may say this kind of irresolution happens all the time in Congress. In this case, however, they would be wrong. If it passed, this resolution would be unique in American legislative history.

I asked the Library of Congress this question last week and was told that never before, when American soldiers have been in harm's way, fighting and dying in a conflict Congress had voted to authorize, has Congress turned around and passed a nonbinding resolution such as this one, disapproving of a particular battlefield strategy.

I ask each of my colleagues to stop for a moment and consider the precedent that passage of this resolution would establish. Even during Vietnam, even after the Tet Offensive, even after the invasion of Cambodia, Congress did not take up a nonbinding resolution such as this one.

Past Congresses certainly debated wars. They argued heatedly about them. And they sometimes clashed directly with the executive branch, with the President, over their execution. But in so doing, they accepted the consequences of their convictions.

This resolution does no such thing. It is simply an expression of opinion. It does not pretend to have any substantive effect on policy on the ground in Iraq. But again, I ask my colleagues, what will this resolution say to our soldiers? What will it say to our allies? What will it say to our enemies?

We heard from General Petraeus during his confirmation hearing that war is a battle of wills. Our enemies believe they are winning in Iraq today. They believe they can outlast us, that sooner or later we will tire of this grinding conflict and go home and leave the field in that country open for them. That is the lesson Osama bin Laden has told us, in his writings and statements, he took from our retreats from Lebanon and Somalia in the 1980s and 1990s. It is a belief at the core of the insurgency in Iraq and at the core of the fanatical goals of radical Islam worldwide.

I fear this resolution before the Senate, by codifying our disunity, by disavowing the mission our troops are about to undertake, will confirm our enemies' beliefs that America has grown impatient and unable to fight the long fight to victory. This resolution also sends a terrible message to our allies. Of course, I agree that we must hold the Iraqi Government to account. That is exactly what the resolution Senator MCCAIN and I and others have offered would do. But I ask you, imagine for a moment that you are a Sunni or Shia politician in Baghdad who wants the violence to end, and ask yourself how the Warner-Levin resolution would affect your thinking, your calculations of risk, your willingness to stand against the forces of extremism. Will the resolution empower you or will it undermine you? Will it make you feel safer or will it make you feel you should hedge your bets, or go over to the extremists, or leave Iraq?

Finally, what is the message this resolution sends to our soldiers? I know that every Member of the Senate supports our troops but actions have consequences, often unintended.

I ask unanimous consent that I be given an additional moment to finish my statement. That would come from Senator MCCONNELL's time.

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

Mr. LIEBERMAN. When we send a message of irresolution, it does not support our troops. When we renounce their mission, it does not support our troops. We heard recently in the Senate Armed Services Committee from GEN Jack Keane, a former chief of staff of the U.S. Army, who said of a resolution like this one:

> It's just not helpful . . . What the enemy sees is an erosion of the political and moral will of the American people . . .
>
> Our soldiers are Americans first. They clearly understand there's a political process in this country that they clearly support . . . But at the end of the day, they are going to go out and do a tough mission, and I certainly would like to see them supported in that mission as opposed to declaring nonsupport. . . .

I agree. Everyone here knows the American people are frustrated about the lack of progress in Iraq. Everyone here shares that frustration. And as elected representatives of the people, everyone here feels pressure to give expression to that frustration. This is not a new challenge. It is one that every democracy in every long war has had to confront. Nearly a century and a half ago, an American President wrestled with just this problem. It was in the midst of a terrible war, a civil war in which hundreds of thousands of Americans were fighting and dying to secure the freedom of millions long and cruelly denied it.

''We here highly resolve,'' that was Lincoln's message at Gettysburg. It was a message of resolution.

I ask unanimous consent for an additional moment from the time of Senator MCCONNELL to finish the statement.

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

Mr. LIEBERMAN. Lincoln said at Gettysburg: ''We here highly resolve.'' It was a message of resolution, of steadfastness in the face of adversity, of hope over despair, and of confidence in the cause of freedom which is America's eternal cause. Today, in the depths of a terrible war, on the brink of a decisive battle for Baghdad, let us have a serious debate about where we stand and where we must go in Iraq. But that is not the debate this resolution of irresolution would bring.

