

learned that President Chávez had used his regular television program to hurl new slurs at President Bush. Specifically, President Chávez used a photograph of President Bush stumbling on some steps at the Olympics to criticize him as a “drunk.” As reported by the Associate Press, Chávez said Bush looked “drunk and quipped to his listeners: “Gold medal for alcoholism.”” Despite these setbacks, however, I agreed to a meeting with Venezuela’s Minister of Foreign Affairs, Nicolás Maduro, on Friday afternoon. Ambassador Duddy accompanied me to the meeting.

Mr. Maduro has served as Foreign Minister, basically Venezuela’s Secretary of State, since August 2006. Previously, he served as President of the National Assembly from 2005 to 2006. He is known as an ardent defender of President Chávez and his socialist program. I began the meeting by emphasizing my belief that Venezuela and the United States share many common interests, such as our mutual interest in drug interdiction, which can be advanced by greater dialogue. I expressed my hope that it may yet be possible to arrange a visit by Director Walters, and I added that both U.S. Presidential candidates understand the importance of dialog.

Minister Maduro said he was open to the possibility of greater dialog, but he said the Venezuelan Government was pessimistic because they believed that positive gestures from the United States were too often followed by negative statements about Venezuela by U.S. spokespersons. He also noted that efforts to improve relations with the United States were not always received well by the Government’s own grassroots supporters. Minister Maduro questioned aloud whether the time was ripe for better relations and said that after the U.S. elections might present a new opportunity. Mr. Maduro also mentioned his own involvement in the former “Boston Group.”

I responded that it would be better to lower the negative rhetoric on both sides. I also discussed my positive meeting with members of the National Assembly and said that we should not wait until after the elections to begin to build bridges. I pointed out, for example, that Director Walters was not a politician but a professional who could help facilitate greater cooperation against drug traffickers. Minister Maduro said Venezuela was taking the proposal seriously and would have a final answer very soon. He then recited some of Venezuela’s successes in domestic counterdrug efforts. I left the meeting encouraged that future dialog may be possible. But, in response to a reporter’s question as I left, I also defended President Bush against the ridiculous claim that he had been intoxicated at the Olympics.

In closing, I would like to add that Ambassador Duddy, a career member of the Senior Foreign Service who most recently served as Deputy Assistant

Secretary of State for Western Hemisphere Affairs, is doing a splendid job under difficult circumstances. He is a true expert on Latin America and exemplifies the best of the Foreign Service. He is aided by a very able staff, all of whom are seeking to improve diplomatic relations in a challenging environment. Also, on a personal note, the Ambassador and his wife were gracious and charming hosts throughout our stay in Venezuela, and I look forward to working with him in the future. Mr. President, I yield the floor.

Almost a week to the day after I left Venezuela, President Hugo Chávez threatened our Ambassador, Patrick Duddy, with expulsion in apparent response to criticism by America’s drug czar, John Walters. Mr. Walters, after being denied a visa to travel to Venezuela, warned that the flow of Colombian cocaine through Venezuela has quadrupled since 2004, reaching an estimated 282 tons last year.

As the New York Times reported on September 1, 2008, “Mr. Chávez’s comments effectively ended what seemed to be the start of a thaw in July, when he chatted with Mr. Duddy at a military parade and invited him to lunch.”

On September 11, 2008, President Chávez followed through on his threat. He announced that he was expelling Ambassador Duddy and gave him 72 hours to leave the country. According to the New York Times, President Chávez claimed to have “discovered an American-supported plot by military officers to topple him.” Of course, the Times also noted that President Chávez has “claimed at least 26 times in the last six years that there were plots to kill him, according to counts in the local media.”

Since this announcement, relations between our two countries have continued to deteriorate. On September 12, 2008, the United States announced it would expel the Venezuelan Ambassador and the U.S. Treasury Department accused three Venezuelan officials with close ties to President Chávez of aiding the Revolutionary Armed Forces of Colombia, or FARC, which the United States has designated as a terrorist organization.

To add even more fuel to the fire, as all of this was occurring, Russian bombers landed in Venezuela and several media outlets reported that President Chávez is discussing plans for military exercises with Russia’s navy in the Caribbean.

I am deeply disturbed by these developments. During my visit, there were already signs that President Chávez had decided not to follow through on his July overtures to Ambassador Duddy concerning renewed cooperation against drug traffickers, but I did not imagine that within weeks he would seek to expel the Ambassador. As I have noted in my trip report, Ambassador Duddy is an exemplary diplomat. His ouster is truly a tragedy.

#### WHERE ARE THEY?

Mr. SPECTER. Madam President, I have sought recognition to insert into the RECORD an article by Michael Smerconish, Esquire, concerning efforts by the United States to capture Osama bin Laden and Ayman al-Zawahiri. Mr. Smerconish is a distinguished columnist who writes for the Philadelphia Inquirer and the Philadelphia Daily News, has a morning talk show on the “Big Talker,” 1210 WPHT-AM, and appears on MSNBC. I have known Mr. Smerconish for more than 20 years and have a very high regard for his scholarship, among his other fine qualities. While I do not agree with all his comments, especially all his political evaluations, I believe this article should be made available to my colleagues and the public generally to the extent that the CONGRESSIONAL RECORD is read. Accordingly, I ask unanimous consent to have the article to which I refer printed in the RECORD.

