

The result was announced—yeas 80, nays 11, as follows:

[Rollcall Vote No. 274 Ex.]

YEAS—80

Akaka	Domenici	Martinez
Alexander	Dorgan	McConnell
Allard	Durbin	Menendez
Allen	Ensign	Mikulski
Bayh	Enzi	Murkowski
Bennett	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Bond	Frist	Nelson (NE)
Boxer	Gregg	Obama
Bunning	Hagel	Pryor
Burr	Harkin	Reed
Byrd	Hutchison	Roberts
Cantwell	Inouye	Rockefeller
Carper	Isakson	Salazar
Chafee	Johnson	Sarbanes
Chambliss	Kennedy	Schumer
Clinton	Kerry	Sessions
Coburn	Kohl	Shelby
Cochran	Kyl	Smith
Coleman	Landrieu	Specter
Collins	Lautenberg	Stabenow
Conrad	Leahy	Stevens
Cornyn	Levin	Sununu
Craig	Lieberman	Thomas
Crapo	Lincoln	Thune
Dayton	Lott	Wyden
Dole	Lugar	

NAYS—11

Baucus	Grassley	Talent
Brownback	Inhofe	Vitter
DeMint	Santorum	Voinovich
DeWine	Snowe	

NOT VOTING—9

Biden	Graham	McCain
Burns	Hatch	Reid
Dodd	Jeffords	Warner

The nomination was confirmed.

Mr. ENZI. I ask unanimous consent that the President be immediately notified of the Senate's action and that the Senate return to legislative session.

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

LEGISLATIVE SESSION

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

MORNING BUSINESS

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

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

The Senator from Oregon.

IRAQ

Mr. SMITH. Mr. President, I know it is probably appropriate to speak of our colleagues, and I will do that on the record. I rise tonight, however, to speak about a subject heavy on my mind. It is the subject of the war in Iraq.

I have never worn the uniform of my country. I am not a soldier or a veteran. I regret that fact. It is one of the regrets of my life. But I am a student of history, particularly military his-

tory, and it is that perspective which I brought to the Senate 10 years ago as a newly elected Member of this Chamber.

When we came to the vote on Iraq, it was an issue of great moment for me. No issue is more difficult to vote on than war and peace, because it involves the lives of our soldiers, our young men and women. It involves the expenditure of our treasure, putting on the line the prestige of our country. It is not a vote taken lightly. I have tried to be a good soldier in this Chamber. I have tried to support our President, believing at the time of the vote on the war in Iraq that we had been given good intelligence and knowing that Saddam Hussein was a menace to the world, a brutal dictator, a tyrant by any standard, and one who threatened our country in many different ways, through the financing and fomenting of terrorism. For those reasons and believing that we would find weapons of mass destruction, I voted aye.

I have been rather silent on this question ever since. I have been rather quiet because, when I was visiting Oregon troops in Kirkuk in the Kurdish area, the soldiers said to me: Senator, don't tell me you support the troops and not our mission. That gave me pause. But since that time, there have been 2,899 American casualties. There have been over 22,000 American men and women wounded. There has been an expenditure of \$290 billion a figure that approaches the expenditure we have every year on an issue as important as Medicare. We have paid a price in blood and treasure that is beyond calculation by my estimation.

Now, as I witness the slow undoing of our efforts there, I rise to speak from my heart. I was greatly disturbed recently to read a comment by a man I admire in history, one Winston Churchill, who after the British mandate extended to the peoples of Iraq for 5 years, wrote to David Lloyd George, Prime Minister of England:

At present we are paying 8 millions a year for the privilege of living on an ungrateful volcano.

When I read that, I thought, not much has changed. We have to learn the lessons of history and sometimes they are painful because we have made mistakes.

Even though I have not worn the uniform of my country, I, with other colleagues here, love this Nation. I came into politics because I believed in some things. I am unusually proud of the fact of our recent history, the history of our Nation since my own birth. At the end of the Second World War, there were 15 nations on earth that could be counted as democracies that you and I would recognize. Today there are 150 nations on earth that are democratic and free. That would not have happened had the United States been insular and returned to our isolationist roots, had we laid down the mantle of world leadership, had we not seen the

importance of propounding and encouraging the spread of democracy, the rule of law, human rights, and the values of our Bill of Rights. It is a better world because of the United States of America, and the price we have paid is one of blood and treasure.

