them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

PRESIDENTIAL SIGNING STATEMENTS

Mr. LEAHY. Mr. President, yesterday we were reminded, again, of the lawlessness of the Bush-Cheney administration as it continues its abuse of “signing statements” as part of a systematic pursuit of power without the checks and balances inherent in our constitutional democracy. A most distinguished task force of the American Bar Association has now released a unanimous report highly critical of this President’s practice as “contrary to the rule of law and our constitutional system of separation of powers.” I thank the distinguished panel of conservatives and moderates, or Republicans and Democrats for their thoughtful report.

Let me be clear, this is not some academic debate without consequences. I have been seeking to draw attention to this surreptitious power-grab for at least 4 years, since this President’s unusual signing statement following enactment of the Sarbanes-Oxley bill in 2002 swept away the checks and balances that cost so many Americans their livelihoods and their retirement savings through Enron and other scandals. The President signed the bill but had secret “reservations.” That is when I first realized the President’s unorthodox, unwise and unsound practice of signing a bill while crossing his fingers behind his back. We have seen it over and over again as this President insists on the President issuing a decree that he will pick and choose which provisions of laws to follow in statements that he issues…after Congress passes a law. What this President is doing is wrong.

Last month, the Senate Judiciary Committee held a hearing on the use of these signing statements by the Bush-Cheney White House. I said that what we are at a pivotal moment in our Nation’s history, where Americans are faced with a President who makes sweeping claims for almost unchecked executive power. This President’s use of signing statements is unprecedented, although presaged by the work of Samuel Alito at the Meuse Justice Department during the Reagan Presidency—now Justice Alito on the Supreme Court. This administration is now routinely using signing statements to proclaim what the law is when the President will follow, which parts he will ignore, and which he will reinterpret. This is what I have called “cherry-picking” and it is wrong.

This President’s broad use of signing statements to try to rewrite the laws passed by the Congress poses a grave threat to our constitutional system of checks and balances. During his 5 years in office, President Bush has abused his bill signing statements to assign his own interpretations to laws passed by Congress.

According to a review of these statements conducted by The Boston Globe, President Bush has employed signing statements to ignore or disobey more than 750 provisions enacted by the Congress since 2001, more than all previous Presidents in the history of our Nation combined. According to scholarly research that number now tops 800 provisions of law. I have alluded to the President’s signing statement in 2002 in connection with the Sarbanes-Oxley law designed to combat corporate fraud. The President used his signing statement to attempt to narrow a provision protecting corporate whistleblowers in a way that would have afforded them very little protection. Senator Grassley and I wrote a letter to the President stating that the narrow interpretation has all but nullified the law and the administration reluctantly relented on this view but only after much protest.

We also witnessed the President’s fondness for signing statements earlier this year, when after months of debate and negotiations in Congress, the President issued a signing statement for the USA PATRIOT ACT reauthorization law in which he stated his intentions not to follow the reporting and oversight provisions contained in that law. I noted this abuse at the time. When I voted against that reauthorization, I explained it was because I did not have confidence that the oversight provisions we succeeded in incorporating in the law would be respected. What little doubt was left was banished by the self-serving signing statement was erased last week when the Attorney General of the United States refused to commit to following the law.

This President has used signing statements to challenge laws banning torture, on affirmative action and prohibiting the censorship of scientific data. In fact, time and again, this President has stood before the American people, signed laws enacted by their representatives in Congress, while all along crossing his fingers behind his back. And, while this President used to boast—until his veto of stem cell research legislation—that he was the first modern President to have never vetoed a bill, he has cleverly used his signing statements as a de facto line-item veto to cherry-pick which laws he will enforce in a manner not consistent with our Constitution.

Unquestionably, our constitutional system of government, when Congress passes a bill and the President signs it into law, that should be the end of the story. At that moment the President’s constitutional duty is to “take Care that the Laws be faithfully executed.” That is the article II power, the executive power, to “execute” the laws, it is not a legislative power. So when the President, including this President, takes the oath of office and swears on the Bible, he does so as if the Constitution, “Before he enter on the Execution of his Office,” and swears that he will “faithfully execute” the office of President and “preserve, protect and defend the Constitution of the United States.” I remind this President and this administration that the Constitution has more than one article and that “All legislative Power” is vested in Congress, not some “unitary executive.”

