

not on merit but just pure random choice.

It makes sense under the idea when it was originally created, which was we needed more diversity, we needed people from different countries, and this would give people from different countries a chance to apply.

Professor Borjas at the Kennedy School at Harvard, himself a Cuban refugee, came here at age 12, said 5 million people apply to be in that lot from which we would choose 50,000—5 million. So if we have 5 million applicants, I ask my colleagues, and we are attempting to serve the national interest, how would we choose from that 5 million if we could only select and allow in 50,000? How would we choose if we are serving the national interest?

I submit we would do what Canada does. We would say: Do you already speak English? How well? Do you have education? How much? Do you have job skills? Are they skills that we need in Canada? How old are you? Canada—I think Australia also—believes that the national interest is served by having younger people come because they will work longer and they will pay more taxes before they go on to the Medicare and health care systems in their older age.

Are those evil concepts? Isn't it true that we would want to have people come into our country who have the best chance to succeed? Or do we believe the purpose of immigration is simply to allow certain businesses that use a lot of low-skilled labor to have all the low-skilled labor they choose to have? A willing employer and a willing worker.

Professor Borjas says there are millions and millions of people all over the world who would be delighted to come here for \$7 an hour, would love to and would come immediately if they could.

I was in South America recently. They had a poll in Nicaragua that said 60 percent of the people in Nicaragua said they would come to the United States if they could. I heard there was one in Peru where 70 percent of the people said they would come here if they could. What about all the other countries, many of them poorer? Many of them would have an even greater economic advantage to come to America than those people coming from Peru.

Obviously, more people desire to come than can come.

They would ask: I am sure you guys have talked about this as you dealt with comprehensive immigration reform; what did you all decide?

My colleagues, we never discuss this issue. We simply expand the existing program that this Government has that has failed and only 20 percent are given preference. We did add a program to give a certain number of higher educated people the right to come, but our calculations indicate that still only about 20 percent of the people who will be coming under the bill we passed will come on under a merit-based system.

Canada has over 60 percent come based on merit. New Zealand I think is even higher than that.

What we want to do, of course, is select people who have a chance to be productive, who are going to be successful, who can benefit from the American dream. It is so within our grasp. I actually have come to believe and am excited about the concept that we actually could do comprehensive reform. We can fix our borders. We absolutely can. We have already made progress. We are reaching a point where we could create a lawful system at our borders.

In addition to that, we can confront the very tough choices about how to deal with people who are here illegally. And finally, we need to develop a system for the future flow of immigrants into America.

I believe the columnist Charles Krauthammer said we should do like the National Football League does. We ought to look around the world at the millions of people who would like to come to the United States and pick the very best draft choices we can pick, pick the ones who will help America be a winning team. It will allow people to come into this country who are most likely to be successful, who speak our language, who want to be a part of this Nation and contribute to it, who have proven capabilities that means they can take jobs and be successful at them and can assimilate themselves easily into the structure of our Government.

It is exciting to think that possibility is out there. Yes, we have been talking about the fence and, yes, the fence can be seen as sort of a grim enforcement question, but it is one part of the overall effort that we are participating in at this point to create a new system of immigration, comprehensively different than we have ever had before, one that serves our national interest, one that selects the people who want to come here based on their ability to succeed in our country and be successful and be harmonious and be able to take advantage of the great opportunities this Nation provides.

It is so exciting to me, but we are going to have to let go of the bill that got through this Senate and that the House of Representatives would not even look at. The bill was nothing more than a rehash of current law, plus amnesty. It was a very, very, very bad piece of legislation. A lot of people voted against it, but it passed in this body. The House would not talk about it.

If we would take our blinders off and if we would go back and think clearly about how our Nation should do immigration and talk to one another, I believe we can make more progress than people realize, and the American people could be proud of our system.

I asked the people in Canada, and I asked the people in Australia: How do people feel about this? Are they happy with it? Yes, they are proud of it.

I said: What do you think about us talking about your program?

They said: We are proud you are looking at our program. We think it works. It is a compliment to us that you think there may be some value in it.

I don't know why we never talked about that. We never had a single hearing in which the Canadians or Australians were asked to testify. These are countries that believe in the rule of law. Both of them say they have a high degree of enforcement. Yes, there are people who abuse the law, but they have a legal system and it works.

Canada has workers who come and work for 8 months, and they go back home to their families. They can work 6 months; they can work 4 months. That is a temporary guest worker program. Then they have an asylum program where they take a certain number of people, like we have always done, who have been persecuted and oppressed. We will continue to do that. That is not a merit-based system. That is a system where we do it for humanitarian reasons.