PAKISOURCED

(Michael Smerconish, Sept. 11, 2008)

Where the hell are Osama bin Laden and Ayman al-Zawahiri? And why does virtually no one ask anymore? What’s changed since the days when any suburban soccer mom would have strangled either of them with her bare hands if given the chance? And what happened to President Bush’s declaration to a joint session of Congress nine days after 9/11 that “[A]ny nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.” Doesn’t that apply to Pakistan?

These are things that I wonder as I watch from my perch in Philadelphia, where I’m a talk show host, columnist and MSNBC talking head. I have also spoken and written about them incessantly, so much so that I’ve exhausted my welcome with many conservative members of my own talk radio audience. My editors at The Philadelphia Daily News and The Philadelphia Inquirer have made it clear that I’ve published my last column on this issue because I have written seven to date. On the day after the Pennsylvania primary, I told Chris Matthews on Hardball that this was an issue that could help Barack Obama win support among white male voters, he recognized that it was “[my] issue,” before adding, “And I agree with you completely.”

I can’t help myself. So strong is my belief that we’ve failed in our responsibility to 3,000 dead Americans that I am contemplating voting for a Democratic presidential candidate for the first time in my life. It’s the chronology I find so compelling.

We’re at the seven year anniversary of 9/11, lacking not only closure with regard to the two top al Qaeda leaders but also public discourse about any plan to bring them to justice. To me, that suggests a continuation of what I perceive to be the Bush Administration’s outsourcing of this responsibility at great cost to a government with limited motivation to get the job done. Of course, I may be wrong; I have no inside information. And I’d love to be proven in error by breaking news of their capture or execution. But published accounts paint an intriguing and frustrating picture.

To begin, bin Laden is presumed to have been in Afghanistan on 9/11 and to have fled that nation during the battle at Tora Bora in December of 2001. Gary Berntsen, who was the CIA officer in charge on the ground, told me that his request for Army Rangers to prevent bin Laden’s escape into Pakistan was

denied, and sure enough, that's where bin Laden went. Then came a period when the Bush Administration was supposed to be pressing the search through means it couldn't share publicly. But as time went by with no capture, the signs became more troubling.

We now know that in late 2005, the CIA disbanded Alec Station, the FBI-CIA unit dedicated to finding bin Laden, something which was reported on July 4, 2006 by *The New York Times*. At the time, I hoped we'd closed the bin Laden unit because Pakistani President Pervez Musharraf was fully engaged in the hunt in his country's northwest territories, where the duo were supposedly hiding. In September 2006, however, Musharraf reached an accord with tribal leaders there, notorious for their refusal to hand over a guest. In doing so, he agreed to give them continued free reign.

The following month, in October of 2006, I participated in a week-long, Pentagon-sponsored, military immersion program called the Joint Civilian Orientation Conference. This was a unique opportunity for 45 civilians who were invited to play military tourist and learn first-hand about the United States Central Command (CENTCOM). We traveled 15,000 miles and spent time in four nations. Our days began at 5 or 6 a.m. and didn't end until 10 or 11 p.m. Along the way, we boarded the USS *Iwo Jima* by helicopter in the Persian Gulf, fired the best of the Army's weaponry in the Kuwait desert (just 10 miles from Iraq), drove an 11-kilometer Humvee obstacle course (designed to teach about IEDs), boarded the Air Force's most sophisticated surveillance aircraft in Qatar, and even took a tour of a military humanitarian outpost in the Horn of Africa. In addition to Secretary Rumsfeld, we were briefed by the vice chairman of the Joint Chiefs of Staff, the vice admiral of CENTCOM and other high-ranking war commanders.

I came home with the utmost respect for the men and women throughout the ranks of all five branches of the service committed to eradicating the forces of radical Islam. But there was one thing noticeably absent: The search for bin Laden and al-Zawahiri. It was not part of our otherwise comprehensive agenda, and when I did ask specific questions, there was no information forthcoming except a generic assertion that, indeed, the hunt continued.

When we were briefed at Andrews Air Force Base by Vice Admiral David Nichols, the No. 2 to Army Gen. John Abizaid, I asked him whether the hunt for bin Laden was, at that stage, completely dependent upon Pakistani President Pervez Musharraf. He told me we respect national sovereignty, and described the search as "difficult and nuanced." I took that as a confirmation of my concern about outsourcing.

When in Bahrain, I put the same question to Marine Brig. Gen. Anthony Jackson. He told me that the search was the equivalent of finding one man in the Rockies, an analogy that I heard repeatedly from men I met overseas. He also said that "no one is giving up," and that my question was better put to the guys in special ops.

So, when we got to the special ops headquarters in Qatar, I raised the matter yet again, this time with Col. Patrick Pihana, the chief of staff to the Combined Forces Special Operations Component Command. He offered nothing substantive on the issue.

No one told me the search was over, but I came home worried that the days of aggressively hunting bin Laden and al-Zawahiri had ended. Of course, I could fully appreciate that an aggressive pursuit was underway but that I, a blowhard from Philadelphia, was simply deemed unworthy of any information. That would have been fine.