The 60-vote requirement to close debate was put in place by our predecessors as a way to make it harder for the passions of a particular moment to sweep through the American people and across this Congress in a way that would do serious damage to our Nation in the long term. Because I believe this resolution, if passed, would have such an effect, I will respectfully oppose the motion for cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Madam President, I believe Senator HAGEL is——

Mr. LEVIN. Madam President, I yield to the Senator from Virginia 1 minute

to ask a question of the Senator from Connecticut.

The PRESIDING OFFICER. The Republican leader has the floor.

Mr. MCCONNELL. I am happy to yield the floor, if the understanding is that the Senator from Michigan is next.

The PRESIDING OFFICER. The Senator from Michigan is next for 10 minutes.

The Senator from Virginia.

Mr. WARNER. I thank the Chair.

My question to my good friend and colleague is as follows: This debate is well under way. The plans are being discussed. I just inquired at the desk, and the McCain resolution is not filed. Yet I understood you to say it had been filed. Could you help clarify for the Senate the position on that?

Mr. LIEBERMAN. I would be happy to, briefly. The resolution Senator MCCAIN and I and others have has been prepared and I gather has been the subject of negotiation between Senator REID and Senator MCCONNELL.

Mr. WARNER. But it is not a part of the record so——

Mr. LIEBERMAN. That is right. The debate going on now——

Mr. WARNER. I feel very strongly that the Senate should work its will on facts that are out in the open. I have filed my resolutions, one after the other, at the desk so all Senators could have the benefit. Is that a possibility, that we could have the benefit of this resolution?

Mr. LIEBERMAN. My dear friend, it is more than a possibility; it is a promise.

Mr. WARNER. And what time might the promise be executed?

Mr. LIEBERMAN. There are copies of it around now, and we will get you one. They were publicly distributed Thursday of last week.

Mr. WARNER. I will be glad to give you my copy, but I feel it is presumptuous of me to address it unless it is properly before the Senate.

Mr. LIEBERMAN. I thank my friend. The difference, of course, is that ours is as nonbinding as yours, but ours is a statement of support to our troops and benchmarks to the Iraqis.

Mr. WARNER. Madam President, clearly what is read is correct. But I assure you that I forcefully argue that ours is in support of the troops. There is no suggestion that one is less patriotic than the other, if I may say to my dear friend.

Mr. LIEBERMAN. One is not less patriotic than the other, but actions have consequences. As I said during my remarks, for the Senate to take this unprecedented action on a nonbinding resolution, to disavow, disapprove a mission that our troops are being asked to carry out right now cannot help their morale.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I hope the Senate will be allowed to debate our policy in Iraq by proceeding to this legislation this afternoon. Iraq is the single most important policy issue facing our country. It was a major issue in the November elections last fall. The American people have strong opinions about what is happening in Iraq. They want their elected officials to debate this issue, and we should do it. The debate should go forward. A filibuster is out of place on war and peace issues, on something of this magnitude. The debate is not about whether we want the United States to act to maximize chances of success in Iraq. We all want to maximize chances of success in Iraq. We all want to see a stable Iraq which enhances our own national security. But the President's course of action, which he has been on for 3½ years and which he has now proposed to continue on to deepen our involvement in Iraq, does not enhance our security. It does not maximize chances of success in Iraq.

The debate is about the best way to maximize chances of success in Iraq. Is the new strategy of the President, which puts over 21,000 more American troops in the middle of an Iraqi civil war, the best way to bring that about? That is what this debate is about. There actually seems to be an agreement among most observers that an Iraqi political settlement is the key to ending the violence in Iraq. The difference of opinion exists on whether Iraqi politicians need breathing space, as President Bush has said, to reach required political compromises or whether, as many of us believe, Iraqi politicians need to be pressured to make those compromises and that the addition of 21,000 more troops doesn't make a political compromise more likely; it just gets us in deeper in the middle of a civil conflict.

The bill we are hoping to proceed to today incorporates the modified Warner resolution verbatim, except for a minor change in order to make it a bill instead of a resolution. The reason for making it a bill instead of a resolution is simply to make it more amendable. Unlike a resolution, which is clumsy to amend, there is no intent to put this modified Warner language in the form of a bill for any other purpose. As a matter of fact, the majority leader has asked for unanimous consent to treat a resolution with Senator WARNER's language as amendable, as though it were a bill, to achieve the goal we are trying to achieve. This unanimous consent was objected to by the Republican leader.

