

The plain truth is that the various Iraqi political actors were not willing to make the compromises necessary to bring about a government of national unity within the time allotted by the Iraqi Constitution. And they still haven't. We hope they will at any time, but they still haven't.

Secretary of State Condoleezza Rice, appearing on FOX News last Sunday, minimized the lack of selections for these two positions when she said:

People are dramatizing the fact that they didn't get certain posts that they hoped to get.

She went on to say:

... let's give them three days or four days, or five or six days, to come up with the best possible interior ministry. You know, the five days that they will take to vet people more thoroughly, to make sure they have the right person, will be well worth it.

On "Meet the Press" that afternoon, Secretary Rice even spoke of that failure as a plus, a positive, saying:

... I think it actually shows some maturity that they were able to go ahead with the formation of the government so that they can start working, but that they can take a little bit longer.

How is that a sign of maturity? In my view, both the mature and the necessary thing under the constitution of Iraq was for the Iraqi political leaders to make the compromises necessary to form the entire Government, including, in particular, the Minister of Defense and the Minister of the Interior, the two most important ministries.

It was also disappointing that neither President Bush nor our Secretary of State mentioned anything about the need to amend the Iraqi Constitution. General Casey noted in testimony before the Senate Armed Services Committee:

We've looked for the constitution to be a national compact, and the perception now is that it's not, particularly among the Sunni.

The Iraqi Constitution itself provides for the appointment of a committee to propose amendments to their constitution. That committee has 4 months to complete its work and to recommend amendments to the constitution to the full Parliament.

For a long time, I have been calling for President Bush and officials of his administration to put pressure on the Iraqis, to meet the timetables they have set in their own constitution to form a unity government and to make the changes in the constitution that would make it a unifying document. I have called for that pressure to be in the form of conditioning our continued presence in Iraq on Iraqis meeting their self-imposed deadlines.

The President told me in the presence of several Members of the Congress and in the presence of his own security team that position is actually helpful. For us to tell the Iraqis that our continued presence depends upon their doing what only they can do, which is to meet their self-imposed deadlines for a full government to be appointed and for them to amend their

constitution to make it a unifying document.

These are critically important matters. There needs to be a government of national unity. We can't save Iraqis from themselves. We can't form a government of national unity. We can't amend their constitution. If they want a nation, it is up to them to get on with it according to their own constitutional deadlines.

It is not going to happen if we just tell the Iraqis we are there as long as they need us. That is an open-ended commitment which cannot stand because the American people will not stand for it and should not stand for it.

I hope the President and the Secretary of State and the U.S. Ambassador are saying privately what they haven't yet said publicly: that it is up to the Iraqis to determine their fate and to pull together a national unity government because that is the only hope they have of defeating the insurgency and avoiding civil war.

#### THE ENRON CONVICTIONS

Mr. LEVIN. Mr. President, 5 years ago, the Enron Corporation, the seventh largest publicly traded corporation in America with a \$100 billion in annual revenue, collapsed. Its sudden plunge into bankruptcy destroyed the savings of thousands, eliminated the jobs of tens of thousands more, and, more fundamentally, damaged Americans' faith in U.S. capital markets. In the years following, the extent of Enron's misconduct became clear—the dishonest accounting, nonpayment of taxes, excessive executive compensation, collusion with banks and brokers, the lies to the investing public and their own employees.

Many Enron executives have since pleaded guilty and accepted responsibility for their role in the Enron disaster. Enron's two most senior executives, however, did not. They spent the last 5 years denying responsibility and fighting all efforts to hold them accountable. But yesterday, a jury found Ken Lay and Jeffrey Skilling guilty of 25 counts of securities fraud, wire fraud, false statements, and other misconduct. The jury held both men accountable for Enron's misdeeds.

Some want to portray those convictions as the end of an era of corporate corruption. They are already urging Congress to weaken the Sarbanes-Oxley Act, the law enacted to prevent future Enron catastrophes. For example, they want to exempt 80 percent of the publicly traded companies from rules requiring internal controls to ensure that their books accurately reflect their finances. They want to weaken or eliminate the Public Company Accounting Oversight Board that now polices the accounting industry. They want to weaken other corporate reforms as well, from rules requiring oversight of hedge funds to rules requiring mutual funds to have independent directors.