But there was another consideration. More than one individual with whom I spoke—and no one that I have named here—raised with me the question of what would happen to public support for the war against radical Islam if we were to find and kill bin Laden and al-Zawahiri. They wanted to know: Would the American people then expect the military to pack up and go home? No one ever told me that we're not hunting bin Laden because killing him would cause Americans to want to close up shop in Iraq and Afghanistan, but it was absolutely on the minds of our warriors as support for the war in Iraq dissipated.

A few months before my return, there was news of our response to the accord reached between Musharraf and the tribal warlords. The agreement, which was effected on September 5, 2006, stipulated that the Pakistani army would pull back from the tribal areas. A report from the BBC detailed what the tribal leaders would grant the army for withdrawing: "Local Taleban supporters, in turn, have pledged not to harbor foreign militants, launch cross-border raids or attack Pakistani government troops or facilities."

Meanwhile, there was no demand for accountability by our government. The White House and the Pentagon consistently played down the significance of capturing bin Laden and al-Zawahiri, and President Bush offered only superficial responses to the few questions raised on the status of the search. On February 23, 2007, the Army's highest-ranking officer, Gen. Peter Schoomaker, said he didn't know whether we would find bin Laden, and "I don't know that it's all that important, frankly."

At a May 24, 2007 White House news conference, when asked why Osama was still at large, President Bush offered his usual refrain: "Because we haven't got him yet . . . That's why. And he's hiding, and we're looking, and we will continue to look until we bring him to justice." For me, somewhere between two and four years removed from 9/11, it had all begun to wear thin—especially because it seemed bin Laden remained active. Unfortunately, the President's standard line has long been accepted by the media and American people.

Then, on May 20, 2007, the *Times* reported that we were paying \$80 million a month to Pakistan for its supposed counter-terrorism efforts, for a total of \$5.6 billion.

In July 2007, a National Security Estimate concluded that the failure of Musharraf's accord with warlords in Pakistan's tribal areas had allowed bin Laden's thugs to regroup there. On July 22, National Intelligence Director Adm. Mike McConnell said on Meet the Press that he believed bin Laden was in Pakistan in the very region Musharraf had ceded to the warlords.

I hoped that the presidential campaign would move the issue to the front burner, but despite its 24/7 nature it failed to stir up a discussion about the failure to capture or kill those who pushed us down such a perilous path. In the first seven presidential debates—four for the D's, three for the R's—there was only one question in 15 hours of discourse that touched on the subject of finding bin Laden in Pakistan, and it came from the audience. Though I did not keep count thereafter, I know that the issue never gained resonance in any subsequent debate.

Things changed somewhat on August 1, 2007, when Barack Obama delivered a speech at the Woodrow Wilson International Center for Scholars: "If we have actionable intelligence about high-value terrorist targets, and President Musharraf won't act, we will," he said.

"We can't send millions and millions of dollars to Pakistan for military aid, and be a constant ally to them, and yet not see

more aggressive action in dealing with al Qaeda."

Finally, I thought, a presidential candidate saying something about this foreign-policy failure.

The reaction? Ridicule.

Then presidential candidates Joe Biden and Chris Dodd responded derisively. Pakistani foreign ministers did likewise. Across the aisle, John McCain pounded Obama for a perceived lack of seasoning in the realm of foreign relations: "The best idea is to not broadcast what you're going to do," McCain said in February. "That's naive." (More recently, McCain has grown fond of saying that he'll "follow bin Laden to the gates of hell.") Not to be left out, Hillary Clinton said, "You can think big, but, remember, you shouldn't always say everything you think when you're running for president because it could have consequences across the world, and we don't need that right now."

Of course, that didn't stop Senator Clinton from including bin Laden's image—along with reminders of the attack on Pearl Harbor—in a television commercial that aired in the final days before the Pennsylvania primary election. After scolding her opponent for advocating a specific course of action in Pakistan, the world's most infamous terrorist became a bankable issue for the junior senator from New York when her back was against the wall.

To his credit, Obama refused to back away from his insistence on reasserting American control over the hunt for bin Laden. I interviewed him on March 21, 2008, and he admitted that a resurgence of the Taliban had occurred in Pakistan.

"What's clear from . . . what I've learned from talking to troops on the ground is that unless we can really pin down some of these Taliban leaders who flee into the Pakistan territories, we're going to continue to have instability, and al Qaeda's going to continue to have a safe haven, and that's not acceptable."

I was pleased by what he had to say about the issue, and asked about it again on April 18, 2008, when I interviewed him for a second time. He told me that Musharraf, despite being flush with billions in American aid, was not taking counter-terrorism seriously.

"That's part of the reason that I've been a critic from the start of the war in Iraq," Obama told me. "It's not that I was opposed to war. It's that I felt we had a war that we had not finished."

"And al Qaeda is stronger now than at any time since 2001, and we've got to do something about that because those guys have a safe haven there and they are still planning to do Americans harm."

He also pointed out that the Bush administration had actually shown signs of following his lead. Obama reminded me that a late-January airstrike killed a senior al Qaeda commander in Pakistan, calling it an example of the type of action he'd been recommending since August. The CIA, it was reported a few weeks after the strike, acted without the direct approval of Musharraf.

