

He did. She didn't. The program's classified code name left her blank. Comey tried to talk around the subject.

"I think this is something I am not a part of," Townsend said. "I can't have this conversation." Like John Gordon and deputy national security adviser Steven J. Hadley and Homeland Security Secretary Tom Ridge, she was out of the loop.

Oh, God, Comey remembers thinking. They've held this so tight. Even Fran Townsend. The president's counterterrorism adviser is not read in? Comey towered over his diminutive friend. He chose his words carefully.

"I need to know," he said, "whether your boss recognizes that word, and whether she's read in on a particular program. Because we had a meeting here yesterday on that topic that I would have expected her to be at."

He meant national security adviser Condoleezza Rice. Comey was hoping for an ally, or maybe rescue.

"I felt very alone, with some justification," Comey recalled. "The attorney general is in intensive care. There's a train coming down the tracks that's about to run me and my career and the Department of Justice over. I was exploring every way to get off the tracks I could."

Townsend had a pretty good guess about what was on Comey's mind. Cheney had kept her out of the loop, but it was hard to hide a warrantless domestic surveillance program completely from the president's chief terrorism adviser.

"I'm not the right person to talk to," she told her friend, her voice close to a whisper. Comey ought to go see Rice.

"I'm going to tell her you've got concerns," Townsend said.

Comey's concerns no longer interested Cheney. The vice president had tried to back him down. That didn't work.

Only one day remained before the surveillance program expired. Time for Cheney to take the fight somewhere else.

Mr. REED. Mr. President, today we celebrate the 221st anniversary of the signing of the Constitution of the United States, the longest-living written constitution in history and the very foundation of our democracy. I thank Senator BYRD for his tireless commitment to the Constitution and to ensuring its recognition every year on Constitution Day, which he established in 2004.

Our Constitution serves as a testament to the brilliance of the Founding Fathers, who sought to create a document that would ensure that political power was derived from the people and that their rights would never be infringed upon. The Framers worked diligently over the summer of 1787 to forge a document that has persisted for more than two centuries. The Framers rightly understood that it would take hard work and compromise to establish a solid foundation for a new government that aspired to protect the liberty of all its people. A remarkably brief document, containing only seven articles, the Constitution limits the power of the government, maximizes the freedom of the people, and provides for the common good.

Although my home State of Rhode Island did not send delegates to the Constitutional Convention in 1787, the effects of this small State on the formation of the Constitution are still felt today.

Roger Williams, whose statue stands just outside this Chamber, founded what would become the State of Rhode Island in 1636 after he was exiled from the Massachusetts Bay Colony. A theologian, he founded Providence Plantation on the principles of separation of church and state and religious freedom.

One hundred fifty-one years later, the Framers enshrined these same principles in the Bill of Rights. Williams and the Framers recognized that religious freedom is a natural right that had to be afforded to all people. Indeed, this freedom is one of the defining freedoms of our democracy.

I would again like to thank Senator BYRD for his dedication to honoring our Constitution and the achievements of our Founding Fathers. His devotion to this document enriches our understanding of its importance and reminds us of its essential role in our democracy. He has taken up the call to protect and defend the Constitution by ensuring that its central place in American history is not forgotten. I join him in asking all Americans to honor our great national charter today and every day.

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

• Mr. KENNEDY. Mr. President, today we celebrate Constitution Day, the 221st birthday of the founding document of our country. Now, more than ever, it is time to reaffirm our commitment to defending the liberties guaranteed by the Constitution, and to recognize that strengthening civic education is an important part of this commitment. "Democracy must be reborn in every generation, and education is its midwife," wrote John Dewey. In fact, civic education was the original mission of American public education.

Sadly, students today know too little about the civil liberties established in the Constitution that define our American way of life. On the most recent national civics assessment in 2006, only 20 percent of eighth grade students scored at or above the proficient level. Less than one-third could identify the purpose of the Constitution. Less than a fifth of high school seniors could explain how citizen participation strengthens democracy. Gaps in understanding like these translate later in life to reduced voter turnout, decreased civic engagement and community service, and a weaker sense of national identity.

As a result of legislation enacted in 2005, more students across the country are receiving instruction on the Constitution, civics, and American history in their schools today. To become responsible citizens, students need to know that the Constitution is not about the 39 men who signed it. It is a vital document that shapes events today and in the future. Instilling an understanding of the American ideals of liberty, justice, equality, and civic responsibility should be a central task in every school, every day.

It should encourage the type of civic-mindedness displayed by the actions of community-based organizations and private citizens who rushed to aid victims of Hurricane Katrina and the September 11 terrorist attacks. The long-term health of our democracy and America's standing in the world depend on our own understanding of our past.

In the reauthorization of the No Child Left Behind Act next year, we can strengthen our commitment to history and civics education, and encourage them to be integrated into all subject areas, extracurricular activities, and service-based learning.

Our Nation's Founders understood that education was critical to the strength of our democracy. As James Madison said to Thomas Jefferson after the Constitution was written, "Educate and inform the whole mass of the people . . . They are the only sure reliance for the preservation of our liberty."

As we commemorate the anniversary of the ratification of the Constitution, those words are especially timely, because they remind us that their work alone cannot sustain American democracy. Our democracy depends heavily on enlightened and engaged citizens, and high-quality civic education is the best way to ensure that its fundamental principles will continue to guide America for the next 221 years, as we and future generations do our best "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity." May it always be so. •

Mr. SANDERS. 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. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

#### CONTINUATION OF MORNING BUSINESS

Mr. LEVIN. Madam President, I ask unanimous consent that the Senate continue in a period of morning business with Members permitted to speak for up to 10 minutes each.

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

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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