The majority leader, Senator REID, has also told Senator MCCONNELL that we are more than willing to transform this bill into a resolution prior to final passage, if we can get to final passage, if a filibuster does not thwart our getting to final passage.

What does the modified Warner language do which is incorporated into this bill? It makes it clear the Congress disagrees with the President's plan to increase force levels and urges the President instead to consider all options and alternatives. This bill makes it clear that we will fund troops in the field. There is no difference between these two documents in that regard. Both our bill and the McCain resolution make it clear we want to fund the troops in the field. Our bill makes it clear that the responsibility for Iraq's internal security and for halting sectarian violence must rest primarily with the Government of Iraq and Iraqi security forces. It makes it clear that Iraqis must reach political settlements in order to achieve reconciliation, and the failure of the Iraqis to reach such settlements to create a truly unified government contributes to increasing violence in Iraq.

Our bill makes it clear that the primary objective of the overall United States strategy in Iraq should be to encourage Iraqi leaders to make political compromises that will foster reconciliation and establish a true unity government, ultimately leading to improvements in the security situation.

Adding American troops does not increase the probability of achieving the primary objective. Listen to what GEN John Abizaid said when he testified to Congress in November of last year:

> I met with every divisional commander, General Casey, the Corps Commander, [and] General Dempsey. We all talked together. And I said to them, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It's easy for the Iraqis to rely upon us to do this work.

Finally, General Abizaid said:

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

Besides making it less likely that the Iraqis will take more responsibility for their own future, adding more American troops is an attempt to reach a military solution to an inherently political problem.

The Prime Minister of Iraq himself stated last November:

> The crisis is political, and the ones who can stop the cycle of aggravation and bloodletting of innocents are the [Iraqi] politicians.

Adding more American troops does not pressure Iraqi politicians to be Iraqi leaders and to make the political compromises essential for a political solution; it only allows them to continue what in the words of the National Intelligence Estimate is the ''current winner-take-all attitude and sectarian animosities infecting the political scene.''

The administration says this bill emboldens the enemy. Congressional debate over Iraq policy doesn't embolden the enemy. The enemy is already emboldened.

What emboldens the enemy is the almost 4 years' presence of Western troops in the middle of a Muslim country's capital, which causes over 70 percent of the residents of that country to oppose our presence.

What emboldens the enemy is the open-ended presence of Western troops, which serves as a magnet for extremists and gives a propaganda club to our enemies.

What emboldens the enemy is invading Iraq without the support of the international community.

What emboldens the enemy is lawlessness and looters ransacking public buildings and institutions in Iraq.

What emboldens the enemy is invading Iraq without a plan for the aftermath of the invasion.

What emboldens the enemy is increasing the number of American troops, which results in Iraqis taking less responsibility for providing security for all the citizens of Iraq.

What emboldens the enemy is the creation of Green Zones protecting Iraqi political leaders, in which they pursue a winner-take-all political approach.

Madam President, how much time do I have?

The PRESIDING OFFICER. One minute 15 seconds.

Mr. LEVIN. Madam President, we owe our troops everything. We owe them the best equipment we can provide. We owe them the best training. We owe their families the best support we can give them.

We also owe them our best thinking. I think it is an insult to the intelligence of our troops to suggest that debating the wisdom of deepening the military presence in Iraq somehow or other emboldens the enemy. Our troops depend upon us to give them what they deserve: support. And part of that support in a democracy is debating the policy which not only brought them there but which keeps them there and, if many of us are correct, will keep them there longer and with greater casualties. The best way to change course in Iraq is to adopt the modified Warner language.

It has been said that this is not as strong as withholding funds. We don't want to withhold funds from troops in the field. We want to change this policy. If you want to change the policy this administration is following, which relies on a military solution, a deepening military presence in Iraq, we hope you will vote for cloture on this bill.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, I yield 8 minutes to the Senator from Nebraska, Mr. HAGEL.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Madam President, I will not speak to the specifics of the resolution or resolutions, but I am confident we will be allowed to debate this week. I say that because I know—and I have complete confidence in the two leaders—that they will, in fact, find an accommodation. They each understand how critically important this debate is for our country and for the world.