Soon after I spoke with Senator Obama, the non-partisan Government Accountability Office, the investigative arm of the United States Congress, issued a report dated April 17, 2008 with a title requiring no interpretation: "Combating Terrorism: The United States Lacks Comprehensive Plan to Destroy the Terrorist Threat and Close the Safe Haven in Pakistan's Federally Administered Tribal Areas."

The report, undertaken at the bipartisan request of U.S. House and Senate members, minced no words in issuing a conclusion that should have made Americans' blood boil: Six years after September 11, the United States had failed to destroy the terrorist havens in

Pakistan's federally administered tribal areas (known in the report as FATA). The GAO confirmed prior reports that al Qaeda was revitalized and poised to launch an attack, and said that no comprehensive U.S. plan existed to combat terrorism on its most central front.

In the days that followed its release, I spoke to Charles Johnson, under whose signature the GAO report was issued. He told me: "With respect to establishing a comprehensive plan, we found that there were some individual plans that had been prepared by the various entities I mentioned earlier [the Department of Defense, Department of State, U.S. Agency for International Development, among others]."

"But yet there was no comprehensive plan that integrated all of the key elements of national power that was called for by the 9/11 Commission, by the National Security Strategy for Combating Terrorism and the United States Congress. And those elements I'm referring to are: the use of military, economic and development assistance; law enforcement support; intelligence support; as well as political and diplomatic means by which we would want to address the root cause of terrorism in a particular region."

From there the headlines continued to defy the GAO recommendations. "Pakistan asserts it is near a deal with militants," read the front page of the April 25 edition of the *New York Times*. Pakistan's newly elected government was again on the verge of an accord with the militants running amok in the FATA—despite the new government's previously stated desires to move away from Musharraf's policies in those regions. Less than a week later, under the headline "Pakistan's planned accord with militants alarms U.S.," *The New York Times* reported that the Bush administration expressed concern that the new agreement could contribute to "further unraveling of security" in the region.

The arrangement was tailor made for bin Laden. It permitted the local Taliban group, Tehrik-e-Taliban, to assist in keeping law and order in the area known as Swat in the northwest frontier province—while not attacking the existing security forces—in return for an exchange of prisoners between the Pakistani Army and the Taliban. The Army also agreed to withdraw forces from parts of Swat. According to a report from the May 22 edition of *The New York Times*, the Bush Administration was concerned that the deal would "give the Taliban and Al Qaeda the latitude to carry out attacks against American and NATO forces in Afghanistan." Some U.S. officials even went so far as to call it a "victory" for bin Laden, as reported by ABC News. What else are we to assume, except that the climate in Pakistan may grow even more hospitable to al Qaeda?

In a refreshing opportunity free from the stock answers so often given by politicians, I was given the chance to interview Marcus Luttrell as part of my radio book club series in May 2008. He was the only survivor of Operation Red Wing, a mission that would result in the worst loss in Naval Seal history. He earned a Navy Cross for his valor and wrote about his harrowing story in *The New York Times*' best seller, *Lone Survivor*. Unlike most of the bureaucrats from Washington, who have only been able to offer me talking points from a failed policy, Luttrell gave a brutally honest account of the time he spent in the Hindu Kush, a mountainous area located just a few miles from the northwestern border of Pakistan. Luttrell described how his efforts were too often constricted by red tape.

"Yeah, we've got some problems with that border . . . because we'd be chasing the bad guys in there and they had a lot of security

set up and we have to stop what we're doing while they just run across and if we don't, we'll get engaged by the Paki border guards and that's an international incident."

Luttrell couldn't delve into the details of the prickly international problem that was created by the tension with the border guard, but when I asked him if the Pakistan issue was a problem in general, he wholeheartedly agreed.

"Hell yeah it's a problem. Heck, they're harboring the enemy. It's such a joke, it's so stupid. [T]hey come over and do their business, whatever is, and if it gets them in to trouble, all they have to do is sink back into Pakistan and stay there. They say, 'We're good here, we're good here' . . . It's frustrating."

Americans may be uncertain about which talking point of the day to believe on this issue, but I'm taking the word of a guy who saw the conditions first-hand. Marcus Luttrell and thousands of other men and women in uniform serve their country valiantly. Don't we owe it to them to aggressively pursue and kill the enemies that seek to destroy them?

Supporting the account of Marcus Luttrell is a chilling report released by the RAND Corporation, a think tank, on June 9, 2008. The report warned that the "United States and its NATO allies will face crippling long-term consequences in their effort to stabilize and rebuild Afghanistan" if it does not eliminate Taliban strongholds in Pakistan.

All of this while the presidential contenders and the Americans headed to the polls were mostly silent in the face of a seven year timeline moving in the wrong direction. For his part, Ayman al-Zawahiri was apparently so comfortable that he spent time logging into jihad chat rooms and attracting thousands of questions from the peon terrorists prepared to do his dirty work.