But corporate corruption is not over. Just this year, AIG, one of the country's largest financial firms, agreed to pay \$1.6 billion to settle State and Federal allegations of securities fraud and bid-rigging. Fannie Mae, an American symbol of financial success and affordable housing, paid \$400 million to settle allegations of accounting fraud. In April, the former chief executive of Computer Associates, a leading high tech company, pled guilty to securities fraud and obstruction of justice. Another 20 publicly traded corporations are currently under investigation for playing games with the timing of stock option grants to maximize the profits that their top executives could pocket. The list, unfortunately, goes on.

The message that should be taken from the Enron convictions is not that corporate oversight is too tough, but that corporate executives must and can be held accountable when they misuse funds, abuse their positions, and mislead the investing public.

I am told that some corporations are waiting for my good friend, PAUL SARBANES to leave the Senate before attacking the law that he championed. They want him out of the way first. But my friend fought too hard and too long for the corporate reforms embodied in Sarbanes-Oxley to be tossed aside or watered down. This country cannot afford more Enrons, and I, for one, believe the Senate cannot and will not turn back the clock on corporate oversight.

#### SENATOR ROBERT BYRD AND ERMA BYRD

Mr. LEVIN. Mr. President, I wish to add one comment to Senator MCCONNELL about Senator BYRD's comments about his holy marriage, a marriage which has inspired every person and every couple who is familiar with Robert and Erma Byrd.

My wife Barbara and I have been here now for 28 years. When we came here, we noted right away this wonderful love affair between Robert and his beloved wife Erma. Many things that Senator BYRD does inspire every one of us in the Senate—his love of this institution, his passionate commitment to this institution, and all the unique features of it, his love affair with the constitution of the United States. But I guess as powerful and potent as those two commitments are and remain and always will in his heart and in our hearts, hopefully, his relationship with his wonderful, extraordinary wife Erma tops them all.

I thank him for that inspiration and thank him for all those other things that he does which help to keep this body, this unique body in the history of the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I shant leave this floor until I have said thank you to my noble friend, the able Senator from Michigan, the chairman of

the committee on which I serve, the committee which authorizes the expenditures we must make if we are to keep our Nation strong, the Armed Services Committee. I thank him. He has been and is an inspiration to me. His dedication, his thoughtfulness, his courtliness—I thank him for all.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. In my capacity as a Senator from Georgia, I ask unanimous consent that the quorum call be rescinded.

Without objection, it is so ordered.

In my capacity as a Senator from Georgia, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, at 12:30 p.m., the Senate recessed subject to the call of the Chair.

The Senate reassembled at 2:42 p.m., when called to order by the Presiding Officer (Mr. BENNETT).

The PRESIDING OFFICER. The majority leader is recognized.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent there now be a period of morning business for Senators permitted to speak for up to 10 minutes each.

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

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

#### VOTE EXPLANATION

• Mr. SALAZAR. Mr. President, I was necessarily absent during confirmation vote on the nomination of Michael Hayden to be the Director of the Central Intelligence Agency because I had returned to Colorado to honor commitments to my family. I want the RECORD to reflect that had I been here, I would have voted in favor of confirmation.

I was also necessarily absent during the cloture vote on the nomination of Dirk Kempthorne to be Secretary of the Interior. I support this nomination, and I want the RECORD to reflect that had I been here, I would have voted in favor of invoking cloture.

And I was necessarily absent during confirmation vote on the nomination of Brett Kavanaugh to be a U.S. Circuit Judge for the DC Circuit. I want the RECORD to reflect that had I been here, I would have voted against confirmation. •

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

• Mrs. BOXER. Mr. President, had I been present for the vote to invoke cloture on the nomination of my former colleague, Dirk Kempthorne, to be Secretary of the Interior, I would have cast a vote of "aye". •

#### HONORING OUR ARMED FORCES

##### MEMORIAL DAY

Mr. LAUTENBERG. Mr. President, this week we are in a rush to finish our business so we can head home for the Memorial Day Recess.

Memorial Day signals the beginning of summer, when children are out of school and families get to spend time together.

It's a time for vacations and trips to the shore, and backyard barbecues.

But most important of all, Memorial Day is also the time when we remember the brave soldiers who have made the ultimate sacrifice for our country.

