United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, WEDNESDAY, OCTOBER 9, 2002 No. 132

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ISAKSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 9, 2002.

I hereby appoint the Honorable JOHNNY ISAKSON to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Robert A. Thrift, St. Bernice Baptist Church, Terre Haute, Indiana, offered the following prayer:

Heavenly Father, it is indeed a privilege to share in the opening ceremony of a daily session of the Congress of the United States of America.

Yet it is an awesome privilege to come confidently into Your presence to ask for help in times like these.

We give You praise and thanksgiving for who You are, what You are like, and all You have done for us individually and collectively.

Thank You for the heritage we have as one Nation under God. Forgive us in departing from You. May we return and remain true to that heritage.

For the Members of Congress we pray that wisdom would enter each heart, that understanding would be their delight and that discretion would guard and guide them in all their deliberations.

We bring these petitions and praise You because the kingdom, all power, and all glory truly belong to You.

In Thy name, Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. INSLEE) come forward and lead the House in the Pledge of Allegiance.

Mr. INSLEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will receive 10 one-minute speeches on each side after the gentleman from Indiana (Mr. KERNS) is recognized for 1 minute.

WELCOMING THE REVEREND ROBERT A. THRIFT

(Mr. KERNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KERNS. Mr. Speaker, I am pleased today to welcome Robert A. Thrift from St. Bernice, Indiana, as our guest chaplain.

Reverend Thrift has been pastor of St. Bernice Baptist Church for 8 years. He has four wonderful children: Paul, Janie, Ann, Carrie; and seven beautiful grandchildren: Mason, Tyler, Paige, Carson, Claire, Courtney, and Cole. His son Paul and grandson Carson are, in fact, with us today.

Reverend Thrift graduated from Houston Baptist University where he received his BA. He is also a graduate of Southwestern Baptist Theological Seminary. He has been a pastor both in Texas where he was born and in Indiana where he resides with his family.

Reverend Thrift has always helped those who are less fortunate. He has assisted juveniles who had drug problems and alcohol problems, and he also spends his time giving comfort to those who have been hospitalized.

Mr. Speaker, it is a great honor for all of Indiana and myself to have Reverend Thrift present the prayer today in the United States House of Representatives.

CHILD ABDUCTION PREVENTION

(Mr. LAMPSON asked and was given permission to address the House for 1 minute.)

Mr. LAMPSON. Mr. Speaker, on Monday, the House passed H.R. 5422, the Child Abduction Prevention Act. As the founder of the Congressional Caucus on Missing and Exploited Children, I would like to thank my colleagues for coming together to pass this important piece of legislation.

The provisions of a bill that I introduced, the Secret Service Child Protection Act, were included in the bill. Many people do not know this, but the Secret Service does more than protect the President. They help find missing kids. I wanted to make sure that they are able to continue assisting investigators, and I worked hard to have the Secret Service bill included in this overarching bill. The Secret Service is a key player in the effort to reunite families and to protect children.

The U.S. Secret Service provides resources, expertise, and other assistance to local law enforcement agencies and to the National Center for Missing and Exploited Children in cases involving missing and exploited children. However, even though the partnership is strong, there was a clear need to provide explicit statutory jurisdiction to the Secret Service to continue this forensic and investigative support upon

Printed on recycled paper.

request from local law enforcement or the National Center for Missing and Exploited Children. The bill that we passed on Monday will do just that.

Mr. Speaker, I thank my colleagues for working together so that we may hopefully help prevent further abduction and exploitation of children across America.

EXHAUST ALL OUR OPTIONS BEFORE WAR

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, this week I will vote against a unilateral, ill-timed, go-it-alone war on another nation.

We do not owe Saddam Hussein any more time. We do not owe him anything. But we do owe our soldiers and our Marines, our sons and our daughters, every effort to try every means before war; and it is clear that we have not yet exhausted all of our options before opening the door to war.

We will not allow the pain of last September to spread a cloud of fear that would shroud our judgment, our sense of international justice; and we must not be distracted from the war on terrorism in which we are already engaged.

We will equal the power of our Armed Forces with the force of our principles; and one of those principles is that America should lead an international coalition, not just go it alone. This is the American way.

THE ECONOMY

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, the war debate this week is one that deserves our careful attention, but our economy does, too.

While Republicans in Congress focus on drumming up support for a preemptive strike on Iraq, our economy is faltering. The statistics tell the story, and they are staggering.

The number of Americans without health insurance rose by 1.4 million last year. It is up to 41 million now. The poverty rate rose last year for the first time since 1992. Twenty-one percent of Hispanic families are now living in poverty, and more than 2 million jobs have been lost under President Bush.

I understand that because in my own district unemployment rates are as high as 11 percent. Utility bills and the price of gasoline are increasing. Thousands of hardworking men and women have seen their retirement savings evaporate before our eyes.

Congressional Republicans are ignoring these problems. Democrats understand that we need to take charge of our economy now. Let us do it before we adjourn. Let us raise the minimum wage, and we need to pass a Medicare prescription drug benefit that lowers drug prices and covers all seniors. We need to extend unemployment benefits for those people that have lost their jobs and are now seeking some relief from our government. Let us do the right thing before we adjourn. Let us help working families.

REMARKS MADE DURING IRAQ DEBATE

(Mr. WU asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WU. Mr. Speaker, the gentleman from Indiana (Mr. HOSTETTLER) made remarks at 10:30 last night which I think are deserving of being brought back to this House in the light of day. He said, Today a novel case is being made that the best defense is a good offense, but is this a power that the Framers of the Constitution meant to pass down to their posterity when they sought to secure for us the blessings of liberty? I think not.

Then he went on to quote from the founding of our country, the very beginning, the Minutemen facing the British and the Commander John Parker, Do not fire lest fired upon, but if they mean to have a war, let it begin here.

It is a notion that is as least as old as Saint Augustus' war thesis, and it finds agreement with the Minutemen and the Framers of the Constitution. We should not turn our back today on the millennia of wisdom by proposing to send America's beautiful sons and daughters into harm's way for what might be.

These words spoken late last night deserve consideration by this body and this Nation.

ANNOUNCEMENT OF INTENTION TO OFFER A MOTION TO INSTRUCT CONFEREES ON H.R. 4546, BOB STUMP NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003

Mr. TAYLOR of Mississippi. Mr. Speaker, pursuant to clause 7(c)(1) of rule XXII, I hereby notify the House of my intention to offer a motion to instruct conferees on the national defense authorization bill which has been in conference since July 26, 2002.

The form of the motion is as follows:

Mr. TAYLOR of Mississippi moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill H.R. 4546 be instructed to agree to the provisions contained in section 641 of the Senate amendment (relating to payment of retired pay and compensation to disabled military retirees).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed on Monday, October 7, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 5542, by the yeas and nays;
H.J. Res. 113, by the yeas and nays;
H.R. 3580, by the yeas and nays;
H.R. 5557, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

BLACK LUNG CONSOLIDATION OF ADMINISTRATIVE RESPONSIBILITY ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5542, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 5542, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 27, as follows:

[Roll No. 448]

YEAS—404

Abercrombie	Capps	Etheridge
Ackerman	Capuano	Evans
Aderholt	Cardin	Everett
Allen	Carson (IN)	Farr
Armey	Carson (OK)	Fattah
Baca	Castle	Ferguson
Bachus	Chabot	Filner
Baird	Chambliss	Flake
Baker	Clay	Fletcher
Baldacci	Clayton	Foley
Baldwin	Clement	Forbes
Ballenger	Clyburn	Ford
Barcia	Coble	Fossella
Barr	Collins	Frank
Barrett	Combest	Frelinghuysen
Bartlett	Condit	Frost
Barton	Costello	Gallegly
Bass	Cox	Ganske
Becerra	Coyne	Gekas
Bentsen	Cramer	Gephardt
Bereuter	Crane	Gibbons
Berkley	Crenshaw	Gilchrest
Berman	Crowley	Gillmor
Berry	Cubin	Gilman
Biggert	Culberson	Gonzalez
Bilirakis	Cunningham	Goode
Bishop	Davis (CA)	Goodlatte
Blumenauer	Davis (FL)	Goss
Blunt	Davis (IL)	Graham
Boehlert	Davis, Jo Ann	Granger
Boehner	Davis, Tom	Graves
Bonilla	Deal	Green (TX)
Bonior	DeFazio	Green (WI)
Boozman	DeGette	Greenwood
Borski	Delahunt	Grucci
Boswell	DeLauro	Gutierrez
Boucher	DeLay	Gutknecht
Boyd	DeMint	Hall (TX)
Brady (PA)	Deutsch	Hansen
Brady (TX)	Dicks	Harman
Brown (FL)	Dingell	Hart
Brown (OH)	Dooley	Hastings (FL)
Brown (SC)	Doyle	Hastings (WA)
Bryant	Dreier	Hayes
Burr	Duncan	Hayworth
Burton	Dunn	Hefley
Buyer	Edwards	Herger
Callahan	Ehlers	Hill
Calvert	Emerson	Hilliard
Camp	Engel	Hinchey
Cantor	English	Hinojosa
Capito	Eshoo	Hobson

Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—27

Akin
Andrews
Blagojevich
Bono
Cannon
Conyers
Cooksey
Cummings
Diaz-Balart
Doggett
Doolittle
Ehrlich
Gordon
Hilleary
Houghton
Istook
Kaptur
LaFalce
Lofgren
Manzullo
Mascara
Quinn
Roukema
Sawyer
Sessions
Stump
Young (AK)

□ 1036

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic votes on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

RECOGNIZING THE CONTRIBUTIONS OF PATSY T. MINK

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the joint resolution, H.J. Res. 113, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. ISAKSON) that the House suspend the rules and agree to the joint resolution, H.J. Res. 113, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 21, as follows:

[Roll No. 449]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—21

Andrews
Blagojevich
Bono
Cooksey
Diaz-Balart
Ehrlich
Herger
Hilleary
Houghton
Istook
LaFalce
Leach
Lofgren
Manzullo
Mascara

Quinn
Roukema
Stump
Tiahrt
Wicker
Young (AK)

□ 1045

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the joint resolution was amended so as to read: ''Joint resolution recognizing the contributions of Patsy Takemoto Mink.''

A motion to reconsider was laid on the table.

□ 1045

MEDICAL DEVICE USER FEE AND MODERNIZATION ACT OF 2002

The SPEAKER pro tempore (Mr. ISAKSON). The unfinished business is the question of suspending the rules and passing the bill, H.R. 3580, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BURR) that the House suspend the rules and pass the bill, H.R. 3580, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 3, not voting 22, as follows:

[Roll No. 450]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Allen
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—3

Flake
Paul
Sensenbrenner

NOT VOTING—22

Andrews
Armey
Blagojevich
Bono
Cooksey
Cox
Davis, Tom
Diaz-Balart
Ehrlich
Hilleary
Houghton
Istook
LaFalce
Larson (CT)
Lofgren
Manzullo
Mascara
McKinney
Quinn
Roukema
Stump
Young (AK)

□ 1054

So (two-thirds have voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 450, I was unavoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, I was unavoidably detained for the first two votes on October 9, 2002.

Had I been present, I would have voted in favor of H.R. 3580, to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, and also in favor of H.J. Res. 113, recognizing the contributions of Patsy T. Mink.

ARMED FORCES TAX FAIRNESS ACT OF 2002

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5557.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WELLER) that the House suspend the rules and pass the bill, H.R. 5557, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 19, as follows:

[Roll No. 451]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers

Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—19

Armey
Blagojevich
Bono
Cooksey
Davis, Tom
Diaz-Balart
Ehrlich
Hilleary
Houghton
Istook
LaFalce
Lofgren
Manzullo
Mascara
Quinn
Roukema
Stump
Velazquez
Young (AK)

□ 1104

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANAITON

Mr. MANZULLO. Mr. Speaker, please excuse my absence from the votes this morning. Had I been present I would have voted: "Yes" on H.R. 5557 (rollcall 451); "yes" on H.R. 3580 (rollcall 450); "yes" on H.J. Res. 113 (rollcall 449); and "yes" on H.R. 5542 (rollcall 448).

HOUR OF MEETING ON TOMORROW

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Illinois?

There was no objection.

AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 574, proceedings will now resume on the joint resolution (H.J. Res. 114) to authorize the use of United States Armed Forces against Iraq.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. When proceedings were postponed on the legislative day of Tuesday, October 8, 2002, 5 hours 50½ minutes of debate remained on the joint resolution, as amended.

The gentleman from Illinois (Mr. HYDE) has 1 hour 47 minutes remaining, the gentleman from California (Mr. LANTOS) has 1 hour 42½ minutes remaining, the gentleman from New Jersey (Mr. PAYNE) has 1 hour 21 minutes remaining, and the gentleman from Florida (Mr. GOSS) has 60 minutes remaining.

PARLIAMENTARY INQUIRY

Mr. GOSS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. GOSS. Would the Speaker explain the rotation in the time allotments just announced?

The SPEAKER pro tempore. The Chair will first recognize the gentleman from Florida (Mr. GOSS). The Chair will then recognize whoever is ready to yield time, and then continue in the same order.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a member of the Permanent Select Committee on Intelligence.

Mr. CUNNINGHAM. Mr. Speaker, my colleagues and I and the other Members quite often get in very emotional debates, each believing in their position. I think that is the case with the subject that we are breaching now. I would hope to bring some light as far as to why my feelings are as strong as they are.

New York, the Pentagon, Pennsylvania, over 3,000 men, women, and children dying, that is horrific and remains a bitter taste in all Americans' lives. But imagine New York, Chicago, or Los Angeles like Nagasaki or Hiroshima. Think of the pain and the agony that we would go through. Imagine millions of Americans dying with ebola, with smallpox, anthrax, or even nerve gas, which would render generations genetically with problems.

Is it possible? Yes. Is it probable? Yes. As a member on the Committee on Intelligence, I would say it is highly probable if we wait and do nothing.

Fact: In 1981, the Israelis destroyed a nuclear plant in Iraq ready to develop weapons-grade plutonium. In 1990, right in my hometown in San Diego, Iraqis were caught with nuclear triggers on their way to Iraq.

Fact: In 2002, a small amount of weapons-grade plutonium was intercepted heading for Iraq.

Fact: Saddam Hussein does have chemical and biological weapons, and even today he denies that. We know 100 percent that he has them, and he is working towards nuclear weapons.

Saddam Hussein has been expanding the delivery systems, including pilotless aircraft. Guess what is in range of those pilotless aircraft: Turkey, Saudi Arabia, Israel, where thousands of Americans and other citizens of other nations reside.

Saddam Hussein is dispersing, as we speak, and it is not just his capability with chemical and biological weapons, but he is dispersing those weapons of mass destruction to other terrorist groups.

Saddam really does not care for al Qaeda, but they have a common goal, and that is to hurt the United States.

It is a fact that Saddam pays $700 for a Palestinian that is wounded; and he pays $1,500 for a Palestinian that is wounded in a terrorist attack; and Saddam Hussein pays $25,000 to the family of someone that straps a bomb on themselves and blows up men, women, and children. Americans have been killed in Israel from suicide bombers.

Mr. Speaker, my eyes tear even 30 years later from friends that I saw die in combat. This is no simple thing. My

mother was rushed to a hospital when she learned that I was shot down.

I know the horrors brought on the men and women that we will ask to go to war, but I also know the heartache and the pain of the families that are left behind. I would say to my colleagues, do we want to subject them to the horrors of war in our own country?

That is why I have this resolve. I think it is highly probable that terrorists would act against the U.S. if we do not act; and I ask my colleagues, do not let it happen.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. CALLAHAN).

(Mr. CALLAHAN asked and was given permission to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, in doing so, I cannot minimize the gravity of its ultimate outcome—the potential deployment of American Service men and women to engage in war against our enemy. There is no more solemn responsibility, or burden, for a Member of Congress than acting to put our troops in harm's way.

I am supporting this resolution because I believe President Bush has made a solid case for acting to remove weapons of mass destruction from Iraq. He has taken the appropriate steps to achieve United Nations' support through a new Security Council resolution, and I remain hopeful this initiative will be successful. However, it is imperative that Congress give consensus to our commander in chief as he navigates through difficult diplomatic channels, and so we must give this measure a strong, favorable vote.

During my service here, I have joined my colleagues too many times to send our military personnel to war—from the gulf war to Bosnia to Afghanistan. Despite reservations, I have supported former Presidents Bush and Clinton because it is their constitutional role to make decisions involving war. We must all be nonpartisan on these issues and not support only the President of our party. To act in a partisan manner damages our Nation's credibility abroad and harms the reputation of Congress.

This will be one of my final votes in the House and it does not get any easier to act on matters of war. This vote late in my 18-year career will be one of the hardest. I am confident it is the right vote.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me first say that I know I speak for all of my colleagues across the political aisle in paying tribute to the gentleman from California (Mr. CUNNINGHAM), one of the true military heroes serving currently in the Congress of the United States.

Here is a man who participated in battles, knows the tragedy of war, but also understands that while war is horrible, appeasement brings far greater tragedies.

□ 1115

Before yielding to one of our most distinguished Members, I would like to pay tribute to every colleague yesterday who participated in this debate. The debate, Mr. Speaker, took place in a dignified, statesman-like, serious manner as befits the topic; and I want to pay tribute to every single Republican and Democratic colleague who took part in yesterday's debate, and I know today's debate will be similar in tone and tenor.

Mr. Speaker, I yield 7 minutes to the gentleman from Maryland (Mr. HOYER), my dear friend and one of the most distinguished Members of this body and one of the leaders on the Democratic side.

Mr. HOYER. Mr. Speaker, I thank my friend, the ranking member of the Committee on International Relations, for yielding me time.

Mr. Speaker, yesterday, today and tomorrow the Members of this House consider our most solemn constitutional obligation, a resolution that authorizes our Commander in Chief to use our Nation's Armed Forces. We do not savor this awesome responsibility, but we will not shrink from it either. The seriousness of this occasion dictates that we debate today not as Democrats, not as Republicans, but as Americans, Americans of conscience and principle who love their country and who are committed to the security of this Nation and its people.

This resolution in my view does not sound the drumbeat of war. Rather, it provides Saddam Hussein with his last chance for peace. I will support it. The resolution reflects the concerns and judgment of Members of this House from both sides of the aisle. It supports our diplomatic efforts, limits and defines the scope of authorization and requires the President to notify Congress before using force and to consult with Congress throughout the process.

Saddam Hussein's malevolence and expansionist designs are not in dispute. He used mustard gas and attacked civilians during his 8-year war with Iran. He attacked Kurdish villages in northern Iraq with chemical weapons. He invaded Kuwait before an international coalition repulsed him. He fired missiles at Saudi Arabia and Israel. He attempted to assassinate our own President, former President George Bush. And he has and continues to savage and enslave his own people.

Saddam Hussein is a vanquished tyrant who owes his existence to the fact that the international community did not effect his ouster in 1991. In hindsight, the cause of peace and regional stability, as well as the well-being of the Iraqi people who toil under his boot, dictated that result. Yet, like the long line of aggressors who pockmark history, Hussein has preyed on international irresolution. He disdains and refuses to submit to weapons inspections.

He continues his efforts to develop and acquire weapons of mass destruction, and he sponsors international terrorism. Saddam Hussein continues to be an unacceptable threat whose duplicity requires action, action now. Reverting to a failed inspection regime would permit hope to ignore history. Hussein is in no position to negotiate. He must provide unrestricted access to all Iraqi sites with no single compensation acceptable. And if he refuses, he must realize the consequences and realize as well that he is solely responsible for those consequences.

The United States must continue to seek the widest support for a tough inspection regime that ensures Hussein is disarmed. Unilateral action carries tremendous risk. Yet we know that international vacillation has often emboldened tyrants and compounded bloodshed and instability. In just the last decade, a halting, indecisive United Nations bore witness to genocide in the former Yugoslavia and tragically did little to stop it.

The reign of terror perpetuated by Slobodan Milosovic blazed until NATO extinguished it. Thus, in the face of tyranny, we must not allow our commitment to secure the imprimatur and participation of the international community to become the sine qua non of American policy.

The risk of inaction today in my opinion poses previously unfathomed dangers for tomorrow. The proliferation of weapons of mass destruction and the most virulent strain of terrorism which targets innocents and glories in suicidal mass murder could render national inaction a virtual death sentence to far too many.

Let there be no mistake, the United States must continue to be a leading proponent of multilateral institutions and the peaceful resolutions of disputes. However, in the absence of international unity in confronting Hussein and his criminal regime, we must not be frozen into inaction in the face of a clear and present danger.

Let me add, with all due respect to my colleagues who have expressed their sincere concern that this resolution authorizes the President to use Armed Forces preemptively, that I see a clear distinction here. We have had an ongoing engagement in Iraq since that nation agreed to terminate its hostility towards its neighbors in 1991.

Our pilots who have been fired on by Iraqi military can attest that our engagement continues. Thus, I do not agree that we are setting a possibly dangerous precedent.

Mr. Speaker, we have given and should continue to give diplomacy and international coalition-building efforts every opportunity. Saddam Hussein has chosen to ignore his obligations and to continue his dangerous designs. If he fails to seize this last chance for peace, then he will bear sole responsibility for his own destruction.

Mr. Speaker, we have no quarrel with the Iraqi people. Our purpose is not territorial acquisition. Our purpose is the protection and security of our people, and the promotion of peace, stability and the rule of law in Iraq, the Middle East and the international community. We must not shrink from this responsibility.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Illinois (Mr. LAHOOD), a member of the Permanent Select Committee on Intelligence.

(Mr. LaHOOD asked and was given permission to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, before I begin my prepared statement, I just wanted to say a word about the extraordinary leadership that we have on the Permanent Select Committee on Intelligence from our chairman. The gentleman from Florida (Mr. GOSS) is an extraordinary chairman. He has done so much. He has done a great job for our committee and for America since 9–11, and he deserves an awful lot of praise for the work he has done with the administration for all the Members of this House in really just doing an extraordinary job as chairman of the Permanent Select Committee on Intelligence.

Mr. Speaker, I rise today in support of H.J. Res. 114, a bipartisan resolution that authorizes the use of our Armed Forces against Iraq. I want to take a moment to applaud the President and his team for continuing to work to garner international support to bring Iraq into compliance with U.N. resolutions, for continuing to update the Congress on the situation in Iraq, and for continuing to work with Members on both sides of the aisle in formulating the resolution we are discussing today.

We do not take lightly what we are voting on here today. The decision to authorize the potential use of our Nation's Armed Forces is very difficult. However, this resolution is not a rush to war. Our immediate goal is to allow weapons inspectors complete and unrestricted accesses to determine Iraq's compliance with disarmament requirements. This resolution explicitly expresses support for the President's ongoing efforts to work with the U.N. Security Council to quickly and decisively act to ensure Iraqi compliance with all Security Council resolutions. However, the resolution also provides for the authorization of the use of military force that may be needed to protect U.S. national security and enforce Security Council resolutions if diplomatic efforts alone are no longer effective. Congress will be kept informed.

Saddam Hussein knew what was required to end the Persian Gulf War: destroying all existing weapons of mass destruction, discontinuing any development of these weapons, and allow United Nations' weapons inspectors unrestricted access so compliance with these demands could be ensured. Iraq has failed to comply with each and every U.N. resolution and has continued to stockpile and develop weapons that are a threat to not only its neighbors in the Middle East, but also the entire world.

Iraq's history of violations, combined with its present policy of working to acquire weapons while continuing to restrict U.N. access, led to a future where the United States and the United Nations must be able to commit whatever resources are necessary to ensure Iraqi disarmament.

I am proud to serve on the Permanent Select Committee on Intelligence and have had the opportunity to carefully study the ongoing weapons activity in Iraq. And I am convinced that this resolution is needed to allow us to use every option at our disposal to deal with Iraq. We know what Iraq is capable of, and we know that Saddam Hussein is striving to expand that capability. The people of Iraq are not safe. American military personnel who serve in the Persian Gulf are not safe. And, in fact, the world is not safe if Iraq does not begin to comply with U.S. and U.N. resolutions and disarmament demands.

I believe it is important for the Iraqi people to know that the United States and the United Nations will not allow the continued development and buildup of the stockpile of weapons in their country. Saddam Hussein has turned these terrible weapons against his own people who continue to suffer repression at the hands of this dictator's persistent and willful violations of his international obligations.

I am pleased that this is a bipartisan resolution. The security of the United States and the security of the world rise above partisan points of view. This resolution shows Iraq that we are united in its condemnation of its continued flagrant violation of all U.N. resolution, and in our determination to achieve Iraqi disarmament.

Mr. Speaker, I want to thank the President for his ongoing efforts to work with the international community and the Congress. And I want to thank my colleagues for this opportunity to use this to thoroughly discuss this resolution, which is one of the most significant pieces of legislation many of us will ever vote on during our time in Congress. Most importantly, I want to thank the men and women who serve in our Nation's Armed Forces, continually working to achieve and maintain peace, in the Persian Gulf region and around the world. And they deserve our devoted and unrestrained thanks for the wonderful, wonderful service that they provide to our country.

Mr. Speaker, I urge all my colleagues to support this bipartisan resolution.

Mr. PAYNE. Mr. Speaker, I would like to, first of all, commend both sides on this very important issue and the manner in which this discussion has moved forward for close to 12 hours. From about 1 p.m. to 1 a.m. on yesterday we had all views expressed, and that is really what makes this a great House, and that is what makes this a great country. That is what makes me proud and privileged to be a part of this institution.

□ 1130

I would like to certainly commend the gentleman from Illinois (Mr. HYDE) who has conducted himself with tremendous leadership, a true gentleman from Illinois who has shown his leadership in so many capacities. During the 14 years I have been in Congress, this is certainly one of the most important issues that I have been involved in, and it will be a very important vote.

I would also like to commend the gentleman from California (Mr. CUNNINGHAM), because all of us feel proud of what he has done to make our Nation a stronger place, and it is great to have heroes in our body.

Also, let me commend again the gentleman from California (Mr. LANTOS) who continues his eloquence, his vision. He is one of the most expressive persons that I know in the House, and, for that, this place is a better place.

Let me say that I would like to briefly share with my colleagues a front page article in today's Washington Post which states that unprovoked by a U.S. military campaign, Saddam Hussein is ''unlikely to initiate a chemical or biological attack against the United States.'' This was contained in a report provided by intelligence agencies to senators last week. If a U.S.-led attack could not be stopped, Saddam might launch a chemical/biological counterattack, the analysts forewarned.

The report said that Saddam might decide that the extreme step of assisting Islamic terrorism in conducting a war, in conducting a weapons of mass destruction attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.

This appears to suggest that an attack on Iraq could trigger the very thing that our President has said that he is trying to prevent, the use of chemical or biological weapons by Hussein.

In view of this report, the policy of a preemptive strike is troublesome. Haste in attacking Iraq would place untold numbers of people in harm's way.

In Ecclesiastes it says that there is a season for all things; there is a time to laugh and a time to cry, a time to plan and a time to pluck up that which has been planted, a time of peace and a time of war. The question before us is whether this is a time for peace or a time for war. The question is whether we can continue to use diplomacy, whether we have exhausted all means to try to have peace, whether we have maximized the use of the United Nations and other international agencies.

Let us give peace a chance. Let us try to get our inspectors in, identify weapons of mass destruction, have them destroyed and then move forward.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Ms. DELAURO) a very key leader in our Democratic Caucus, a person who has served her people in Connecticut so well, a member of the Committee on Appropriations.

Ms. DELAURO. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the responsibility for authorizing the use of America's military weighs heavily on all of us today, and I have no doubt that we each rise knowing that the Constitution and the Nation now call on each of us and no one else.

Nearly all assembled today, including myself, voted to authorize force and empower our war on terrorism. Our response was immediate and unified. The Taliban government had to fall. Al Qaeda had to be confronted in Afghanistan and all across the globe, and we carried into battle the full moral authority of a world stirred to action.

I oppose the resolution today reluctantly because I fully anticipate that we will need to act against Iraq before very long. I have no illusions about Saddam Hussein. Saddam Hussein and his regime threaten the safety of our country and his neighbors, many of whom are our allies. He has invaded and occupied neighboring countries and launched deadly missiles at civilian populations. This is a regime that has used and intends to use chemical and biological weapons and has done its best to develop a nuclear weapons program.

This is a murderous regime that has slaughtered its own people. Saddam Hussein is a war criminal who should be on trial, along with Slobodan Milosevic in The Hague.

I rise in opposition reluctantly but no less certain of the importance of a no vote. Because of the nature of this regime and because of the war on terrorism, we must marshal the moral authority and strategic resources that can end this grave threat and secure America's long-term interests. This resolution does not meet that historic requirement, in my view.

While it is an improvement over the original proposal, it represents a nod to the U.N., our allies and our long-term interests but requires almost nothing before America goes to war. It does not require that we seek to operate under a U.N. resolution or to seek unfettered U.N. inspection or to build broad support from allies before America goes to war. In doing so, we weaken our moral authority, our military effectiveness and our ability to keep events under control afterwards.

And if we go it alone against Iraq, as this resolution permits, I am concerned that our efforts will lack the legitimacy that an operation of this magnitude requires. I am concerned that the United States will have to carry the full burden of renewal and policing Iraq, which will surely be high.