I have listened carefully this afternoon to my colleagues, and there will be more intense and engaged and enlightened debate this week. But I believe what we are about here—and we will be about this week—is something far more important than just constitutional responsibilities or resolutions. What we are about is finding a policy worthy of our young men and women and their families who go off to fight and die in a very difficult war. That is what we owe our troops. That is what we owe this country. That is what we owe the world.

It surely is not and cannot be a weakness for America, as seen in the eyes of the world, to openly debate the most critically important issue that any of us will ever debate; that is, war. That is the strength of America, not the weakness of America. The reason America has prospered for over 200 years is because the world has had confidence not in its power, trusted not its power, but trusted America's purpose.

In 1968, when I served with my brother and many others in Vietnam—and I believe I speak for most who were there then, and I have heard from a lot of Vietnam veterans about this debate—I believe that in 1968, the troops, the ones at the bottom doing the fighting and the dying, would have welcomed the Congress of the United States into a debate about Vietnam. They would have welcomed somebody paying attention rather than just going along.

No, Madam President, that is a strength of this country. And surely we have clear constitutional responsibilities. How could anyone argue differently? We have clear constitutional responsibilities here.

I heard my colleague from Connecticut talking about nonbinding resolutions. I don't doubt his staff's research, but I remind the Senator that over the last 12 years there have been a number of nonbinding resolutions debated on this floor—on Bosnia, Kosovo, Somalia, Haiti, and others. I remind some of my colleagues who do not believe it is in the interest of our country or our troops to talk about nonbinding resolutions, papier mache resolutions, senseless resolutions, that they actually voted for some of those resolutions over the last 12 years. I would be very happy to provide for the record a list of how everybody in this Chamber voted over the last 12 years, if they were here, on those resolutions. It might be very interesting and enlightening. Surely it is not because one political party controls the White House and the other does not. Surely it cannot be that.

The National Intelligence Estimate summary—unclassified portions—was made public on Friday. Those watching should have a clear understanding of what that document is and who produced that document. That document is an accumulation of the 16 intelligence agencies of this country. None that I am aware of has had the integrity of the institution they represent—any of those 16—ever impugned on questions of quality of research—maybe other facets of intelligence but not the integrity of the intent of the product. The National Intelligence Estimate says that we are involved today, and have been, in Iraq in not just a sectarian conflict—a violent, vicious sectarian conflict—but an intrasectarian conflict. Is it not time and don't our troops and the American people expect the Congress, after 4 years, when things have gotten progressively worse, not better, to engage? And is it not our responsibility to address the issue of escalating our military involvement, putting American troops in the middle of a sectarian-intrasectarian war? Is that not our responsibility? Of course, it is our responsibility.

Madam President, I will have more to say as the debate goes forward this week. As I noted, I have every confidence in our two leaders that they will work out a resolution where we will have this debate because it is clearly in the interest of our country, clearly in the interest of our troops.

With that, I yield back my time and yield the floor.

Mr. WARNER. Madam President, before the Senator yields, I would like to associate myself with his remarks. I, too, have confidence in our leadership being able to work this out accordingly. No matter how strongly I feel about my resolution, I shall vote with our distinguished leader on this issue and hope he can reconcile the differences.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Madam President, I extend my gratitude to both the Senator from Nebraska and the Senator from Virginia for understanding the importance of having a full-fledged debate.

How much time remains on this side?

The PRESIDING OFFICER. The Republican leader has 5 minutes.

Mr. McCONNELL. Madam President, the Republican side of the aisle is ready for this debate. We are anxious to have it. There are different voices. We just heard from a couple of my distinguished colleagues who have a different view of this debate than I. What we are unified upon is a process that guarantees fairness for the consideration of what is clearly and unambiguously the most significant issue in the country at this moment.

The majority leader and I have been working in good faith on an agreement that provides for a structured debate on the various proposals and votes on each. The other side said we turned down three compromises but, frankly, that is not the full story.

The majority leader said he would agree to a consent that would allow votes on the McCain proposal and the Warner proposal. He also mentioned that he would agree to a 60-vote threshold on each of those. All we are asking for is the same agreement on

the Gregg resolution. Now, in fact, there was demand among Republican Senators for additional alternatives. We were able to pair those down to two.

