

The Senate dedicated a serious amount of floor time to the debate of Iraq policy this year. The debate was, of course, earnest and sometimes informative. Amendments have been offered and votes were taken on issues related to the war. Yet while the debates demonstrated a strong and sincere desire among Members to successfully conclude operations in Iraq as quickly as possible, there remains no broad consensus on any particular alternative to the policy currently advocated by the President or Ambassador Crocker or General Petraeus.

Let's be honest, that policy has produced undeniable successes in recent months. I am sure deeply felt disagreements remain on the subject of Iraq policy. But we have tens of thousands of American men and women who are deployed in Iraq and Afghanistan, performing missions assigned to them by our Government and with the blessing of Congress at the outset. Those men and women need the resources to succeed. To try to change American policy in Iraq by slowly starving our troops of resources they need is unfair to them and very dangerous to our Nation's interests. We should reject the House language and provide adequate funding to support our troops until well into next year.

I wish to end my remarks by thanking and commending our chairman, Mr. BYRD, my dear friend. We have worked together in writing and negotiating these appropriations bills and this package that is coming before the Senate. I know we haven't been able to agree on everything, but we have reached an accommodation so that we present this now at this point and urge its adoption. I thank all Senators who served with us on the committee for their diligent efforts.

Last year, we had a large appropriations train wreck. We do not want that again. It produced a large supplemental funding bill. But we brought together a bill this year, despite new rules and hard negotiations—renegotiations. I thank all our members for their hard work on both sides of the appropriations committee, and I am happy we will be able to present this bill to the Senate.

Mr. BYRD. Mr. President, I thank my able friend for his generous remarks, for his good work on the committee, and for his kind leadership. I wish for him and all his loved ones a very merry Christmas, in the old-time way.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. Mr. President, I ask unanimous consent to speak as in morning business for about 4 minutes.

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

#### THE RETIREMENT OF DR. BILL HOGARTH

Mr. STEVENS. Mr. President, at the end of the year my good friend Dr. Bill Hogarth will be leaving his position as the leader of the National Marine Fisheries Service. Bill is the Assistant Administrator for Fisheries for the National Oceanic and Atmospheric Administration, and his departure will mark the end of a 6-year tenure in this post.

Throughout Bill's career with the National Marine Fisheries Service, I have had many opportunities to work with him on Fisheries issues critical to the State of Alaska, to the Nation, and to international fisheries management organizations. Bill's knowledge of our fisheries and commitment to science-based management have helped to conserve and rebuild many of our most important fish stocks, both domestically and internationally.

Last January, the President signed our reauthorization bill for the Magnuson-Stevens Fisheries Conservation and Management Act, which mandates an end to overfishing by requiring fisheries management councils to adhere to science-based catch limits. As we wrote that legislation, my colleagues and I worked with Bill to ensure this goal would be met. His expert advice and insight into our Nation's fisheries regulations proved to be indispensable.

In Alaska, which has half the coastline of the United States and produces half of our Nation's fisheries products, Bill has also demonstrated a firm commitment to both conserving and supporting our State's fisheries. Under his tenure, the fisheries service has invested in the scientific research and facilities that will enable sound conservation of Alaska's fish stocks. Bill has also ensured effective implementation of all fisheries legislation important to our State.

Alaska native communities have also benefited under Bill's leadership. He knows that the survival of our Alaskan villages relies on maintaining access to fisheries and marine mammals, and therefore Bill worked hard to ensure that this access is upheld. At this year's meeting of the International Whaling Commission in Anchorage, during which Bill served as Commission Chairman, he secured the subsistence bowhead whale quota for Alaska Native communities. This was a significant victory at a contentious meeting, and our communities owe Bill a debt of gratitude for his achievements.

I am pleased that Bill will be remaining on as Chairman of the International Whaling Commission. I look forward to continuing to work with him in this capacity. This will build on his other achievements in the international arena—such as the International Commission for the Conservation of Atlantic Tunas, where, as

Chairman, he was at the forefront of the fight against illegal, unreported, and unregulated fishing—a serious threat to all global fish stocks.