When the President uses signing statements to unilaterally rewrite the laws enacted by the people’s representatives in Congress, he undermines the rule of law and our constitutional
checks and balances designed to protect the rights of the American people. This President’s abuse of signing statements is all the more dangerous because he has packed the courts with judges willing to defer to him and presidential authority. I have noted that Justice Alito believes in devolving the power to the President. I could not help but note that Justice Scalia, who is famous for not consulting legislative history, reached out in his dissent in the recent Hamdan decision to reference a recent President’s signing statement.

These signing statements are a diabolical device but this President will continue to use and abuse them, if the Republican Congress lets him. So far, this Congress has done exactly that. Whether it is torture, warrantless eavesdropping on American citizens, or the unlawful detention of military prisoners, this Republican-led Congress has been willing to turn a blind eye and rubberstamp the questionable actions of this administration, regardless of the consequences to our Constitution or civil liberties.

VOTING RIGHTS ACT

Mr. CRAPO. Mr. President, I rise today to express my support for the Voting Rights Act, VRA. Unfortunately a longstanding medical appointment kept me from casting my vote in favor of this legislation last week and I want there to be no question as to my support for the VRA. For over 50 years, the VRA has protected the cornerstone of our democracy: the right to vote. Congress enacted the VRA in response to the Jim Crow laws that would deny or abridge the right to vote. Americans. That means that everyone in this country, regardless of race, ethnicity, or national origin, has the right to vote.

For this to happen, it is imperative that the Islamic courts recognize the TFG as the official governing body of Somalia and that it abide by the cease fire agreed to on June 22, 2006, in Khartoum. The Islamic courts must work in good faith to strengthen the TFG and actively support the development of a more inclusive and representative government of Somalia.

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Mr. FEINGOLD. Mr. President, I, that a strong America is one that reflects the feelings and opinions of all Americans. That means that everyone has the right to vote.

Provisions of the VRA prohibit election laws that would deny or abridge voting rights based on race, color, or membership in a language minority. The act allows citizens to challenge discriminatory voting practices and procedures and prohibits the use of any test or device as a condition of voter registration. Such provisions seem like common sense today, but they were not always so widely supported. We must recognize today not to return to the mistakes of yesterday. I am pleased that the Senate approved the reauthorization of this critical act. It correctly ensures that every citizen has a stake and a voice in our country’s future.

INSTABILITY IN SOMALIA

Mr. FEINGOLD. Mr. President, I am deeply troubled by reports in the press that the Islamic courts in Somalia are advancing on the internationally recognized Transitional Federal Government, TFG, and are apparently ignoring recently signed cease-fire agree-

CELEBRATE AMERICA CREATIVE WRITING CONTEST

Mr. KENNEDY. Mr. President, I ask unanimous consent that the five poems, the winner and runner-up entries for the Celebrate America Creative Writing Contest about the contribution of immigrants to America, be printed in the RECORD.

Mr. President, I ask unanimous consent that the five poems, the winner and runner-up entries for the Celebrate America Creative Writing Contest about the contribution of immigrants to America, be printed in the RECORD.

Mr. President, on Thursday, July 20, 2006, I introduced S. 3700, which would honor the valiant efforts of our Korean war veterans, who risked their lives fighting against communism on the Korean peninsula. As we honor the 53rd anniversary of the Korean War Armistice, I am pleased to reintroduce this legislation recognizing Korean War Armistice Day. The Korean War Veterans Recognition Act of 2006 would include National Korean War Veterans Armistice Day among the days when the American flag should especially be displayed. Earlier this year, Representative SUE KELLY reintroduced similar legislation into the House.

National Korean War Veterans Armistice Day is July 27, which recognizes that negotiators signed an armistice agreement at Panmunjom on July 27, 1953. This led to North Korea’s withdrawal across the 38th parallel and allowed the Republic of South Korea to be free from attempts to force communism upon its people.

This year, as we commemorate the 53rd anniversary of the signing of the Korean War Armistice, it is important that we take a moment to reflect upon the sacrifices our men and women of the U.S. Armed Forces have made in brave service to our Nation since its inception. I am pleased to introduce this legislation to respectfully honor and pay tribute to the tremendous courage and sacrifice demonstrated by the men and women who served in the Korean war. As U.S. soldiers continue to fight for freedom around the world, we must remember the sacrifice and valor of their brethren who helped protect and promote American values on the Korean peninsula over a half century ago.

Mr. FEINGOLD. Mr. President, I am deeply troubled by reports in the press that the Islamic courts in Somalia are advancing on the internationally recognized Transitional Federal Government, TFG, and are apparently ignoring recently signed cease-fire agree-