Without U.N. sanction, I believe this action could increase instability in the region and indeed throughout the world. It could very well undermine the war on terrorism, alienating countries the United States will need to achieve the broader objective of uncovering and dismantling al Qaeda cells across the world.

I support the Spratt substitute because I believe it fully accepts the goal of eliminating weapons of mass destruction from Iraq. It accounts for Saddam Hussein's record of deceit, of lying to the world and forestalling the inspection process by anticipating the use of force, but the Spratt substitute rightly considers force something that is multiplied in effectiveness when the right stage is set.

It requires the President to certify that the U.N. Security Council has not acted or acted insufficiently to achieve Iraqi disarmament. The substitute requires that he certify that unilateral force is the only option, that military force is necessary to make Iraq comply and that the United States is forming as broad-based a coalition as possible.

Having taken every possible diplomatic action, it requires the President to certify that military action in Iraq will not interfere with the broader war on terrorism.

The Spratt substitute takes the responsible course of action, exhausting diplomatic efforts and building an international coalition first, while acknowledging that military action may be inevitable. I believe this path both ensures that we will be able to continue our success in the war on terrorism in the long term without compromising our safety in the short term.

Mr. Speaker, the President has asked that we pass the resolution to send the message to the U.N. I hope we pass the Spratt substitute so that we can send a message that our war on terrorism will not be compromised, and I hope that a no vote will urge the President to act with the force of nations to achieve our noble and our essential goals.

Mr. GOSS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New York (Mr. BOEHLERT), the distinguished chairman of the Committee on Science and a member of the House Permanent Select Committee on Intelligence.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, what is the rush? That question was asked of me Monday evening following the President's speech. It was asked of me last week and the week before and the week before. As a matter of fact, it was first posed to me by a thoughtful questioner at a League of Women Voters candidates forum in Cortland, New York, some 7 weeks ago.

My answer to him then was the same answer I give to everyone now. There is no rush. The President is prudent, measured and firm in dealing with a decade of defiance, deception and bad faith on the part of Saddam Hussein, who has repeatedly ignored U.N. resolutions and turned his back on agreements that he himself embraced. There is widespread agreement with the President. The time for denying, deceiving and delay is over.

Iraq has a chemical and biological weapons capability which can be launched at a moment's notice and is in the process of acquiring a nuclear capability. From my vantage point as chairman of the Committee on Science, I am familiar with the havoc that can be wreaked with chemical and biological weapons; and as a senior member of the Permanent Select Committee on Intelligence, I am most familiar with the evidence that Saddam Hussein has an accelerated program to acquire a nuclear capability.

The case has been made. The question is, what do we do about it?

In my view, the President is going about it in the correct way. He is not some rogue cowboy from Texas, acting as the Lone Ranger, but a thoughtful, international leader, rising to the occasion with calm and reason and resolve.

The case has indeed been made, and it is up to us to respond. The President went to the United Nations and in a very orderly, methodical way outlined the evidence to that body and to the international community.

The President has repeatedly consulted with the Congress, not just with a few leaders, but all of us. There have been meetings at the White House. Just yesterday, for example, I started my day at 7:30 at the Pentagon with a briefing by the Secretary of Defense and his top people, followed by a return to Capitol Hill for several hours of meetings with the Permanent Select Committee on Intelligence, followed by a luncheon meeting with a group of us with Condoleeza Rice, the National Security Adviser.

The Congress is involved. It has been presented the evidence, and the President is engaging the American people with a thoughtful, sober, analytical presentation. And I have to confess great disappointment because if my colleagues turned on the television set Monday night, on the three national channels they found their usual programming, not to be interrupted by something so minor as the President of the United States addressing the world on one of the most serious subjects of the moment.

I think overlooked in that speech to the American people Monday night was this fact, and the speech made it abundantly clear. Approving this resolution does not mean that immediate action is imminent or unavoidable. I am comforted by the fact that the President has advisers like Colin Powell and Dick Cheney and Don Rumsfeld and Condoleeza Rice. They are going about this in the correct way, and I urge support for the Commander-in-Chief.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. HARMAN), the ranking member of the Permanent Select Committee on Intelligence Subcommittee on Terrorism and Homeland Security.

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding me the time, and I rise in support of this resolution.

The threat from Iraq is very real and increasingly dangerous. Saddam Hussein's belligerent intentions, and his

possession and ongoing development of weapons of mass destruction to fulfill those intentions, make him a clear and present danger to the United States and the world.

Particularly worrisome is the evidence of Iraq's UAV capability. Iraq's ability to use uninhabited aerial vehicles to deliver biological and chemical weapons far outside its national borders represents a qualitative increase in the danger it poses. History demonstrates Saddam Hussein's willingness to use such weapons against unarmed civilians, including his own people; and it demonstrates his unhesitating instincts to invade his neighbors, Iran and Kuwait, and to attack Israel.

That he appears to quote Director Tenet's recent letter, ''to be drawing a line short of conducting terrorist attacks'' does not persuade me that he will not. He is impulsive, irrational, vicious and cruel. Unchecked, he will only grow stronger as he develops capability to match his disdain for America and his Middle East neighbors.

History shows that had Israel not destroyed Iraq's nuclear reactor in 1981, Saddam Hussein would now have nuclear capability, but he did not cease his nuclear ambitions. Had coalition military forces not swept through Iraq in 1991, he would have possessed nuclear weapons by 1993.

□ 1145

The CIA now reports that Iraq is 1 year away from a functional nuclear device once it acquires fissile material. Waiting 1 hour, 1 day, 1 month in such an environment, as some suggest, is too risky.

The resolution we are considering is greatly improved from the draft the administration proposed, and I commend Leader GEPHARDT for negotiating these improvements. This resolution narrows the scope of action to the threats to national security posed by Iraq and enforcing compliance with U.N. resolutions.

This resolution stresses a strong preference for peaceful and diplomatic action, authorizing the use of force only if peaceful options have failed.

This resolution requires the President to comply with the War Powers Act and report regularly to Congress should military action become necessary, as well as after the use of force is completed.

This resolution addresses post-disarmament Iraq and the role of the United States and the international community in rebuilding.

And of crucial importance, this resolution requires the President to certify to Congress that action in Iraq will not dilute our ability to wage the war on terrorism.

Removing WMD from Iraq is an important priority, but it cannot replace our counterterrorism efforts at home and abroad. We must ensure we do not divert attention from protecting our homeland, beginning with the creation of a Department of Homeland Security.

We must also strengthen and expand programs and policies aimed at stopping the proliferation of weapons of mass destruction and their components.

Sentiment in my district is high, both in favor and in opposition to this resolution. I thank my constituents for sharing their views with me. I have listened carefully, learned as much as I could; and now it is time to lead. Like all my colleagues, I fervently hope that the U.S. will not need to use force, but the best chance to avoid military action is to show the U.N. and Iraq that we will not flinch from it.

Giving diplomatic efforts every chance is the right policy, and this resolution gives diplomacy its maximum chance to succeed.

Mr. PAYNE. Mr. Speaker, I yield 6 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a member of the Committee on Appropriations, who has done a great job not only regarding foreign operations, but also for her State of Michigan.

Ms. KILPATRICK. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the 435 who serve in this body, and the 100 in the other body, will shortly cast the most important vote of our career, should we send our young men and women to war. It is a decision not to be taken lightly, and I highly respect both sides of the argument. But I stand here today with a heavy heart because I am not able to support the resolution before us.

September 11, 2001, the most dastardly deed ever imagined on a people was committed in this country. The terrorist threat is alive and well. It ought to be the number one priority of this country, of this President, to root out terrorism, to make sure we bring the culprit who planned, organized, and attacked our Nation to justice. We have not done that. Nothing should divert us from that.

There has been no intelligence, no information given to this Member, and I might add my ranking member on the Permanent Select Committee on Intelligence, that would say Saddam Hussein is an imminent threat to America at this time. No information to the highest ranking Democrat on the Permanent Select Committee on Intelligence.

Does he have weapons? Can he harm? Yes, he can. The President went to the United Nations and spoke before 189 nations of the world not long ago, and the U.N. Security Council, which is composed of many countries, China, Russia, Germany, France and others, whose responsibility it is to act. And if a unilateral strike were necessary right now, do any of us believe that China, Russia, France, Germany, who are also a part of this world, would join with the United States? They have chosen not to do so. Therefore, that leaves the United States alone.

Yes, we are the most powerful. Yes, this is a great country, and we want to remain that. I am very concerned that a unilateral first strike will upset the global economy, will upset the world. And what about the other 20-plus countries that have weapons of mass destruction? Can China then attack Taiwan? Can India then attack Pakistan? North Korea? South Korea? Where does it stop?

The United States is the leader in the world, and we must show that leadership; and we do that by multilaterally acting with our allies, working together so we do not have the loss of 50,000, so that we will not have to spend $200 billion-plus of taxpayers' money, and so that we can then use it for health care and housing and prescription drugs.

Mr. Speaker, I implore the American citizens to look at the issue and to get to their Congressperson and Senator. Yes, we have to disarm Saddam Hussein. Yes, we have to go after the weapons of mass destruction. But we are the leaders of the free world, and we have no allies with us on this first strike.

We ought to ask some questions here. What will be the consequences in the Middle East when America makes this first strike? What will be the cost to the world? How many lives will be lost? What resources are we going to pledge as we strike and then as we rebuild that part of the world? What will happen with Iran and Saudi Arabia? Will they sit idly by?

If we pass this resolution in October and not go to war until February or March, what will happen in the interim to American businesses all over the world? Will they be safe?

I urge my colleagues to look at some of these questions. There is no plan. Attack and then what? We have not been given a plan for striking nor a plan for exiting. I think that is wrong. And as Members of Congress who have pledged to represent over 600,000 people apiece, we owe our constituents that answer, these very same constituents whose sons and daughters will be on the front line risking their lives in a war where there has not yet been proven to be an imminent threat to our country.

Mr. Speaker, over the next several hours I ask my constituents to please listen to the comments of our colleagues. And, again, I respect both sides; but I think my constituents sent this Member here to represent and to report to them, and what I am reporting today is that there is no information, no intelligence presented that either this Member or our ranking member on our Permanent Select Committee on Intelligence that Saddam Hussein is an imminent threat to our country today.

Let the U.N. process work. Go in with unfettered inspections, and then let us make an intelligent response. Then multilaterally put the coalition together that we have to have to rid Iraq of weapons of mass destruction. But then also invest in America to save our health care institutions, to build new

schools. I am telling my colleagues, and America, to rise up, to speak out. The time is now.

Mr. GOSS. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Michigan (Mr. HOEKSTRA), a member of the Permanent Select Committee on Intelligence.

Mr. HOEKSTRA. Mr. Speaker, I thank the chairman of the Permanent Select Committee on Intelligence for yielding me this time.

Mr. Speaker, I rise today to talk about what will be the most difficult vote many of us will ever cast. The decision to authorize our President to use force is never an easy one. Leadership is never easy. Like many people in my district, I struggled with this decision. Just as I do not believe any of my constituents wants to go to war, I do not believe any person in this Chamber wants to go to war. But there are those in this world who may leave us no choice. They have already declared war on America. That is where we find ourselves today.

Much has changed in our country since the attacks of September 11. We have awakened to a world in which the threats that existed before only outside of our borders are now very real inside of them. None of us will ever forget that day, the horror, and then explaining to our children how the most powerful Nation in the world, in a matter of seconds, became one of its most vulnerable.

On September 11 we lost over 3,000 people. They were ordinary Americans going about the business of their lives when they became victims of the global war that terrorists have launched against America. They were not the first victims. Throughout the 1990s, al Qaeda and other terrorist organizations attacked our Nation. We did not heed the warning signs. We see these warning signs in Iraq now.

Saddam Hussein has already used weapons of mass destruction against his own people and the people of Iran. He has systematically thwarted every attempt by the United Nations to conduct thorough inspections of his chemical, biological and nuclear arms-making capabilities. He has ignored a decade-plus of U.N. resolutions.

The question now is how long do we wait? Do we wait for a dictator who has shown no limits in his willingness to flaunt international law, to killing innocent people? Do we wait to give al Qaeda or some other terrorist group a weapon of mass destruction that Saddam Hussein has provided to them?

Mr. Speaker, there is no doubt that Saddam Hussein is a threat to our Nation and to the peace of this planet. He is a rogue leader seeking the world's deadliest weapons, and there is little doubt he will use them for his own evil purposes. Now is the time for the U.S. to lead, to demonstrate real leadership at the United Nations, to demonstrate our conviction and resolve to the dissidents in Iraq that we stand with them.

By exercising leadership in the world community, we will send a powerful message to Saddam and terrorists that peace-loving nations and peace-loving people will not stand by silently as they threaten the values that we stand for. In times of crisis, America has always led. Now is the time for the President, for this Congress, and for America to once again show leadership in a dangerous world.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, today I rise not as a Democrat, but as an American who shares the belief with President Bush that, once and for all, the time has come to end the threat of Saddam Hussein and his weapons of mass destruction. For that reason, I intend to support the authorization of military force against Iraq, even as I hope and pray for peace.

Saddam Hussein has been responsible for the murder and deaths of hundreds of thousands of men, women, and children. How many more people, how many more innocent victims must die at his hands before the world finally says enough is enough?

Saddam Hussein has built chemical and biological weapons. He has pursued the ultimate weapon of terror, a nuclear bomb. How many more weapons of mass destruction must he build before the world finally says enough is enough?

There comes a time when a tyrant's repeated disdain for the rules of civilized society makes it necessary for society to protect itself. I say that time is now.

Some of my colleagues in Congress say, in good faith, let us continue to try diplomacy with Saddam Hussein, and I respect their right to that view. Eleven years ago, I too had hoped diplomacy would have worked, in that case to stop Saddam Hussein from his unprovoked aggression against his neighbor, Kuwait. The Arab League tried diplomacy and failed. The European Community tried diplomacy and failed. The United Nations tried diplomacy and failed. And for 11 long years since, the world community, acting through the United Nations, has tried to use diplomacy to convince Saddam Hussein to destroy his weapons of mass destruction.

□ 1200

Once again, the world community and diplomacy have failed.

Is that failure the fault of the United States, the United Nations? Absolutely not. The fault lies squarely with one person and one person alone, Saddam Hussein. He is the guilty one, not us.

The reality is that Saddam Hussein is a terrorist of historic proportions who has gassed his own citizens and killed his own neighbors. Now with his weapons of mass destruction he is a genuine threat to his declared enemy, the United States. Nothing, absolutely nothing Saddam Hussein has done since his invasion of Kuwait would suggest that his disrespect for the rules of civilized society has changed one iota. If anything, that disrespect has grown as he has arrogantly ignored U.N. resolution after resolution, year after year.

Do I hope for peace without war? Fervently so. Because I represent 40,000 soldiers in my district who may be sent off to that war, and I represent their families. Yet, sadly, 11 years of his actions suggest Saddam Hussein has no respect for the principles of diplomacy and peace.

The responsibility to only use war as a last resort does not negate the profound obligation of the President and Congress to protect American citizens from weapons of mass destruction. The United States as the one superpower in the world has an abiding responsibility to ensure that the terrorist attacks of September 11 do not become a prelude for biological, chemical or nuclear terrorism either here or anywhere in the world.

I respect President Bush, as I do his father, for standing up to the menace of Saddam Hussein. I applaud the President's recent challenge to the United Nations. The interest of our Nation and all nations will be served if the U.N. enforces its resolutions against Saddam Hussein and Iraq. But if the U.N. does not take decisive action, the threat posed by Saddam Hussein and Iraq does not go away.

Tigers do not change their stripes, and Saddam Hussein has not changed his. Not in 11 years, and not now. He was a brutal dictator, a dangerous dictator over 11 years ago; and he is a brutal, dangerous dictator today. The reality is diplomacy has failed and delay could be dangerous. The time to act is now.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Mrs. MEEK), a member of the Committee on Appropriations, and a teacher for over 50 years. This is the gentlewoman's last term, and we appreciate her service to our country.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentleman for yielding me this time.

As a woman of peace, I am compelled to rise in opposition to this resolution. I oppose this resolution as someone who loves this country very deeply. Perhaps one would have had to have grown up under segregation in the deep South, as I did, to truly appreciate how much this Nation means to me and how honored I am to serve my country in Congress.

As one of the most senior Members of Congress, few have seen what I have seen in this Nation's history. I remember clearly the Japanese preemptive attack, or first strike, against the United States that plunged us into World War II. We called it a sneak attack and an act of cowardice. They called it a preemptive attack against a foreign enemy that threatened their interests.

I also remember clearly when we went to war in South Korea, and after

50 years we are still in Korea. Since I have been in Congress these past 10 years, I have supported every Defense authorization and Defense appropriations bill, every one of them. I feel very strongly that we need a strong national defense, and we need to be prepared, and indeed we are.

We are the strongest Nation in the world, and number two is not even close to us. I believe that our Nation sets the standard for the world. What we do and how we do it has a huge impact on the actions and things that other nations do. I also believe that we need a strong Presidency. I felt that way under President Clinton, and I feel that way under President Bush. However, we must use our power very carefully. We must set standards for other nations and promote our security, our interests and our goals. A strong chief executive should not be an all-powerful chief executive; strong, but not all-powerful.

It is for these reasons I oppose this resolution.

Are we in imminent danger of attack? The claims of proof are lacking. The media has reported today that the consensus of all relevant U.S. military intelligence agencies is that Saddam Hussein is unlikely to initiate an attack upon us. In fact, the relevant U.S. intelligence agencies have concluded that the major threat to the United States is not a first strike but the weapons of mass destruction against our invading troops.

Is Saddam Hussein an enemy? Yes, he is. Is Saddam Hussein interested in military conquests? Unquestionably. Do we need to take action against him to dismantle any existing weapons and prevent the construction of others? Emphatically yes. But is he an imminent threat to the United States? The answer is, no. Such a serious threat that we have no choice but to immediately attack him? The President simply has not even come close to proving his case on that to me, representing over 600,000 people, or to the American people, nor have those who are promoting this war.

Under such shaky justifications when we have other options, why are we in such a hurry to start a war? Why are there so many people beating the drums of war? My answer to this resolution is that we do not have clear evidence, we do not have a demonstrated imminent threat, and so we do not have a compelling reason to pass this resolution.

As I said, I believe in a strong chief executive, but I also believe in a strong constitutional government. Only Congress has the authority under the Constitution to declare war. This resolution authorizes the use of force immediately regardless of our efforts to gain the support and assent of the other nations that share the world with us. I am certainly not willing to approve this blank check to give such power to any President, whether he be Democrat or Republican.

As a leading member of the international community, the United States must live and get along with and set example for the other nations of the world. If we claim the right to attack other nations on our own, what would we do when other nations claim that same right and then act upon it? The world is filled with nations that already have weapons of mass destruction and that already have hate and fear their neighbors. How would we contain the preemptive attacks by other countries that would be justified by our own actions? Such attacks could even be directed against us.

Finally, I believe we should fully and aggressively utilize every diplomatic option available to us. We have worked with the United Nations in the past, and we can do it again.

Mr. Speaker, this is not the world of President William McKinley. The real and imminent threat to our Nation is from terrorism, not from other nations.

Mr. Speaker, I include the following for the RECORD.

ANALYSTS DISCOUNT ATTACK BY IRAQ COUNTERATTACK IS CALLED POSSIBLE

(By Dana Priest)

Unprovoked by a U.S. military campaign, Iraqi President Saddam Hussein is unlikely to initiate a chemical or biological attack against the United States, intelligence agencies concluded in a classified report given to select senators last week.

However, the report added, ''should Saddam conclude that a US-led attack could no longer be deterred,'' he might launch a chemical-biological counterattack. Hussein might ''decide that the extreme step of assisting Islamist terrorists in conducting a WMD [weapons of mass destruction] attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.''

The assessment was first made in a classified National Intelligence Estimate, which includes the analysis and opinions of all relevant U.S. intelligence agencies, that was given to the Senate intelligence committee last week. A declassified ''white paper'' on Iraq was released days later. At the urging of the committee, which is controlled by Democrats, additional portions of the classified intelligence report were declassified by the CIA Monday and released last night.

With lawmakers poised to vote this week on a resolution giving President Bush authority to attack Iraq, the new intelligence report offers grist both for supporters and critics of the administration's policy. The CIA assessment appears to suggest that an attack on Iraq could provoke the very thing the president has said he is trying to forestall; the use of chemical or biological weapons by Hussein.

But the CIA also declassified other elements of analysis that seem to back up the president's assertion that Iraq has active ties to al Qaeda—a growing feature of the administration's case for considering military action.

Among the intelligence assessments linking Iraq with al Qaeda is ''credible reporting'' that the group's ''leaders sought contacts in Iraq who could help them acquire WMD capabilities,'' according to a letter to senators from CIA Director George J. Tenet.

Tenet added: ''Iraq's increasing support to extremist Palestinians, coupled with growing indications of a relationship'' with al Qaeda ''suggest Baghdad's links to terrorists will increase, even absent U.S. military action.''

In his speech to the nation Monday night, Bush said: ''Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists. Alliance with terrorists could allow the Iraqi regime to attack America without leaving any fingerprints.''

The letter's release shed light on a behind-the-scenes battle over Iraq-related intelligence. The CIA's detailed, unvarnished view of the threat posed by Iraq is central, say many lawmakers, to how they will vote on the matter. Yet an increasing number of intelligence officials, including former and current intelligence agency employees, are concerned the agency is tailoring its public stance to fit the administration's views.

The CIA works for the president, but its role is to provide him with information untainted by political agendas.

Caught in the tug of war over intelligence, say former intelligence officials familiar with current CIA intelligence and analysis on Iraq, has been the CIA's rank and file, and to some extent, Tenet.

''There is a tremendous amount of pressure on the CIA to substantiate positions that have already been adopted by the administration,'' said Vincent Cannistraro, former head of counterterrorism at the CIA.

Tenet last night released a statement that was meant to dispel assertions that the letter contained new information that would undercut the case Bush made in his speech.

''There is no inconsistency between our view of Saddam's growing threat and the view as expressed by the President in this speech,'' the statement read. ''Although we think the chances of Saddam initiating a WMD attack at this moment are low—in part because it would constitute an admission that he possesses WMD—there is no question that the likelihood of Saddam using WMD against the United States or our allies in the region for blackmail, deterrence, or otherwise grows as his arsenal continues to build.''

In explaining why the items in the letter were not also released before, Tenet said he did not want to provide ''Saddam a blueprint of our intelligence capabilities and shortcomings, or with insight into our expectations of how he will and will not act.''

Still, he noted, the agency could nevertheless declassify further information not previously disclosed. Included in his letter were snippets of an Oct. 2 closed-door session.

Included in that was questioning by Sen. Carl M. Levin (D-Mich.), in which he asked an unnamed intelligence official whether it ''is likely that [Hussein] would initiate an attack using a weapon of mass destruction?

The official answered: ''. . . in the foreseeable future, given the conditions we understand now, the likelihood I think would be low.''

Levin asked: ''If we initiate an attack and he thought he was in extremis . . . what's the likelihood in response to our attack that he would use chemical or biological weapons?''

The answer came: ''Pretty high, in my view.''

In his letter, Tenet responded to senators' questions about Iraq's connections to al Qaeda. ''We have sold reporting of senior level contacts between Iraq and Al Quada going back a decade,'' Tenet wrote. ''Credible information'' also indicates that Iraq and al Qaeda ''have discussed safe haven and reciprocal non-aggression.''

Mr. GOSS. Mr. Speaker, I would like to inquire about the division of time.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Illinois

(Mr. HYDE) has 1 hour 47 minutes remaining; the gentleman from California (Mr. LANTOS) has 1 hour 25 minutes remaining; the gentleman from New Jersey (Mr. PAYNE) has 1 hour 2 minutes remaining; and the gentleman from Florida (Mr. GOSS) has 44½ minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. BURR), a member of the Permanent Select Committee on Intelligence.

(Mr. BURR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. BURR of North Carolina. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS) for not only his leadership as chairman of the Permanent Select Committee on Intelligence but also for the gentleman's leadership in the debate on this issue on this floor.

Mr. Speaker, I rise in support of the resolution, but I want to take a moment to thank my colleagues who seek a peaceful solution to this crisis. I, too, would prefer peace to war.

As Thomas Jefferson wrote to Andrew Jackson in 1806, ''Always a friend to peace, and believing it to promote the happiness and prosperity of mankind, I am ever unwilling that it should be disturbed, as long as the rights and interests of the Nation can be preserved.''

Jefferson went on to say in this letter, when our rights and interests are threatened, ''we must meet our duty and convince the world that we are just friends and brave enemies.''

Mr. Speaker, the rights and the interests of our Nation are threatened today. Voting to send our military into battle, even potential battle, is among the hardest things we will do as Members of Congress. It is not a duty to take lightly. However, I have come to the realization that there are times when such votes are necessary. This is one of those times.

The threat to our Nation from Saddam Hussein's weapons programs and his growing ties to the networks of international terror cannot be underestimated and should not be ignored. Willful blindness to this threat will not make it go away.

In a little more than a decade, we have sent our Armed Forces to war on behalf of the Kuwaitis, the Saudis, the Somalis, the Bosnians, and the Kosovars. Some in our military made the ultimate sacrifice.

It may soon prove necessary to send our troops to war on behalf and in defense of the American people. I cannot in good conscience ignore the dangers posed by Iraq to my constituents, including the servicemen and women who call North Carolina home. Inaction on our part may very well be more costly to our Nation than action. The threat is real.

As a member of the Committee on Energy and Commerce, I have heard testimony from countless officials on the status of our Nation's preparation for chemical and biological attacks. I know firsthand the need to eliminate this threat while we continue with our preparation.

As a member of the Permanent Select Committee on Intelligence, I have reviewed the evidence of Iraqi's weapons programs and its increasing ties to international terror. I have participated in countless hearings on the terror threat and the state of the war against terrorism. I have seen, heard and read things that keep me awake at night.

Iraq brings the dangers of chemical and biological weapons, their use, and international terrorism together in one clear, defined threat. Addressing this threat is mandated by our duty to protect our Nation's rights and interests.

The reason for my support of this resolution, Mr. Speaker, is simple. No matter how well we protect our borders, increase our military spending and strengthen our intelligence community, we cannot secure our homeland without eliminating the threat Saddam Hussein's weapons present to America and to the world. We must find them. We must destroy them. We must be prepared to take action when the international community will not, and we must fulfill our duty.

I will conclude with President Jefferson's letter to John Adams in September 1821. ''The flames kindled on the 4th of July, 1776, have spread over too much of the globe to be extinguished by the feeble engine of despotism; on the contrary, they will consume these engines and all who work them.''

One wonders what President Jefferson would say about the weapons available to our enemies on this day at this time. Today, the bright flames of July 4th find themselves in struggle with the dark fires of September 11. Those fires, lit by the enemies of freedom, cannot be allowed to prevail. Will we allow them to advance, possibly in the ashes of a nuclear holocaust, or will we extinguish them before they gain a foothold? Those dark fires may not have been lit in Baghdad, but they are certainly fanned from that city.

It is time to extinguish those fires. The evidence is clear, the cause is just, and timing is of the essence. We must give our President the tools he needs to protect our Nation, our interests, and our citizens.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. CROWLEY. Mr. Speaker, I yield 7 minutes to the gentleman from Iowa (Mr. BOSWELL).

□ 1215

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, I thank the gentleman from New York (Mr. CROWLEY), for yielding me this time, and the chairman of our committee. We have had an interesting several months together and not all fun; but it is a very, very serious thing.

I would like to start off my comments by saying that this Member, although I am a veteran, as many are here, I am not a hawk, I am not a dove. I am a concerned American who wants our country and our people to be safe. I have had some of those sleepless nights. I think of the gentleman from California (Mr. CUNNINGHAM). I think of the gentleman from Texas (Mr. SAM JOHNSON), the price he paid. I think of the gentleman from Florida (Mr. BOYD) and the gentleman from California (Mr. THOMPSON) and many others who have served and know something as well as I what it is like to face war. It is not a good thing.

I am a member of the Permanent Select Committee on Intelligence, and I have tried to prepare myself with knowledge and information, and some things I am convinced of and I would share with you today. I am convinced that Saddam Hussein has weapons of mass destruction. I am convinced that he has the chemical and biological and he wants very badly to have the nuclear; and given a chance, he will have them. I am convinced that he would use them. He is a despot. No question about it in my mind. But he would not only use them, I think he would make them available to others if they came to buy or he would even give them to them.

So I am very concerned about this, and I have had my sleepless nights. It almost reminds me of some of the times going into a major operation when I was in Vietnam. It was pretty hard to sleep when we knew that lives would be lost that next day and we might have to write the letters to the next of kin, the moms, the dads and the husbands, the spouses about how their son paid the supreme sacrifice that day.

I served 20 years, served a couple of tours over in NATO. I know something about the international relationship that needs to be there as we go into this world that we live in today. It is a very, very serious matter, and I have no quarrel with those that have spoken just as the last speaker. I respect that. But I am concerned about the tomorrow for my children and my grandchildren.