Why 60 votes? Let me remind all of our colleagues—and certainly the distinguished senior Senator from Virginia doesn't need to be reminded of that, having been here 29 years—that one single Senator can insist that a matter be subject to 60 votes. One single Senator. There are many Senators on this side of the aisle who would insist upon that. So it is a statement of the obvious that matters of consequence in the Senate over the years have developed in the following way: They are all subject to a 60-vote threshold. To suggest that is anything extraordinary really defies our experience here. It is ordinary, not extraordinary, for matters of great controversy—and even, in this day and age, matters of only a little controversy—to be subject to a 60-vote threshold.

Our good friends on the other side of the aisle—and this was an issue the Senator from Virginia was very much involved with in the last Congress—were seeking to establish in one of the last areas where 60 votes was not customarily required—the confirmation of judges—that we should start requiring it there as well. That would leave virtually nothing the Senate would consider, except the budget resolution, not being subject to a 60-vote threshold.

So what we are asking for on the Republican side is not at all extraordinary. The term ''filibuster'' has become a pejorative term for suggesting that one wants to stop something. Let me repeat, as I have said to the distinguished majority leader, to the Senator from Virginia, and to the Senator from Nebraska, we are not trying to stop this debate. We are trying to structure it in a way that is fair to the competing voices in the Republican conference who will band together shortly in a significant enough number to insist on a fair process.

So that is what this is about, Madam President. I have indicated to the Democratic leader—and I certainly wouldn't want to surprise him—that I intended to propound a unanimous consent request that would be acceptable to our side, and I will be happy to do that now, having given notice to the majority leader that I would do so.

But before doing that, let me say one more time, there is not a single Republican Senator seeking to avoid this debate. We have just heard from two voices that are in the minority in our conference—the Senator from Virginia and the Senator from Nebraska—who don't share my view, who nevertheless will vote against cloture shortly to make the point that this Republican minority insists upon fair treatment on this important debate.

Therefore, Madam President, I ask unanimous consent that at a time determined by the majority leader, after consultation with the Republican leader, the Senate proceed en bloc to the following concurrent resolutions under the following agreement:

S. Con. Res. 7, the Warner resolution which is to be discharged from the Foreign Relations Committee; McCain-Lieberman-Graham, regarding benchmarks; Gregg related to funding.

I further ask unanimous consent that there be a total of 10 hours—and I will be happy to pick whatever number might be agreeable to the majority leader—of debate equally divided between the two leaders or their designees; provided further, that no amendments be in order to any of the measures; further, that after the use or yielding back of time, the Senate proceed to three consecutive votes on the adoption of the concurrent resolutions in the following order, with no intervening action or debate: first, McCain-Lieberman-Graham; second, Gregg; third, S. Con. Res. 7. Finally, I ask unanimous consent that any resolution that does not achieve 60 votes in the affirmative, the vote on adoption be vitiated and the concurrent resolution be returned to its previous status.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, the vast, vast, vast majority of legislation passed out of this Senate is done by a simple majority. That is a fact. All one has to do is look at the CONGRESSIONAL RECORD. So with this new direction of the minority, it is very clear what is happening. They are trying to avoid debate on this matter. They want a new set of rules.

We have offered them votes, up-or-down votes on McCain, Warner, Gregg, and they turned that down. I said: OK, fine, we will have 60-vote margins on McCain, Warner. They turned that down. So I object, Madam President, and I will continue.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, it is also very interesting—and I have the greatest respect for my friend from Virginia and my friend from Nebraska—but with all due respect to them, how could they vote against a motion to proceed? How could they vote against a motion to proceed saying let the two leaders work this out? What more could we give them than what they asked for last week? But now they want to throw in the Gregg amendment with a 60-vote margin.

Earlier today, the minority leader said: This vote is ''about getting fair treatment for the minority here in the Senate.'' He was half right. This vote is about fairness but has little to do with being fair to the minority. The vote is about being fair to 132,000 troops already in Iraq by making sure they have the strategy they need to complete their mission so they can come home.

This vote is about being fair to the 48,000 American men and women who would be sent to Iraq should President Bush be permitted to escalate this war.

This vote is about being fair to the bipartisan majority of Senators who seek to voice their opposition to the President's plan to escalate the war.

This vote is about being fair to the American people and the millions of voters who chose a new direction last November.

As Senators, we owe it to our troops and our people to have a real debate about the way forward in Iraq. For 4 years, this body, under the control of the Republicans, sat silent on the most pressing issue facing our country—Iraq. As thousands of our soldiers were killed and tens of thousands wounded, the Senate, directed by the Republicans, sat silent, no debate on Iraq. As hundreds of billions of dollars were spent, the Senate sat silent. Republicans were in charge—no debate. They said no.