All of this drives me batshit, and it just might drive me into the Obama camp. That'd be quite a departure. I've been active in the Republican Party since I turned eighteen and registered to vote for Ronald Reagan in 1980. While a college undergraduate at Lehigh University, I did advance work for then Vice President George H.W. Bush. And soon after I graduated from law school at the University of Pennsylvania, Penn, he appointed me, at age 29, to run the Department of Housing and Urban Development in five states under the direction of Secretary Jack Kemp. I supported Bush 43 in both of his campaigns. Hell, in 2004, I MC'd his final Pennsylvania rally with 20,000 people in a suburban cornfield.

My frustration is so apparent that a fellow journalist from *The Philadelphia Daily News* has labeled me "fixated" with 9/11. At least I'm consistent. In 2004, I donated all of my proceeds from my first book, *Flying Blind: How Political Correctness Continues to Compromise Airline Safety Post 9/11*, to a memorial in Bucks County, Pennsylvania called the Garden of Reflection for Ground Zero victims. Many of my radio listeners bought that book. Now some of them pound out hatriotic emails to my website because, on the strength of this issue, I said Barack Obama was the better of the two Democrats in the Pennsylvania primary.

But frankly, I don't care.

The Bush Administration's failure to orchestrate a successful counter-terrorism plan—one topped off with justice for Osama bin Laden and Ayman al-Zawahiri—has left me embarrassed of my party and angry. The oft-repeated explanations of the search being nuanced or covering difficult terrain should have worn thin long ago.

Unfortunately, even after dangling my vote in front of Senator John McCain, the

nominee from my own party, he only offered a continuation of the Bush Administration's policy. In a conversation I had with the Senator on June 13, 2008, he first attempted to say that our counterterrorism efforts were working and that remaining on good terms with Pakistan was imperative to our safety.

"There has been progress in those areas. Pakistan is a sovereign nation and we have to have the cooperation of Pakistan in order to have these operations succeed. I don't have any classified information, but I do know that there are activities taking place that are intended to counter some of these activities, so all I want to say to you is that if you alienate Pakistan and it turns into an anti-American government, then you will have much greater difficulties."

Even when the Senator attempted to remind me of the fact that the United States also gives a great deal of money to Egypt, who, like Pakistan, could be more helpful in assisting the U.S. in the War on Terror, I pointed out to him that these guys aren't hiding in Cairo. The people responsible for the atrocities of 9/11 are concentrated in an area northwestern Pakistan, a fact which I repeated to the Senator. He then pointed out the historic difficulty with the region.

"I have promised that I will get Osama bin Laden when I am President of the United States, but . . . you can go on the internet, and look at that countryside, and there's a reason why it hasn't been governed since the days of Alexander the Great. They're ruled by about, it's my understanding, thirteen tribal entities, and nobody has ever governed them, not the Pakistani government, not the British—nobody, and so it's a very, very difficult part of the world." He added, "I agree with you that we should've gotten Osama bin Laden, but I can't put all of it at the doorstep of the Pakistani government."

I have a great deal of respect for the Senator, but I have a serious disagreement with him over this issue, something which I let him know would dramatically influence my vote in November. For the entirety of my interview, I tried to keep the Senator focused on Pakistan, and though he answered all of my questions, at the end of the interview, the Senator tried to insert his message of the day, which was about the Supreme Court ruling that granted habeas corpus rights to enemy combatants. When he did, I responded, "I hear you, and all I think is that the guys who sent those guys over here are still on the lamb and we're writing a big check, and I'm unhappy about it." To my disappointment, the Senator said the following, "Yes, sir, and I understand that, and if you let KSM, Khalid Sheikh Mohammad, and others go, they'll join them over there. Thirty guys, who have been released, have gone back to the battlefield." It wasn't the fact that he once again dodged my clear dissatisfaction with the Pakistan issue that left me dismayed—I've become quite used to it at this point; it was the fact that I clearly heard an aide mutter the line to him before he delivered it before me and my captive audience. The campaign clearly had a stock answer for me, an answer that I've heard before and have clearly rejected.

Put quite simply, the support for this failed policy is driving me to the edge of my long Republican career. And despite never pulling a lever for a Democratic presidential candidate, I believe the election this November will present the chance to relieve this country of the conventional wisdom that President Bush has offered for seven years and Senator McCain appears resigned to advance: That President Musharraf was a friend who did what he could to prevent Pakistan from defaulting towards further extremism; that the hunt for Osama bin Laden is nuanced and U.S. forces are doing everything they can to find him; and that the war

in Iraq is a necessary one that hasn't distracted from the fight against those who perpetrated and planned 9/11.

That wisdom has been proven unequivocally wrong.

The kicker? We, the tax payers, are footing the bill for this negligence. According to a June 25, 2008 article in *The Philadelphia Inquirer*, a GAO report showed that nearly two billion given in aid to Pakistan was spent improperly. The article states:

"For a large number of claims, Defense did not obtain sufficient documentation from Pakistan to verify that claimed costs were incremental, actually incurred or correctly calculated," the report concluded. "It seems as though the Pakistani military went on a spending spree with American taxpayers' wallets and no one bothered to investigate the charges," said Sen. Tom Harkin (D., Iowa), a member of the Senate Appropriations Committee. "How hard would it have been to confirm that a road we paid \$15 million for was ever built?"