I know that when I went to Vietnam, I settled my family there in a little farm there in southern Iowa the night before I was to leave. My little daughter, who now has a teen-age child, came out to the yard where my wife and I were sitting and having kind of a quiet moment as the sun was going on. She said, Daddy don't go. So I said, Sweetheart, I'm a soldier. I have to go. She said, Please don't go. I am afraid. Think about this, your own child: I am afraid you may not come back. So I tried to give her assurance as I had the first time I had gone that I would come back. Lucky for me, I did; but everybody did not come back. So I understand that this is one of the most serious things we deal with.

I had the occasion to get invited over to the White House 2 weeks ago tomorrow with several of my colleagues. Some of my colleagues might be listening. And I was one of the four or five that the gentleman from Missouri (Mr. BLUNT), the gentleman from Texas (Mr. EDWARDS), a few were there and others to have dialogue with the President. And I said to the President I think that he is right, that the U.N. ought to lead on this. That is their charter and their responsibility. But they might not. If he really believes hard facts that Saddam has had his finger on the trigger or he may have, we have to deal with this, but let us have the American people behind this.

I will give a contrast. When we sent our troops off to Desert Storm, the communities were behind the troops when they left, when they were there, and they brought them back. By contrast I said, Mr. President, I went to Vietnam twice. The American people were not behind us. It was pretty tough to go and give everything we had to fulfill the commitment that we were given, the mission to give all we had and not have the American people behind us. And they were not.

And I said, Mr. President, remember how we left Vietnam? We were thrown out. I remember the scene, people falling off the helicopters trying to get out of the embassy. But what did we bring back? We brought back 56,000 body bags, and some of us have put people in those body bags and carried them back to the collection point. But the American people were not with us.

So if he commits our troops, have good cause, have his facts straight and tell the American people. He has been doing that. I think there has been a constant stream, Mr. Speaker, going over to the White House to talk about this; and I think that his speech and the other things he has done, his trip to the United Nations, he is making the efforts to do what is right, and I hope he is being straightforward and honest about it. I accept his statement that he said to us, to me, ''The last thing I want to do is to send our troops into harm's way.''

I am accepting that and I am also saying to the President that it is up to him in his position as leader, President, Commander in Chief, that he keep the American people informed that they understand and that they know that this country is doing this because we want to preserve it safely for our future, for our children, my grandchildren, my teen-age grandchild. Cindy who was so worried about her dad going, of course, is concerned about her son and others across this country.

If he is the person we think he is, then we have to be ready to tell him do not do it or the consequences will be severe, and that is what has brought me from this point today from undecided and walking the floor to say that I will support this resolution. It is a hard decision, but it is one we have to make. And I am proud to have served with the gentleman from California (Mr. CUNNINGHAM), as I see him on the floor now, and the others I have mentioned. But our country is a precious thing, and we have to save it for the future; and this is our moment to deal with this now.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ). She is the ranking member on the Committee on Small Business, a spokesperson for women and minority businesses.

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong opposition to House Joint Resolution 114. This so-called compromise resolution on Iraq is not compromise at all, but a blank check to give President Bush unprecedented power to launch preemptive war on Iraq. There is no justification for such an action, and the case that the administration has made is suspect at best. Even though we are engaged in a war on terrorism, here we are today, no mention of Osama bin Laden, no mention of how this resolution accomplishes the goal we all stood unified on 1 year ago.

Not only has the case not been made to the American people, we have not made the case to the international community, and we cannot go it alone. We cannot act unilaterally. We must work closely with the United Nations and other countries in the global community. Without them we cannot move towards a new, more peaceful world.

We need to be mindful that we were able to act quickly and decisively during the Gulf War because we stood as a world community. Today we stand alone. Is Saddam Hussein evil? Absolutely. But we have not been shown that there is an imminent threat compelling us to act. We know what an imminent threat looks like. We saw it during the Cuban Missile Crisis, in the buildup to the Six-Day War in the Middle East, and when Iraqi tanks poised on the border with Kuwait in 1990. By contrast, the evidence here looks more like the Gulf of Tonkin.

War is our last resort, not our first option. The United States must exhaust all diplomatic channels before waging another war. The President needs to work closely with the international community to demand completely unfettered inspections of Iraq's weapons of mass destruction programs. With continued pressure from the world's only superpower, we can pressure the Iraqi Government to allow United Nations inspectors in so we can know exactly what Saddam Hussein has in his weapons arsenal before we act. At this time we do not have such firm information, only the past record of the Iraqi regime. If we did have this information and if this government consults with, rather than dictates to, our allies and the international community, only then could we act against the threat that Iraq poses.

We do need to act, but we do not need to rush into war. War is one answer, but it is not the only answer. Will war solve the Iraqi problem and wipe out terrorism in the world as we know it? Maybe, but probably not. Our actions may simply spur greater resentment against our increasingly imperial power, producing an endless stream of new enemies finding new and terrifying ways to attack us.

What we must do at this critical juncture in our Nation's history is to affirm American values of peace, justice, and democracy. These values are what brought this country to the preeminent position as the ''indispensable Nation,'' and they are the reason why we embody the hopes and aspirations of people around the world. We must not let them down. We demonstrate our peaceful intent by pursuing diplomatic means to pressure the Iraqi regime. We may pursue justice by seeking an indictment of Saddam Hussein for war crimes in the International Criminal Court, and we must affirm our democratic values by consulting allies and working with the United Nations to resolve this crisis. But the enumeration of Iraq's past crimes, concerns over preemption and our place in the world, pale when compared to the reality of sending our young men and women into harm's way. We know that some of them will die.

Before we vote to send them to war, we must be able to look in the eyes of the mothers and fathers whose sons and daughters have died for us and tell them that their sacrifice was worth it. I cannot do that today in good conscience, and that is why I will vote ''no.''

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Georgia (Mr. CHAMBLISS), chairman of the Subcommittee on Human Intelligence, Analysis and Counterintelligence of the Permanent Select Committee on Intelligence.

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Speaker, I strongly support President Bush and this resolution to authorize the use of force to defend the national security of the United States against the continuing threat posed by Iraq. It is important to note that the thrust of the resolution is to remove the capability from Saddam Hussein to deliver weapons of mass destruction. The oppressive regime of Iraqi dictator Saddam Hussein is a clear and present danger to international peace and stability, particularly to the United States. The threat to the national security of the United States is real.

For 11 years Saddam has systematically violated United Nations Security Council resolutions. We know that Iraq is aggressively pursuing the development of weapons of mass destruction, supporting international terrorism, including harboring terrorists and repressing minorities within Iraq.

However, I am most troubled by the Iraqi regime's persistent efforts to acquire biological, chemical, and nuclear

weapons, as well as long-range missiles. In a report released by the CIA last week, the intelligence community confirmed that since U.N. inspections ended in 1998, Iraq has continued its determined efforts to maintain a chemical weapons capability, invested heavily in developing biological weapons, rebuilt missile facilities, and is working to build unmanned aerial vehicles as a lethal means to deliver biological and chemical agents. Moreover, it is clear that Saddam Hussein is intent on acquiring nuclear weapons. Experts believe that if the Iraq regime can get its hands on highly enriched uranium, it is very likely that Iraq could build a nuclear weapon in less than a year. This is a threat we cannot allow to mature.

□ 1230

Iraq's obstruction of U.N. inspectors and extensive efforts to hide its mass destruction efforts seem to make it obvious that the current regime cannot be trusted. Let there be no mistake about it. As the number one target of Saddam Hussein's wrath, there is no question as to who these dangerous weapons would be used against; that is, the United States and our friends. The cost of inaction will be paid for with the blood of innocent Americans.

In addition to the fact that our military is targeted almost daily by the Iraqi military in the no-fly zones, the Iraqi regime has engaged in despicable acts. They attempted to assassinate former President George Bush and the Emir of Kuwait and have offered rewards to the families of suicide bombers. Not only does Iraq harbor international terrorist organizations such as al Qaeda, Abu Nidal and the MEK, the Iraqi regime has direct links to international terrorist groups and continues to provide support, training and resources to terrorists.

President Bush has demonstrated unambiguous and forceful leadership in addressing the Iraqi threat. He has clearly explained the threat the current Iraqi dictator poses in the world and made a very strong case for the need for a regime change in Iraq. The President stated his case before the United Nations and has reached out to an international coalition of partners who share our concerns about the current regime in Iraq.

The American people can show by support of this resolution that we stand 100 percent behind the President of the United States to remove the capability of delivery of weapons of mass destruction from Saddam Hussein. I urge support of this resolution.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. CHAMBLISS. Mr. Speaker, I yield to my distinguished friend from California, a Vietnam decorated veteran, the Top Gun.

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Speaker, a few minutes ago I was unable to finish my discussion. I hate not being in control. But I would like to finish it at this time.

Mr. Speaker, if you take every emotion you have ever felt, of love, anger, hate, it swells up in a person. If you can imagine what it is like to see a friend or friends go down in flames, and even more know how that is going to affect the families, this vote rips my heart out.

But, yet, being on the Permanent Select Committee on Intelligence and the Committee on Armed Services, I would tell my friends that disagree, I believe with every fiber in my heart that it is necessary to give the President the flexibility to stop not only terrorists but Saddam Hussein, because I believe that threat will reach the shores of the United States.

Mr. CROWLEY. Mr. Speaker, I yield 6 minutes to the gentleman from Georgia (Mr. BISHOP), the ranking member of the Subcommittee on Technical and Tactical Intelligence of the Permanent Select Committee on Intelligence.

Mr. BISHOP. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, today the Members of this body are called to face an awesome challenge and a very perplexing dilemma. We must decide whether or not to authorize the President to use the Armed Forces of the United States as he determines to be necessary and appropriate to defend the national security of the United States against the continuing threat posed by Iraq and enforce all relevant United Nations Security Council resolutions regarding Iraq.

The measure requires that before military action is begun or as soon thereafter as feasible, but not later than 48 hours, the President must report to Congress that all diplomatic efforts to protect the security of the United States against the threat posed by Iraq or to enforce all relevant U.N. resolutions regarding Iraq have been exhausted.

The resolution also requires that the President must report to the Congress that military action against Iraq is consistent with our continued actions against international terrorists, including those responsible for 9/11.

The resolution states that it is consistent with the War Powers Act and constitutes specific authorization within the meaning of the War Powers Act.

It states that Congress supports the President's efforts to strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts, supports his efforts to obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion, noncompliance and promptly and strictly complies with all of the relevant Security Council resolutions.

It requires the President at least once every 60 days to report to the Congress on the matters relevant to this resolution, including the use of force and on efforts to support Iraq's transition to democracy after Saddam Hussein is gone.

I intend to support the resolution. It is a fact, Mr. Speaker, that Saddam Hussein has produced thousands of tons of chemical agents and used them against Iran and 40 Iraqi villages. He has rebuilt facilities that were used to manufacture chemical and biological weapons in violation of the truce that ended the Persian Gulf War. He possesses ballistic missiles with a range great enough to strike Saudi Arabia, Israel, Turkey and other nations in the region, where more than 135,000 American civilians and service personnel now live and work.

He has a fleet of manned and unmanned aerial vehicles that could be used to disperse chemical and biological weapons across broad areas. It would not take sophisticated delivery systems to deliver these chemical and biological agents to harm the 135,000 Americans I have cited.

We do not know the extent of his nuclear weapons development since he threw out the inspectors 4 years ago, but we do know he was just months away from success; and in spite of U.N. prohibitions, he has continued his quest. He has had 4 years of unrestricted freedom to pursue his nasty goals.

We know that, as good as our intelligence community is, 9/11 and numerous inquiries thereafter have proven that our intelligence community is not perfect. We need unfettered, unrestricted international inspections to get accurate information on compliance or noncompliance.

History is replete with evidence that, without a show of force, Saddam will not respond. I believe that empowering the President to use Armed Forces to assure that Saddam has no weapons of mass destruction to threaten the lives of American civilians and service members and innocent neighbors or to give terrorists, this will give Secretary Powell the strength that he needs to get a strong U.N. resolution.

When he goes to the Security Council, he needs to be carrying a big stick, speaking with unquestioned resolve of the Congress and the American people.

I do not take lightly the risks that our sons and daughters will be sent into harm's way. I do not take lightly the unprecedented probability of unilateral action by the United States, but we live in a new and different and dangerous time, and the threat of weapons of mass destruction demand that we take unprecedented actions to protect America, her people and civilized nations from the death and destruction of a Saddam Hussein.

Mr. Speaker, I support the adoption of the resolution. I support the Spratt substitute, but there must be verification, there must be inspections; and the time to assure the safety of Americans, and the safety of the world, is now.

Mr. PAYNE. Mr. Speaker, I yield 5¾ minutes to the gentlewoman from Georgia (Ms. MCKINNEY), the ranking member on the Subcommittee on

Human Rights of the Committee on International Relations.

Ms. MCKINNEY. Mr. Speaker, I share the same revulsion that many others have toward Saddam Hussein. We all know that he is brutal and that his regime has terrorized the Iraqi people and the peoples of nearby countries.

But there was a time not so long ago when, despite all of this, we chose to allow him to be our friend. There was a time when we supplied him with chemical weapons and other military technology.

If our Nation really cared about Iraq's neighbors, we would never have supplied him the military arsenal that we did. And if we really cared about his people, we would have done something to alleviate the suffering of the Kurds, who for years have been brutalized by the Iraqi military. If we cared about the Iraqi people, we would have done something to lift the burdens imposed on them by U.N. sanctions, which to date have claimed in excess of an estimated 500,000 Iraqi children. But the truth is we did not really care about any of that suffering. Madeline Albright even said that the price of 500,000 dead Iraqi children was worth it.

Now, however, we claim to care.

Now, Saddam Hussein has just become another name on a long list of other tyrants who we once aided and abetted but now oppose.

But what to do? In the past, other tyrants we have grown tired of were assassinated, like Jonas Savimbi; or charged with war crimes, like Slobodan Milosevic; or forced from power through U.S.-backed uprisings, like Mobutu Sese Seko.

President Bush is confronted with the ''what to do question.'' He appears to be choosing war to get rid of this tyrant; and, of course, he has to justify it. That is the public relations part of the equation.

The words ''Gulf of Tonkin'' have echoed around Washington this last month, with many people concerned that the Bush Administration is now manufacturing an international crisis in order to launch a preemptive military strike against Saddam Hussein.

In 1964, there were some courageous Members of this House who knew that the Gulf of Tonkin incident was a political ruse being used by the Johnson administration in order to justify the United States going to war in Vietnam. For their courage to speak out and resist, they suffered a tidal wave of public ridicule. But we now know that they were right and that the Vietnam War was a monumental mistake that cost the lives of some 60,000 brave young Americans and hundreds of thousands of Vietnamese.

And, still, we have many Americans and Vietnamese who suffer the health effects of Agent Orange and other toxins faced on the battlefield. And all across the American and European landscape today, veterans still suffer from Gulf War Syndrome and exposure to depleted uranium.

Will we let this President create yet another generation of veterans to whom we have broken our promise? I see too many of these veterans sleeping on our streets. The President can see them, too, if he would just look. They sleep on the sidewalks, the benches and the heating vents just across the street from the White House. And, sadly, one of the first things our President did after he declared this war on terrorism was to deprive our young men and women who are now fighting on the front lines of their high deployment overtime pay. He does not even want to pay them.

Mr. Speaker, do we give this President the green light to go to war with Iraq based on evidence which many weapons experts believe to be exaggerated? Are we now turning a blind eye to another Gulf of Tonkin-type incident? Should we not trust the legal and diplomatic means of the United Nations?

Do we give the President the green light to go to war in Iraq because it has refused to comply with U.N. Security Council weapons inspections resolutions? At the same time, Israel refuses to comply with U.N. resolutions with respect to the occupied territories. Do we have different standards for different countries?

Mr. Speaker, the Cuban missile crisis and the Gulf of Tonkin, if they taught us anything, they taught us the dangers of choosing the military option over diplomatic and legal alternatives.

The current terrorist crisis confronting our Nation is so much bigger and more complicated than this call for war on Iraq. Should we miscalculate our military actions in Iraq, we could cause many American servicemen and women to lose their lives. Needless to say, we could also cause untold numbers of Iraqis to be killed or injured. Worse still, instead of solving the current threat of terrorism against us, going to war in Iraq might well make things far worse for us, both at home and abroad.

I hope and pray that we choose our options carefully; and, for that reason, I will be voting no on this resolution to go to war in Iraq.

□ 1245

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Iowa (Mr. LATHAM).

(Mr. LATHAM asked and was given permission to revise and extend his remarks.)

Mr. LATHAM. Mr. Speaker, I rise in support of our national security and in support of this resolution.

Mr. Speaker I rise today to join my colleagues that are in support of this resolution.

Last year there were two very significant events in my life—one was the birth of my first grandchild, Emerson Ann. The second was the September 11th attack on our Nation. both of these events had a deep impact on me personally.

I want for Emerson Ann what every parent wants for their children, and what every grandparent wants for their grandchildren, an environment where she is able to grow up secure and safe, living the experience of freedom upon which our Nation was founded. September 11th reminded us that in order to protect freedom we must not turn a blind eye to the real dangers around the World in hopes that they will not affect us.

After numerous briefings on Iraq and the activities of its leader—Saddam Hussein—there is no doubt in my mind that he is clear and present danger to the United States and freedom loving people around the World.

The evidence mounts with each passing day. Many analysts believe that Iraq may be, or become, a breeding ground and source of support for terrorism. Iraq retains its arsenal of chemical and biological weapons, and there is strong evidence that it is also developing nuclear weapons. There is no way of knowing for sure the extent of Iraq's plans or capabilities, since U.N. weapons. There is no way of knowing for sure the extent of Iraq's plans or capabilities, since U.N. weapons inspectors were forced out of the country in 1998, and since Iraq's current government seems committed to hiding weapons of mass destruction, delaying the return of inspectors, and making inspection efforts ineffective.

Saddam Hussein governs his country by de facto dictatorship, and has a long history of human rights abuses against his own people. And, based on the actions of Iraq's current government under Hussein, it would be shortsighted and naïve to assume that Iraq's intentions through his actions are benign.

I believe that a regime change in Iraq is in the best interest of the United States and our allies. And, I believe that, as we have done throughout our history, the United States must one again display our leadership in the fight against terrorism throughout the World and eliminate the threat to security imposed by Iraq.

While this resolution authorizes military action, I will hold out hope that it will be used only as a last resort.

History has taught us that freedom is not free.

Mr. GOSS. Mr. Speaker, I yield 4 minutes to the gentleman from Alabama (Mr. EVERETT), a distinguished member of the committee.

Mr. EVERETT. Mr. Speaker, when I was elected to the United States House of Representatives, I took an oath to protect and defend the United States against all enemies, foreign and domestic. Fortunately, in my 10 years in Congress, we have had few opportunities to vote on authorizing the use of military force to protect our country from these enemies. Authorization of military force is one of the most solemn decisions that we can make as Members of Congress, and it is a decision that must be made only after thoughtful and prayerful consideration.

Our Nation now faces a clear and present danger from the regime of Iraqi President Saddam Hussein. Saddam has been without international supervision; and I have received information, both from public and from classified hearings, that suggests that the Iraqi regime could be merely months

away from attaining the necessary resources to complete his mission of developing nuclear weapons.

Saddam has made it clear that he will do whatever is necessary to prohibit inspections of his compounds for the purpose of determining the extent to which he has stockpiled the necessary components to produce these weapons. He has the technology and the know-how to build such a device. All that he lacks is materials. The Intelligence community says that Iraq is 3 to 5 years away from developing a nuclear device if it has to produce its own nuclear bomb material, and months away if it acquires this material from outside sources. The problem is, we do not know when the clock started on either scenario.

Additionally, Saddam's government has repeatedly violated the 1991 ceasefire agreement that ended the Persian Gulf War and Iraq's obligation to unconditionally disarm its weapons of mass destruction. Not only does Saddam Hussein continue to halt the will of the international community with regard to inspections, he continues to shoot at coalition aircraft patrolling the northern and southern no-fly zones daily.

For us not to recognize the clear and present danger that the Iraqi regime of Saddam Hussein represents to our country would be tragically wrong. We must protect and defend our Nation against this madman and his ability to destroy tens of thousands of Americans.

The resolution authorizing the use of military force that we are considering today gives the President the flexibility and authority he needs to protect the American people while, at the same time, preserving the prerogatives of Congress.

The findings at the beginning of this resolution offer more than enough evidence of Saddam Hussein's crimes. The authorization in section 3 has been appropriately modified in a bipartisan manner. It authorizes the use of military force as the President determines necessary and appropriate to: ''(1), defend the national security of the United States against the continuing threat posed by Iraq; and (2), enforce all relevant United Nations Security Council resolutions regarding Iraq.''

The resolution also requires a timely ''presidential determination'' that all means short of war have been exhausted, and that acting pursuant to this authorization is consistent with ongoing activities in the war against terrorism.

Finally, this resolution contains reporting requirements to ensure that Congress and the American people are fully apprised on all matters relevant to this resolution and that both are full partners in an effort to rid the United States of the Iraqi threat.

Mr. Speaker, September 11 changed our country and the world forever. For all of these reasons, I intend to vote in favor of the resolution and encourage my colleagues to do the same.

Mr. CROWLEY. Mr. Speaker, I yield 6 minutes to the gentleman from Indiana (Mr. ROEMER), a member of the Permanent Select Committee on Intelligence.

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, I want to thank my friend, the gentleman from New York (Mr. CROWLEY), for yielding me this time.

I want to begin by quoting General William Sherman in the Civil War who simply stated, ''War is hell.'' And I can also say, having visited the Pentagon the night of the attacks on September 11 and visiting New York City at Ground Zero just a few days after the attacks, that terrorism is hell; and the pain and agony that that has inflicted on our country, on men and women and children and families, has been excruciating. And this resolution that we debate in this Chamber today and will vote on tomorrow is one of the most difficult, heart-stabbing, gut-wrenching votes that one can cast.

My first vote as a freshman was on the Persian Gulf War, which had something to do with Saddam Hussein invading Kuwait, and now one of my last votes will be on war. And in between, we have had votes on Somalia and Kosovo and Bosnia, and we have had a vote to declare war on terrorism. These are difficult, excruciating votes that I think every Member in this body takes extremely seriously.

I will vote in favor of the President's resolution for three reasons. One is because of the chemical and biological and nuclear threat that Saddam Hussein poses with these weapons. I have to say that I do not think the administration has made the case with connections to al Qaeda, nor have they made the case with connections to 9–11. But I think in a compelling and convincing fashion, we must, in post-9–11 concern, be very aware of how these weapons can be used against the United States, even in America, against our allies in the region, and all over the world.

When airplanes filled with people and gasoline can be commandeered and flown into our buildings in America, we can only imagine what can be done, not just with a vial of smallpox that Saddam Hussein or some other terrorist group may have, but we are talking about a few hundred metric tons of chemical weapons that Iraq possesses. We are talking about, and I quote from a declassified CIA report: ''Baghdad has begun renewed production of chemical warfare agents, probably including mustard, sarin, cyclosarin, and VX.'' It goes on to say, ''Saddam probably has stocked a few hundred metric tons of CW agents.'' Finally, ''All key aspects: research and development, production, and weaponization, of Iraq's offensive BW program are active and most elements are larger and more advanced than they were before the Gulf War.''

Mr. Speaker, this is a compelling concern, this is a present danger, this is grave and growing.

Now, I think that is the evidence that we are voting on today. I think that is the reason for our resolution going forward.

Secondly, I am voting for this because this resolution has gone in a more positive direction from when the Bush administration first introduced it. It is narrowed in scope to Iraq instead of broadly applying to the region. It applies to try to put together diplomatic and multilateral efforts. These, Mr. President, should be exhaustive before we engage in war in Baghdad or in Iraq. I think this resolution has moved in a positive direction in terms of engagement and consultation with Congress and the War Powers Act. So that is the second reason I intend to vote for this.

Mr. Speaker, thirdly, 15 days after Desert Storm ended in 1991, the U.N. started passing one of its 16 resolutions to say we must look into Iraq and inspect the sites where they are developing these weapons. That has been ignored for the past 10 years. Not only has it been ignored, but Saddam Hussein said, you will not look, you will not investigate, you will not inspect these compounds, presidential palaces, so-called compounds, some of which are 12.5 square miles. The city of D.C. is 67 square miles. That is a fifth of the size of our Nation's Capital of one compound that Saddam Hussein does not want our inspectors or the world community anywhere near.

Mr. Speaker, the Democrats said in their policy platform of the year 2000, we did not talk about preemptive strikes; we talked about forward engagement as part of our foreign policy to try to stop, whether it be in the environment or in war, bad things from happening. Let us exhaust our diplomatic means, but let us use the force of war and the threat of war with Saddam Hussein to open up these compounds and these presidential palaces and have the world look at these sites and rid Iraq of the weapons of mass destruction.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. REYES), a member of the Permanent Select Committee on Intelligence and the ranking member of the Subcommittee on Benefits of the Committee on Veterans' Affairs.

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me time on this very important issue that we debate.

There are many things that make me proud to be an American. One of them is to be here today to be able to debate this issue. As my previous colleague stated when he quoted a general that said that war is hell, take it from somebody that has been there. Thirty-five years ago, I found myself half a world away in a place called Vietnam. I can tell my colleagues that war is hell. There are a lot of us here today that have had that same experience, but are taking different positions on this resolution. Some of my colleagues have asked why, when they hear my

friend and colleague, the gentleman from California (Mr. CUNNINGHAM), talk about his experience and his favoring in support of the resolution.

I will tell my colleagues that I intend to vote against this resolution. I intend to do so because in meetings I have held in my district, mothers and fathers and veterans come to me and tell me, please, do not let us get back into a war without exhausting all other avenues. I think every one of us in this House brings our own experiences as we represent our constituents. Every one of us here wrestles with a very tough decision as to whether or not to go forward with a resolution on war. Every one of us understands that we are a nation of laws, that we lead the world by example, that we have a great respect for process and to protect the rights of everyone.

That is why, Mr. Speaker, I reluctantly today rise in opposition against this resolution, because I think that the President has not made a case as to why Iraq and why attack Saddam Hussein. As a member of the Committee on Intelligence, I have asked consistently the questions to those that have come before us with information, I have asked the question of what is the connection between 9–11 and Iraq and Saddam Hussein. None.

□ 1300

What is the connection between Iraq and Saddam Hussein and al Qaeda? Very little, if any.

As to the weapons of mass destruction, the delivery systems and all of these things, we have clearly heard that there is a lot of speculation about those capabilities.

Last week, I was part of a group of colleagues that met with a retired general that was in charge of this conflicted area of our world. He was asking the same question that we were: Why Iraq, and why Saddam Hussein?

In fact, when we asked him to list in priority order a war against Iraq and Saddam Hussein, he listed it as his seventh priority. When we asked him, what would you do in our situation, he was as perplexed as we are being in this situation.

September 11 changed things. I concede that. More than that, for me personally being a first-time grandfather changed things as well. I bring to this position and to this decision the experience that I brought as a Member of Congress.

My staff asked me, Congressman, what are you going to say to the troops? Because I have taken the opportunity to go out and visit our troops in Afghanistan three times since Easter. I know the conditions they are living in, and I know the conditions they are fighting in. Those are similar to the same conditions of some 35 years ago. War is hell, and we ought to exhaust every single possible remedy before going to war, before subjecting our troops, our men and women in uniform, to those kinds of consequences.

So I tell my staff, I will tell the troops the same thing that I will tell the American people on the floor of Congress, that I oppose this resolution because I think that the case has not been made. I do not take giving my support for war lightly, as neither do my colleagues on both sides of the aisle. But each one of us has to wrestle with his or her own conscience.

I want to make sure that my granddaughter, Amelia, maybe 35 years from now, can look and say, my grandfather made his decision on the information that he had. He opposed the resolution because he did not think it was the right thing to do.

But I will tell the Members this: When and if the President makes a decision to commit troops, when and if the President commits us to a war, I intend to be there. Because my experience in coming to this Congress, my experience of some 35 years ago, returning from Vietnam and seeing all the protests and seeing all the signs and seeing all the things that they were calling us, was very divisive.

So it is inherent upon us to do what our conscience dictates on this issue today. I oppose it reluctantly under those circumstances, but I will support whatever decision our President and our country makes.

Mr. GOSS. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Delaware (Mr. CASTLE), the former Governor and a member of our committee and the chairman of our Subcommittee on Technical and Tactical Intelligence.

Mr. CASTLE. Mr. Speaker, I thank the distinguished chairman of the Permanent Select Committee on Intelligence not only for yielding to me but for the extraordinary work he does for this country on a day-in-and-day-out basis in a very difficult circumstance right now.

The vote on the resolution to authorize the use of force to disarm Saddam Hussein is one of the most important decisions we will ever have to make as Members of the House of Representatives. Every Member of Congress wants to do what is right, not only for America but for the entire world.

Today I speak both as the Representative of the people of Delaware and as a member of the Permanent Select Committee on Intelligence. Like many, I have been traveling throughout my State over the past few weeks, and Iraq is on everyone's minds. Individuals have crossed the street to give me their opinions, and seniors have approached me at our annual beach day event.

I have received many personal letters, e-mails, and phone calls from people who have taken the time to sit down and really think about this very difficult issue. They know Saddam Hussein is a tyrannical dictator and would like to see him go. They hope war can be avoided but also want to support the President.

They want to know if immediate military action is necessary and if the risks to our young men and women in uniform are necessary; how will other nations respond if the United States decides to enter the conflict without United Nations' support; what could be the effect on the stability of the Middle East and the fate of the Iraqi people.