I thank Bill for his many years of service to our fisheries and fishing communities. I also thank him for his cooperation and friendship as we worked to achieve our common goals of fisheries sustainability. I think he has done a grand job for the Nation. I wish Bill and his wife, Mary, all the best in the future.

I yield the floor.

I suggest the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, I ask unanimous consent in advance if I exceed the 10 minutes under morning business that I be allowed to continue unless a colleague comes here wishing to speak.

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

#### FISA REAUTHORIZATION AND TROOP FUNDING

Mr. KYL. Mr. President, we are in a little bit of a lull here before we reach the final conclusion of this session of this Congress. But much of the debate is revolving around two pieces of legislation, one of which has been at least temporarily removed from the floor, the reauthorization of the Foreign Intelligence Surveillance Act, and the other one which is critical for us to act upon before we can leave Washington, DC, and return to our home States, and that is the ability to fund the troops whom we have sent on missions abroad in places such as Afghanistan and Iraq.

That funding has basically come to an end. The Defense Department has had to rob Peter to pay Paul, moving money from different accounts in the Defense Department in order to pay the ongoing effort of our troops. That is not the right way, the most efficient way, to ensure that our troops have what they need when they are fighting abroad. It is critical that we get the funding to the troops. The President has had a request out now for more than 10 months to try to get the funding on an emergency basis to them. Our minority leader will have an amendment later on this afternoon that will seek to add money to fund the troops, at least through sometime next spring. It is critical that we achieve that objective. That is the critical piece of business we have to attend to before we can leave.

I thought, in connection with both of those national security issues, that some comments that our friend, the former Speaker of the House of Representatives, Newt Gingrich, made back in September to the American Enterprise Institute were of special relevance and we might well consider

some of the things he said in thinking about how to move forward with this funding. Representative Gingrich said that to some extent the debate we are having right now is the wrong debate about what is necessary to defeat our enemy and win the war against the terrorists. The bottom line is, it cannot be done on the cheap. War is kill or be killed. You risk everything in war. As a result, what we have to do is think anew about the kind of bold effort and difficult undertaking this really entails. It does entail real risks, and we have to recognize that there are significant requirements for change in the way we operate.

Congress can't continue to provide money, just dole it out a few weeks at a time, hoping that will be sufficient for the troops. They have to be able to count on Congress to back them when we send them on a mission.

To some extent, as Representative Gingrich said, it is important to adopt a spirit that in some cases it is better to make a mistake of commission and then fix the problem than it is to avoid achievement by avoiding failure. In this regard, we have to have a national dialog about the true threat we are facing from this irreconcilable wing of Islam and what is necessary for us to defeat it, both in the ongoing conflicts in Afghanistan and Iraq as well as other places around the world where intelligence becomes our key tool in helping to defeat the enemy.

One of the things Speaker Gingrich did was to refer to some remarks Daniel Pipes, an expert on the Middle East, made about Islamists. He made it clear that they have significant assets at their disposal. They have potential access to weapons of mass destruction, a religious appeal that provides deeper resonance and greater staying power than the artificial ideologies of fascism and communism. They have an impressively conceptualized and funded and organized institutional machinery. They have an ideology capable of appealing to Muslims of every size and shape anywhere in the world. This is problematic. Finally, these militant Islamists have a huge number of committed cadres, some estimate as many as 10 percent of the Muslim population of the world, which, of course, is a far greater total than all of the fascists and communists combined who ever lived. As Daniel Pipes would say, this is a significant and impressive array of assets and potential against the Western world against which these Islamists have declared war.

Specifically, with reference to the intelligence I mentioned we have to focus on, the CIA Director, GEN Michael Hayden, testified a couple of months ago about his own judgment of these strategic threats facing the United States. Among the things he said was that our analysis with respect to al-Qaida is that its central leadership is planning high-impact plots against the U.S. homeland. They assess this with high confidence. So this is not just a

guess about what might happen. With high confidence, they believe al-Qaida is planning high-impact plots against our homeland, focusing on targets that would produce mass casualties, dramatic destruction, and significant economic aftershocks. So our very survival as a free people is challenged by this large threat, and defeating it on a worldwide basis is inherently going to involve a very large effort, a degree of change we have yet to face.