The leaks about our Pakistani misadventures continued. It was reported in *The New York Times* on June 30, 2008 that the Bush Administration had created a secret plan in late 2007 to settle disagreements between counterterrorism agencies that were blocking the path of special ops forces into Pakistan. Months after the plan was developed, however, the special ops are still waiting, entangled in bureaucratic red tape. As these highly-trained soldiers, who should be on the prowl for Osama bin Laden, sit with their hands tied, al Qaeda's presence has grown. According to the *Times*:

"After the Sept. 11 attacks, President Bush committed the nation to a 'war on terrorism' and made the destruction of Mr. bin Laden's network the top priority of his presidency. But it is increasingly clear that the Bush administration will leave office with Al Qaeda having successfully relocated its base from Afghanistan to Pakistan's tribal areas, where it has rebuilt much of its ability to attack from the region and broadcast its messages to militants across the world."

In light of increasingly negative press about Afghanistan, both the Obama and McCain campaigns addressed the issue in foreign policy speeches on July 15, 2008. Senator Obama was first up to bat. Here's some of what he said:

"In the 18 months since the surge began, the situation in Afghanistan has deteriorated. June was our highest casualty month of the war. The Taliban has been on the offensive, even launching a brazen attack on one of our bases. Al Qaeda has a growing sanctuary in Pakistan. That is a consequence of our current strategy."

"In fact—as should have been apparent to President Bush and Senator McCain—the central front in the war on terror is not Iraq, and it never was. That's why the second goal of my new strategy will be taking the fight to al Qaeda in Afghanistan and Pakistan.

"It is unacceptable that almost seven years after nearly 3,000 Americans were killed on our soil, the terrorists who attacked us on 9/11 are still at large. Osama bin Laden and Ayman al-Zawahiri are recording messages to their followers and plotting more terror. The Taliban controls parts of Afghanistan. Al Qaeda has an expanding base in Pakistan that is probably no farther from their old Afghan sanctuary than a train ride from Washington to Philadelphia. If another attack on our homeland comes, it will likely come from the same region where 9/11 was planned. And yet today, we have five times more troops in Iraq than Afghanistan."

"The greatest threat to that security lies in the tribal regions of Pakistan, where terrorists train and insurgents strike into Af-

ghanistan. We cannot tolerate a terrorist sanctuary, and as President, I won't. We need a stronger and sustained partnership between Afghanistan, Pakistan and NATO to secure the border, to take out terrorist camps, and to crack down on cross-border insurgents. We need more troops, more helicopters, more satellites, more Predator drones in the Afghan border region. And we must make it clear that if Pakistan cannot or will not act, we will take out high-level terrorist targets like bin Laden if we have them in our sights."

"Make no mistake: we can't succeed in Afghanistan or secure our homeland unless we change our Pakistan policy. We must expect more of the Pakistani government, but we must offer more than a blank check to a General who has lost the confidence of his people. It's time to strengthen stability by standing up for the aspirations of the Pakistani people. That's why I'm cosponsoring a bill with Joe Biden and Richard Lugar to triple non-military aid to the Pakistani people and to sustain it for a decade, while ensuring that the military assistance we do provide is used to take the fight to the Taliban and al Qaeda. We must move beyond a purely military alliance built on convenience, or face mounting popular opposition in a nuclear-armed nation at the nexus of terror and radical Islam."

"Only a strong Pakistani democracy can help us move toward my third goal—securing all nuclear weapons and materials from terrorists and rogue states. One of the terrible ironies of the Iraq War is that President Bush used the threat of nuclear terrorism to invade a country that had no active nuclear program. But the fact that the President misled us into a misguided war doesn't diminish the threat of a terrorist with a weapon of mass destruction—in fact, it has only increased it."

Senator McCain offered a different view: "A special focus of our regional strategy must be Pakistan, where terrorists today enjoy sanctuary. This must end. We must strengthen local tribes in the border areas who are willing to fight the foreign terrorists there—the strategy used successfully in Anbar and elsewhere in Iraq. We must convince Pakistanis that this is their war as much as it is ours. And we must empower the new civilian government of Pakistan to defeat radicalism with greater support for development, health, and education. Senator Obama has spoken in public about taking unilateral military action in Pakistan. In trying to sound tough, he has made it harder for the people whose support we most need to provide it. I will not bluster, and I will not make idle threats. But understand this: when I am commander-in-chief, there will be nowhere the terrorists can run, and nowhere they can hide."

My ranting and raving on this issue seems to have caught the attention of the national campaigns. In June 2008, the Obama campaign used my praise of the candidate to supplement their fact check section of the website on the Senator's quest to catch bin Laden.