I share many of their concerns. That is why I have tried to gather as much information as possible by reading reports, attending briefings, and talking with other Members of Congress. Here is what I have learned: the security of our Nation is at risk.

For the past several months, I have participated in intelligence hearings on the September 11 terrorist attacks and have studied the hatred some nations and groups have toward America. Saddam Hussein is encouraging and promoting this hatred by openly praising the attacks on the United States. The Director of Central Intelligence recently published an unclassified summary of the evidence against Saddam Hussein, and it is substantial.

We know that Iraq has continued building weapons of mass destruction, energized its missile program, and is investing in biological weapons. Saddam Hussein is determined to get weapons-grade material to develop nuclear weapons. Its biological weapons program is larger and more advanced than before the Gulf War. Iraq also is attempting to build unmanned vehicles, UAVs, to possibly deliver biological warfare agents. All of this has been done in flagrant violation of the U.N. Security Council resolutions.

Some may react to this evidence by saying that, in the past, other countries have had similar arsenals and the United States did not get involved. But as President Bush has told us and as Secretary of Defense Rumsfeld reiterated yesterday in a meeting, Saddam Hussein's Iraq is different. This is a ruthless dictator whose record is despicable. He has waged war against his neighbors and on his own people. He has brutalized and tortured his own citizens, harbored terrorist networks, engaged in terrorist acts, lied, cheated, and defied the will of the international community.

Mr. Speaker, I have examined this information and some of the more specific classified reports. The bottom line is, we do not want to get caught off guard. We must take all precautions to avoid a catastrophic event similar to September 11.

In recent meetings, the National Security Adviser, Dr. Condoleezza Rice, rightly called this coercive diplomacy. It is my hope that through forceful diplomacy, backed by clear resolve, we can avoid war. Unfortunately, Saddam Hussein's history of deception makes a new attempt to disarm him difficult. Additionally, our goal to disarm him must also be connected to a plan to end his regime, should he refuse to disarm.

For all these reasons, I would encourage all of us to support this resolution as the best resolution to make this happen.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, when it comes to Iraq, it is time for the United States of America to state forcefully and without equivocation: Enough is enough. Either Saddam Hussein yields to the resolutions of the United Nations, providing for completely unrestricted inspection and disarmament, or the United States and other nations will use military force against his government to enforce his compliance.

This is terribly, terribly serious business, Mr. Speaker, potentially one of life and death for those that will be involved in prosecuting this action. Therefore, I, like so many others, have expressed the view that this vote is one of the most important votes that I will ever cast in this Chamber on behalf of the people of North Dakota.

I reached the conclusion that the resolution authorizing the President to use force should pass, and I do that based upon the following undeniable and uncontroverted facts:

First, Saddam Hussein is a uniquely evil and threatening leader. His past is absolutely replete with nonstop belligerence and aggression, as well as atrocities.

Two, he has been determined to have developed weapons of mass destruction, biological and chemical. He continues to seek nuclear capacity and is believed to be within mere months of having that capacity, in the event he could get his hands on the requisite materials.

Three, he now continues to produce weapons of mass destruction, having effectively completely thwarted the inspection and disarmament requirements of the United Nations; and he has made it increasingly difficult to detect his production facilities, even as he continues to add to his arsenals.

Four, he is harboring and has well-developed relationships with terrorists, including senior al Qaeda operatives.

Five, he certainly has demonstrated that he is not above using weapons of mass destruction. Indeed, he has used them on his own people.

Now, under these terrible circumstances, I have concluded that doing nothing is simply not acceptable for the United States of America. We need to act, and determining exactly how to act is the question before this Chamber.

I believe that we should support the President as he builds an international consensus to reinstitute completely unfettered inspections, or to use force in the event it is not forthcoming. In dealing with Saddam Hussein, I believe our only hope of enlisting the cooperation of his government is if he knows for an absolute certainty there will be terrible consequences if he does not comply.

Therefore, in looking at the resolutions before this body, I think we can only conclude that the President needs the authorization to act if he is to have any hope of enlisting the cooperation from Saddam Hussein. A two-vote alternative in my view sends a mixed signal: Go try and enlist his cooperation, and we will evaluate what to do if you do not succeed.

The administration has made it very, very clear, and I have heard the President express this personally, that the use of force would be his absolute last wish. I believe, therefore, we need to give him the resolution and the authority from this body that, first, seek disarmament and under terms that are unlike any other imposed upon Iraq any time, anywhere, by any person; and in the event that is not forthcoming, there shall be force to insist on his cooperation, or to replace the regime and obtain cooperation from a new government.

I understand, Mr. Speaker, the difficulty of this decision. But, again, the facts are clear, and doing nothing is not acceptable. I urge adoption of the resolution.

Mr. PAYNE. Mr. Speaker, I yield 5½ minutes to the gentleman from Wisconsin (Mr. KLECZKA), a member of the Committee on Ways and Means, a leader on health issues.

Mr. KLECZKA. Mr. Speaker, although we all know this war resolution will pass, I nevertheless must question the wisdom and morality of an unprovoked attack on another foreign nation. The guiding principle of our foreign policy for over 50 years has been one of containment and deterrence. This is the same strategy that kept the former Soviet Union in check, a power whose possession of weapons of mass destruction had been proven and not speculated, and in fact led to its downfall.

The administration asserts that this time-tested policy is not sufficient to deal with this, yes, dangerous but small, economically weakened Middle Eastern nation. Instead, they support a new policy of a unilateral preemptive attack against Iraq, citing the unproven possibility that Saddam Hussein might be a risk to the security of the United States.

The long-term effects of this go-it-alone, shoot-first policy will be to lose the high moral ground we have exercised in the past to deter other nations from attacking militarily when they felt their security was at stake. The next time Pakistani and Indian troops mass at their borders with both nations' fingers on nuclear triggers, what moral authority will we have to prevent a potential catastrophe? They would justifiably ignore our pleas for diplomatic or negotiated approaches and instead simply follow our lead.

The administration continues to assert that Iraq is an urgent threat to our national security and that we are at risk of an Iraqi surprise attack. But the resolution before us offers no substantiation of these allegations, speaking only of hunches, probabilities, and suspicions. That is not sufficient justification to start a war.

Further, there is reference to the 9/11 terrorism we suffered and the assertion that members of al Qaeda are in Iraq. After extensive investigation, our intelligence community could find no link between the Iraqi regime and the plot that led to last year's deadly terrorist attacks.

□ 1315

Also it has become reported that al Qaeda members are in Iran, Pakistan and Saudi Arabia. Do we attack them next?

The resolution further asserts also without any evidence that there is a great risk that Iraq could launch a surprise attack on the United States with weapons of mass destruction. It is fact that Saddam does not possess a delivery system that has the throw power of 8,000 miles or anything even close. And if there is such a great risk that he has and will use biological and chemical weapons against us, why did he not do so in the Gulf War? The answer is because he knew that our response would be strong, swift, and fatal. Hussein is not a martyr; he is a survivalist.

Similarly, the evidence does not show that Iraq has any nuclear capabilities. General Wesley Clark, former commander of NATO forces in Europe, contends that ''despite all the talk of 'loose nukes,' Saddam does not have any,'' or the highly enriched uranium or plutonium to enable him to construct them.

Air Force General Richard B. Myers, chairman of the Joint Chiefs of Staff, recently concurred, admitting that the consensus is that Saddam Hussein ''does not have a nuclear weapon, but he wants one.''

One of the goals of the President is to force a regime change in Iraq. Who are we to dictate to another country that their leadership must be changed? What would be our reaction if another country demanded or threatened to remove President Bush? All of us, Republicans and Democrats alike and each and every American, would be infuriated by such an inference and rise up against them. Changes in regimes must come from within.

The result of voting for this resolution will be to give the President a blank check with broad authority to use our Armed Forces to unilaterally attack Iraq. He merely has to tell us why he believes that continued diplomatic efforts will fail and does not have to give that information to Congress until 48 hours after he has begun the war.

The more meaningful provision would be to provide for a two-step process where after all diplomatic efforts have failed, the President would come back to Congress and make the case that military force is now necessary.

Our colleague, the gentleman from South Carolina (Mr. SPRATT), has that provision in his alternative and it deserves our careful consideration. Let us

make no mistake about it, Hussein is a brutal dictator who has flagrantly defied the will of the world community. But the case has simply not been made either by this resolution or by the administration that there is a clear and present danger to the security of the United States which would warrant this Nation embarking on its first unprovoked preemptive attack in our 226-year history.

The President must continue to work together with our allies in the U.N. Security Council to ensure that the Iraqi regime is disarmed. Mr. Speaker, war should always be the last resort and not the first. For all these reasons, I cannot support this resolution and must vote ''no.''

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. GALLEGLY), the distinguished chairman of the Subcommittee on Europe of the Committee on International Relations.

(Mr. GALLEGLY asked and was given permission to revise and extend his remarks.)

Mr. GALLEGLY. Mr. Speaker, I rise in support today of H.J. Res. 114. I want to commend the gentleman from Illinois (Mr. HASTERT) and House leadership for working in a bipartisan manner with the White House to develop what I believe is a very strong, but balanced, resolution.

Last week by a strong vote the Committee on International Relations passed this resolution. As part of its responsibility to carry out its role in helping shape United States foreign policy toward Iraq, our chairman, the gentleman from Illinois (Mr. HYDE), and our ranking member, the gentleman from California (Mr. LANTOS), deserve a great deal of credit for their efforts in guiding this effort through the committee process.

September 11 has tragically taught us the price of not acting when faced with a clear and present danger, and there should be no doubt today we face a clear and present danger in the form of weapons of mass destruction in the possession of Saddam Hussein. We know after the 1991 liberation of Kuwait, Iraq unequivocally agreed to eliminate its nuclear, biological, and chemical weapons programs and agreed to allow international weapons inspectors to ensure that be accomplished.

But as we all know, Iraq has willfully and in direct violation of its own agreement and those of the United Nations Security Council thwarted over and over again the efforts of the inspectors to find and destroy those weapons. This can only mean one thing, Mr. Speaker. Saddam intends to hold on to these weapons and use them at the appropriate time and in the manner he deems necessary.

As early as 1998, U.N. Secretary General Kofi Annan in a letter to the Security Council stated, ''No one can doubt or dispute that Iraq's refusal to honor its commitments under Security Council resolutions regarding its weapons of mass destruction constituted a threat.''

These words remain even more true today in light of the scourge of global terrorism. Today the threat to the national security of the United States and to international peace and security continues to grow. It is especially serious because we know that Saddam Hussein supports terrorist organizations such as al Qaeda and could very well be working with these agents at this very moment providing them with the expertise to use chemical and biological weapons against the United States and others.

In 1991 in the aftermath of the Iraq invasion of Kuwait, I led a group of our colleagues in the House in introducing a resolution authorizing then-President Bush the use of all necessary means to force Iraq from Kuwait. There were dissenters who felt we should not go to war, but in the end there is no question we were proven right. In 1998 I strongly supported the House resolution which declared Iraq to be in breach of its international obligations, and we urged the President to take appropriate actions to bring Iraq into compliance.

However, at that time significant penalties for noncompliance were not invoked, and so here we are again today, confronting the same issue without an inch of change in Saddam's attitude or actions.

Today we are faced with the same proposition and very similar arguments on both sides; but with the passage of this resolution, we will again provide the President the authority he may need to take the appropriate actions necessary to protect the national security of this great Nation.

Mr. Speaker, this time around we must have an absolute commitment to not allow Saddam Hussein to have chemical or biological weapons anymore. But the enforcement of Security Council resolutions this time must include significant penalty for noncompliance which are immediate and automatic. The resolution we are debating today is forceful in that it again gives the President the authority to use whatever means, including force, to rid Iraq of its weapons of mass destruction. But this resolution is balanced in that it encourages the President to pursue diplomatic avenues to achieve international support of enforcing U.N. mandates and provide for an important role in the Congress.

I believe the gravity of this issue mandates that we act now to give the President the tools he should have to deal with this significant threat. The potential terror of weapons of mass destruction in the hands of a madman to the world must be addressed, and it must be addressed decisively and now.

Mr. Speaker, I urge the support of this resolution.

Mr. CROWLEY. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentleman from New York (Mr. CROWLEY) for yielding me time.

Mr. Speaker, it should be stated at the outset that not one Member of this body wants war. We all want peace. The decision whether to send American soldiers into battle is the most agonizing vote we will cast in Congress. It is a choice between confronting the horrors of war versus allowing a potentially devastating attack on our homeland, one that could kill tens of thousands of Americans.

But make no mistake, the threat posed by Saddam Hussein also ultimately threatens world peace and stability. It is for this reason that we must consider the resolution before us today, allowing the President to take unilateral military action to disarm Iraq in the interest of long-term peace.

First, I believe we must consider this issue in the context of the post-September 11 world. Our enemies and their supporters have demonstrated their willingness to strike at us in covert and highly-destructive ways. As a result of briefings I have received from military experts, former weapons inspectors and colleagues in the intelligence community, I am convinced that Iraq does indeed possess weapons of mass destruction.

First, chemical and biological threats. Saddam Hussein has VX nerve gas, mustard gas, and anthrax. These toxins are deadly and could kill thousands.

Second, we know that Saddam has a growing fleet of manned and unmanned aerial vehicles, UAVs, that could be used to disburse chemical and biological weapons across broad areas. Intelligence data suggests that Iraq may be exploring ways of using these UAVs for missions targeting the United States.

Third, as we learned from last fall's anthrax attacks, sophisticated delivery systems are not required. For chemical and biological attacks, all that is required is a small container and one willing adversary.

Next consider the nuclear threat. Iraq can develop nuclear capabilities in 1 to 2 years. We know that Iraq has already experimented with dirty bombs. There is nothing to suggest that they have discontinued this program. With enriched uranium and subsequently an atomic bomb, Iraq could use nuclear blackmail to conquer other countries in the region and threaten U.S. national security.

Now, some people that say that our focus should be on the war against terrorism. In my view, the Iraqi threat is part and parcel of the war against terrorism. There is ample evidence of al Qaeda and Iraqi contacts in the development of chemical and biological weapons. Additionally, Saddam has harbored known terrorists such as Abu Nidal, who, prior to his mysterious death, was connected to at least 90 attacks throughout the world.

Iraq poses a threat to the Persian Gulf and the Middle East as well as

110,000 United States American troops and civilians.

As a representative from the Washington, D.C. suburbs, I am particularly concerned about the threat to our homeland and the Washington metropolitan region. We learned on September 11 that the D.C. area is indeed a terrorist target, and a prime target.

Now, many ask why is Iraq unique? Other countries have weapons of mass destruction and hostile intentions. This is true. But none have the unique history of Iraq. I submit to you some of Iraq's prior aggressions and violations:

First, Saddam's invasion of Iran.

Second, Saddam's invasion of Kuwait.

Third, Saddam's use of chemical and biological weaponry against his own people as well as his enemies.

Fourth, Saddam has continued to obstruct U.N. weapons inspections. We cannot continue to ignore these violations. And in his most recent gambit, he tells us yes, we will accept inspections, but you can not inspect my palaces, some of which are as big as small cities. This is unacceptable.

I believe that actions speak louder than words and that past is prologue. In Saddam Hussein we are dealing with a shrewd and diabolical aggressor who must be thwarted.

However, despite all of this, what we want is inspections and disarmament, not war. I agree with those who believe war should be our last option. Thus, we must consider the viability of diplomatic measures. Although Saddam has defied 16 U.N. resolutions over the past decade, the President has asked the United Nations to pass another resolution requiring complete, unconditional inspections of all sites. The U.N. can do this.

To those who can say we only act multilaterally with our allies, I say yes, and I hope they will support us in the United Nations Security Council. Unfortunately, some of our allies are willing to appease Saddam Hussein.

Winston Churchill said, ''An appeaser is one who would feed a crocodile, hoping it will eat him last.''

Like a crocodile, the longer Saddam Hussein is left unchecked, the stronger and hungrier he will get.

This resolution sends Saddam Hussein the type of clear message aggressors understand, that we will no longer stand idly by while he threatens U.S. interests and American lives. Disarm or bear the consequences of your actions.

Many of my colleagues believe that this resolution will start war. However, as the President said about the resolution now before us during his speech 2 days ago, ''Approving this resolution does not mean that military action is imminent or unavoidable. The resolution will tell the United Nations and all nations that America speaks with one voice, and it is determined to make the demands of the civilized world mean something.''

Thus, I believe this resolution can be used to apply maximum leverage on the United Nations to step up to the plate and avoid war.

As provided in an amendment I introduced to this resolution, I urged the President to give the United Nations a reasonable opportunity to pass and implement a new resolution for unfettered and unconditional weapons inspections.

□ 1330

If the President takes his prudent approach, allowing a reasonable opportunity for the U.N. to act, it would demonstrate our desire for international support and cooperation and a peaceful resolution to the Iraqi problem. I believe our patience could garner further support.

Finally, should military force be necessary, I believe nation building is a requirement. Some of my colleagues across the aisle have opposed nation building. I am pleased to see the President say we must have nation building if we implement a military action.

Finally, this end game strategy is as important as military action if we are to achieve our long-term goal of peace in the region. In the final analysis, we all want peace, we all want a diplomatic solution or a multinational military effort. If we can achieve these things, fine.

However, being a world leader means more than just waving flags and saying that we are the greatest country in the world and waiting for others to be willing to act. Sometimes we have to make difficult decisions and sacrifices in order to stand for principles and against aggression. Sometimes the willingness to fight a war avoids the necessity to fight.

I support this bipartisan resolution, and I urge my colleagues to do so.

Mr. PAYNE. Mr. Speaker, I yield 6 minutes to the gentleman from Michigan (Mr. DINGELL), ranking Democrat on the Committee on Energy and Commerce, longest serving Democrat in the House.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I rise in opposition to the resolution now before the Congress. I supported the father of the current President on his resolution and was one of the few Democrats who did. I was right. There was a strong, present imperative by this country and by the nations of the world. It made sense, it was good, and it was something which was accepted and followed by the people of the world.

There is no evidence that our allies in Europe support the efforts that are described by the President to be made by the United States. The people and the countries in the area do not support this undertaking; and, overwhelmingly, the American people oppose this kind of effort, an effort intelligently, wisely and necessary to be made to achieve the purposes of everybody, that is, elimination of weapons of mass destruction from within the country of Iraq.

Mr. Saddam Hussein has no friends in the world. Everybody fears him and most despise him, but the President has chosen the wrong course. He has given us a request for a blank check. There has been inadequate or no discussion with our allies and friends. There has not been sufficient discussion with the Congress or the people of the United States, and the countries in the area are troubled because they feel that they do not understand what it is the United States intends to do, when, how or why.

We are embarking upon a unique and new doctrine. We will engage in a unilateral preemptive strike, if the early pronouncements of the administration are to be believed, and our purpose there is the removal of Saddam Hussein, obviously a desirable change. But, more recently, the President has said our purpose now is to disarm Mr. Hussein and Iraq of their weapons of mass destruction. I am not clear what course it is that the President has in mind, but I am convinced that proceeding into this situation without allies, without bases, without proper and adequate logistic support is an act of great folly. It poses enormous risks to the troops that we would be sending, and it poses enormous risk to this country and to our foreign policy.

Not only is it novel and dangerous to talk about preemptive strikes, but it is something which need not be done. A proper exercise of leadership in the U.N. will cause that institution to follow the United States; and I would urge us, as the remaining superpower, to exercise leadership and have enough confidence in ourselves and our capacity to lead to proceed to embark upon that course. I do not see this resolution before us as being a device which stimulates or encourages that. Perhaps the President would exercise that kind of leadership. I see no evidence that such, however, is to be the case.

I was here during the time of the missile crisis, and I remember that the President at that time observed that the worst course to be taken was a preemptive war. Our policy succeeded. We forced the missiles out. And when the matter was discussed in the United Nations, our ambassador there, Mr. Stevenson, showed them a photograph of what was transpiring and that the Soviets had moved missiles into Cuba. The world accepted, approved and followed the United States.

We have not seen that the people of the world are convinced that we have made the case that Mr. Saddam Hussein would embark immediately or at a time of risk to the United States on the use of weapons of mass destruction. Perhaps he would, and I do not trust him, but I would note to my colleagues that there is a sensible way of achieving the following and the support of the people of the world.

George Herbert Walker Bush chose it, and I supported him. He went around the world and he assembled not just the countries in the area, not just our

allies, but the whole world. And but for the fact that we pulled out too soon, the matter would have been disposed of completely and satisfactorily then.

We have not taken the steps that are necessary to assure either that the nations of the world, our friends and allies in Europe or the nations in the area would support this undertaking. I am not a dove, and I am not a hawk. I am a very sensible Polish American, and it is my view that the game here is to win, and we best win by using the resources of the United Nations and the following of the whole world as we assemble a coalition to disarm or dispose of Saddam Hussein. To take some other course is to accept foolish risks, including the risk of failure.

Mr. Speaker, I rise in opposition to the resolution now before the Congress. I supported the father of the current president on his resolution and was one of the few Democrats who did. I was right. There was a strong, present imperative by this country and by the nations of the world. It made sense, it was good, and it was something which was accepted and followed by the people of the world.

There is no evidence that our allies in Europe support the efforts that are described by the President to be made by the United States. The people and the countries in the area do not support this undertaking; and, overwhelmingly, the American people oppose this kind of effort, because it is not made intelligently, wisely and in ways necessary to achieve its purpose. The basic purpose is the elimination of weapons of mass destruction from within the country of Iraq.

Mr. Saddam Hussein has no friends in the world. People fear him and most despise him. But the President has chosen the wrong course. He has given us a request for a blank check. There has been inadequate or no discussion with our allies and fiends. There has not been sufficient discussion with the Congress or the people of the Untied States, and the countries in the area are troubled because they feel that they do not understand what it is the United States intends to do, when, how or why.

We are embarking on a unique and new doctrine. We propose to engage in a unilateral preemptive strike, if the early pronouncements of the administration are to be believed. Our purpose there is the removal of Saddam Hussein, obviously a desirable change, but again done unilaterally—a great strategic and tactical error. More recently, the President has said that our purpose now is to disarm Mr. Hussein and Iraq of their weapons of mass destruction. I am not clear what course it is that the President has in mind, but I am convinced that proceeding into this situation without allies, without bases, without proper and adequate logistical support is risky, indeed, it is an act of great folly. It poses enormous risks to the troops that we would be sending, and it poses enormous risk to this country, to the success of the undertaking, and to our foreign policy.

Not only is it novel and dangerous to talk about preemptive strikes, but it is something which need not be done. A proper exercise of leadership in the U.N. will cause that institution and its members to follow the United States. I would urge us, as the remaining superpower, to exercise leadership and have enough confidence in ourselves, and in our capacity to lead, to embark upon that wiser and more propitious course. I do not see this resolution before us as being a device which stimulates or encourages other nations to follow the United States. Perhaps the President would exercise that kind of leadership. He certainly should. I would support him in that. I see no evidence that such, however, is to be the case.

I was here during the time of the missile crisis, and I remember that President Kennedy at that time observed that the worst course to be taken was a preemptive war. His policies succeeded. We forced the missiles out, peace was maintained, and when the matter was discussed in the United Nations, our ambassador there, Mr. Stevenson, showed them a photograph of what was transpiring and that the Soviets had moved missiles into Cuba. The world accepted, approved and followed the United States.

We have not seen that the people of the world are convinced that we have made the case that Mr. Saddam Hussein would embark immediately or at some early time to use weapons of mass destruction. I do not trust him, and he might, but losing to him in this matter would make such use of weapons of mass destruction more certain. I would note to my colleagues that there is a sensible way of achieving the following of the world and the support of the nations of the world.

President George Herbert Walker Bush chose it, and I supported him. That President went around the world and assembled not just the countries in the Middle East, not just our allies, but the whole world. And but for the fact that we pulled out too soon, the matter would have been disposed of completely and satisfactorily then.

We have not taken the steps that are necessary to assure either that the nations of the world, our friends and allies in Europe, or the friendly nations in the Middle East will support this undertaking. I am not a dove, and I am not a hawk. I am very sensible Polish American, and it is my view that the game here is to win. And we best win by using the resources of the United Nations and the following of the whole world as we assemble a coalition to disarm or dispose of Saddam Hussein. To take some other course is to accept foolish risks, including the risk of failure. Let us do it right. If we do, we will win.

Mr. Speaker, at this point, I insert into the RECORD, a letter I sent the President outlining my views and questions to be addressed before we embark on this risky endeavor.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 5, 2002.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In recent weeks there has been much debate, public and private, over the possibility of a United States military campaign against Iraq. I agree with the notion that Saddam Hussein is an evil man who continues to pose a serious threat to the stability of the Middle East. However, as one who voted in favor of authorizing the use of force prior to the Persian Gulf War in 1991, and supported George H. W. Bush through the duration of that conflict, I write to express my deep reservations over launching an attack against Iraq. Without a clear purpose or strategy, I question whether you have established that waging a war at this time would be advantageous to the United States.

Mr. President, most of the world agrees that Saddam Hussein is a menace to the region, the international community, and the Iraqi people. Iraq refuses to comply with its obligations regarding weapons of mass destruction (WMD), nor does it observe U.N.-imposed no-flight zones. Saddam Hussein's Iraq has rejected its neighbors calls for reconciliation, repeatedly threatened to attack Kuwait, failed to account for 600 missing Kuwaiti citizens and as recently as last year conducted raids into Saudi Arabian territory.

Saddam Hussein's repressive policies have resulted in the deaths of countless Iraqi citizens. While defying the international community, Saddam Hussein has manipulated public opinion by blaming the United States and the United Nations for the intense hardships faced by the people of Iraq. The UN has repeatedly found that the Iraqi government supports massive and systematic human rights abuses, and has demonstrated in act and deed that it would rather manipulate the suffering of innocent civilians for propaganda effect result than take full advantage of humanitarian relief efforts, such as the oil-for-food program.

That being said, there is great concern in the United States and around the globe over the possibility of the U.S. launching a unilateral, sustained military operation against Iraq. To date, the United States has not clearly stated its rationale for attacking Iraq, nor have we answered questions pertaining to the possible consequences of opting for military confrontation. This has triggered intense criticism of U.S. policy vis-a-vis Iraq at home and abroad. Without outlining the objectives and rationale for an attack or obtaining the necessary domestic and international support, a U.S. military campaign would be unwise. Accordingly, I firmly believe the Administration must meet the following conditions pertaining to Iraq in order to justify and guarantee the success of a military campaign:

(1) The Bush Administration must consult and obtain approval from Congress before launching a sustained attack of Iraq.

Congress must be provided with any and all facts justifying the need for military action, and must be offered a clear explanation as to the goals of a military campaign, including an exit strategy. The Administration must also explain to Congress why military action against the Iraqi regime is vital to the security of the United States, and why it is necessary now.

The Administration must make a clear and convincing case that Iraq has weapons of mass destruction—biological, chemical, or nuclear—and the means to deliver such agents. The Administration must explain why it believes Iraq will employ these kinds of weapons in imminent attacks on other nations.

(2) Any sustained military campaign must have the support of the international community.

We must first be certain that our nation's traditional allies in Europe and elsewhere support a military operation against Iraq.

The Administration must secure the support of our regional allies, and gain access to military bases in those nations bordering Iraq which are vital to the success of a military operation.

The United States must have the support of, and/or be able to coordinate with, the armed forces of our regional and other allies necessary to guarantee success militarily and diplomatically.

The matter of Iraq must be fully debated by the United Nations. An attack on Iraq must have the support of the U.N., and must be carried out under U.N. auspices.

(3) The Administration must formulate and explain its strategy for port-way Iraq. The

U.S. must answer questions as to how it will assist in reconstituting a united Iraq, maintain Iraqi territorial integrity, and build a peaceful government and stable society that does not pose a threat to the U.S., our allies, or the region.

(4) Congress and the American people must be informed of the anticipated cost of opting for military action, both in lives and dollars. The Administration must fully explain the cost of waging a war in Iraq, economically, militarily, and diplomatically. It must demonstrate that the considerable cost of a military endeavor justify an attack on Iraq.

Again, I would caution against unilaterally unleashing U.S. military might on Iraq until a compelling case is made to the American people, Congress, and the international community. Needless to say, we must also have clear objectives in the short and long term, less we risk suffering unintended consequences.

Sincerely yours,

JOHN D. DINGELL,
Member of Congress.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the blue sky times of the past peace have clearly clouded over, and we have now come to realize that as Americans that our part of the world is not sheltered from global storms either. Our country was hit a terrible blow on September 11, one that was delivered by depraved men, not by Mother Nature, and unlike the forces of nature, the destructive power of man can and must be stopped before it surges and reaches our shores again. It is time we go straight to the eye and dismantle the elements from which the storm of brutal, repressive tyranny and oppression radiate.

Saddam Hussein, Osama bin Laden and their radical ilk are at the epicenter of terrorist activity in the Middle East. Nobody doubts that. It is not debatable. President Bush, Prime Minister Blair and others have made convincing cases about the threats the despotic Iraqi regime poses to world peace and stability today, today, as well as tomorrow. The list of offenses is long, and it has been much discussed.