Now we come to a great crossroads. A commission has just done some, I suppose, good work. I am still evaluating it. I welcome any ideas now because where we are leaves me feeling much like Churchill, that we are paying the price to sit on a mountain that is little more than a volcano of ingratitude.

Yet as I feel that, I remember the pride I felt when the statue of Saddam Hussein came down. I remember the thrill I felt when three times Iraqis risked their own lives to vote democratically in a way that was internationally verifiable as well as legitimate and important. Now all of those memories seem much like ashes to me.

The Iraq Study Group has given us some ideas. I don't know if they are good or not. It does seem to me that it is a recipe for retreat. It is not cut and run, but it is cut and walk. I don't know that that is any more honorable than cutting and running, because cutting and walking involves greater expenditure of our treasure, greater loss of American lives.

Many things have been attributed to George Bush. I have heard him on this floor blamed for every ill, even the weather. But I do not believe him to be a liar. I do not believe him to be a traitor, nor do I believe all the bravado and the statements and the accusations made against him. I believe him to be a very idealistic man. I believe him to have a stubborn backbone. He is not guilty of perfidy, but I do believe he is guilty of believing bad intelligence and giving us the same.

I can't tell you how devastated I was to learn that in fact we were not going to find weapons of mass destruction. But remembering the words of the soldier—don't tell me you support the troops but you don't support my mission—I felt the duty to continue my support. Yet I believe the President is guilty of trying to win a short war and not understanding fully the nature of the ancient hatreds of the Middle East. Iraq is a European creation. At the Treaty of Versailles, the victorious powers put together Kurdish, Sunni, and Shia tribes that had been killing each other for time immemorial. I would like to think there is an Iraqi identity. I would like to remember the purple fingers raised high. But we can not want democracy for Iraq more than they want it for themselves. And what I find now is that our tactics there have failed.

Again, I am not a soldier, but I do know something about military history. And what that tells me is when you are engaged in a war of insurgency, you can't clear and leave. With few exceptions, throughout Iraq that is what

we have done. To fight an insurgency often takes a decade or more. It takes more troops than we have committed. It takes clearing, holding, and building so that the people there see the value of what we are doing. They become the source of intelligence, and they weed out the insurgents. But we have not cleared and held and built. We have cleared and left, and the insurgents have come back.

I, for one, am at the end of my rope when it comes to supporting a policy that has our soldiers patrolling the same streets in the same way, being blown up by the same bombs day after day. That is absurd. It may even be criminal. I cannot support that anymore. I believe we need to figure out how to fight the war on terror and to do it right. So either we clear and hold and build, or let's go home.

There are no good options, as the Iraq Study Group has mentioned in their report. I am not sure cutting and walking is any better. I have little confidence that the Syrians and the Iraqis are going to be serious about helping us to build a stable and democratic Iraq. I am at a crossroads as well. I want my constituents to know what is in my heart, what has guided my votes.

What will continue to guide the way I vote is simply this: I do not believe we can retreat from the greater war on terror. Iraq is a battlefield in that larger war. But I do believe we need a presence there on the near horizon at least that allows us to provide intelligence, interdiction, logistics, but mostly a presence to say to the murderers that come across the border: We are here, and we will deal with you. But we have no business being a policeman in someone else's civil war.

I welcome the Iraq Study Group's report, but if we are ultimately going to retreat, I would rather do it sooner than later. I am looking for answers, but the current course is unacceptable to this Senator. I suppose if the President is guilty of one other thing, I find it also in the words of Winston Churchill. He said:

After the First World War, let us learn our lessons. Never, never believe that any war will be smooth and easy or that anyone who embarks on this strange voyage can measure the tides and the hurricanes. The statesman who yields to war fever must realize that once the signal is given, he is no longer the master of policy but the slave of unforeseeable and uncontrollable events.

That is a lesson we are learning again. I am afraid, rather than leveling with the American people and saying this was going to be a decade-long conflict because of the angst and hatred that exists in that part of the world, that we tried to win it with too few troops in too fast a time. Lest anyone thinks I believe we have failed militarily, please understand I believe when President Bush stood in front of "mission accomplished" on an aircraft carrier that, in purely military terms, the mission was accomplished in the wars in Afghanistan and Iraq. But win-

ning a battle, winning a war, is different than winning a peace.