This year there are almost a thousand more names on that list than last Memorial Day.

In total 2,750 troops have lost their lives in Iraq and Afghanistan: 2,455 in Iraq and 295 in Afghanistan.

Almost 18,000 more have been seriously wounded.

I keep a gallery of the pictures of the fallen outside my office in the Hart building. More and more people come to visit it, and I encourage my colleagues, their staff and our constituent guests to view it and honor the memories of these heroes.

New Jersey families have lost 71 troops in Iraq and Afghanistan.

Last year, near Memorial Day, I read the names of New Jersey's fallen troops into the CONGRESSIONAL RECORD, where they would be enshrined for all time.

Fifteen more New Jerseyans have died since then. Today, with your indulgence, I would like to read their names and hometowns into the RECORD:

SSG Jeremy A. Brown, whose mother lives in West Orange; SPC Armer N. Burkart, Blairstown; PFC Ryan D. Christensen, whose mother lives in Brick; LTC Terrence K. Crowe, member of the U.S. Army Reserve in Lodi, NJ; SFC Michael Egan, his mother resides in Pennsauken; SGT Clarence L. Floyd, his mother resides in Newark; CPT James M. Gurbisz, Eatontown; SSG Edward Karolasz, Kearny; SPC Gennaro Pellegrini, Jr., whose father resides in Wildwood; CPT Charles D. Robinson, Haddon Heights; LCpl Edward A. Schroeder, South Orange; SSG Stephen J. Sutherland, West Deptford; 2LT Dennis W. Zilinski, Howell; SSG Christian Longworth, Newark; and SGT Matthew Fenton, Little Ferry.

On this Memorial Day, I hope every American will pause to give thanks for the brave soldiers who gave their lives for our country.

#### TRIBUTE TO NANCY JEAN PRICE

Mr. GRAHAM. Mr. President, next week, on June 2, Ms. Nancy Jean Price will retire from my office having served the people of South Carolina for over 30 years as a congressional con-

stituent liaison. I rise today to recognize the outstanding service and dedication she demonstrated throughout her extensive and distinguished career.

A native South Carolinian, Jean is the daughter of Mr. Joe B. and Mrs. Trula W. Price. She graduated from Lander University in Greenwood and began her career as a congressional staffer in the office in the office of former U.S. Representative Butler Derrick, who represented South Carolina's Third Congressional District from 1974 to 1994. Jean wore many hats for Congressman Derrick in his Anderson, SC, district office. Whether working as a constituent liaison, a special events coordinator, a caseworker, or even as a manager, Jean went above and beyond what was required to address any task or challenge she confronted.

Following Congressman Derrick's retirement in 1994, I was elected to Congress and was fortunate Jean accepted a constituent services position in my Aiken office. After my election to the Senate in 2002, I promoted Jean to low-country regional director, and she helped establish our office in Mt. Pleasant.

In the 12 years Jean has worked on my staff, she has consistently and selflessly served constituents, answered questions, and solved countless problems. In doing so, Jean has garnered the personal and professional respect and admiration of her friends and colleagues. She is an upstanding member of society. She represents the very finest in Christian values dedicating much of her free time to church and community work in various leadership and service positions. But above all, Jean has been dedicated to her family.

While well deserved, Jean's retirement is a great loss for me and the State of South Carolina. Her service heart will serve as the gold standard for all staff that follow behind her. I will miss Jean, but I wish her a prosperous retirement and great success and happiness in the future.

#### THE PATRIOT LOAN ACT OF 2006

Mr. CRAIG. Mr. President, I rise to comment on legislation introduced yesterday, S. 3122, the Patriot Loan Act of 2006. It is called the Patriot Loan Act for that is who the legislation is intended to benefit, patriot citizen-soldiers who are called from their employment at America's small businesses to serve our country in uniform. I am proud to join with Senator OLYMPIA SNOWE, who serves as the chair of the Senate Committee on Small Business and Entrepreneurship, as an original cosponsor of this important bill.

All of us in the Senate come from States affected by the mobilization of our Guard and Reserve personnel. In my home State, the Idaho National Guard's 116th Brigade Combat Team turned last fall from its 18-month deployment to Iraq. I visited members of the 116th while they were in Iraq and discovered that a good number of them