As Iraq fell into chaos and civil war, it became increasingly clear that the President's plan was flawed and failing. The Senate sat silent. The Republicans who were in control of the Senate said: No, no debate on Iraq.

As Senators and Americans, we cannot permit the silence to continue. This Democratic majority will not allow it to continue.

The administration's failures have dug us into a deep hole in Iraq—we all know that—and we have an obligation to find a way out. Our troops, most of all, need our help. They need a policy that is as worthy as their heroic sacrifice. They need a legislative branch that will finally exercise its constitutional responsibilities.

Madam President, I say to my friend from Connecticut, I wasn't able to hear all of his speech, but I did hear this that caused me to take note: He said words to the effect: What are the Shia politicians going to think? What are the Sunni politicians going to think if, in fact, Warner passed? I wonder what the Sunni politicians thought, and I wonder what the Shia politicians thought when the Iraqi Prime Minister, duly elected, told the President of the United States that he wanted American troops out of Baghdad. So let's not direct this to Senator WARNER.

A ''no'' vote on the motion to proceed is a green light to George Bush to continue down the same failed course of almost 4 years.

A ''no'' vote is an endorsement of escalation, sending 48,000 more troops to Iraq and spending at least an extra $27 billion—$27 billion extra—when this war has already cost almost a half a trillion dollars.

A ''no'' vote is a vote in support of this President continuing the same policy of failure in Iraq.

We have been told by our intelligence experts that the war is not going to be won by the military; it is only going to be won politically. That is what the

Iraq Study Group said. That is what all people say, with rare exception. Those are the people holding hands with the President.

We must heed the results of the November elections and the wishes of the American people. We must change course, and this change starts with this next vote.

This side—Democrats—have offered the minority everything they have asked for. Remember: Vote on Warner, vote on McCain; you want a simple majority; you want a supermajority; we will go along with that. We have been fair to them. Now the Senate must be fair to our troops, their families, and the American people. We must proceed with a debate about Iraq and send a clear message to President Bush that escalation is not the answer.

Some say let the leaders work it out. Part of this stall has been a stall for obvious reasons. If not tonight, tomorrow? I must file a motion to invoke cloture on the continuing resolution because the Republicans said they are going to filibuster it. I have gotten letters to that effect. We should have been debating the Warner, McCain resolutions today, but they have not allowed us. They wouldn't allow us to proceed on this matter.

I am telling everyone within the sound of my voice, a decision will have to be made whether to go further than tonight, but the time is very tenuous—very tenuous. If they stop us from going forward on this debate, this does not end the debate on Iraq. It may end the debate for a few days or a few weeks, but, remember, we have the 9/11 Commission recommendations coming and that is open to amendment and I can guarantee everybody there will be Iraq amendments involved in that debate.

The supplemental bill is coming. This is to fund the war in Iraq basically more than $100 billion. I think there will probably very likely be a number of amendments dealing with Iraq.

They can run, but they can't hide. We are going to debate Iraq, and they may have gotten all their folks to vote against the motion to proceed, they may stop us temporarily from debating the escalation, but they are not going to stop us from debating Iraq.

We have lost 3,100 soldiers, sailors, and marines. They are dead, Madam President. We don't know the exact number of how many have been wounded—24,000, 25,000.

We are not going to allow the situation in Iraq to continue. It is wrong. There can be no military solution. The President has been told that. I think it speaks volumes when he meets with the Iraqi Prime Minister who is elected, and the Iraqi Prime Minister says: Mr. President of the United States, get all American soldiers out of Baghdad.

That's what he said. I think it speaks volumes when military commanders say that it is not the way to go. We know what Casey said. His tune has changed a little bit since he was relieved of duty over there.

The families of the 3,100 soldiers who have been killed, the families of the 24,000, 25,000 who have been wounded demand we go forward with this debate.

We are going to start voting momentarily, and remember what the vote is. The vote is whether we can proceed to debate the escalation of the war in Iraq. And the Republicans have told everybody they are all going to vote no. If they think this can pop up real easily again, I think they may have another thing coming.

I repeat, the Republicans left town and left the Government without adequate resources to go ahead and complete funding of the Federal Government for this year. We have to take up the work they did not complete. They funded the Government until February 15, and now it is up to us to make sure the Government continues to run.