We need a debate about the genuine risk to America of losing cities to nuclear attack or losing millions of Americans to engineered biological attacks. We also need a very calm dialog about the genuine possibility of a second Holocaust if the Iranians were to get nuclear weapons and use them against Tel Aviv or Haifa or Jerusalem.

All of these larger issues are sometimes lost in the debate about arcane provisions of something like the Foreign Intelligence Surveillance Act that we are seeking to reauthorize. We have to keep in mind what the object is. We have to defeat a very capable enemy which not only has the means but the will to defeat us in a war literally to the end.

We also need some realistic examination of the progress—or lack thereof—we are making in the larger war. I think we have to realistically assess where we are with respect to that. In the last year or so, Hamas has won an enormous victory in Gaza; Hezbollah has won a substantial victory in south Lebanon; Iran, Syria, Lebanon, Afghanistan, the Taliban sanctuary in the Waziristan, substantial instability in Pakistan, even in the Philippines and, to some extent, even in Great Britain. The estimates of terrorist sympathizers and potential sympathizers are far greater than the resources being applied to monitor them.

Again, to summarize this point with respect to intelligence surveillance, we have, even here in the United States, the spread of a militant extremist radical vision. It is funded by money from the Middle East, including Saudi Arabia. It is on the Internet, on television, it is in extremist mosques and schools. This advocacy of martyrdom, of jihad, suicide bombing, and violence against a modern civilization is not restricted to places abroad; it exists even in the United States.

At the end of our conflict in Iraq and of the debate about our intelligence collection activities, there is a simple test, and that is whether a free people are celebrating because the American people have sustained freedom against evil or, God forbid, violent evil enemies of freedom are celebrating because Americans have been defeated. Life would be easier if there was a more modulated answer, but there is not.

In war, there is a winner and a loser. If the American people will sustain this effort, we will win. But if American politicians decide to legislate defeat, then, of course, America could be defeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS-CONSENT REQUEST—  
H.R. 2771

Mr. SANDERS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 2771, the legislative branch appropriations bill; that the only amendment in order be a substitute amendment at the desk which is cosponsored by Senators LEAHY, COLEMAN, KLOBUCHAR, SNOWE, OBAMA, DOLE, BAUCUS, SUNUNU, CANTWELL, COLLINS, CASEY, LIEBERMAN, LANDRIEU, KERRY, KENNEDY, and CLINTON—this amendment provides for \$800 million in additional LIHEAP funding—that there be a time limitation of 30 minutes for debate equally divided in the usual form on the amendment; that upon the use of that time, the amendment be agreed to, the bill be read a third time, and the Senate, without any intervening action or debate, vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, I say to my friend from Vermont, I support this issue. All you have to do is look in the Washington Post today at their editorial. It says, among other things:

This could be the start of an epic winter. If the past few winters here in the northeast have taught us anything, it is to be prepared to do whatever winter allows at the moment it allows.

We have to be prepared for a cold winter. We have some money in this bill that we hope to pass sometime in the next several hours to take care of some of the needs of the problems relating to the issue of LIHEAP; that is, money for people who are desperately poor and need help to keep their homes warm. That is what this is all about. I have told the Senator from Vermont that I am going to do everything within my power to get this issue before the Senate as soon as possible. Winter is not going to end at Christmastime. Winter is going to be here. We can move to enlarge the funding for this bill. That is a commitment I have. I think with the list of cosponsors he has on this proposed unanimous-consent request, it is something we should be able to get done.

The problem the distinguished Senator finds himself in is, it is late in the year. This is the first year of this session of Congress. There are always a lot of reasons for not doing things this late in the year.

I have admired this fine Member of Congress for many years, being with the people he best represents, people who don't have any representation. I admire what the Senator has done. I hope we can move forward on this now.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, on behalf of several Republican Senators, I object.