Briefly, Iraq has not lived up to the terms of peace it agreed to at the end of the Gulf War. So we are in a continuation of the Gulf War. It has illegally sold oil and fired missiles repeatedly at U.S. aircraft in no-fly zones. I am sorry that CNN does not run every night the aerial combat that goes on in the no-fly zones. The Iraqis are trying to kill our troops over there who are enforcing the sanctions the Iraqi regime agreed to. The policemen we put there, with their agreement, they are trying to take out.

Iraq has expanded its weapons of mass destruction capabilities against its pledge not to. It still has deadly chemical weapons hidden throughout the country, and it has tried to develop nuclear devices as well.

It is certain that Iraq has ties to many Islamic terror groups in the region, including al Qaeda. Evidence supports Iraq's involvement in the first and probably the second World Trade Center bombing.

The ultimate goal of an Iraq invasion is clear. It is the removal of weaponry and the Saddam Hussein regime. Saddam Hussein, as we all know, is aggressive, he is a rogue leader, he ruthlessly crushes his political dissent. He ignores the most basic tenets of human dignity and uses fear and brutality to stay in power. He has not been truthful. There is no reason for anyone to believe him.

He is known from our intelligence sources to be a master of deceit and deception in word and in deed. He would not be missed by his friends in that region, and no one, no one is defending him in this body that I have heard yet.

Debate now, followed by unlimited inspection and full, effective enforcement of the sanctions are the best way to achieve his removal and reduction of weapons of mass destruction and the threat they represent. Now is not the time to sit back and observe the storm.

As the chairman of the Permanent Select Committee on Intelligence, I can attest to the evilness of Saddam Hussein. There is no doubt. I can attest to the capabilities of his dreadful arsenal of weaponry and the inventory that that danger will grow geometrically the longer we wait to disable him. Those are undeniable realities that we have to live with and deal with.

We know about him. What about us? What are we going to do about it? That is what this debate really is, the how and the when of dealing with something we have to deal with.

President Bush asked in this resolution that we give him flexibility and support to handle this in the most effective way with the least risk to our troops, the least risk to further dangers for the people of this great Nation and our allies and friends around the world.

We should support our President. I will support him with my vote; and I hope others will, too.

Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Illinois (Mr. HYDE), the Chairman of the Committee on International Relations, for the purposes of control.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Illinois (Mr. HYDE) will control the remainder of the gentleman's time.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, today I rise with a heavy heart because the decision to go to war is the greatest vote a Member of Congress can make. I take my sworn constitutional duty in this matter very seriously. Accordingly, I have conducted a thorough analysis of this situation since the President indicated discussions several months ago about the possible need for American military action in Iraq. The examination and analysis has resulted in my conclusion to support this resolution.

Ultimately, we must do what is right for the security of our Nation. Before the United States agrees to commit troops abroad, we must first determine that Iraq represents an imminent and serious threat to the American interests.

We have known for some time that Iraq possesses biological and chemical weapons of mass destruction and material, an unacceptable breach of its international obligations. Additionally, Iraq seeks to produce nuclear weapons. Moreover, we have evidence that Iraq has worked to build the delivery systems and now has the capacity to deliver these weapons all over the world.

After considerable deliberations, I have, therefore, determined that a convincing case has been made that Iraq presents an imminent threat to our national security. Without question, we know that we cannot trust Saddam Hussein. Other nations might have the same deadly capacities as Iraq, but none has a leader like Saddam Hussein, who is a vicious and dangerous man.

At this critical junction, we must, therefore, act quickly to safeguard our national security and the security of our allies. If we do not, millions may die. Let us err on the side of national security.

□ 1345

Further, we have before us a well-crafted compromise resolution to authorize the use of force against Iraq. This resolution imposes some appropriate checks on the President's authority to use force against Iraq. It also represents a reasonable compromise between what the President had initially requested and what the Congress felt was wise to allow. After all, under our Constitution, only Congress has the power to declare war.

We must additionally consider the consequences of military intervention for our diplomatic relations with other nations. In my mind, the President has made a convincing case to Congress about the need for such action in this instance. His administration in recent weeks has made progress in educating the rest of the world about the need for such action. Furthermore, the resolution before us today prioritizes U.S. diplomatic efforts in the United Nations for resolving this escalating situation. As a result, it is my hope we will resolve the situation through diplomatic means. But should those efforts fail, we must and we need to ensure that the President has the tools he needs to protect our national security.

Further, if we must use force against Iraq, it is imperative that we not leave a vacuum of power so that one dangerous regime replaces another dangerous regime. If we fail in the second part of our mission in Iraq, we will not have accomplished much.

If we ultimately pursue military action, we must therefore commit this Congress and the American people to provide assistance, as we did after the war in Europe. Consequently, I am pleased that the President has expressed his support for rebuilding Iraq's economy and creating institutions of liberty in a unified Iraq at peace with its neighbors.

Mr. Speaker, Congress must act swiftly to pass this resolution so that the United States can fully protect the national security of the American people. The resolution now before us represents a reasonable compromise between the desires of the administration and the goals of Congress to protect the American people. We should, as a result, support this resolution and support the President as he upholds the duties he was sworn to do.

Mr. PAYNE. Mr. Speaker, I yield 5½ minutes to the gentleman from Pennsylvania (Mr. DOYLE), a member of the Committee on Energy and Commerce dealing with trade energy and air quality.

Mr. DOYLE. Mr. Speaker, tomorrow, we will all have to cast one of the most difficult votes of our careers. I know this will be the most difficult vote I will have to cast in the 8 years that I have had the privilege of representing the people of Pittsburgh, Pennsylvania. It is a vote that I have given much thought to because, Mr. Speaker, we are talking about the possibility of sending America's sons and daughters to war; and that is something that we must never take lightly.

Now, all of us here in the Congress have been to many briefings. I have talked to the Director of the CIA, the DIA, the National Security Adviser. We have heard from many people from the administration, all of us, I believe, in an effort to get the facts, to seek the truth, to help us make a decision that we think is in the best interest of our country.

And I want to say at the beginning that I think we are going to reach different conclusions tomorrow. There are basically three different ways we can vote tomorrow, and I do not question anyone's vote tomorrow. I think everyone in the House is a patriot and will vote in a manner which they think is the best way for our country to proceed. I want to say that up front.

But we do have three choices and we are confronted with some realities. I think all of us would agree that Iraq poses a threat. They have biological and chemical weapons. We know that. We know they have designs on reconstituting their nuclear arsenal. They are not there yet. They may not be there for a year or so. But we know they have intentions to do that. So we agree there is a threat. Some of us would observe that the threat is equal to or certainly no greater than the threats posed by many other countries, Iran, North Korea, China, Syria. But I think we all agree that it is in the interest of the United States and the world community that Iraq be disarmed.

So the question is what is the best way to do that, and tomorrow we are going to have three choices. The gentlewoman from California (Ms. LEE) would have us do this exclusively through the United Nations; that we would just work through the U.N. to try to effect disarmament of Iraq. The President's resolution gives broad authority to the President to do whatever he sees fit to disarm Iraq and protect this country. And then there is a third alternative, the Spratt amendment, which seeks to limit the broad authority given to the President, but nothing to the point that it ties the President's hands.

I really believe, in looking at all three proposals, that the Spratt amendment makes the most sense. First of all, it makes it clear that the primary aim that we have is disarming Iraq from all weapons of mass destruction. It keeps the Congress engaged.

Whatever happened to keeping the Congress engaged in what goes on in our country? I have watched trade agreements where we have abdicated our responsibilities in trade agreements to the executive branch, no oversight with these fast track agreements. And now we are talking about maybe sending our sons and daughters to war; and the Congress is ready to, once again, just abdicate its oversight to the executive branch. I think we need to be engaged, and the Spratt amendment allows us to be engaged.

The Spratt amendment commends the President for taking the case against Iraq to the United Nations. It encourages him to persist in his efforts to obtain Security Council approval. And it calls on him to seek and also for the Security Council to approve a new resolution mandating tougher rounds of arms inspections. We think this is an important first step that thinks that the first order of business should be to get compliance through the Security Council first.

It also authorizes the use of force if sanctioned by the Security Council. If Iraq resists the weapons inspectors and the new rounds of inspections fail, then the Security Council is going to have to confront the use of military force against Iraq. And if they authorize such force, as they did in 1990, the President does not need any further approval from Congress. He need not come back to us.

But if the Security Council does not adopt the new resolution, or if the President considers its resolution too weak to wipe out Iraq's weapons of mass destruction, then the President can seek, on an expedited basis, an up-or-down vote by the Congress to use military force to eliminate Iraq's weapons of mass destruction.

Now, we ask that the President certify that he has sought a new resolution from the Security Council and that it has either failed to pass that resolution or it is insufficient; that military force is necessary to make Iraq comply; that the U.S. is forming as broad based a coalition as it can; and that military action against Iraq will not interfere with the war on terrorism.

Security Council approval is in the interest of the United States in the long term, because it is going to help persuade neighboring countries, especially countries like Saudi Arabia and Turkey, to grant us basing and overflight rights and other means of support. It allows moderate Arab and Muslim states to support the U.S. action, deflecting the resentment an attack on Iraq by the U.S. alone would generate in the Arab and Muslim populations, and it enhances the chances of postwar successes. Allies with us on the takeoff are far more likely to be with us after the conflict.

Mr. Speaker, this is something we need to think through. What is a post-Saddam Iraq going to look like? How many years and how many troops will we have to station there? Mr. Speaker, I think the answer is simple. In the last few speeches, the President has made it clear by saying he will not attack Iraq without first attempting to build an international coalition of support from our allies. And I appreciate that because I think that is the right way to go.

The Spratt amendment deals with Iraq in the right way by providing for a more thorough and narrowly focused process that I believe increases significantly our chances of success in this delicate and difficult situation.

Mr. Speaker, I intend to support the Spratt resolution. I think it is the right way to go. I intend to vote against the President's resolution.

Mr. HYDE. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me this time to speak, and I rise today with a heavy heart over one of the most difficult decisions that we as elected officials are called upon to make. It is literally a decision of life or death.

As a mother who has raised nine children, I cannot help but think about this issue on a personal basis. Can I or can any parent look into the eyes of an 18-year-old boy and with a clear mind and clear conscience say that we have exhausted every other option before sending him into the perils of conflict? Are we certain that the strongest possible case has been made that the threat posed by Iraq rises to the level of risking the lives of tens of thousands of our young citizens? Can we say to that young man with sufficient moral certainty that the time must be now, and that we can afford to work no longer on an alternative to war?

Mr. Speaker, the world is watching us today as we show how the world's last remaining superpower sees fit to use its great influence. We are looked to as we set an example for the world. Are we a Nation that will work within the world community, or will we go it alone? Are we willing to exhaust every possible chance for a peaceful resolution, or are we ready now to commit to war? Have we made the strongest case for action that we can make to the world? And do we honestly have a plan for a post-war Iraq?

This great struggle against evil is not a Christian struggle, a Jewish

struggle, or a Muslim struggle. It is a common struggle among people of all faiths. But as a Nation of Christians, Jews, Muslims and Hindus, and as a Member who represents a district of all of these faiths, we should look toward the common thread of all our beliefs that it is our responsibility to win this struggle through peace, through negotiation, through coalition building, and as an international, not unilateral, effort.

As the world's last superpower, I believe that we must have a better plan for our Nation and for the world for a post-war Iraq. We must reassure those neighbors in the Middle East that we are committed first to peace and stability and second to regime change. And we must not give our friends and foes in the region more reason to distrust our sincerity and desire for peace by ignoring the world community's role in addressing this problem.

I commend our President for his commitment to protecting our national security and his honest heartfelt desire to do what he thinks is right to make our world safe for democracy and safe for future generations. I know that in his heart he will continue to do what is right. But I believe as a Nation we owe it to ourselves and to those of other nations who would fall victim to the horror of this war to make sure that every other option has been exhausted before we take this final and irrevocable step of authorizing full-scale military action.

I will follow my conscience and vote against House Joint Resolution 114.

Mr. CROWLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, this debate is occurring at an auspicious anniversary in our Nation's history. Forty years ago this month, our Nation stood at the brink of nuclear annihilation. Offensive nuclear weapons were being placed 90 miles from Miami. A dictator stood ready to launch a missile strike against this Nation. And the United States, while supported by the world community, stood alone in confronting the menace.

Mr. Speaker, there are ominous parallels to the missiles of October 1962 and the Iraqi threat of 2002. While we debate this resolution, I believe it is illuminating to go remember what President Kennedy faced 40 Octobers ago. President Kennedy did not want to go to war. He knew what war meant. But he also knew the dangers of inaction far outweighed the risk of action.

We are faced with a similar situation today. A tyrant is building a nuclear, chemical, and biological weapons capability designed only for offensive use.

□ 1400

International mediation is preferred, but not an absolute method of engagement. The threat is real, and inaction on our part today will put us at greater risk tomorrow.

This resolution is not a blank check to go to war. It is not defiant of the world community to pass this resolution. No one wants to go to war and see lives lost. No one wants our blood and treasures spent in far-off lands. But just as President Kennedy acted with threat of force of our military to end a threat 40 years ago, we must not remove this option from President Bush today. I urge support of this bipartisan resolution.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. DOGGETT), a leader in the battle against this resolution, and a member of the Committee on Ways and Means.

Mr. DOGGETT. Mr. Speaker, today, we must speak not with one voice, but as one democracy—giving voice to the millions of Americans increasingly concerned with an Administration's deliberate choice to make the terrible weapon of war a predominant instrument in its foreign policy.

Among the more than three thousand communications I have received from my neighbors in Central Texas concerned with this rush to inflame a region that is as volatile as the oil it holds, is that of Bill Hilgers, a World War II veteran with 30 bombing missions over Germany and a Purple Heart. He writes, ''No one can foresee the potential damage [to] our troops or citizens. . . . We stake our future on an unprecedented breach of our moral principles . . . and our past commitment to peace. [W]e should . . . use every diplomatic strategy . . . to see that Iraq's weapons are destroyed before [using] military force.''

A more recent veteran, General Norman Schwarzkopf, writing of the Gulf War, was more direct: ''I am certain that had we taken all of Iraq, we would have been like the dinosaur in the tar pit.'' [''It Doesn't Take a Hero, Bantam Books, 1992, page 498]

The house-to-house urban warfare that would likely result from a land invasion would endanger our soldiers, detract from our ongoing war on terrorism, and expose our families to terrorism for years to come, in what to many in that part of the world would perceive as a war on Islam.

Many Americans are asking, ''how best do we protect our families?'' And, ''do they know something in Washington that we do not know?''

From our briefings in Congress, we do know something about which the public is uncertain and fearful. We have been shown no evidence that Iraq is connected to 9/11. We have been shown no evidence that Iraq poses an imminent threat to the security of American families today. From Central Intelligence Agency reports, secret until very recently and finally released, we know that terrorism, not Iraq, is the real threat. The CIA has concluded that an American invasion of Iraq is more likely to drive our enemies together against us and certainly more likely to make Saddam Hussein use any weapons of mass destruction that he may possess.

How do we make our families safe at this time? Certainly, through a military second to none, yes. Through effective law enforcement here at home, yes. But arms alone are insufficient protection, as the tragedy of September 11 demonstrated all too well.

True security means working together with nations, large and small. It means that we must be wise enough to rely on America's other strengths to rid the world of Iraq's danger, rather than unilaterally imposing our will by force that will only unite our enemies while dividing our natural allies.

Overreliance on packing the biggest gun and on having the fastest draw, will not make us safer. Rather, it is a formula for international anarchy. A quick draw may eliminate the occasional villain, but only at the cost of destabilizing the world, disrupting the hope for international law and order, and, ultimately endangering each of our families.

President Bush has correctly said, I would not trust Saddam Hussein with one American life. What fool would trust him? But that is not our choice today. Nor is it a choice between ''war'' and ''doing nothing,'' or between ''war'' and ''appeasement.''

The better choice today is for effective, comprehensive, international inspections and the disarmament of Iraq of any weapons of mass destruction that we believe it possesses. The better choice is to follow the prudent, indeed the conservative approach, a firm policy of containment that kept the threat to American families at bay.

Abandoning that successful policy, a policy which Ronald Reagan used against another ''evil empire,'' abandoning that policy which avoided nuclear Armageddon, abandoning that policy which we used successfully against Muammar Qadhafi—that abandonment will place America on a truly perilous path.

Containment and disarmament may not end all wars, but they are clearly superior to the new ''first-strike'' formula that risks wars without end.

America has the might and right to defend itself against imminent threats to its security, even unilaterally. If in fact the quality of the President's evidence matched the quality of his oratory, I would be ''ready to roll.'' The President does not need us to consent to saber rattle, but let him return to Congress if he has any clear evidence, not yet provided, to show us it is time to let the saber strike.

With this daily talk of war overshadowing all our hopes and dreams for this country and world, I would address my final remarks to those who are struggling with how to respond. Continue to thoughtfully, respectfully but forcefully voice your opposition. Do not lose hope. Petition for peace. Pray for peace. Do not give up on peace. Let us work together for an America that remains, indeed, a beacon for the world, that joins with its allies in ensuring the collective security of families here and around the globe.

Mr. HYDE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, decisions involving war and peace are by far the most difficult and agonizing as they potentially involve putting America's sons and daughters in harm's way. That is why I focused heavily on the Iraq resolution for weeks, attending every possible briefing from the CIA, National Security Council, Joint Chiefs, and the State Department. I have examined the classified data made available by our intelligence officials.

I have also listened to the people of Minnesota. I realize there are people of goodwill and good conscience who will disagree with my conclusion.

My fundamental principles approaching this resolution are several:

First, the highest responsibility of the Federal Government is to keep the American people safe.

Second, the greatest danger to our national security is terrorists with weapons of mass destruction.

Third, diplomacy should always be exhausted and proven unworkable prior to the use of force.

Fourth, war should always be the last option.

Consistent with these beliefs, my oath of office, and my conscience, and based on all of the briefings and classified data I have seen, I have decided to vote for this bipartisan resolution for several reasons.

First, Saddam Hussein's weapons of mass destruction and links to terrorists pose a clear and present danger to our national security.

Second, this resolution is the last best chance for a peaceful outcome with Iraq, because diplomacy not backed by the threat of force will not work with Saddam Hussein.

Third, this resolution puts maximum pressure on the United Nations to enforce its own resolutions and on Saddam Hussein to comply.

Fourth, this resolution requires the President to exhaust all possible diplomatic efforts and certify that diplomacy is unworkable prior to the use of force.

I am hopeful that diplomacy backed by the threat of force will work to get the United Nations weapons inspectors back into Iraq to disarm Saddam Hussein's weapons of mass destruction. As history has taught us, diplomacy without the threat of force does not work with dictators.

Since September 11, the world has changed. Protecting our national security now means preventing terrorists from getting weapons of mass destruction. Our highest duty is to assure that no weapons of mass destruction are used to harm the people of the United States.

The overwhelming evidence is that Iraq continues to possess and develop a significant chemical and biological weapons capability and is actively developing a nuclear weapons capability. Moreover, declassified intelligence reports document ties between al Qaeda and the Iraqi government, including the presence of senior members of al Qaeda in Baghdad. We also know from high-ranking terrorist prisoners at Guantanamo Bay that Iraq has provided training to al Qaeda in developing chemical and biological weapons.

In conclusion, I believe the gentleman from Missouri (Mr. GEPHARDT) summed it up best when he said, ''Iraq presents a problem after September 11 that it did not before, and we should deal with it diplomatically if we can, militarily if we must. And I think this resolution does that.''

Like the gentleman from Missouri (Mr. GEPHARDT), I believe this resolution will strengthen our diplomatic efforts to disarm Saddam Hussein and enhance the prospect of a peaceful outcome.

I ask all Members to vote their conscience, as I will in supporting this resolution.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), a member of the Committee on Education and the Workforce and a spokesperson for children.

Ms. MCCOLLUM. Mr. Speaker, we live in a dangerous world. We always have. But every day, the greatest democracy on earth wakes. All of us from Minnesota, we get up every day. We take our children to school. We go to work. We enjoy the hope, opportunity and freedom of this great Nation. We know that our democracy provides hope and opportunity not only for our own families here in America but for nations around the world.

Nevertheless, we do live in a dangerous world. We always have. I am 48 years old. There has never been a time in my life when the United States was not targeted by another country or countries with nuclear weapons, or when another nation has not had the capacity to attack us with chemical and biological weapons. How many nations today have the capacity to strike us within our borders? How many actually have targeted us today?

The world is filled with dangers, and Saddam Hussein and his regime pose a real danger to America, to the global community. Osama bin Laden and al Qaeda remain free and continue to pose a real danger to America. The anonymous assassin who 1 year ago murdered five Americans with anthrax remains free and is a real danger. How many other rogue states, terrorist organizations, drug cartels or pandemics pose a real security threat to the United States, our citizens and the millions of people around the world? If Saddam Hussein is today's threat, who or what is the next?

Today, I rise in opposition to this resolution because I do not believe we should provide a blank check to this administration to unilaterally attack Saddam Hussein. The world looks to America to promote freedom and justice, not alone but in concert with the global community. In the past decades, we have had models of this success. Let us build again a global coalition.

In 1991, the senior President Bush collectively and carefully assembled a broad coalition against Iraq, unified in purpose and in action. We succeeded, and we brought freedom back to the Kuwaiti people.

After September 11, President Bush tapped the collective will of the international body to respond to terrorism around the world; and with the support of our allies, we rid Afghanistan of the Taliban. We sent operatives of the al Qaeda network scrambling, and we restored freedom to the Afghani people.

But, today, the President seeks to engage the American people in another conflict, void of broad-based international support and lacking a cohesive international voice. Today, some of our allies are beginning to move forward, begrudgingly, to join us, spurred more by a threat of a weakened relationship with the United States than by an immediate threat of Saddam Hussein.

□ 1415

While I believe Saddam is a threat, I do not believe we should take offensive military action, the first strike, without broad-based international coalition support. I ask why are we not standing side by side with our neighbors in the region, Saudi Arabia, Turkey, Jordan, Egypt, our allies around Europe and around the world? The United States possesses the intelligence capacity to assess potential threats to our security. A diplomatic corps capable of diffusing tensions and a potent military force prepared to take appropriate action if necessary. Why have been unable to convince our closest allies to join us in this military undertaking against Iraq? This is a question that the families in my district have been asking me. This is a question that no one in this administration has been able to answer.

Mr. Speaker, as I said, we live in a dangerous world; and I want to be very clear if Iraq possesses an immediate threat to the American people, the President has all the authority he needs to take military action to protect our Nation without this resolution. The brave men and women of our Armed Forces must not be sent into harm's way alone. America's duty is to build a coalition of allies, seize the moral high ground, and act as part of a community of nations against Saddam's regime. When this administration convinces our allies in the region and around the world the need for joint military action, then the President will have my full support to take every action necessary to eliminate the danger in Iraq.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, there is no question that Iraq's President, Saddam Hussein, is a dangerous individual. Under his control Iraq has violated United Nations resolutions on the development of weapons of mass destruction. Iraq possesses significant quantities of chemical and biological weapons and is attempting to develop nuclear and radiological weapons all in contravention of the U.N. resolutions.

Iraq has shown a disposition to use weapons of mass destruction when the regime used chemical weapons against its own citizens. Iraq has had 4 years to rebuild its weapons of mass destruction program without U.N. oversight or inspection. The current regime has also supported terrorism. It is in the interest of the United States to take action against Iraq to enforce the U.N. resolutions, mandating that Iraq destroy its weapons of mass destruction. The preferred course for the United States is to pursue that action through the United Nations. The use of force should be a matter of last resort if all other diplomatic means prove ineffective.

I support President Bush's efforts to secure a resolution in the United Nations Security Council along with a time schedule for enforcement. I also support President Bush's stated intent that force should only be used as a matter of last resort and that it is in the best interest of our Nation to avoid the use of force.

The question before Congress is how we should best address the threat posed by Saddam Hussein as he seeks to strengthen his arsenal of weapons of mass destruction. We all agree that the United States must exercise leadership at this critical time in world history. It is unfortunate that H.J. Res. 114 goes well beyond the President's statements. Under the resolution the President could take unilateral military action against Iraq without seeking the support of the United Nations. The President could also take unilateral military action against Iraq to enforce U.N. resolutions unrelated to weapons of mass destruction. The President has indicated that he will use his authority more narrowly but that it is useful to have broader legislative authority. However, the Congress has the responsibility under the War Powers Act to be very cautious on the authorization of the use of force.

The gentleman from Florida (Mr. DAVIS) and I presented a substitute resolution to the Committee on Rules. That resolution was originally proposed by Senators BIDEN and LUGAR of the Committee on Foreign Relations. It would have limited the use of force to the specific threat against our Nation. Unfortunately, the Republican leadership in the House refused to allow that resolution to be considered. The only other option on the use of force to the President's resolution is the substitute resolution offered by the gentleman from South Carolina (Mr. SPRATT). That resolution allows the President to use force if authorized by the United Nations to eliminate Iraq's weapons of mass destruction. If the United Nations does not approve a resolution authorizing force, then the President could seek an immediate vote of Congress if he still believed the use of force by the United States is necessary.

Mr. Speaker, I shall support the Spratt substitute resolution because when compared to the President's resolution, I believe it most closely reflects the proper authorization from Congress. It is important that we speak as a united country in our determination to eliminate Iraq's weapons of mass destruction. I urge the President to follow the path he has announced in seeking U.N. action, limiting our forces to the elimination of weapons of mass destruction and working with the international community.

I have grave concerns about the consequences of unilateral preemptive military attack by the United States. Such a course of action could endanger our global coalition against terrorism, particularly from our moderate Arab allies. It also may increase terrorism activities around the world. The United States could also set a dangerous precedent in international law which could be invoked, for example, by India against Pakistan, Russia against Georgia, or China against Taiwan. In addition, we must not overlook the massive cost and effort that the United States would have to undertake in a post-Saddam Hussein regime. The United States will need the help of its allies as it attempts to transition Iraq from a dictatorship to a democracy which has the full respect of religious freedom and minority rights of the Kurds, Shiites, and Sunnis.

Ultimately, Mr. Speaker, by working through the United Nations we create an international coalition that will be critical in any future military campaign against Iraq or in any effort to stabilize and rebuild Iraq.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SMITH), someone who has a great deal of experience in leadership in the area of antiterrorism, the chairman of the Subcommittee on Crime, Terrorism and Homeland Security.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time and for that nice introduction.

Mr. Speaker, soon each Member of Congress will vote on a historic resolution to authorize the President to use military force against Saddam Hussein. This is not a declaration of war, and war is not inevitable. Saddam Hussein may yet yield to international pressure and reveal his weapons of mass destruction and destroy them, or the Iraqi people might still install a new regime.

No President wants to send our sons and daughters into combat, but a President should be able to take action he deems necessary to respond to terrorist threats and protect American lives. I know that given all the facts, President Bush will make the right decision.

Saddam Hussein is a dangerous man with dangerous weapons, weapons of mass destruction. His regime has stockpiled large amounts of chemical and biological weapons and is attempting to acquire nuclear weapons, has repeatedly violated United Nations Security Council resolutions, has repeatedly fired missiles at U.S. aircraft, has aided known terrorist organizations, and has openly praised the attacks of September 11, 2001, which killed 3,000 people.

Mr. Speaker, hoping that Saddam Hussein will not use his weapons or wishing that his threat to world peace will go away is not a responsible policy and certainly not a guarantee of success. Hope is not a strategy. Mr. Speaker, evil must be confronted and condemned. Either it will destroy itself or it must be neutralized. Avoiding the task only makes the future more dangerous and difficult. We should always pray for peace, but if the use of force becomes necessary, we must pray for victory.

Mr. PAYNE. Mr. Speaker, I yield 6 minutes to the gentleman from Oregon (Mr. WU), a person who exemplifies the struggle and fight for human rights, a member of the Committee on Education and the Workforce.

Mr. WU. Mr. Speaker, I thank the gentleman from New Jersey for yielding me this time.

Mr. Speaker, I was at home this weekend; and on Saturday morning at my very first town hall meeting, the first speaker or questioner got up and said, You know, I don't understand all this talk about Iraq in Washington, D.C. I have been out of work for over a year. I work in high tech. I have been looking hard and I have not been able to find a job, and all I hear about in Washington is this talk of war in Iraq. What are you going to do about the economy?

I gave the man the best answer I could, the things that I have been trying to do, some of which have been passed, some of which have not. This Congress owes that Oregonian that answer about that economy, and this government ultimately owes that Oregonian an answer also.

But we are here today on the most serious of topics, whether to send American men and women to war, and I oppose the resolution to grant the President's unilateral authority to go to war. Make no mistake about it, I would not hesitate to use force if there were sufficient evidence of an imminent threat to the United States, our allies, or our military forces; but in all the briefings that I have attended, in all of my study and research, I have not found sufficient evidence of an imminent threat to us, our allies, or our military. And if there were, the main resolution that we are considering delegates so much war-making power to

one person, I believe that if the Founders of this Republic were to read this resolution, they would tremble at the thought that one individual ever in America would have such terrible power in his or her hands no matter how much we trust that person or no matter how much we like that person. That is not the American way, to put so much unilateral power into one person's hands.

The gentleman from South Carolina's (Mr. SPRATT) resolution is a much better solution to this problem. It requires the President to take all steps and then to come back after exhausting diplomatic and other means.