It became apparent that the Obama campaign wasn't the only one to take notice; the interview I had done with Senator McCain in June 2008, and general ire with the Republican establishment on this issue, had obviously raised some red flags over at the campaign. On July 24, 2008, former Mayor Rudy Giuliani appeared on the program at his own request. Though I was thrilled to have Rudy back to the show, as he was my first choice out of the Republican presidential candidates, it was clear that he was sent as a surrogate of the McCain camp. Realizing this, I told Rudy exactly what was keeping me from enthusiastically supporting

McCain. Specifically, I referenced a story that had run in *The New York Times* that morning, describing the Bush Administration's plan to divert \$230 billion dollars in aid to Pakistan, which was intended to be used for a variety of military purposes. According to the *Times*, the money would be used for everything, "from counterterrorism programs to upgrading that country's aging F-16 attack planes, which Pakistan prizes more for their contribution to its military rivalry with India than for fighting insurgents along its Afghan border." In my opinion, it looked like we were continuing to fund a country that had already grossly mismanaged the effort to find bin Laden, and doing so while knowing that the funds would be used to embolden the Pakistani army with regard to the age-old conflict with India. When I asked the former Mayor how he, the leader most defined by the 9/11 attacks, could tolerate this sort of negligence, I ended my question by telling him that I thought we were getting "rolled." He agreed with my analysis at story's face value, but qualified his comments, "I don't know what the background of this one is. On the face of it, it makes no sense. Pakistan does not face an imminent threat from India. India is becoming a closer and closer ally. I think one of the good things the Bush Administration has done is really turned it to a very positive one, particularly with this deal regarding the use of fuel that can be used for nuclear reactors, but the only was this would make sense, is if it's part of an overall deal to get them to allow us the leeway [to get bin Laden] we were just talking about."

I agreed with his analysis of this one instance, but after a long train of abuses involving Pakistan, it's difficult to keep an open mind. No campaign will ever be able to convince me that we haven't dropped the ball in Pakistan, and have disgraced the memories of the 9/11 victims in doing so.

While candidates talk, the dismaying story continues. A recent report from *The New York Times* in July 2008 suggested that the C.I.A. might not even be receiving proper intelligence on the al Qaeda problem in Pakistan: "The C.I.A. has depended heavily on the ISI for information about militants in Pakistan, despite longstanding concerns about divided loyalties within the Pakistani spy service, which had close relations with the Taliban in Afghanistan before the Sept. 11 attacks. That ISI officers have maintained important ties to anti-American militants has been the subject of previous reports in *The New York Times*. But the C.I.A. and the Bush administration have generally sought to avoid criticism of Pakistan, which they regard as a crucial ally in the fight against terrorism." It was reported two days later that officers from this same intelligence service played a role in the bombing of the Indian embassy in Kabul, Afghanistan on July 7, 2008, which left fifty-four people dead.

Still not convinced that Pakistan is knowingly harboring the people working full-time to attack us? On August 12, 2008, Abu Saeed al-Masri, a senior al Qaeda commander was killed in an American air strike. Where? The border between Afghanistan and Pakistan, of course.

When President Musharaff resigned in August 2008 due to political pressure from lingering doubts as to his legitimacy from the previous election, President Bush offered undue praise for the former President. A statement said, "President Bush appreciates President Musharaff's efforts in the democratic transition of Pakistan as well as his commitment to fighting al Qaeda and extremist groups." Commitment? What a farce.

I say that because the weeks following Musharaff's resignation have already brought incremental changes in policy and

faint reasons for optimism. The Pakistani military spent most of August launching airstrikes against the Taliban militants attacking American forces from the fence straddling the Afghan-Pakistan border—an effort that resulted in more than 400 Taliban casualties and a shallow retreat by the terrorists. It's "shallow" because the Pakistani government followed up those airstrikes by declaring a ceasefire to coincide with the Muslim holy month of Ramadan. Legislators from the tribal areas promised political support for the top candidate in Pakistan's presidential election in exchange for the truce, which was announced in the days leading up to the country's vote.

Less than a week later, though, American forces finally showed signs of taking the matter of the central front of the war on terror into their own hands. A New York Times report indicated that U.S. special ops forces attacked al-Qaeda militants gathered in a Pakistani village called Jalal Khel. U.S. officials said the move might represent the early stages of a more dedicated and aggressive American presence in Pakistan in the wake of General Musharraf's resignation.

Don't get me wrong, a more sustained United States assault against the terrorists squatting in Pakistan is welcome news, and it signifies a more urgent effort to hunt down and snuff out the greatest threat to Americans' safety on our own shores.

But it's about 2,555 days late and \$11 billion short. Seven years after 9/11, the country is stoking what was supposed to be a complete and consuming "war on terror" with faint signs of a sustained operation in the country where the bad guys have been hiding for years.

How appalling. I doubt the families of the 3,000 innocents murdered on 9/11—and the 4,000 that followed them in Iraq—are content with it. After all, it's seven years, thousands of troops and billions of dollars later, and our country has failed to deliver on what we really owe them: Justice.

Nor have we answered the most important question pertaining to our nation's future: Can we really win this war with Islamic extremism? Because if we don't have the fire in our belly to defend the American troops stonewalled by the Afghan-Pakistani border; to hunt down and destroy the Taliban and al-Qaeda militants camping out on the other side of that border; and do everything we possibly can to capture and kill Osama bin Laden and Ayman al-Zawahiri, I fear we'll be left to deal with another fire—one raging in another building, burning a hole in another American city.