Fundamentally, the principle of our Nation, as we develop a new immigration policy, should be to serve our national interests. I believe we have that within our grasp.

This step of building border barriers is important for two reasons: One, it is critical to creating a lawful system. No. 2, it is critical to establishing credibility with the American people because they rightly doubt our commitment, based on history, to do the right thing about immigration. They doubt that we are committed to doing the right thing. This is a good step to show them that we are, and then I think as we talk about some of these more difficult issues, we can have some credibility with our people when we ask them to make some tough decisions about how to handle immigration in the future.

Mr. President, I thank you for the opportunity to share these thoughts.

A LESSON IN CHERRY-PICKING AND POLITICIZING OUR NATION'S INTELLIGENCE: THE TERRORISM NIE DECLASSIFIED

Mr. HATCH. Mr. President, with the President's recent declassification of the Key Judgments of the April National Intelligence Estimate, NIE, on Terrorism, the American public can get from the Democrats an object lesson in perfect irony.

For years, the Democrats have accused the Bush administration of cherry-picking intelligence to lead the country to war in Iraq. Yet here they are cherry-picking intelligence out of this report to make a media circus right before the upcoming election.

First, let me define what I mean by "cherry-picking." This refers to a selective use of intelligence to make a politically persuasive argument. It is a

deliberate misrepresentation of a larger, often ambiguous body of intelligence reporting.

From my perspective, the Democrats' politicization of our Nation's intelligence is not a pretty picture. NIEs are the top-line product of the entire intelligence community.

They are supposed to be regarded as serious, substantive, consensus analysis for top policymakers. NIEs are one of thousands of intelligence products we review on the Intelligence Committee. I am on that committee, first ranking on that committee on the Republican side.

Please recall that the Democrats accused the Republicans and the Bush administration of cherry-picking intelligence prior to the Iraq war.

The Senate Select Intelligence Committee's comprehensive review of the prewar Iraq intelligence was concluded in July 2004 and made available to the public in a detailed 500-page report. It was unanimously supported by Democrats and Republicans of the committee. It was thorough. It pulled no punches. It was highly critical of the systematic failure of our intelligence on Iraq. Our faulty intelligence, as the world knows, was similar to the faulty intelligence of all of our allied partners.

The committee's report clearly shows, however, that there was no cherry-picking of intelligence because nearly all of the intelligence was bad, and there was no finished intelligence that contradicted the faulty conclusions our intelligence community reached before the war.

Recall also that the Democrats have regularly charged the Bush administration with politicizing intelligence, implying that intelligence was manipulated for political reasons. For example, they suggested that Vice President CHENEY's visit to the Central Intelligence Agency prior to the Iraq war pressured analysts toward particular conclusions. The July 2004 report, which was based on hundreds of hours of interviews with all these analysts, concluded that no such politicization took place. The intelligence was lousy, but it wasn't cooked.

Now comes the latest little circus by many Democrats and many in the media in a prepared campaign to manipulate a fragment of a leaked classified document.

Putting aside for the moment the underlying question of whether the Iraq war made us safer—a point I will address shortly—the Democrats claimed over the weekend and earlier this week that the NIE proved their point that the Iraq war had made the terrorists stronger and therefore the United States more vulnerable.

Here are the sentences they quoted as proof:

We assess that the Iraq jihad is shaping a new generation of terrorist leaders and operatives; perceived jihadist success there would inspire more fighters to continue the struggle elsewhere.

The Iraq conflict has become the cause celebre for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement.

This is the sentence the Democrats quoted as proof of their critique of the Iraq war.

Let us be honest: The sentence is true. But let us be even more honest—and this is distinctly where the Democrats are being deliberately dishonest—the sentence is out of context and ignores other parts of the NIE, such as the very next sentence, which reads:

Should jihadists leaving Iraq perceive themselves, and be perceived, to have failed, we judge fewer fighters will be inspired to carry on the fight.

Can we be honest and admit this sentence is true as well? And can we recognize that the only way we prove this second sentence is to sustain the fight in Iraq until we have achieved security and stability that can be maintained by the Iraqis themselves?

This has been a classic exercise in spin, cherry-picking, and politicization of intelligence, and it stinks.

The Democrats spun this story all weekend, knowing that responsible members of the Bush administration and the Republican Congress could not respond without participating in leaking a classified document. The Democrats cherry-picked sentences and deliberately used them out of context. They conducted this exercise for purposes of supporting their antiwar agenda, in an example of egregious politicization of this Nation's valuable intelligence process.

As my colleague on the Intelligence Committee, Senator BOND, has said:

It is time to hit the baloney button.

We are conducting a war different from any in our Nation's history. One of the unique aspects of this war against global terrorism is the unprecedented reliance we place on our intelligence community.