I want to also seriously address the new first-strike doctrine which is being advocated by this administration. It is not a preemption doctrine because preemption assumes that there is an imminent danger and that is what we are preempting. This doctrine allows for first strikes even absent imminent danger.

Where will we draw the line? Will we strike next at the other nations of the Axis of Evil? What about Pakistan with a nuclear capacity and known ties to terrorists? Where will other countries draw the line? There are at least half a dozen hot spots around the world where conflicts could be of a conventional or a nuclear nature.

For over 200 years we have rarely been the first to shoot. For over 200 years American Presidents have taken a united America to war. Lincoln, Wilson, Roosevelt, Kennedy, they all made their public case that war was necessary and that there was an imminent threat. The exceptions: President Madison, President Johnson. I do not think that we want to fall into the historic situations in which those two Presidents ultimately found themselves. This first-strike doctrine puts us on the edge of a terrible, terrible precipice.

The vote on this resolution is a foregone conclusion. I think it is a foregone conclusion that we will be at war in January. We are fighting against the second war, the third war, the fourth war, the fifth war. We are trying to cut that chain of wars off as soon as we can. But make no mistake about it, with this first strike, with this first war, we will lose the high moral ground that has taken Americans 200 years to build. We will no longer be in a position through moral suasion or otherwise to be an example to the world, for democracy, human rights, and the rule of law. We will not be able to have others stay their hand by the example of us staying ours.

From the Lexington Green to Fort Sumpter, from the submarine campaign in the north Atlantic before our entry into World War I to the Cuban Missile Crisis, American Presidents have been restrained in their use of power.

□ 1430

Let not the innocent 3,000 of September 11 die in vain. If we lash out, if we strike blindly, if we start a series of wars because of September 11, we will have given Osama bin Laden what he wanted. Let us stop as soon as we can.

Mr. GREEN of Wisconsin. Mr. Speaker, obviously, we are in the midst of a great and historic debate. In fulfilling the pledge that the gentleman from Illinois (Chairman HYDE) made yesterday, I ask unanimous consent that the time for debate on this resolution be extended for 4 hours, to be equally divided between the majority and the minority.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I thank the gentleman. This is in accordance with the agreement set prior to the beginning of the debate, and I appreciate the cooperation.

Mr. Speaker, I ask unanimous consent to yield 1 hour of my time to the gentleman from New Jersey (Mr. PAYNE), and that he be allowed to control that time and yield it to others.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GREEN of Wisconsin. Mr. Speaker, it is my great honor to yield 2 minutes to the gentleman from Florida (Mr. FOLEY), a Member of the Committee on Ways and Means.

Mr. FOLEY. Mr. Speaker, I rise in support of the resolution.

Americans are a peace-loving people. While we desire a diplomatic resolution to the Iraqi crisis, we must be prepared to support the President if military force becomes necessary.

Saddam Hussein is a dangerous and unpredictable despot who has committed genocide, including the use of chemical weapons to slaughter his own people. It is estimated that Saddam has butchered over 200,000 of his own citizens in the past decade. He led his country into an 8-year war with Iran, a disastrous conflict with the U.S.-led coalition in 1991, and is open about his financial and technical support for Hamas and Islamic Jihad.

Saddam has always overestimated his military capabilities and underestimated the resolve of the civilized world. He surrounds himself with ''yes men'' who reinforce his ego and ambition and fail to warn him of the consequences of his actions. This makes Saddam an immediate threat to America who can neither be trusted nor dealt with rationally, in spite of the testimonials provided by two Members of Congress who recently visited Iraq.

We cannot wait for Saddam to develop a nuclear device and the missiles to threaten our troops, allies, and our own territory.

We cannot ask what will happen if we act, but, rather, what will happen if we do not. We must not only remove Saddam's weapons of mass destruction, but Saddam himself.

We cannot wait for Saddam to arm terrorist groups with weapons of mass destruction, nor can we allow him to use these weapons to blackmail his neighbors. He has proven himself to be a menace to the stability of the entire Gulf region.

In Afghanistan, U.S. forces worked with the anti-Taliban opposition to free the country. We also reversed an impending famine in that country. The U.S. is working with the new Afghan government to build the foundation for a civilized society that respects human rights and international law. No less should be expected for the people of Iraq.

Mr. Speaker, we cannot allow the world to be tormented by terrorists or tyrants. The problem is the regime. The problem is Saddam. We know who the enemy is, we know what he does, and we know what we must now do.

Mr. ACKERMAN. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentlewoman from Nevada (Ms. BERKLEY), a member of the Committee on International Relations.

Ms. BERKLEY. I thank the gentleman from New York for yielding.

Mr. Speaker, I rise today in support of this resolution.

Iraq, under the tyrannical dictatorship of Saddam Hussein, has been in violation of 16 different United Nations' resolutions over the past decade, resolutions passed to ensure that Iraq dismantle its chemical, biological and nuclear weapons programs and destroy any remaining weapons of mass destruction.

Ensuring compliance with these U.N. resolutions, which represent the will of the international community, is essential. Iraq has demonstrated its willingness to use these horrific weapons in battle and against its own people.

One particularly gruesome example occurred in the late 1980s when Saddam Hussein unleashed deadly chemical gas attacks over entire villages in Iraq, killing thousands of innocent men, women and children, so he could experiment, experiment, with finding the most efficient ways to spread nerve, blister and mustard gas.

Given Saddam Hussein's 11-year record of defying and misleading the international community, I believe the United States, our allies and the United Nations are justified in their efforts to rid Iraq of biological and chemical weapons.

Just this week, a new CIA report exposed Saddam's vigorous concealment record as further proof that he has no intention whatsoever of honoring his U.N. commitments by giving up his ever-expanding stockpile of weapons of mass destruction.

Month by month, Saddam Hussein increases his arsenal of chemical and biological weapons, while he aggressively works to build nuclear capacity. The CIA now believes that Iraq could make a nuclear weapon within a year if it manages to obtain weapons-grade material from abroad.

The CIA further reports that Saddam is intent on acquiring nuclear weapons, and Iraq's expanding international trade provides growing access to the necessary materials.

Given these developments, we simply cannot wait any longer.

September 11 taught us that there are those who would use any means to harm Americans. I am increasingly concerned about weapons of mass destruction being transferred from Iraq to terrorists like Osama bin Laden's al Qaeda network, bent on destroying Americans, or being used by Saddam himself against his neighbors, our allies, or against the United States.

The United States should seek to achieve our objective with as little risk to Americans and Iraqi civilians as possible. However, we must act to permanently disarm Saddam Hussein, because the cost in lives and misery if we do not act will be incalculable.

Before any action is taken, the President is right in seeking approval of Congress, and I commend him for that. The more information the American people have, the stronger our Nation will be.

Further, it is important that we continue to make every effort to marshal international support. I would prefer to work in concert with the United Nations. Saddam Hussein is, after all, a threat to international security. But, in the final analysis, my responsibility is to protect my constituents and protect the national security of our Nation, so I will be voting in favor of this resolution.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico (Mr. UDALL), a member of the Committee on Resources and a great addition to this House.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, the House is engaged in a great and serious debate on an issue of incredible importance; and, given the strong arguments on both sides, we may have missed the fact that we actually agree on many points.

We all agree with the President that Saddam Hussein is a brutal dictator. We all agree with the President that both Iraq and the world would be better off without him. We all agree with the President that Iraq must be rid of its weapons of mass destruction. So, as the President said on Monday night, we all agree on the goal. The issue is how best to achieve it.

Right now, we have two choices. We can vote for the resolution before us, or we can vote against it. If we vote for it we are, in effect, granting the President unprecedented authority to launch a unilateral, preemptive strike against Iraq.

Much has been made of the fact that the resolution is not the blank check originally submitted by the President, that concessions have been made, that under the current resolution the President is required to exhaust all diplomatic measures before launching an attack on Iraq, that the President is required to give Congress prior notice of such an attack.

Rhetoric and semantics aside, this is still a blank check. The President alone makes the final determination of exhaustion of diplomatic remedies. This resolution simply adds a step to the process. It will not have an impact on the final decision. It will not give Congress a greater role in the decision making. Notice to Congress is a mere formality.

Sadly, proper deference has not been given to the authority vested in the Congress by the Constitution to exercise the power to declare war. The Founders must have believed, as I do now, that the power to wage war is too awesome a power to vest in the executive. War is too dangerous and too important a matter to be left to the discretion of one man or woman.

This war would be especially dangerous. We would be acting alone, not only without allies but also with the hostile condemnation of the rest of the Arab world. We would undermine the war against terrorism and, indeed, increase the risk of future terrorist attacks against our own country. We would undermine the authority and mission of the United Nations, our best hope for a peaceful solution.

It is dangerous to go forward without knowing how long this war will take; without knowing how many lives will be lost, military and civilian; how much it will cost; how much of a drain it will be on our already dangerously weak economy; how long it will take to rebuild a devastated Iraq; and whether Iraq will ever be a viable democracy.

So, before we vote, we must ask, why now? Why the rush? There is too much danger lurking in the unknown and the untried. With the election only weeks away, there is too much of the taint of political expediency to gain the trust of our international friends.

I cannot support this resolution. I will support the United Nations leading an international coalition to disarm Iraq. At the very least, we should give the U.N. a chance before we embark on the dangerous path this resolution takes us.

I will vote against H.J. Res. 114.

Mr. GREEN of Wisconsin. Mr. Speaker, it is my great honor to yield 2 minutes to the gentleman from Louisiana (Mr. VITTER), a Member of the Committee on Appropriations.

Mr. VITTER. Mr. Speaker, I thank my friend from Wisconsin for yielding me time.

Mr. Speaker, I rise today in strong support of the resolution granting President Bush the authority he seeks to take decisive action against Saddam Hussein. Clearly, this decision is one of the most sobering I have had to make during my time in public service. It is a decision that no Member of Congress considers lightly. It is also one that I take confidently and with great moral clarity.

The President's critics urge dealing with this threat through diplomatic and U.N. efforts, but passage of this resolution is the only way Saddam will take those ongoing efforts at the U.N. seriously. It is, in fact, the only hope for those continuing efforts.

Many of those same critics say that our government should have connected the dots and better understood the terrorist threat before September 11. Well, that is exactly what we are doing here now, connecting the dots and better understanding a closely-related threat.

Saddam Hussein has proved time and again that his totalitarian regime threatens America, our allies and even his own people. He is a known exporter of terrorism. He causes regional instability. He actively pursues weapons of mass destruction. He has proven he is willing to use them. So inaction, or the mere return to the old frustrated U.N. resolutions, is clearly the riskiest path of all.

My constant prayers are for the members of our Armed Forces around the world as they embark on their missions. May God bless them, and may God bless America.

□ 1445

Mr. ACKERMAN. Mr. Speaker, I yield 6 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I just returned this morning from a 16-hour flight from my district, hoping very much that I would be able to participate in some small way in this most important debate now pending before this body.

In the course of the weekend, I had the opportunity of participating in the dedication of the opening of the construction of the brand-new U.S. Army Reserve Center that we are establishing in my district for the purpose of accommodating some 450 of our men and women in military uniform; also, in essence, sharing with my people the historical aspects of our participation in our unit as part of the famous 100th battalion 442nd infantry Army Reserve organization out of the State of Hawaii. I did this, in observing these men and women in uniform, as I reflected on the fact that in a couple of days I would be here before my colleagues expressing my opinion of what we should do in the aftermath of the President asking us to make a decision on this important issue.

As a member of the Committee on International Relations, Mr. Speaker, I voted in favor, in support of the proposed resolution now under consideration by this body. In principle, House Joint Resolution 114 embodies our Nation's efforts to work with our allies and work with the United Nations Security Council and the United Nations General Assembly to seriously consider the demands and the dangers that are now posed by the current regime ruled by dictator Saddam Hussein.

I am happy to observe that our President's initial rhetoric on this most serious matter is now more realistically applied. The fact is that our President must come to the Congress not just to consult, but must come to the Congress to justify himself on whether or not we should commit our men and women in military uniform and put them in harm's way. I am sure my colleagues need not be reminded of the wisdom of how the Founding Fathers established our system of government as plainly written, clearly written in the Constitution, where, this power in this most serious matter, is given to the Congress and not to the President, the power to declare war.

I think another matter that also needs to be restated in the aspects of how our government functions, Congress also is given the important responsibility of raising an Army and a Navy, not the President. I think it shows quite well how our Founding Fathers said, we do not want another emperor or another king; we want to make sure that there is a checks and balance system. I think this is how we came out with such an excellent way of proceeding to make sure that this kind of authority or power is not given exclusively just to the President.

When our Secretary of State Powell appeared before our Committee on International Relations, I asked Secretary Powell some questions that were very dear to my heart. I asked, ''Secretary Powell, if and when our Nation should ever declare war, are we going to go there to win and nothing less? Secretary Powell, I don't want another Vietnam War. I don't want to hear another bunch of half-baked plans and objectives being done by some bureaucrats in the Pentagon, and then a policy where the enemy soldiers can shoot at you, but you can't shoot back.'' Secretary Powell's response was, ''Yes, if we are going to go to war, we are going to go to win.''

I also asked Secretary Powell, ''Are we going to be working with the Security Council and the United Nations?'' Again he responded and said, ''Yes, exactly. This is our objective as far as the administration is concerned.''

I also asked Secretary Powell, ''Will our Nation take up the responsibility as well to provide for some millions of Iraqi refugees who will be fleeing from these horrible consequences of war which, I believe, will also cause serious economic and social conditions to the surrounding Arab countries in the Middle East?'' And he said, ''Yes, we will also have to take up that responsibility.''

Mr. Speaker, as we consider this matter now before us, I am reminded of an incident that occurred years ago in the Middle East where a terrorist bombing of the U.S. Marine barracks in Beirut, Lebanon, where hundreds of Marines were needlessly killed as a result of that incident. At that time our Secretary of Defense, Casper Weinberger, was literally tortured by this incident. As a result, he proposed six principles or criteria or tests that I think our Nation must answer positively before our Nation should commit its sons and daughters to war. I want to share these six principles with my colleagues here this afternoon.

Test number one, ''Commit only if our allies and our vital interests are at stake. Number two, if we commit, do so with all of the resources necessary to win. Number three, go in only with clear political and military objectives. Number four, be ready to change the commitment if the objectives change, since war is rarely standstill. Number five, only take on commitments that gain the support of the American people and the Congress. And, number six, commit U.S. forces only as a last resort.''

Mr. Speaker, I want to share with my colleagues a statement made by a general some 2,500 years ago named General Sun Tzu. He said, ''The art of war is of vital importance to the State. It is a matter of life and death, a road either to safety or to ruin. Hence, under no circumstances can it be neglected.''

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. STARK), ranking member on the Subcommittee on Health of the Committee on Ways and Means, but known as the fierce fighter for Medicare and Medicaid.

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. Mr. Speaker, I rise in opposition to this resolution. I am deeply troubled that lives may be lost without a meaningful attempt to bring Iraq into compliance with U.N. resolutions through careful and cautious diplomacy.

The bottom line is that I do not trust the President and his advisors.

Make no mistake. We are voting on a resolution that grants total authority to a President who wants to invade a sovereign nation without any specific act of provocation. This would authorize the United States to act as the aggressor for the first time in our history. And it sets a precedent for our Nation or any nation to exercise brute force anywhere in the world without regard to international law or international consensus. Congress must not walk in lockstep behind a President who has been so callous as to proceed without reservation as if the war is of no real consequence.

Mr. Speaker, 3 years ago, in December, Molly Ivins, an observer of Texas politics wrote, ''For an upper-class white boy, Bush comes on way too hard, at a guess, to make up for being an upper-class white boy. Somebody,'' she wrote, ''should be worrying about how all this could affect his handling of future encounters with some Saddam Hussein.'' Pretty prophetic, Ms. Ivins.

Let us not forget that our President, our Commander in Chief, has no experience or knowledge of war. In fact, he admits that he was at best ambivalent about the Vietnam War. He skirted his own military service and then failed to serve out his time in the National Guard; and he reported years later that, at the height of the conflict in 1968, he did not notice any ''heavy stuff'' going on.

So we have a President who thinks foreign territory is the opponent's dugout and Kashmir is a sweater. What is most unconscionable is that there is not a shred of evidence to justify the certain loss of life. Do the generalized threats and half-truths of this administration give any one of us in Congress the confidence to tell a mother or father or family that the loss of their child or loved one was in the name of a just cause? Is the President's need for revenge for the threat once posed to his father enough to justify the death of any American? I submit the answer to these questions is no.

Aside from the wisdom of going to war as Bush wants, I am troubled by who pays for his capricious adventure into world domination. The Administration admits to a cost of around $200 billion. Now, wealthy individuals will not pay; they have big tax cuts already. Corporations will not pay; they will just continue to cook the books and move overseas and send their contributions to the Republicans. Rich kids will not pay; their daddies will get them deferments as Big George did for George W.

Well, then, who will pay? School kids will pay. There will be no money to keep them from being left behind, way behind. Seniors will pay. They will pay big time as the Republicans privatize Social Security and continue to rob the trust fund to pay for this capricious war. Medicare will be curtailed and drugs will be more unaffordable, and there will not be any money for a drug benefit because Bush will spend it on a war. Working folks will pay through loss of jobs, job security, and bargaining rights. And our grandchildren will pay, through the degradation of our air and water quality, and the entire Nation will pay as Bush continues to destroy civil rights, women's rights, and religious freedom in a rush to phoney patriotism and to courting the messianic Pharisees of the religious right.

The questions before the Members of this House and to all Americans are immense, but there are clear answers. America is not currently confronted by a genuine, proven, imminent threat from Iraq. The call for war is wrong.

What greatly saddens me at this point in our history is my fear that this entire spectacle has not been planned for the well-being of the world, but for the short-term political interests of our President.

Now, I am also greatly disturbed that many Democratic leaders have also put political calculation above the President's accountability to truth and reason by supporting this resolution.

But I conclude that the only answer is to vote ''no'' on the resolution before us.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair would remind the Member that it is not in order to refer to the President in personal terms. Although remarks in debate may include criticism of the President's official actions or policies, they may not include criticism on a personal level.

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the Chair for that reminder. I think it is an important reminder, especially when we are debating such serious matters here.

It is my honor, Mr. Speaker, to yield 2 minutes to the gentleman from Nebraska (Mr. TERRY), a member of the Committee on Energy and Commerce.

(Mr. TERRY asked and was given permission to revise and extend his remarks.)

Mr. TERRY. Mr. Speaker, I rise in support of this resolution. In dealing with Iraq, we must act in the best interests of our national security. Based on the evidence against Saddam Hussein, we no longer wonder if he has weapons of mass destruction or if he will use them, but when.

Defectors have reported the existence of mobile germ warfare laboratories. Dump trucks purchased through the U.N. humanitarian aid program have been converted into military vehicles. Saddam Hussein is an expert in dual technologies. Computers used in hospitals can also generate designs for nuclear weapons. Saddam imports dual-use technologies and then diverts them to military use.

□ 1500

His regime is founded upon the hatred of America and Israel, his loathing for freedom and liberty, and his fear for democracy. Saddam is driven by the fantasy to triumph over the free world. We must implement a long-term solution to neutralize this threat that Saddam poses to America, to the free world, and to his own people.

Military action is not the desired means of resolving the Iraqi situation. I do not take lightly the prospect of sending our young Americans to war. Force, however, may be an eventuality for which we must prepare. This resolution permits the use of force to prevent a ruthless dictator from using deadly weapons of mass destruction.

Without regard to U.N. resolutions or international law he has sought, obtained, and used weapons of mass destruction even on his own people. Unless the U.N. resolutions are backed by action, he will brazenly frustrate similar attempts to inspect and disarm his arsenal. Military consequences are the only way to stop Saddam Hussein's games and force legitimate inspections.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. Mr. Speaker, I thank my friend, the gentleman from New York, for yielding time to me.

Mr. Speaker, I rise to offer my support for the resolution before us and to offer my support for our President.

There is no task that any of us faces that is more serious than making the decision to commit our military to danger abroad. Mr. Speaker, I do not take this task lightly, but with the decision that currently faces us, I feel we have no choice.

Above all, it is our responsibility as Members of Congress to work with the President to protect our citizens from danger. While it is my hope that continued diplomatic efforts ultimately prove this resolution unnecessary, history has shown that we should not and cannot take that chance.

As our esteemed colleague, the chairman of the Committee on International Relations, reminded us yesterday, 66 years ago another brutal dictator terrorized his own people, instigated religious and ethnic persecution on a massive scale, and declared his aggressive intent against his neighbors. The world still bears the scars from the mistake of ignoring the threat of evil posed by Adolph Hitler.

History has shown that Saddam Hussein, too, is a brutal dictator and he needs to be held in check. We know what he has done to the Kurds. We know what he has done to his own people. We cannot turn our backs as the threat of Saddam Hussein continues to plague our Nation and the world.

Iraq's use and its continued development of weapons of mass destruction, as well as its connections with terrorist organizations that wish to do the United States harm, demand that we act prudently to protect our citizens from danger.

While it is necessary for us to make the preparations to go to war, we should not be going at it alone. I encourage President Bush to work hard for the passage of a U.N. resolution acknowledging the threat that Iraq poses to the world. The United States does not suffer alone from the threat that Saddam poses. We should not go at it alone in combatting that threat either. Just as we did during the Gulf War, this administration should work to build a multinational coalition to share the burden of any possible military action against Iraq.

In conclusion, let me reiterate my support for this resolution.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. SUNUNU), a member of the Committee on Appropriations and vice-chairman of the Committee on the Budget.

Mr. SUNUNU. Mr. Speaker, I rise today in support of the resolution, a resolution which I believe will send a clear and an unmistakable message to our own citizens, our allies, and our enemies, as well, that Congress stands behind our President in defense of America's national security interests.

Mr. Speaker, there is no more serious an issue for Congress to debate than the question of authorizing the use of America's Armed Forces. We are a peaceful Nation, preferring instead to rely on diplomacy in our relations with other countries.

On the question of Iraq in particular, the United States and the United Nations have been exceedingly patient, working steadily to integrate Iraq into the community of law-abiding nations, but to date we have failed. In the decades since Desert Storm, Iraq has chosen a very different path. Iraq has worked to develop weapons of mass destruction, including chemical and biological agents; and Saddam Hussein has repeatedly ignored U.N. resolutions demanding that he disarm. He has refused to allow weapons inspectors access to potential sites. Thus, the threat of obtaining stocks of these terrible weapons continues to grow.

Most troubling of all, Saddam Hussein has shown, has demonstrated, his willingness to use such horrible weapons against other nations and against his own people. Only when military action is imminent does the Iraqi regime begin to discuss allowing inspectors to return, but the restrictions they wish to place on these inspectors would effectively render their mission useless and, instead, simply delay action and allow a covert weapons program to begin to bear terrifying results.

If we wait until Iraq succeeds in achieving these goals, we will have waited too long.

The resolution we are debating today encourages a diplomatic solution to the threat that Iraq poses to our national security. The President has called on the U.N. to act effectively to enforce Iraq's disarmament and ensure full compliance with Security Council resolutions. But if the U.N. cannot act effectively, this resolution will provide the President with full support to use all appropriate means.

Mr. Speaker, neither I nor any Member of this body want to see a renewed conflict in Iraq. We must be prepared to act give the President flexibility that he needs to respond to this gathering threat to protect American lives and address the threat to global peace.

I urge my colleagues to support the resolution.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from Florida (Ms. BROWN), the ranking member of the Subcommittee on Coast Guard and Maritime Transportation and a fighter for the people of her district.

Ms. BROWN of Florida. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I stand before the Members today, one of three African Americans sent to the United States Congress 10 years ago, the first time in 129 years that Florida sent an African American to Congress from the great State of Florida; the scene of the crime of the 2000 Presidential election, where thousands of African American votes were not counted, over 27,000 thrown out in my district, with the Supreme

Court selecting the President in a 5–4 decision.

Many of my colleagues say that the President is the only person elected by all of the people. Did I miss something? This President was selected by the Supreme Court, and that fateful decision was over 600 days ago. Now this President, who runs our country without a mandate, has pushed us to the brink of war.

The President is asking Congress to give him a blank check. I say today to the President, his account has come back overdrawn. This blank check gives him too much power: a blank check that forces Congress to waive its constitutional duties to declare war, a blank check that lets the President declare war and not consult Congress until 48 hours after the attack begins. Let me repeat that, a blank check that lets the President declare war and not even consult with Congress until 48 hours after the attack has begun.

Not only has the President given us an economic deficit, but there is a deficit in his argument. Why Iraq, and why today?

In the 10 years that I served in Congress, this is the most serious vote I will take. I have to say, the resolution on Iraq the White House drafted is intentionally misleading. It misleads the American people, the international community and, yes, the United States Congress.

This is a sad day, almost as sad as it was 627 days ago when the Supreme Court selected George W. Bush as the President. The White House talks about dictators, but we have not done anything to correct what has happened right here in the United States. It amazes me that we question other governments when in our country we did not have a fair election.

I recently traveled to Russia, China, and South Korea; and I believe it would be unfortunate to damage the goodwill our Nation was receiving after September 11. But there is a song, ''You are on your own.'' Mr. Speaker, we are on our own with this. No one in the international community is behind us.

I have not seen any information demonstrating that Iraq poses a threat to our country any more than it did 10 years ago, and certainly I do not have reason to believe we should attack unilaterally without the support of the U.N. In fact, recent poll numbers suggest that many Americans do not support the way that the President is handling the situation and, indeed, the way Congress handles the situation. They think we are spending too much time talking about Iraq and not discussing problems like health care, education and, yes, their pensions.

Many also say they do not want the United States to act without support by allies and, by a 2 to 1 margin, do not want the United States to act before the U.N. weapons inspectors have had an opportunity to enter Iraq and conduct further investigations.

Although the administration is attempting to convince the American public otherwise, they have not shown any evidence of a connection between 9/11 and Iraq. Iraq's government is not a democracy, but neither are many other countries on the State Department terrorist list.

In closing, Mr. Speaker, it is in the hands of my colleagues. I do believe that there is good and evil in the world, and what we are about to do here in the next couple of days will tilt it in a negative direction. I do hope that I am wrong, but I do believe what we will do here today will not only affect our children, but our children's children will pay for what we are about to do.

May God have mercy on America, and God bless America.

Mr. GREEN of Wisconsin. Mr. Speaker, as part of this great debate, I yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW), a member of the Committee on Appropriations and the Committee on Veterans' Affairs.

Mr. CRENSHAW. Mr. Speaker, I rise in support of this resolution.

No person of common sense wants war. Rational people agree that war should be the last resort. But there is a real, dangerous, and deadly threat posed by Iraq; and we must face this challenge head on or suffer the consequences of inaction.

Saddam Hussein ignores repeated demands to stop accumulating weapons of mass destruction. These are not our demands, they are the demands of the world.

In an ideal world, Saddam Hussein would disarm immediately. In an ideal world, Saddam Hussein would stop manufacturing, stockpiling, and pursuing weapons of mass destruction. In an ideal world, Saddam Hussein would tell us what happened to Captain Scott Speicher, a young man, a Navy pilot from my hometown of Jacksonville, who was the first man shot down behind enemy lines during the Gulf War. In an ideal world, Iraq would honor the 16 United Nations resolutions that he has thumbed his nose at for the last 11 years.

But we do not live in an ideal world. The reality demands that we act. We must act because the danger is grave and growing. We must act because Saddam Hussein is a man with no moral limits. He is uniquely evil, and the only ruler in power today, and the only one since Hitler, to commit a campaign of chemical genocide against his own people.

We must act because the worst thing we could do is turn our heads and pretend that Saddam Hussein does not exist. We must not allow this dictator to arm himself with nuclear capabilities and position himself further as the world's bully, blackmailing those within his nuclear grasp, blindsiding regional stability, and threatening our national security through his dealings with terrorists.

There is nothing desirable about breaching the bounds of civility to forge peace. Even so, I believe there are situations that cause a nation to rise with certainty and defend itself.

I urge my colleagues to send a clear message to Saddam Hussein: disarm, or face the consequences. There is no middle ground.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, I rise in support of this resolution because I believe that the threat of force is required if we are to have any hope of disarming Saddam Hussein and removing the threat that he presents to our Nation and to the world.

Just about everybody agrees that Saddam Hussein does in fact pose a threat. The debate seems to be about how large that threat is, how imminent it is, and how much it is directed at us. I think the evidence makes it clear that we face a threat.

I am sympathetic to those who would like to wish away that threat because of the hard choice that we have to face when we realize that we do have a threat against us, but it does not change the facts. Saddam Hussein has a long history of trying to develop the most deadly weapons possible: chemical, biological, and nuclear. He was first thwarted in 1981 by Israel, then in 1991 by the Gulf War, and now all evidence points to the fact that he is trying to develop those weapons again. That makes him a threat right off the bat.

Plus he has a proven propensity for violence, a proven propensity to use those weapons. As bad as we think Iran and North Korea are, and the Soviet Union was, none of those countries have ever used chemical weapons. They drew the line; Saddam Hussein did not. He crossed over it, and he used chemical weapons against his own people.

He also has clearly expressed his disdain for the United States of America ever since the Gulf War, so clearly he is a threat to us.