#### RENEWABLE ENERGY AND JOB CREATION ACT

Mr. WHITEHOUSE. Madam President, I rise to applaud the Senate's passage yesterday, as part of the so-called tax extenders legislation, of important tax provisions that will move our Nation toward a green economy. But I also would like to reiterate my support for our budget pay-as-you-go rule and to express my disappointment that a nonoffset version of the so-called alternative minimum tax, AMT, patch was part of the tax package the Senate passed.

With our national debt level at a record high, and growing by the day, responsible governing requires that we balance new spending and revenue reductions with decreased spending or revenue increases. I am proud to have supported Senator CONRAD's amend-

ment to the tax extenders package that would have provided for the extension of the AMT patch and other tax extenders on a fully offset basis. I also supported Senator CONRAD's effort to raise a point of order under the Senate rules against the extenders amendment which was not fully offset.

Although I strongly prefer Senator CONRAD's approach of abiding by our budget rules, I decided to support final passage of the partially offset tax package because of the many critical energy tax provisions in the bill. I have been a strong proponent of growing our green economy, which will both help us combat global climate change and encourage investment in new technologies that will create jobs and strengthen our position in the world economy. This tax extenders package includes extensions of incentives for renewable energy, such as wind, solar, and geothermal, and the extension of the research and development tax credit on which businesses in Rhode Island and across the Nation have come to depend. In addition, the legislation that we passed yesterday includes a mental health parity law long championed by Congressman PATRICK KENNEDY of my State of Rhode Island and his father, Senator EDWARD KENNEDY. This landmark provision will ensure that health insurers provide mental health patients with quality coverage and will go down as one of the signature accomplishments of this Congress. I want to take this opportunity to congratulate Congressman KENNEDY and the other architects of this important tax legislation.

#### HONORING OUR ARMED FORCES

CAPTAIN BRUCE E. HAYS

Mr. BARRASSO. Madam President, I rise today to pay tribute and express our Nation's sincere gratitude to a remarkable young soldier and his family. I was saddened to receive word that on September 17, 2008, Army CPT Bruce E. Hays of Cheyenne, WY, was killed in the line of duty while serving our country in the war on terrorism. Captain Hays died from injuries he sustained while supporting Operation Enduring Freedom when an improvised explosive device detonated near his vehicle in Gerdia Seria, Afghanistan.

Captain Hays first enlisted in the Army in 1984, and joined the Wyoming National Guard in 2000. He received his commission and became an officer later that year. He was a versatile soldier, commanding units ranging from field artillery to information technology. Captain Hays is remembered by his fellow Wyoming soldiers as an outstanding officer, commander and leader who was both loved and respected by his troops.

It is because of Bruce Hays and the blanket of freedom that he fought to provide that we sleep safely in our beds at night. The brave men and women of this Nation who answer the call to service and wear the uniform of the

Armed Forces deserve respect and recognition for the enormous burden that they willingly bear. They put their very lives on the line every day for their fellow countrymen. And because of them and their families, our Nation remains safe and free in the face of danger and those who seek to harm us.

Captain Hays represents the epitome of this selfless service to a cause greater than one's self. He was deployed as chief of an Embedded Training Team, charged with mentoring the Afghan police forces to defend the people of Afghanistan against terrorism. Laying aside his own self interest, Captain Hays gave his life in a far off land helping a fledgling democracy and a newly freed people to live the dreams that freedom and liberty bring.

In the book of John, Jesus said that, "Greater love has no man than this, that he lay his life down for his friend." CPT Bruce Hays gave his life, that last full measure of devotion, for you, me, and every single American. He gave his life defending his country and its people, and we honor him for this selfless sacrifice. And there are no words to express the profound gratitude that our Nation owes this brave soldier and his family.

Captain Hays is survived by a loving family including his wife Marie and their children, Bethany, Eleanor, John, Alfonso, and Genevieve, and his parents Barbara and Leonard. He is also survived by his brothers and sisters in arms of the Wyoming National Guard and the U.S. Army. We say goodbye to a devoted family man and an American citizen soldier. Our Nation pays its deepest respect to CPT Bruce E. Hays for his courage, his love of country and his sacrifice, so that we may remain free. He was a hero in life and will remain so in death. All of Wyoming, and indeed the entire Nation, is proud of him. May God bless him and his family, and greet him with open arms.

STAFF SERGEANT NATHAN M. COX.

Mr. GRASSLEY. Madam President, I rise today to honor SSgt Nathan M. Cox who was killed on September 20, 2008 in Korengal Valley, Afghanistan. Staff Sergeant Cox was serving with B Company, 1st Battalion, 26th Infantry Regiment, 1st Infantry Division, out of Fort Hood, TX, and died following the injuries that he sustained after his vehicle encountered an improvised exploding device by the roadside. I would like to express my condolences to Nathan's friends and family, in particular Nathan's parents Jane and Leslie, wife Annie, and 5-year-old daughter Sophia. They are in my thoughts and prayers.

Staff Sergeant Cox was deployed to Afghanistan in July of this year, having spent a year in Iraq prior to his arrival in Afghanistan. He had attended Davenport Central High School in Davenport, IA, and enlisted in the Army straight after leaving high school. Nathan spent 3 years in Bosnia during the mid 1990s. Then, in 2005, at age 29, he re-entered the Army to make it his career. Nathan made the ultimate sacrifice defending the country and the