As a member of the Intelligence Committee, I am dedicated to supporting this function of our foreign policy, even when that has included criticizing systematic failures in collection and analysis, as we did with our phase I report released in July 2004. Every day, we see examples that the intelligence community's capabilities have improved as a result of the lesson learned from that review. Republicans like myself have criticized the intelligence community with the focus on improving it and have done our best to support it in its vital function in this war in which we are engaged today.

As we have just seen, Democrats cook this Nation's intelligence, callously undermining its importance and function. To win a war, you need will, but you also need function.

"Is the U.S. safer as a result of our invasion of Iraq?" is a central policy question, one that could have been more honestly addressed without an exercise in cherry-picking and cooking intelligence.

I always thought that if you have to address an argument dishonestly, your position must be weak.

Are we safer as a result of our invasion of Iraq? There is the assessment of the war situation now and the strategic answer. The NIE is correct that the Iraq war has opened the battlefield for the global jihadists in Iraq. We knew this before the NIE was published last April, of course. And we read that last April. I have seen no Bush administration official deny this. In fact, General Abizaid in Washington last week was blunt about this: We are battling these jihadists in Iraq today. And when we defeat them, that defeat will be felt throughout the global jihadist movement.

If we follow some Democrats' advice to withdraw, we will give the global jihad movement another Somalia. Our withdrawal from Somalia in 1993 gave bin Laden his first propaganda point. He concluded that the Americans are weak, vulnerable, and easily defeated.

As far as strategic assessment, I believe the Iraq war has made us safer.

On September 20, 2001, the President addressed the Congress, the Nation, and the world in his first major policy address after the attacks of September 11. He articulated a new antiterrorism policy, one that had not existed up to that point, one that had not been put in place under the previous administration.

From that point on, President Bush said we would go after all terror groups within global reach; we would no longer wait for them to attack us. The President put all nations that harbor terrorist organizations on notice. Iraq was one of these nations. Iraq did not support al-Qaida and was not involved in 9/11, but it had a decades' long history of supporting terrorists, a view no one in Congress disputed.

The rationale for Iraq has been criticized and exposed, but one fact remains clear: When we took down the Saddam regime, from that day on, no regime in the world could conclude that they could harbor terrorists without risking consequences. By invading and deposing Saddam, we demonstrated to the world our resolve. Had we not done so, based on the empty threats and actions of previous administrations, nations entertaining terror links could doubt our resolve. From the day we acted to take down Saddam, we showed the world our intent behind our words. Today, no Nation can doubt this. And in this very real sense, America has been made safer. We need to finish the job in Iraq.

As I have said, that requires the functions of our foreign policy apparatus to be fully supported—diplomacy, military, economic, and intelligence. I am dedicated to providing this support, positively but not uncritically. We also need will. After last weekend's episode of cooking intelligence for political purposes, I question what such an exercise is intended to achieve when it comes to maintaining our will.

TRIBUTE TO WILLIAM BAKER
WOOLF

Mr. STEVENS. Mr. President, today I recognize the accomplishments and efforts of Bill Woolf, a longtime Senate staffer and tireless advocate for Alaska's interests. Bill will retire at the conclusion of this Congress and move to his family home on Marrowstone Island in Washington State.

For nearly 30 years, Bill has been an advocate for and friend to Alaska's fishermen. A former resident of Juneau, he began work in 1977 at the Alaska Department of Fish and Game. In 1983, Bill moved on to the Alaska Seafood Marketing Institute, where he became familiar with our State's fishing industry. Bill quickly established a far-reaching bond with those affected by and working in this important industry.

For the past 20 years, Bill has worked in the U.S. Senate as a legislative aide—serving on the staffs of both Frank Murkowski and Senator LISA MURKOWSKI. Staff members like Bill are the backbone of this institution. They meet and work with the administration, State officials, and constituents, and they help those elected to Congress pursue initiatives which will serve their State and our Nation well.

During the two decades that he has worked in the Senate, Bill has been a vigorous advocate for the people and communities of Alaska. Those who have worked with him have the deepest respect for his commitment and contributions.

On behalf of our Alaska congressional delegation and all Alaskans, I extend our appreciation to Bill for his service. We wish him the best in his future endeavors.

NATIONAL COMPETITIVENESS
INVESTMENT ACT

Mr. STEVENS. Mr. President, I come to the floor to join more than 35 of our colleagues in support of the National Competitiveness Investment Act.

Our country's success is the direct result of our advancements in science and technology. Throughout our history, our scientists and engineers have created new industries—and their efforts have ensured our country's competitiveness in the global economy. Two key reports now raise serious concerns about our ability to continue this tradition.