□ 1515

The presence of international terrorism changes the nature of this threat. Many have said we have not proven a link to 9–11, we have not proven a link between Saddam Hussein and al Qaeda, but there is ample evidence that some degree of connection is there. And there is certainly ample reason that tells us that Saddam Hussein coming together with the international terrorists who oppose us is quite likely and quite possible; and that makes the threats both imminent and to the U.S. because terrorism would enable Saddam Hussein to deliver these weapons through means other than having to develop an intercontinental missile. He could deliver them in any manner of different ways and has shown a certain willingness towards violence against the U.S.

We face a threat. We cannot wish away that threat because of consequences of acknowledging it. We face

that threat, and we must stand up to it, and the threat of force against him is necessary to meet it.

Now, I want to deal with the preemptive argument because many have said we are becoming a rogue nation by doing this. And I regret what the President has said about a policy of preemptive strike because I think it has muddied the waters. We do not have to violate international law to go to war with Saddam Hussein. We are in an armistice with Saddam Hussein and Iraq. We went to war with them in 1991. That war was only ended by an armistice, an armistice which everyone knows Saddam Hussein is in violation of. We are clearly within the bounds of international law to use force to enforce that armistice. We do not have to get into a debate about first strikes and preemptive action. We are clearly within the bounds of the international law.

It has also been said that we should work multilaterally. I completely agree that we should. Again, I regret the approach the President took earlier this year when stories were leaked about how he could do it without congressional approval. He did not want to go to the U.N. He wanted to do it unilaterally. I think that was a mistake. I think he should have learned from his father's example when Iraq invaded Kuwait. The first thing the first George Bush did was to call the U.N. and say let us work together. We should have taken that approach, but now we are.

It has been said, How can we give this power to the President who wants to go right over our heads and totally ignore Congress? We are here talking about it. He is not going over our heads. He is asking us for that support. So that too is not an issue.

We should act multilaterally. We are. It is my profound hope that we will not go to war, that Saddam Hussein faced with this threat will allow for the disarmament to happen. But absent this threat, rest assured he will not react in the way that we want him to.

I also regret that politics has been brought into this. During the time when we were trying to deal with the crises in Kosovo and Bosnia and even Iraq in 1998, I was deeply angered by Republican colleagues who attacked the President's character as he tried to deal with this threat.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LINDER). The gentleman will suspend.

The Chair requests the doormen in the gallery to take care of that cellphone noise and remove it. Will the Sergeant at Arms find that and have it removed from the gallery?

The gentleman will continue.

Mr. SMITH of Washington. Mr. Speaker, the criticisms of President Clinton were that in trying to deal with Saddam Hussein, when he finally so thwarted the U.N. inspectors that they were forced to leave because they could not do their job, criticism was that the President was ''wagging the dog,'' he was dealing with his personal problems. We undercut our own President at a time when he needed us most. And now when I see Democrats doing the same thing by questioning the President's motives at a time when we need to come together as a country, I similarly destain that partisanship.

There is plenty of room to disagree here about whether or not we should go to war. We do not need to question the personal motives of our President now any more than we should have back in 1998 when it was Republicans doing it to Democrats instead of Democrats doing it to Republicans.

Lastly, I would like to deal with the issue of how this affects the people of Iraq. There has been much criticism of the sanctions regime on Iraq, much criticism of the effect that has had on the Iraqi people. Ironically, that criticism has come from some of the same people who now criticize our threat to use force against Iraq. I think the criticism was this is harming the Iraqi people and doing nothing to Saddam Hussein.

So if we do not threaten to use force and back it up if necessary to disarm Saddam Hussein and remove that threat, what are we left with? Do we simply remove the economic sanctions and say it is okay for Saddam Hussein to make a mockery of international law, to make a mockery of the same multilateralism that we claim to support, to continue to develop weapons of mass destruction that threaten us and the world and simply say we will do nothing?

I fully admit this is a hard choice. Going to war is not easy, but we cannot wish away the threat and pretend somehow this is simply motivated by personal motivations of the President. There is a clear threat here we must deal with. I hope the threat of force deals with it; but if the threat does not, we must follow through in order to protect ourselves and protect the world.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. FLETCHER), a veteran of the U.S. Air Force, someone who understands the dangers of war very well.

Mr. FLETCHER. Mr. Speaker, before 9–11 the threat of terrorists and those states that harbored them was unfortunately not taken as seriously.

In the 1990's, terrorists bombed the World Trade Center, two American embassies, an American barracks, and the USS *Cole*. We took only limited action then, but now we cannot let the deaths of nearly 3,000 Americans on September 11 be in vain. We vowed after that to do our best to rid the world of terrorists and fear.

Over the past 12 years, the United Nations has issued numerous warnings about the blatant defiance of Iraq. Additionally, we know that Saddam Hussein's brutal regime has used biological and chemical weapons against even his own citizens. Hussein has violated the Oil for Food Program, diverting uncounted millions to fund a military buildup and develop weapons of mass destruction, all the while allowing a reported 1 million children to die of starvation.

The oppressed citizens of Iraq are not our enemy, only the evil regime of Saddam Hussein. This resolution is a grave, but necessary, step in confronting the danger of his regime. It does not inevitably lead us to war. It encourages the United Nations to live up to its true purpose.

President John F. Kennedy described courage as ''doing what is right even in the face of unrelenting pressure.'' The time has come for the U.N. to take decisive action, but we cannot let the U.N.'s inaction keep us from defending our national security.

President Bush is effectively building an international coalition, but for those countries afraid or unwilling to join our coalition, this resolution encourages them to help in our effort to preserve peace and democracy.

A few weeks after September 11, I personally visited Ground Zero. I will never forget the smouldering rubble where innocent thousands lost their lives. There I spoke with the New York City firefighter who lost so many of his heroic colleagues. And before I departed, he passionately challenged me, saying, ''Don't you ever let them forget what happened here.''

I now have the honor to speak on behalf of that brave firefighter and challenge this Congress. We must not forget those who lost their lives on 9–11, and we must overwhelmingly support this resolution to defend our freedom.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. PRICE), a leading member of the Committee on Appropriations and the Committee on the Budget.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Speaker, I rise in support of the substitute resolution offered by the gentleman from South Carolina (Mr. SPRATT) and in opposition to the Hastert-Gephardt resolution.

The Spratt-Allen-Price-Snyder-Clyburn-Matsui-Larson-Moran-Reyes-Levin resolution recognizes the danger posed by Iraq's possession and development of weapons of mass destruction, and it recognizes the need to enforce United Nations resolutions providing for the destruction of these weapons and of the capacity to produce them.

It authorizes the President to utilize armed forces to protect and support arms inspectors and to undertake enforcement actions under U.N. auspices. It does not, however, give the President open-ended authorization to use force unilaterally or preemptively. For that he would have to come to Congress for a specific vote after other means had been exhausted.

As the gentleman from South Carolina (Mr. SPRATT) has testified, ''A second vote is not an imposition on the

President's powers. It is the age-old system of checks and balances and one way Congress can say that we prefer for any action against Iraq to have the sanction of the Security Council and the support of a broadbased coalition.''

An up-or-down congressional vote on a resolution authorizing force is a blunt instrument at best. And regardless of which resolution passes, the President and Congress and the country will still face critical decisions down the road. The Iraqi threat, as grave as it is, must be assessed in the context of other antiterrorist and diplomatic objectives. After all, the war against al Qaeda is hardly won. It is critical, as the Spratt resolution states, that action against Iraq not imperil international cooperation in the fight against terrorism or displace related diplomatic endeavors such as pursuit of an Israeli-Palestinian settlement.

Moreover, a complex of policies is either already in place or is envisioned in the resolutions before us: a regime of coercive inspections; U.N. enforcement of the mandate to disarm; readiness for a devastating response to any aggressive Iraqi military action; no-fly zones; intense surveillance; a tight embargo on strategic and dual-use materials. Could these policies contain, deter, and ultimately disarm Iraq, making a military invasion unnecessary and enabling us to attend to other equally important antiterrorist priorities?

We cannot answer that question now. But should we not know that answer before we authorize a massive military invasion which surely represents an extreme option?

We should not make this congressional vote any blunter an instrument than it needs to be. We are being asked to line up behind an open-ended resolution that has been improved by hortatory language but still authorizes the President to invade unilaterally or preemptively under circumstances, weeks or months hence, that we cannot possibly foresee. This, we are told, will help the administration influence the U.N. Security Council and apply maximum pressure on Iraq. Now, that is not a negligible argument; but it does not do justice to our duty, as members of a coordinate branch of government, to help set national policy.

Our job is to provide a responsible and rational guide to policy, should compliance and enforcement fail. The open-ended resolution requested by the President would represent an abdication of that responsibility.

The Spratt resolution with its required second vote would give us the means to exercise our constitutional role more fully and with better command of the facts. And, no less than the Hastert-Gephardt resolution, it would serve notice now of our resolve to see United Nations resolutions upheld and Iraq disarmed.

Our concern about granting open-ended authority to make war should be heightened as we consider the administration's recently enunciated ''doctrine'' of the right of one country to take preemptive or even preventative military action against hostile states.

This doctrine goes far beyond the recognized right of anticipatory self-defense.

A unilateral attack on Iraq would be difficult to justify under existing standards, for even the Bush administration has not consistently argued that the threat to the U.S. from Iraq is imminent. But we must ask how this new doctrine would play out as other nations eagerly adopt it and act on it for their own purposes.

As former Secretary of State Henry Kissinger recently stated, ''It cannot be either in the American national interest or in the world's interest to develop principles that grant every nation an unfettered right of preemption against its own definition of threats to its security.''

Mr. Speaker, the question before us is not whether but how best to address the threats posed by Iraq's weapons programs and its continued defiance of the world community.

A purely military response, particularly one taken unilaterally or preemptively, would have costs and risks that should lead us to regard it as a last resort. We must deal with the threat in ways that do not compromise our broader war on terrorism and that maintain the support and engagement of our allies.

The Spratt substitute resolution keeps these priorities straight. It upholds Congress' role in authorizing military operations, not indiscriminately, but under specific conditions for specific purposes. It is vastly preferable to the open-ended Hastert-Gephardt resolution, and I urge its adoption.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS), a veteran of the National Guard and a member of the Committee on Ways and Means.

Mr. COLLINS. Mr. Speaker, I rise in support of this resolution to give the President of the United States the authority to exercise his sworn duty to protect the people of this Nation.

There is no question that Saddam Hussein is a threat to the United States and other parts of the world. He has used weapons of mass destruction against his own people, killing and maiming thousands upon thousands of innocents, including women and children. He has deceived weapons inspectors and violated the conditions of the 1991 cease-fire agreement with the United Nations. He has continued to stockpile chemical and biological weapons, and recent intelligence tells us he is much closer than we previously thought possible to developing and constructing a usable nuclear weapon.

Over the past few years, we have learned many painful lessons regarding the Middle East and terrorism: the Marine barracks in Beirut; the airmen we lost in the bombing of the Khobar Towers in Saudi; the foreign service personnel we lost in Tanzania and Kenya; and then the sailors weapon lost in Yemen; and, finally, Mr. Speaker, the people we lost in New York and in D.C.

□ 1530

Intelligence tells us that Saddam Hussein has massive stockpiles of weapons and he has missiles, the capability of delivering those weapons.

Our President does not easily want to go to war. He has even stated this repeatedly on many occasions, but it is a difficult situation that he is in and we are in, Mr. Speaker. But this resolution demonstrates the resolve of the American people to force Saddam Hussein to comply with U.N. regulations which, until now, he has flagrantly abused.

This resolution will send a clear message to the Middle East, to the oppressive dictator, the Butcher of Baghdad, and to the rest of the world that we will not live in fear; that we will not tolerate terrorism; and that we will use the force necessary to protect our people, our freedoms and our way of life from those who seek only to destroy such.

It goes without saying this President has sworn to do a duty. We must give him the power and the necessary authorization to do so.

I strongly support this resolution and ask my colleagues to do the same.

Mr. Speaker, today we are debating whether or not to support the President of the United States in his efforts to exercise his sworn duty to protect the nation.

That there is a gathering threat to America from the dictator Saddam Hussein goes without saying, but let me reiterate some of the past actions that demonstrate that threat.

Saddam Hussein invaded neighboring Kuwait without provocation. He has used weapons of mass destruction against his own people, killing and maiming thousands upon thousands of innocents, including women and children. In 1993. Saddam sent a Land Cruiser loaded with 400 pounds of explosives into Kuwait to attempt to assassinate former President George Bush. He has deceived weapons inspectors and violated the conditions of the 1991 Cease-fire agreement with the United Nations. He has continued to stockpile chemical and biological weapons, and recent intelligence tells us, is much closer than we previously thought possible to developing and constructing a usable nuclear weapon.

Over the past 12 years we have learned many painful lessons regarding the Middle East and terrorism. Our citizens have been attacked and killed repeatedly. The 1996 bombing of the Khobar Towers by Saudi dissidents funded and organized by Iranian Leadership killed 19 of our servicemen and women. In 1998, the coordinated bombing of American embassies in Tanzania and Kenya killed 224 people, including 12 Americans. In 2000, 17 American Sailors were killed in the Port of Yemen when terrorists bombed the USS *Cole.*

And our nation still reels from the effects of September 11, 2001 when thousands of our countrymen were tragically lost to us in devastating attacks.

And yet, as painful as each of these incidents has been, nothing can compare to the

destructive and deadly capability of Saddam Hussein's arsenal of terror. Imagine for a moment the complete destruction of a city the size of Atlanta, with its entire population of 4.1 million people suddenly silenced in a nuclear blast. Imagine New York City and its 19 million residents dead from the effects of Sarin or VX Nerve gas. Imagine Washington, DC and its half million residents, sick or dying from Anthrax, Botulism, or one of the other deadly biological agents in Saddam's arsenal.

And can there be any doubt that he would fully use such weapons in American if given the chance. If you doubt it, I ask you to consider the Kurds who opposed Saddam and the horrid fate they met at his bloody hands.

Our President does not eagerly anticipate war. He is not bent on sending young men and women into harm's way. He has even stated repeatedly his desire to avoid a conflict. But this resolution demonstrates the resolve of the American people to force Saddam Hussein to comply with UN Resolutions which, until now he has flagrantly disregarded. Without the teeth provided by this resolution, nothing will change. This resolution will send a clear message to the Middle East; to the oppressive dictator—the Butcher of Baghdad; and to the rest of the world that we will not live in fear, that we will not tolerate terrorism, and that we will use the force necessary to protect our people, our freedoms, and our way of life from those who seek only to destroy.

Mr. Speaker, this resolution before us today is not about whether we will go to war against Iraq, it is about whether we will take the necessary precautions to protect American citizens from a cruel dictator, and while doing so, remove the yoke of oppression from the necks of the people of Iraq. It is about empowering the President to do the job he has sworn to do. It is about enforcing the United Nations mandates against a nation that has repeatedly disregarded them. It is about assuring our safety, security, and freedom. And it is a necessary tool to ensure the disarmament of Iraq and the removal of Saddam Hussein and his regime of terror.

I support this resolution and urge my colleagues to pass it.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), a member of the House Committee on Resources and a leader in health care, and she has brought attention to the U.S. Virgin Islands.

Mrs. CHRISTENSEN. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I must preface my remarks by reminding my colleagues that as the representative of the people of the Virgin Islands, who serve in some of the highest per capita numbers in our Armed Forces, I do not get to directly influence this decision because I am not allowed to cast a vote on the resolution we are debating today.

Nevertheless, I rise because it is important that I speak on behalf of my constituents on this critical issue which affects them, as it does all Americans, despite the fact that neither do we vote for our Commander-in-Chief.

Mr. Speaker, I come to the floor today with a heavy heart, preferring that I could do so having sufficient information to justify the President's request so that I could support it. Instead, I must come to express my opposition to H.J. Res. 114 which would, in effect, preauthorize the use of unlimited military force against Iraq and invest this awesome authority in one person, the President of the United States.

As many of my colleagues before me have stated, the decision that is ours by the authority bestowed upon us as Members of Congress by the writers of the Constitution, the Founders of this great country, to send our brave young men and women to war is the most solemn and serious choice we are ever called on to make.

I hold to the principle that war should be a last resort. This resolution makes it the first resort.

The President is asking for authority to wage a preemptive strike. I have attended many briefings, and, to date, nothing has been forthcoming to justify such an action at this time. The case has yet to be made that Iraq poses an imminent threat to our safety and national security.

In adopting H.J. Res. 114 without amendment, we would be setting a dangerous precedent, embarking upon a course which could allow nations to determine, without international support, who among their neighbors pose a threat to their national security and, upon that assertion, wage a first strike offensive attack, plunging the world once again into the dangerous era of unilateral preemptive use of force by nations. We should not be charting such a course.

While most Americans share the President's view, as do I, that Saddam Hussein is a dangerous man and the world would be better off without his brand of tyranny, we are gravely concerned about the repercussions of such a war if we have to fight it alone. The American people are concerned that, absent the endorsement of the U.N. Security Council, a unilateral first strike by us would lead to more terror at home and a wider war in the Middle East.

So, Mr. Speaker, taking heed of the reluctance and the concerns of my constituents and the American public at large, I also join with those who hold that we must exhaust all diplomatic efforts and fully utilize all options available to us through the United Nations first as proposed in the Lee amendment.

Mr. Speaker, the Spratt-Moran amendment, which I also support, which closely mirrors the statement of principles adopted by the Congressional Black Caucus, authorizes the President to use military force pursuant to a new U.N. Security Council resolution that mandates the elimination of weapons of mass destruction and ballistic missiles. The Spratt-Moran amendment would also provide that if the Security Council does not adopt such a resolution, the President should seek authorization from Congress to use military force.

This threat of force included in the Spratt-Moran amendment clearly gives the Secretary of State and the administration the clout they need and they seek to pressure Iraq into full compliance.

Mr. Speaker, I remember one of our colleagues lamenting the possibility immediately after September 11 that the Constitution would be the first casualty of the war on terrorism. It has unfortunately been gravely wounded, but the mortal blow would come should we forfeit our constitutional authority to declare war and grant unlimited authority to the President at any time, and under whatever circumstances he sees fit, to take this country into war and too many of our young people to an untimely death.

To relinquish such an important constitutional authority sets another dangerous precedent that could endanger other provisions of the body of laws that has guided this Nation so well for over 226 years.

Finally, this yet-to-be-justified war would not only commit thousands of lives but would also commit resources that this country needs to improve and save the lives of people right here at home. This proposed war, which again we have not been convinced we need to undertake now, will undermine the war against terrorism, our homeland security and further threaten the very fabric of our society.

Mr. Speaker, let us not take action that would undermine the constitutional authority of the Congress. Vote no on H.J. Res. 114 and support both the Lee and Spratt-Moran amendment.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DAN MILLER), a member of the Committee on Appropriations and Committee on Government Reform.

(Mr. DAN MILLER of Florida asked and was given permission to revise and extend his remarks.)

Mr. DAN MILLER of Florida. Mr. Speaker, a little over a year ago, this country saw evil demonstrated as we had never imagined possible. Last year's attacks on our Nation showed us all too well the immorality of evil persons who are determined to attack us, our way of life and the freedom we cherish. We must act to ensure that no such attack ever occurs again, and it is today more imperative than ever that Iraq's weapons programs be brought to light, halted and terminated. The consequences of not acting to prevent Iraq from continuing its weapons development are simply too great to be ignored.

For over a decade, Saddam Hussein and the Iraqi regime has defied and deceived the international community. In its blatant and deliberate violation of international will and its development of weapons of mass destruction, Iraq has continued to pose a real and significant threat to the security of its

neighbors and the entire Persian Gulf region, the national security of the United States and, indeed, the security of the civilized world.

Saddam Hussein is a ruthless and evil dictator of a regime that has again and again showed no respect for international norms and the rule of law or respect for human life, just like the terrorists responsible for the murder of 3,000 innocent Americans last year. As such, Saddam Hussein is as much a terrorist and a threat to our Nation as those directly responsible for last September's heinous acts.

What we know about Saddam Hussein and the Iraqi regime is unquestionably troubling, and, as President Bush said, what we do not know is even more so. His continued research and development of chemical weapons and other weapons of mass destruction, the extent of which is unknown due to his flagrant violation of international mandates, is a tremendous threat to the security of this Nation and must be stopped.

The power to declare war and authorize the use of military force is one of the most significant powers the Constitution gives this body. It is a responsibility that every Member of Congress takes seriously, and there is no more difficult decision that we can make than to choose to send our military into action. Ensuring the security of this Nation and the safety of the citizens is a responsibility that we all take seriously, and I provide my support to President Bush as he makes the tough decisions ahead.

Mr. Speaker, I rise today in support of this resolution to provide the President authorization to use the United States Armed Forces against Iraq.

A little over a year ago, this country saw evil demonstrated as we had never before imagined. Last year's attacks on our nation showed us all too well the immorality of evil persons who are determined to attack us, our way of life, and the freedom that we cherish. We must act to ensure that no such attack ever occurs again, and it is today more imperative than ever that Iraq's weapons programs be brought to light, halted, and terminated. The consequences of not acting to prevent Iraq from continuing its weapons development are simply too great to be ignored.

For over a decade now, Saddam Hussein and the Iraqi regime has defied and deceived the international community. In its blatant and deliberate violation of international will and its development of weapons of mass destruction, Iraq has continued to pose a real and significant threat to the security of its neighbors and the entire Persian Gulf region, the national security of the United States, and indeed the security of the civilized world.

When Iraq accepted the provisions of the United Nations Security Council Resolution 687 in 1991, it unconditionally accepted the inspection, destruction, and removal of its weapons of mass destruction and missile programs under international supervision. Unfortunately, however, the United Nations Special Commission's (UNSCOM) inspectors were repeatedly impeded and prevented from carrying out their mission, and were ultimately banned from Iraq in October 1998. Since then, Iraq has indisputably been in breach of its obligations, and its weapons of mass destruction programs have gone completely unchecked.

Saddam Hussein is an evil person who cannot be trusted. Under his leadership, the Iraqi regime has had a repeated history of aggression against its neighbors, repression of its people, and hostility toward the international community and the United States of America. The facts speak for themselves:

When Iraq invaded its neighbor Iran in 1980, the ensuing eight year war saw over one million casualties;

Just ten years later, Iraq's brutal invasion of Kuwait in August 1990 was followed by the detention and use of foreign nationals as human shields, the torture of Kuwaiti citizens and coalition servicemen including Americans;

A year after the close of the Persian Gulf War, the Iraqi regime plotted a foiled assassination attempt on President George H. W. Bush during his visit to Kuwait in 1993; and

International coalition warplanes patrolling and enforcing the UN designated "no-fly zones" over Iraq—zones agreed to by the Iraqi regime—have continuously and repeatedly come under attack from Iraqi anti-aircraft installations.

But most troubling is Iraq's capability and capacity to use weapons of mass destruction:

45,000 Iranians were killed when Iraq used chemical weapons during the Iran-Iraq War;

5,000 Kurdish civilians were killed and another 7,000 injured when Saddam Hussein used chemical weapons on his own people in 1988; and

Iraq again threatened to use chemical weapons against international coalition forces during the Persian Gulf War.

Saddam Hussein is a ruthless and evil dictator of a regime that has again and again shown no respect for international norms and the rule of law, or respect for human life—just like those terrorists responsible for the murder of 3,000 innocent Americans last year. As such, Suddam Hussein is as much a terrorist and a threat to our nation as those directly responsible for last September's heinous acts.

What we know about Saddam Hussein and the Iraqi regime is unquestionably troubling, and as President Bush said, what we don't know is even more so. His continued research and development of chemical weapons and other weapons of mass destruction—the extent of which is unknown due to his flagrant violation of international mandates—is a tremendous threat to the security of this nation and must be stopped.

The power to declare war and authorize the use of military force is one of the most significant powers the Constitution gives this body. It is a responsibility that every Member of Congress takes very seriously, and there is no more difficult decision that we can make than to choose to send our military into action. Ensuing the security of this nation and the safety of her citizens is also a responsibility that I and the other members of this body take very seriously, and that is why I will vote in support of this resolution. I know that President Bush shares this concern for the security of this nation, and I have the utmost confidence that he will continue to demonstrate the leadership necessary to protect this nation, just as he has in our war on terrorism.

I urge passage of this resolution, to give the President the necessary flexibility to provide for the security of this great nation by authorizing the use of force against Iraq.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. TIERNEY), a member of the House Committee on Education and the Workforce and a real reformer.

(Mr. TIERNEY asked and was given permission to revise and extend his remarks.)

Mr. TIERNEY. Mr. Speaker, as the previous colleague just said, the decision of whether or not to send our young men and women to danger and to possibly kill or harm others is certainly the most solemn and serious decision the Members of Congress will have to make.

There was no ambiguity between Congress and the President with respect to our response to the events of September 11, 2001, but now the issue is how to deal with a nation under control of an undeniably dangerous and treacherous individual, Saddam Hussein.

The administration seeks to go it alone, seeks a resolution that would allow the President alone to decide and determine whether or not it is necessary to attack Iraq. It also seeks authorization to act for reasons beyond Iraq's failure to disarm after inspections. I believe there is a better way, a way recommended by other past commanders and present, names like Admiral Clark, Zinni and others. We should work within the international framework to create a consensus to impose inspections and disarmament and authorize the United States to participate in that U.N. Security Council effort to enforce those inspections and disarmament.

That resolution should also say that if efforts are honestly and diligently pursued and they prove unsuccessful, then the administration should return to Congress for the determination of what appropriate action the United States, and other countries choosing to act with it, should then take.

If Iraq were attacking the United States now, Congress would undoubtedly act with the same speed it did on September 14, 2001. If Iraq were doing that, we would act, but it is not attacking the United States at this point in time.

The administration presents the case that, as the world's remaining superpower, it is justified in using its global military superiority to preempt perceived threats before they occur. We all know that America always knows that it can act to prevent disaster, but elevation of that unilateral preemptive policy to a new norm would mean that any militarily stronger nation may perceive a not-yet-established imminent threat and act preemptively. That would conjure up thoughts of India and Pakistan, Russia and Chechnya, and China and Taiwan.

This would turn decades of international law and norms on their head, years in which the United States was a leader in establishing international entities and laws, just so that nations

would not act presumptuously and attack others, and instead we set up an international system within which differences could be resolved without preemptive attacks being the first resort.

The administration says that Hussein is bad, and no one disagrees, nor do we disagree with the notion that the U.N. resolutions must be enforced by the U.N. Security Council action. The administration, though, asserts that the United States must act peremptorily and right now because Iraq is an imminent threat, but the truth be told, it has not met the burden of proof with respect for that claim.

Yes, Iraq has biological and chemical weapons and has had them for some time. Yes, they may have been trying unsuccessfully to get nuclear capabilities, but we have stopped them from doing that. In fact, the inspections were successful in inhibiting those attempts, and Iraq does not have nuclear capability nor does it have the means to deliver weapons of mass destruction against the United States.

We have kept those materials from Iraq and from terrorists. And the irony is that, while the administration cavalierly talks about a $100 to $200 billion cost of attack and rebuilding Iraq, it fails to come to this body and push for legislation that would be far less costly under the Nunn-Lugar cooperative threat reduction to safeguard weapons of mass destruction materials from getting into the hands of terrorists or Iraq or anyone else; and that simply is the path we should take.

There is currently insufficient evidence of Iraq's complicity with terrorists, and today we learned through declassified CIA reports that Iraq is not likely to use biological/chemical weapons against the United States unless we send people in and provoke it in that region, and a number of reports so indicate.

Given the absence of a direct threat to the United States and the absence of an imminent threat to the United States, we should proceed, but first, the United States, as a founder and a leader of the Security Council, should lead the international council to enforce inspection and disarmament, and we should seek further to get rid of weapons of mass destruction throughout that Middle East region and not stop with just Iraq. We should also use our diplomatic efforts to do that for every country, particularly in that region.

We should also use the time that we would have by going the international route to disclose fully to the United States the cost of action, if it is necessary, in people and in treasuries. As the senior Senator from Massachusetts said, what casualties would there be if we fight in the desert or if we fight door to door in the city or biological/chemical weapons are used on our troops? What will happen with Iraqi civilian victims and what are our intentions to minimize those victims' problems? What about the sacrifice in terms of our economy? What will people be asked to forego in terms of education and health care and prescription drugs and infrastructure and getting people back to work? What about our plans for reoccupying and restabilizing Iraq?

Mr. Speaker, as I close, if we go it alone, how will we deal with maintaining the cooperation of other nations, especially Arab and Muslim countries, and our number one threat of terrorism, should we lose our leadership? Countries look to us for that.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. JEFF MILLER), a member of the Committee on Armed Services and the Committee on Veterans' Affairs.

Mr. JEFF MILLER of Florida. Mr. Speaker, no Member of this body ever wants to put our men and women in harm's way in a war, a war that will undoubtedly cost lives and inflict anxiety on the families of the loved ones who are in harm's way.

My community hosts the Navy's future force in schoolhouses, in the Air Force's current command and wing commands and special operation units. It is these brave men and women who will fight this war.

□ 1545

These are the men and women who will put their lives on the line for us and defend freedom.