If they want to pull a Newt Gingrich and close down the Government, that is their responsibility. But I believe we should move forward and make sure the Government is funded, and there is not a lot of time for Iraq. That is a sad commentary on the situation because we lost days as a result of these parliamentary delays.

I ask unanimous consent that if we get to third reading of S. 470 it then be turned into a concurrent resolution and passage occur on the concurrent resolution and not S. 470. Before hearing how anybody feels about this, I said last week that we would be happy to consider this bill as a resolution. Everybody heard me say that. The American people heard me say that. So anybody who tries to hide under a procedural vote because this is a bill and not a resolution is not being fair because simply I have stated—and I know that everyone in this Chamber heard me say this, and I have said it many times—I ask unanimous consent that if we get to third reading of S. 470, that it be turned into a concurrent resolution and that passage occur on the concurrent resolution and not S. 470.

I add another unanimous consent request to this. I am willing to change it to a concurrent resolution right now, as I was willing to do last week.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Reserving the right to object, this is essentially the same unanimous consent request propounded last Thursday night. This matter ought to be dealt with as a concurrent resolution. It is clear the other side does not want to vote on the Gregg amendment. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule 22 of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the motion to proceed to Calendar No. 19, S. 470, Bipartisan Iraq legislation.

Carl Levin, Joe Biden, Ken Salazar, Harry Reid, Pat Leahy, Sherrod Brown, Patty Murray, Robert Menendez, John F. Kerry, Barbara Mikulski, Dick Durbin, Jack Reed, Tom Harkin, Dianne Feinstein, Bill Nelson, H.R. Clinton, Herb Kohl, Ben Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 470, a bill to express the sense of the Congress on Iraq, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON) and the Senator from Louisiana (Ms. LANDRIEU), are necessarily absent.

Mr. LOTT. The following Senators were necessarily absent: the Senator from Florida (Mr. MARTINEZ) and the Senator from Arizona (Mr. MCCAIN).

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

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 44 Leg.]

YEAS—49

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

NAYS—47

Alexander	Domenici	Murkowski
Allard	Ensign	Reid
Bennett	Enzi	Roberts
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Smith
Burr	Hagel	Snowe
Chambliss	Hatch	Specter
Coburn	Hutchison	Stevens
Cochran	Inhofe	Sununu
Corker	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lieberman	Vitter
Crapo	Lott	Voinovich
DeMint	Lugar	Warner
Dole	McConnell	

NOT VOTING—4

Johnson	Martinez
Landrieu	McCain

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 47. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, I enter a motion to reconsider that vote.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

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

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

Mr. GRASSLEY. Speaking as in morning business?

The PRESIDING OFFICER. Yes.

TAX GAP AND THE MINIMUM WAGE

Mr. GRASSLEY. Mr. President, I would like to speak about two issues that have been much in the news lately: the tax gap and the minimum wage bill. We had on the front page of the Times today the discussion about the tax gap. In addition, with the release of the President's budget today, the administration has provided Congress substantive proposals to deal with the tax gap. It is now Congress's responsibility to consider these proposals, review them, and hear from the public and also see what more is possible in terms of addressing the tax gap. But the good news is we have already taken steps in this Congress to deal with the tax gap. We have very important tax reforms and tax gap measures included in the minimum wage bill. So Congress is effectively killing two birds with one stone.

First, we are providing needed tax relief for small businesses that could be harmed by the increase in the minimum wage—and I voted for an increase in the minimum wage. Second, in the minimum wage bill we are going after the tax gap and those who engage in the tax scams.

Two things: No. 1, we are dealing with efforts to help small business and, No. 2, we are at the very same time bringing more money into the Federal Treasury by closing tax scams and reducing the tax gap.

I would say, as a sidenote to my colleagues, particularly the new leaders on the Budget Committee, that these tax provisions are only the latest example of the Finance Committee producing additional revenues by changes in the Tax Code. Unfortunately, I feel as though I need to put on a Sherlock Holmes hat and hire a bloodhound to go out and try to find any savings that the Budget Committee makes and had enacted into law when it comes to the spending side of the ledger. We have more than done our job on the tax side. I say it is time for the Budget Committee to deliver savings on the spending side.