The "Innovate America" report by the Council on Competitiveness and the National Academies' "Rising Above the Gathering Storm" report, also known as the "Augustine Report," both conclude advancements in science and technology are our country's best hope for the future. They identify serious problems with our efforts in these areas. Sadly, this week the World Economic Forum announced our country has dropped from first to sixth place in its "global competitiveness index."

Our comprehensive legislation addresses several of these issues, and all

of us owe a great debt to Senator ENSIGN, who has shown tremendous leadership in the drafting of this bill. As the new chairman of the Commerce Committee, I asked Senator ENSIGN to chair our Subcommittee on Technology, Innovation, and Competitiveness. Over the past 2 years, he has held a series of hearings on this issue. He also introduced S. 2802, the American Innovation and Competitiveness Act, which the Commerce Committee passed without opposition in May. Senator ENSIGN has worked on a bipartisan basis with our colleagues on the HELP and Energy Committees.

This act is the culmination of these efforts. It will help our country remain competitive by increasing Federal investment in basic research and improving student opportunities in science, technology, engineering, and math. This bill also develops the infrastructure we need to foster innovation in the 21st century.

While this bill alone will not solve all of our challenges, it is an important first step.

I urge each of our colleagues to co-sponsor this legislation and vote in favor of its passage.

Mr. FRIST. Mr. President, the Child Custody Protection Act prohibits taking a minor child across State lines for an abortion in circumvention of a State law requiring parental notification or consent in that child's abortion. And it gives the victims of our imperfect legal system a means of restitution.

This legislation also protects the integrity of State parental notification laws, and helps ensure that they are honored. Without it, State laws regarding parental notification and consent for a minor's abortion can be flouted with impunity.

Right now, some abortion clinics even advertise to minors living in neighboring States with parental notice and consent laws.

Right now, we are increasing our pregnant minors' vulnerability to health complications. Patients receiving abortions at out-of-state clinics are less likely to return for followup care. And a teenager who has an out-of-state abortion without her parents' knowledge or consent is even more unlikely to tell them she is having complications.

At its core, this bill is about protecting a minor's health and protecting her from exploitation. It is about respecting and honoring State laws. And it is about ensuring parental involvement in the life-or-death decision of their child.

Forty-four States have already seen the grim irony in the fact that teenage students can't go on a field trip or receive aspirin from the school nurse without parental consent, but a young girl can flout State laws and have an abortion—a major surgical procedure—without informing her parents.

This bill helps parental notification and consent laws remain enforceable

and meaningful, and it keeps in place all judicial bypass options and waiver provisions that States have enacted to accommodate young girls who come from troubled or abusive homes.

This simple, straightforward legislation was already passed by the Senate in July by a vote of 65 to 34. It received overwhelming bipartisan support. I am pleased that 14 of my Democratic colleagues, including the Senate minority leader, chose to join me and its sponsor, Senator ENSIGN, in support of this important bill. And I believe this legislation was further improved by the adoption of the Boxer-Ensign amendment, which strengthened provisions pertaining to minors who are caught in abusive home situations.

So it was a disappointment when this legislation was blocked from going to conference by a parliamentary maneuver by my colleagues from across the aisle. On multiple occasions, we sought to go to conference with the House on this legislation, only to have this routine procedural move obstructed.

I would like to commend the work of the bill's sponsor, my colleague JOHN ENSIGN. I am glad that the House chose to pick up this legislation and pass it with instructions.

I believe it is important to pass this legislation, which has the approval of around 80 percent of the American public and is supported on both sides of the aisle. It protects underage minors. It respects and protects parental involvement in the life-or-death decisions of their child. And it prevents the violation of State laws. It should not be allowed to be blocked. I hope my colleagues will join me in voting for S. 403, the Child Custody Protection Act, and passing this long-obstructed, overwhelmingly supported, commonsense legislation.

NATO FREEDOM CONSOLIDATION
ACT OF 2006

Mr. FRIST. Mr. President, for more than 50 years, the North Atlantic Treaty Organization has served as a force for stability, security, and peace in Europe. It remains the foundation of security on the Continent and the cornerstone of U.S. engagement in Europe. Today it is the key institution helping to secure a Europe that is whole, free, and at peace.

Not only is it the most successful alliance in history, but NATO has also contributed to the democratic transition of our former adversaries in Central and Eastern Europe by fostering the development of new, strong, and democratic allies capable of contributing to our common security goals. NATO's enlargement over the past decade has strengthened the strongest alliance in history and helped spread democracy and liberty. For this reason, it is essential that we keep the door to NATO accession open for others.

Today, I am proud to introduce the NATO Freedom Consolidation Act of 2006, along with Senators LUGAR,