We were not prepared to win the peace by clearing, holding, and building. You don't do that fast and you don't do it with too few troops. I believe now that we must either determine to do that, or we must redeploy in a way that allows us to continue to prosecute the larger war on terror. It will not be pretty. We will pay a price in world opinion. But I, for one, am tired of paying the price of 10 or more of our troops dying a day. So let's cut and run, or cut and walk, or let us fight the war on terror more intelligently than we have, because we have fought this war in a very lamentable way.

Those are my feelings. I regret them. I would have never voted for this conflict had I reason to believe that the intelligence we had was not accurate. It was not accurate, but that is history. Now we must find a way to make the best of a terrible situation, at a minimum of loss of life for our brave fighting men and women. So I will be looking for every opportunity to clear, build, hold, and win or how to bring our troops home.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

#### CHRISTMAS

Mr. BYRD. Mr. President, Sir Walter Scott, in his poem "Marmion," said these words:

Heap on more wood!—the wind is chill;  
But let it whistle as it will,  
We'll keep our Christmas merry still.

The Senate will shortly adjourn for the remainder of the year. We will return home to our families and friends and begin to think of putting up Christmas decorations and shopping for those special presents that we will give to our loved ones. We will leave much work unfinished, postponed until the new Congress convenes next January. That I regret.

Continuing resolutions allow the basic work of Government to proceed, but they do not offer clear guidance to Government offices and programs, and they postpone any new starts or major changes to programs until the regular authorizing and appropriation bills are acted upon. That is unfortunate. However, we may be grateful this Christmas that we live in a nation in which changes in Government may take place in a peaceful fashion in open elections. We may also be grateful that we live in a nation in which the voice of the people can be expressed freely, eloquently, and peacefully. *Vox populi, vox diae*. This Christmas, we might alter our prayers for those around the world who do not enjoy these same great blessings.

Christmastime is a time of peace and celebrating, as Christians do, the birth of Jesus, whose world-transforming message preached peace, tolerance, kindness, and love for all people. I am not quite sure where the message to

shop, spend, and wrap presents came from, for it is surely not in the Bible, nor in the teachings of Jesus. These days, it takes effort to carve out enough time and energy from the ceaseless march of consumerism to find the true spirit of Christmas. But, thankfully, it is still present amid all the bright lights and cheery background music. One can see it in the piles of canned goods donated to food banks. One can see it in the response to the "angel trees" that let people answer the Christmas wishes of children in their communities. One can hear it in the Christmas choirs that put on magnificent performances. "At Christmas play and make good cheer, for Christmas comes but once a year." So wrote Thomas Tusser, who lived from 1524 to 1580, demonstrating that some good things have changed very little over the years.

For the birth of Jesus, the angels sang, and for Him in this cold season, churches across the Nation will be filled with joyous music. The churches of West Virginia are always filled with great music, but at Christmastime the choirs are especially inspired. There are few things more uplifting than coming out of an evening church service, buoyed up by sweet traditional music, and seeing the stars of heaven sparkling like diamonds across the velvet dark sky. All of the carols that we learned as children in church, or around the family piano, sing in our heads, don't they? The three kings following the "yonder star," the stars shining brightly on that holy night, the manger in Bethlehem, and the holy mother and child on that silent night. Each year, these loving memories surface from the deep well of our childhood, each time bringing with them fond memories of happy days and family members no longer with us but still very dear to our hearts.

This year, many families will look to the stars to know that far across the globe their loved ones also gaze up at the same stars to recall home and to recall the same old Christmas story. In Afghanistan, in Iraq, in Korea and Kosovo, in Bosnia and Herzegovina, and elsewhere around the globe, many thousands of U.S. troops will be spending this Christmas season in a decidedly unpeaceful setting, proudly and bravely wearing the uniforms of this Nation. The National Guard units of West Virginia will have done and will continue to do their part, serving repeated deployments—I say again, serving repeated deployments—overseas. Many of them will not be able to spend Christmas with their families. For our troops especially, we pray for peace, that they might be soon returned to the loving arms of their families. And to the families of our service men and women, we offer words, hopefully, of comfort, assuring them that none of us can forget that during this holiday season their loved ones are far from home—far from home and far from safety. Our prayers and our wishes are with them always.