But let me turn back to the tax gap and turn back to the minimum wage bill. I am very pleased that in working with Senator BAUCUS we have, as part of the tax provisions contained in the minimum wage package, a new provision—a number of provisions, in fact—that will go after those engaged in tax shelters and tax scams and take steps, then, in the process, to address the tax gap—in other words, money that is owed but not paid. I would like to highlight just a few of these provisions that are in the minimum wage bill that are closing the tax gap and shutting down tax scams.

We shut down the SILO scheme. That is an acronym. U.S. corporations cut their tax bills by purchasing and leasing back overseas government facilities such as sewer plants and subways in the country of Germany. We take additional steps to go after corporations that move to the Bahamas and have just a mailbox, not any people, and use the gimmick to cut their taxes. I can't tell you how many times I have heard speeches about that issue from Senators on the other side of the aisle. We can end the talking and we can start doing something about it with these very provisions contained in the minimum wage bill if we do not let suceed people who are talking about separating the tax provisions of the wage bill just to get a minimum wage bill passed.

We also tightened the rules on individuals who expatriate to avoid taxes legally owed in the United States—and we have that happen.

We end the fast and loose ways that corporations account for fines and penalties, so if a corporation gets a penalty for, let's say, polluting the environment, they do not get to deduct that from their income tax. We also increase penalties for those who underpay taxes due to fraud. I think everybody would agree with that. We double the fines and the penalties for those who use offshore financial arrangements to avoid taxes. The Finance Committee views that as a growing problem and a major reason that there is such a tax gap. We expand and improve the whistleblower program which will provide the Internal Revenue Service a roadmap for corporate tax fraud.

We modify the collection due process rules to protect the tax protesters from abusing the system. This is something that the administration proposed in its budget today to help deal with the tax gap.

This collection due process provision contained in the minimum wage bill only emphasizes my point that we can start dealing with a tax gap today, right now.

And then a final provision I will make reference to is one provision that closes a loophole in section 162(m), the $1 million limitation for corporate executives. The provisions provide that a CEO can't avoid the effects of 162(m) by not being on the job at the end of the year.

Mr. President, forests have been sacrificed to print the speeches that politicians make decrying excessive CEO pay. Yes, we have a provision in the minimum wage bill that tightens the deduction that can be taken for higher CEO pay.

So I get down to the basics, and I get down to the basics because I have been hearing some rumors from Senators—but more importantly from the leadership of the other body—that in order to get a minimum wage bill passed, we ought to drop the tax provisions and pass the minimum wage bill. But I have always been hearing over the years from those people who are saying: We need to do something about the tax gap; we need to do something about the tax scams; we need to do something about people going offshore to avoid the payment of taxes, and on and on. So I have to ask the Democratic leadership if they are going to put the provisions I am talking about—closing the tax gap, closing down the tax scams—if they want to put those provisions in the trash can. If they do, I would also like to put into the trash all the speeches made on the other side then about CEO pay.

I say this because the time for speeches is over. We can take steps right now with the tax provisions in the minimum wage bill to deal with the tax gap and CEO pay. I have listed these provisions, and as my colleagues know, while many of them are good common sense, these provisions are also not at all popular downtown on K Street or up the eastern coast on Wall Street.

While the debate has focused on the tax breaks for small business in the minimum wage bill—and those are important because they are helping small business overcome some negative impact of the minimum wage increase—it is also critical we pass a much-needed tax gap and anti-abuse provisions contained in the minimum wage bill and pass them now. Delaying these reforms as some would argue—putting them on another tax bill—rewards tax cheats. These reforms are often date and time sensitive. Delay only benefits those who are playing fast and loose with our tax laws.

I can't believe the House Democratic leadership wants the first action they take in the area of taxes to drop these reform provisions—these provisions that would close the tax gap—and signal to the tax cheats that the door is wide open.

Senator BAUCUS and I, working together over the years, have passed into law a good many reforms, and we have shut down a number of tax scams. However, we have been, at times, stymied in the other body—not by Democrats but by Republicans.

We heard a lot of commentary during the elections and afterwards how it was no longer going to be business as usual. My hope is that given the rhetoric of the new House leadership, we could finally pass these anti-abuse tax reforms in the minimum wage bill. I worry, though, that with folks talking about stripping the tax provisions from the minimum wage bill, the House leadership may be singing a new song. But