I do not question the need for this action. I do not question the risk that is presented. But I do not wish for this war. I wish with all my soul that this monster could be removed from power without firing a single shot. I wish the people of Iraq would rise up and put their lives on the line, as our military personnel will. I wish we did not have to send America's sons and daughters to liberate their sons and daughters from a man who murders his own people. I wish our European partners would see the threat as we do. I wish they would use their tools to unite a common response to Iraq rather than sow the seeds of division seen in the parliaments and personal political campaigns of our allies. But most of all, we see that the world is content to ride our backs to prosperity and to freedom, a weight that we have carried before and, apparently, will carry again.

Mr. Speaker, I know this task must be carried out by the United States of America. We must face this continued threat of terrorism head on, alone, or with our friends. And this position is no different than our position in the past. As leaders of the free world, we have always walked point. Mr. Speaker, we must trust our values, protect our freedom, and let liberty be our guide. This strategy has served us well over the past 200 years, and I can think of no reason to turn our back on it today.

I support the President of the United States, and I support this resolution.

Mr. PAYNE. Mr. Speaker, I yield 5½ minutes to the gentleman from Ohio (Mr. KUCINICH), a person who has proposed a peace committee; a person who has been a strong advocate against this resolution

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from New Jersey for yielding me this time and for his leadership and his work with all of us here.

Mr. Speaker, yesterday students held a peace rally on the west front of the Capitol. It may have been the first rally on the Capitol grounds in opposition to war with Iraq I attended, and I heard representatives of America's youth asking questions. Why? Why war against the people of Iraq? Why assert military power, which threatens innocent civilians? Why war to settle differences? Why separate our Nation from the world community? Why not give peaceful resolution a chance?

I looked into the eyes of our youth. I looked at their fresh faces, faces hopeful and optimistic yet challenging, asking why. Soon the voices of our youth will be heard across this Nation, and we should pay them heed. They will be heard on campuses, in town halls, and many marches. They will be raised to challenge and to confront senseless violence, mindless war, the death of innocents, the destruction of villages to save villages.

Voices will be lifted up in urgency because the future knows when the place it needs to build could be destroyed. The future knows and is skeptical about promises of peace that are wrapped in fire and brimstone. Our young people opposing war represent a message from the future America, the America that can be, and with the upwardly-spiraling aspirations of millions of Americans of all ages, the America that will be.

The future America works to make nonviolence an organizing principle in our society. The future America works to make war archaic. It is a Nation that lives courageously in peace, working to settle differences at home and abroad, without killing. The future America comprehends the world as an interconnected whole. It understands that changes in transportation, communication, and trades have made people throughout the world neighbors.

The future America believes that each person is sacred, that each person makes a difference, that each choice we make affects others, that an injury to one person is an injury to all, that justice ought to be international, and that vengeance is reserved to the Lord. It is an America where human rights and workers' rights and environmental quality principles are within the arc of the human covenant. It is a Nation where each life is given an opportunity to unfold, where all have access to health care, to higher education, to jobs, and to a secure retirement; where quality of life matters, where people build families, build communities, build an American community of our dreams; where our highest aspirations

light the way to a better Nation and to a better world.

The future America is a Nation which works to sustain life on Earth. It champions protection of the global environment. It works with all nations to abolish nuclear weapons, chemical weapons, and biological weapons. It is a Nation which preserves the heavens for the restless human soul, and it rejects putting weapons in space because it knows that the kingdom that will come from the stars should bring eternal peace and not war. While some voices clamor for war, a future America looks for deeper unity of all people worldwide and seeks not empire but harmony.

So to you, young America protesting this war, I sing a hymn of praise. Because while some may want to send you marching off to fight yesterday's wars, you are advancing from the future, reminding us that our Nation has a higher calling, reminding us of an America that can be, reminding us that there has to be a better way, reminding us to find that better way, joining with us to make straight the path of democracy.

This is a time for caution as we would face war; but it is also a cause for joy, because the same revelry that sounds a battle cry and clangs the toxins of war brings forth legions of others enlisted in a holy cause to relight the lamp of freedom in our own land. So come forth young and old, prepare for America's future.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE), a member of the Committee on the Judiciary.

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding me this time.

On the eve of potential military action abroad, I am reminded of President Reagan's speech before the British House of Commons when he said, ''If history teaches anything, it teaches self-delusion in the face of unpleasant facts is folly.'' Reagan was speaking to a people who knew well the ravages of war and the terrible price of appeasement.

Churchill called World War II the unnecessary war. He did not mean that it was unnecessary to rise to the occasion and defeat Nazism, he meant that had we taken early notice of Hitler's clearly stated intentions rather than naively drifting through the 1930s, a world war may not have been necessary. Weary of conflict, some of the allies adopted a policy of peace at any price, but no peace that a freedom-loving people could tolerate.

While the circumstances are different, there are lessons to be drawn from the annals of history. Just because we ignore evil does not mean that it ceases to exist. Appeasement invites aggression. Dictators, tyrants and megalomaniacs should not be trusted.

Saddam Hussein has used weapons of bioterror against his own countrymen. He has committed genocide, killing between 50,000 and 100,000 people in northern Iraq. His regime is responsible for widespread human rights abuses, including imprisonment, executions, torture and rape. Just in the past 12 years, he has invaded Kuwait, he has launched ballistic missiles at Israel, Saudi Arabia, Bahrain, and previously at Iran.

Following the Gulf War, he arrogantly defied the international community, violating sanctions and continued in the development of weapons of mass destruction while evading international inspectors. His regime has violated 16 U.N. resolutions devoid of consequences.

Most ominously, in the wake of the September 11 terrorists' attacks, Saddam has quantifiable links to known terrorists. Iraq and al Qaeda have had high-level contacts stretching back a decade.

We know based on intelligence reports and satellite photos that Saddam is acquiring weapons of mass destruction. He possesses stockpiles of biological and chemical weapons, and he is aggressively seeking nuclear weapons. Every weapon he possesses is a violation of the Gulf War truce. A crazed man in possession of these instruments of death is a frightening prospect, indeed.

Had Saddam possessed nuclear capabilities at the time of the Gulf War, we may not have gone into Kuwait. Should he acquire nuclear capabilities, his aggressions would be virtually unchecked. Deterrence can no longer be relied upon.

President Bush was accurate to characterize Saddam as a grave and gathering danger. The President challenged the U.N., calling into question their relevance should they leave unchecked Saddam's blatant disregard for their authority. He consulted Congress and made a case to the American people. The President should continue to push for a U.N. resolution with uncompromising and immediate requirements for the Iraqi regime, thereby rejecting the tried course of empty diplomacy, fruitless inspections, and failed containment.

Americans looked on in horror as the events of September 11 unfolded. At the end of the day, the skyline of one of our greatest cities was forever changed; the Pentagon, a symbol of America's military might, was still smoldering; and a previously indistinguishable field in western Pennsylvania had suddenly and terribly become an unmarked grave for America's newest heroes.

In the aftermath, Americans have been asking questions, some of which we may never have satisfying answers to. But today we know that a sworn enemy is pursuing weapons of mass destruction. It is incumbent upon the free world, led by the United States, to dismantle these destructive capabilities. We have before us a resolution which will authorize, if necessary, the use of America's military to enforce the demands of the U.N. Security Council.

There is no greater responsibility for us as elected officials than to provide for the common defense of our fellow countrymen. In voting for this resolution, we send a message to a tyrant that he should not rest easy; that those who would venture to strike at our Nation will encounter consequences. We send a message to the Iraqi people that the world has not forgotten them and their suffering at the hands of a madman. We send a message to the world community that we are unified as a Nation; that the President possesses the full faith and backing of this distinguished body; that we are committed to defending the liberties which are the very foundation of our Republic; and that we are steadfast in our resolve in the war on terror.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. LAMPSON), the conscience of the Congress on the issue of finding lost children.

Mr. LAMPSON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, we have heard many times over the course of yesterday and today that this is the most important vote that we will be asked to make in our service in Congress. And I, as all the rest of my colleagues, take it very seriously.

There is absolutely no doubt in my mind that Saddam Hussein poses a clear danger to the United States and to the world and he must be dealt with quickly and decisively.

□ 1600

It is my hope that this resolution will send a message to Saddam Hussein that America means business, and in return we will hear that U.N. inspectors will be granted unfettered access to any location deemed necessary with no exceptions.

I am pleased that the House leadership listened to the concerns of Members of both parties and developed a bipartisan resolution that does not give blanket approval to the President to carry this battle across the globe without consulting the American people, Congress, or our allies. I am also pleased that the President is continuing to enlist the support of other nations and that our action will not be unilateral.

The intent of Congress must be clear that this is not an endorsement of a foreign policy of preemptive strikes, but instead a resolution authorizing the President to take specific action against a specific, demonstrated threat, Saddam Hussein.

Action against Saddam Hussein is not a preemptive strike, it is a response to Saddam Hussein's blatant attacks, ranging from firing on our aircraft to the attempted assassination of

a former President. Foreign policy is not an exact science. What we as Members of Congress must do is weigh the evidence and at some point we must trust the President, Colin Powell, Condoleezza Rice and others in the administration to use this resolution as a tool, not just as a club.

After countless hours of briefings, soul searching and prayer, I am confident that this is our best course of action. I ask our President that, as I reach across this aisle to support him on this resolution, I must express in the strongest possible terms my disappointment with the President's handling of our economy. It is a disaster. Layoffs are occurring as we speak. The stock market is in a ditch, and the people of the 9th Congressional District of Texas and in this Nation are concerned for their family's future. There is a growing concern that the administration is asleep at the wheel on domestic issues.

This cannot continue. Just as I have reached across the aisle to support the President on foreign policy, I am urging the President to reach back across this aisle to help me and my colleagues address the economic problems facing this Nation, because that, too, poses a clear and present danger to the United States of America.

God bless America and all of the peoples of this world.

Mr. GREEN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HORN), a member of the Committee on Government Reform.

Mr. HORN. Mr. Speaker, last night the gentleman from Wisconsin (Mr. RYAN) gave a very fine statement on this matter.

In his remarks, the gentleman from Wisconsin (Mr. RYAN) quoted the book ''The Threatening Storm'' by Kenneth Pollack, who served as the Clinton administration's expert on Iraq. This quotation cuts to the very heart of this debate by laying out the horrific nature of Saddam Hussein.

It paints a picture that no civilized person can find acceptable: the torture of children, the rape of women, the fiendish maiming of opponents, the gassing of entire Kurdish villages to spread terror.

Mr. Speaker, these crimes are well documented. We have eyewitness accounts, news photographs and videotapes of gas attacks against the Kurdish villages. We have first-person testimony on Saddam Hussein's reign of terror within Iraq. It is estimated that Saddam Hussein has murdered more than 200,000 of his own countrymen, generals and relatives included.

Given his record of brutality, there should be no question what Saddam Hussein will do once he obtains nuclear weapons. We must face squarely the true nature of this tyrant. We must act to deal with the threat he poses.

Mr. Speaker, I urge all of my colleagues to vote for this resolution. It is the right thing for America and humanity.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LOFGREN), a member of the Committee on the Judiciary and a member of the Committee on Standards of Official Conduct.

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, should Congress authorize the President to use the Armed Forces of the United States to attack Iraq? The President is asking us to pass this resolution now, but he has not yet made the case for war.

I cannot support the President's request that we authorize military force against Iraq. I make this very difficult decision for three important reasons: The United States is not acting in self-defense or from an imminent threat from Iraq, the United States should not be pursuing unilateral action without international support, and the President has not stated an exit strategy.

I believe there are times when countries must resort to war, and indeed international law recognizes the rights of nations to defend themselves. I strongly support our campaign against terrorism. But are we voting this week on a case of self-defense? It would certainly be self-defense if Iraq supported the al Qaeda attack on September 11, but the evidence of such support is lacking.

I have listened to the administration and met with top officials. I have yet to see any credible evidence that Iraq is connected with al Qaeda. The experts readily admit that there is no real connection.

I can believe that Iraq is a threat to the region and to some American interests overseas, but I do not believe the threat is imminent or must be handled with a unilateral military strike.

The President is now choosing a new and dangerous policy, the America Strikes First Doctrine, when he argues we can attack any time we feel threatened.

I am the mother of a 17-year-old son. Maybe that is why I understand when mothers ask me about Iraq. A life lost to save America is a stinging pain that will always be with a Gold Star Mother. But the knowledge that the loss was necessary to protect the home of the brave and the land of the free gives both comfort and cause.

Is America prepared to sacrifice lives when the cause is not to defend America but to start a war unilaterally without a threat? I have not heard the American people say so.

We would be having a far different debate had President Bush come to Congress leading the world community and the United Nations or NATO. As of this moment, Great Britain is the only other nation dedicated to military action with us in Iraq. When even Canada is not prepared to march by our side, we have cause to pause and reflect. The United States should be leading the world, working with the world community to resolve an international issue. We should be here, Mr. Speaker, debating a resolution because all other efforts have failed. Sadly, we are here discussing an end result with no end game in mind.

This resolution is an unwise step for America that will in the end weaken America. We are at our best when we are first among allies, standing tall for the free world. Let us be at our best when we deal with Iraq.

For these reasons, Mr. Speaker, I will not vote to authorize the President to carry out a unilateral and costly ground war against Iraq.

Mr. CANTOR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first, I would like to thank the gentleman from Illinois (Mr. HYDE) for his tremendous leadership in bringing this resolution to the floor. In addition, I would like to commend President Bush for providing courageous leadership during this time of national crisis.

As America continues to wage a world war against terrorism, the time has come to weigh the dangers of confrontation against the risks of inaction.

A year ago on September 11, the United States, our people, and our institutions were attacked. That day the war began. I respond to those of my colleagues posing the question: Where is the imminent threat? Why must we confront Iraq now? I ask simply: How many more innocent Americans must die in order for the threat to be imminent?

We face an enemy that will stop at nothing to kill Americans, including taking their own lives. This enemy could not survive without the state sponsorship it receives from Saddam Hussein, an oppressive dictator who is a sworn enemy of the United States. In order to win the war on terror, we must effect a regime change in Baghdad.

As we consider the resolution before us, we must consider two fundamental questions: Does Saddam Hussein have the desire to harm the United States of America? And does Saddam Hussein have the ability to carry out that objective?

In answering the first question, we must be mindful that he has aligned his regime with the world's most unsavory characters who continue to seek the destruction of freedom and democracy around the world. He has openly praised the attacks of September 11, attempted to assassinate a former U.S. President, and directly ordered acts of terror against innocent civilians. Our national security requires us to conclude that he aims to threaten the lives of American citizens.

Saddam Hussein is an oppressive tyrant who, with each passing day, increases his ability to terrorize the world with the most destructive weapons known to man. He currently has chemical and biological weapons and is actively pursuing a nuclear capability. The accumulation of these weapons is

transforming Saddam Hussein from a regional threat into a global menace. Whether we act to prevent him from acquiring such weapons, or act to prevent him from using them once he has them, action is required.

Although the United States is a peace-loving Nation, there will never be peace and security so long as Saddam Hussein is in power. Effecting a regime change and liberating the people of Iraq is the official policy of the United States Government. President Bush has demonstrated a willingness to pursue peace, yet he must also have the authority to present Saddam Hussein with the absolute certainty that the full force of the United States military is ready to act.

This resolution gives the President this necessary authority, and I wholeheartedly urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. ACKERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, we confront in this Chamber today a decision of utmost gravity, to authorize the President to use military force if necessary to remove the threat of chemical, biological, and nuclear weapons from the hands of Saddam Hussein.

To risk the lives of our sons and daughters for this cause burdens the hearts and minds of every Member of Congress. For the past several weeks, we have weighed this decision in the balance. People of goodwill have had their differences of opinion. We know that military action by its nature is an assumption of risk, risk to the lives and safety of our military forces, risk of outcome and duration of battle, and risk of economic and political dislocations.

In spite of these dangers, the greatest danger is to do nothing. The failure to act will leave an international outlaw undeterred and will sacrifice a freedom that President Franklin Roosevelt called fundamental, the freedom from fear.

On a clear autumn morning on September 11 we were awakened to the reality of a new and growing threat to our security. We saw all too vividly how vulnerable our Nation can be to unconventional warfare. We were forced to face the stark reality that an international terrorist organization named al Qaeda exists and is dedicated to the destruction of America and our way of life.

Our time-honored policy of security through deterrence backed by our overwhelming military superiority is no longer sufficient to protect our Nation from a weapon of mass destruction in the hands of a single terrorist on a suicide mission.

Opinions differ on the question of whether Saddam Hussein will engage in a terrorist act against our Nation or place weapons of mass destruction in the hands of terrorists, but there is no debate that the motive and the means are present; and, in my judgment, the threat is unacceptable.

Much of what we know, we have known for a long time. We know Saddam Hussein has developed biological weapons. We know that Saddam has developed chemical weapons. We know that he has used them in war and against helpless civilians, and we know that he is working feverishly to acquire nuclear weapons. We know he has launched ballistic missiles at his neighboring countries of Bahrain, Saudi Arabia, Iran and Israel; and he continues to develop missiles that can hit American bases. We know he invaded Iran in 1980, causing the deaths of over 1 million people.

□ 1615

We know he invaded Kuwait in 1990 and ordered the torture and murder of tens of thousands of civilians. We know this man and we know his works. He has the capability and he has the motive to bring great harm to our Nation. We have been at war with him for over 10 years. His hatred for the United States has no limits, and his cruelty and atrocities committed against his own people, his closest associates, and even his family leave no room to doubt his murderous nature.

For 10 years the United Nations Security Council passed resolutions to open Iraq to weapons inspectors, to disarm Saddam, to take away his weapons of mass destruction. For 10 years he has avoided, evaded, and escaped the rules we tried to use to secure the peace. Saddam Hussein is in material breach of international law.

Mr. Speaker, knowing these things to be true, to protect our homeland, to take weapons of mass destruction out of the hands of a tyrant, and to uphold the rule of law, I support the President in his request for authorization to use force, if necessary, to accomplish these goals in Iraq. Saddam Hussein is an international outlaw who is a clear and present danger to our country, and time is not on our side. To meet this threat, we will work with the United Nations, but we will not wait for the United Nations. We do not seek war, and the best way to avoid it is to be clear with our intent and be prepared to act. Saddam must have no doubt about our course. He can disarm or his days are numbered.

Some have suggested that we adopt a two-step resolution that would assure our allies that we seek U.N. approval; and if approval is denied, the President would seek a second resolution from this Congress authorizing the use of unilateral force. This could weaken our President's hand in the effort to secure Security Council support and work contrary to our very interest of securing multilateral cooperation. If the U.N. declined to act and then we had a subsequent resolution on this floor, we would be in a position that we all seek to avoid; and in addition, a two-step resolution would detract from the effort to send a clear message to Saddam to give up his weapons of mass destruction without delay.

The quest for America's security in the 21st century begins with us. The Bible tells us to whom much has been given, much is required. Our duty and our responsibility to future generations of Americans leave us no option but to act with resolve, with courage, and the will to win.

America is a special place. God has blessed us beyond measure; and while a few pursue hatred and destruction and can bring us harm, there are millions every day who seek to come to this land of promise because we stand for peace, for justice, and for democracy.

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Mr. Speaker, the value of this resolution is cast in a way that its failure to be enacted by this Congress would make havoc reign in the House of Representatives. What do I mean by that? If we should fail to adopt this resolution and some new terror strike visits our land and kills more of our people, God forbid, then we will be rushing back to this floor. Remember now, if this resolution fails, we will be rushing back to this floor eager to give new powers to the President to do something about the new terror attack. That is what the value of this resolution is.

We are preparing the President, we are preparing the Congress of the United States, we are preparing the people of the United States, and more vitally we are preparing the Armed Forces of the United States in a stalwart resolution which outlines the resolve of the United States to prepare for any kind of action that might be required not just to stabilize the region in which Iraq lies but also to stabilize the entire civilized world with respect to the threat and fear of terror.

And so if we forget everything else about what the resolution may do, if we recognize that our national security is the matter that atmospheres across every single word of the resolution, then we have additional rationale for adopting the resolution. The Armed Forces always look to the Commander in Chief for guidance, for leadership, as they will within this case; but they also look to see are the people of the United States, our people, our families, our neighborhoods at home, are they backing us? Are they supporting us? This resolution crosses through all the lines of communication right to the barracks of our Armed Forces and gives indication to them that the people of the United States, the people they are sworn to serve and for whom they would risk their life and limb that they are behind their actions.

I remember as a member of the Armed Forces myself in our own company that the words of the then-Commander in Chief were very important to us as to where and what direction we should go and whether or not the whole

thing was worth it; it is to the Armed Forces once they know that this resolution will pass and will guide them, in the words of the Commander in Chief, in the interest of national security.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. HINOJOSA), member of the Committee on Education and the Workforce and a diligent fighter for Hispanic-serving institutions to increase funding.

Mr. HINOJOSA. Mr. Speaker, I rise today in opposition to House Joint Resolution 114, giving authorization for military force against Iraq. I am determined to convince my colleagues to pass the substitute amendment that will be offered by the gentleman from South Carolina (Mr. SPRATT). I agree with my colleague that the resolution reported by the Committee on International Relations authorizing the use of force against Iraq is an amendment and an improvement over the original House draft; and, yes, I also agree with him that we must limit the broad authority it grants to our President.

While no one in this House believes that Saddam Hussein should be allowed to develop weapons of mass destruction, my fellow colleagues should see the need to encourage the President to persist in his efforts to obtain Security Council approval for any action taken against Iraq. The President should also be required to seek a Security Council resolution mandating a new and tougher round of arms inspection.

When the Gulf War ended, Iraq agreed to destroy all of its chemical, biological, and nuclear weapons; and, yes, Iraq should be held to that commitment. The safety of America and the world depends on Iraq's compliance with the United Nations resolutions. Because the Spratt substitute would call on the United Nations to approve the use of force, if necessary, to ensure that Iraq meets its obligations to disarm, the United Nations Security Council's approval of action in Iraq would provide several crucial benefits. It would encourage all allies to fall in line and support our efforts. It would allow moderate Arab states to use the council's approval as a guide to support our troops' presence in Iraq, consequently enhancing the chances of post-war democracy and economic success in Iraq. If Saddam Hussein's regime is toppled, a new government will have to be formed to revive Iraq's economy and bring together the various ethnic factions to form a viable government.

Nation-building should be the work of the United Nations, not the U.S. military. As I have said, U.N. approval of our efforts would improve our ties with our allies, both European and Arab, and would likely lead to a fledgling, yet strong, democracy. If the United Nations decides not to impose additional sanctions or to cooperate, then America should take unilateral action against Iraq within the guidelines of the Constitution.

Everyone in this Congress has sworn to uphold the Constitution. It was in 1787 that the founders of our country gave Congress, not the President, the power and the responsibility of declaring war and sending American troops oversees. The Spratt substitute would require the President to come to Congress and ask for the support through an expedited process after it is determined that the United Nations will not act. I think this is the appropriate manner in which to conduct such a serious endeavor as another war. We need to remind ourselves that we are not just entering and referring to a congressional resolution, we are talking about the potential loss of American troops and the lives of civilian Iraqis.

Life is too precious a gift to grant such broad powers even to our President without a thorough discourse with the United Nations or with the United States Congress. I do not question our President's authority to protect our national security. I am asking that our President work through the United Nations and consult Congress prior to engaging in what will become a serious international conflict.

In closing, over the last few weeks I have talked to many of my constituents from all walks of life: farmers, ranchers, veterans, educators, parents, students, doctors, businessmen, and businesswomen. I have listened carefully to all of their views and concerns; and as a result, I will vote against House Joint Resolution 114. I respectfully urge my colleagues to support the Spratt amendment.

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of this resolution because it provides an opportunity for peace through diplomacy while preserving the President's flexibility to engage the full force of our military to protect national security. The resolution before us does not preordain a path for our President to choose. Rather, this resolution provides the President with all possible options.

Enacting the resolution does not mean that an attack is imminent. It does mean that an escalation of our current military conflict with Iraq is a real possibility. Enacting this resolution does not mean that the President will stop pursuing diplomatic and peaceful means to a solution. It does mean that there can be consequences to continued inaction by the Iraqi regime. Enacting this resolution will show the world, our traditional allies, our potential allies, the Iraqi people, and most importantly Saddam Hussein, that the United States speaks with one voice in our determination to bring peace and stability to the world.

The resolution references the continuing threat posed by Iraq. Make no mistake, this threat is real and it is growing. It is not just that Saddam Hussein has weapons of mass destruction, Mr. Speaker. He has used them. He used them against Iran. He used chemical weapons against his country's own people, the Kurds of northern Iraq. And we have to ask ourselves this question, Mr. Speaker: Since Saddam Hussein has no greater opponent than the United States and our people and since he continues to develop more and more weapons, where will he use them next?

In the aftermath of September 11, 2001, countless voices asked this question: Did we do everything we could do to prevent this tragedy? To answer that question in the world that exists today, in a world in which an enemy can inflict damage with an army of one, we must be willing to change fundamentally our security strategy by accepting that intervention is a necessary part of protecting our safety.

With the passage of this resolution, Mr. Speaker, Saddam Hussein will be able to choose his destiny. Either Saddam Hussein's regime must change the way it acts or the regime itself must change.

Mr. SHERMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. LUCAS).

Mr. LUCAS of Kentucky. Mr. Speaker, I rise in strong support of the resolution before us. This is one of the most important votes I ever expect to cast on this House floor, and I make it after much serious thought and deliberation.

The events of the past year have affected every single person in America. Our lives will never be the same. The terrorists on September 11 tried to break the spirit of America, but they failed. The spirit of our Nation is unbreakable and unwaivering. As a Nation, we will work together to fight the war on terrorism, to preserve our own lives and the lives of our peace-loving friends all around the world.

□ 1630

During his address to the United Nations on September 12, and again on Tuesday in Cincinnati, the President outlined a powerful case as to why pursuing regime changes by military means, if necessary, in Iraq, is in the vital national interests of America and all freedom-loving people everywhere. I feel that the President provided a clear and compelling case that will lead to broad international support of our objectives.

The President told us that Iraq possesses the physical infrastructure required to build nuclear weapons and maintains stockpiles of chemical and biological agents for the purpose of killing literally thousands of people. U.N. inspectors have stated that they believe Iraq has produced as much as four times the amount of biological agents it claims to possess and has failed to account for more than three metric tons of material that could be used to produce biological weapons. Along with this threat, Iraq possesses a

force of SKUD-type missiles with ranges beyond the 94-mile limit permitted by the U.N. resolutions.

Last week, I stood with the President and congressional leadership in the White House Rose Garden in support of this resolution authorizing the use of force against Iraq, and I am proud to rise to the support of that resolution today. All the while, I fervently hope and pray that force will not be necessary. However, I strongly believe that American foreign policy, especially with regard to eradicating weapons of mass destruction and terrorism, must be a top priority.

Our actions do not come without sacrifice or consequence; and I want to personally recognize our young men and women, these brave young men and women who are currently engaged in the war on terrorism and who may be called to service in Iraq. As a parent, I know firsthand the sacrifice that military personnel and their families are making.

I was a pilot in the Air Force, and nothing made my wife Mary and me more proud than our son Lance as he served his country as an Air Force pilot in the Desert Storm conflict. We know firsthand what it is like to have a loved one in harm's way.

However, once again, America is forced to defend herself against forces that do not respect human life, freedom or the American way.

We cannot wait until Saddam Hussein or one of his terrorist allies strikes first. We cannot let another horrific event like September 11 happen again while we stand idly by.

Mr. Speaker, I ask all my colleagues to join with me in support of this important resolution.

CONFERENCE REPORT ON H.R. 5011, MILITARY CONSTRUCTION APPROPRIATION ACT, 2003

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 5011) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

CONFERENCE REPORT (H. REPT. 107–731)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5011) ''making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes,'' having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, for the fiscal year ending September 30, 2003, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $1,683,710,000, to remain available until September 30, 2007: Provided, That of this amount, not to exceed $163,135,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Army'' in previous Military Construction Appropriation Acts, $49,376,000 are rescinded.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $1,305,128,000, to remain available until September 30, 2007: Provided, That of this amount, not to exceed $87,043,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Navy'' in previous Military Construction Appropriation Acts, $1,340,000 are rescinded.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,080,247,000, to remain available until September 30, 2007: Provided, That of this amount, not to exceed $72,283,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Air Force'' in previous Military Construction Appropriation Acts, $13,281,000 are rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $874,645,000, to remain available until September 30, 2007: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $50,432,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That of the funds appropriated for ''Military Construction, Defense-wide'' in previous Military Construction Appropriation Acts, $2,976,000 are rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $241,377,000, to remain available until September 30, 2007.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $203,813,000, to remain available until September 30, 2007.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $100,554,000, to remain available until September 30, 2007.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $74,921,000, to remain available until September 30, 2007.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $67,226,000, to remain available until September 30, 2007.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts and section 2806 of title 10, United States Code, $167,200,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $280,356,000, to remain available until September 30, 2007: Provided, That of the funds appropriated for ''Family Housing Construction, Army'' in previous Military Construction Appropriation Acts, $4,920,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $1,106,007,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION)

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $376,468,000, to remain available until September 30, 2007: Provided, That of the funds appropriated for ''Family Housing Construction, Navy and Marine Corps'' in previous Military Construction Appropriation Acts, $2,652,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $861,788,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $684,824,000, to remain available until September 30, 2007: Provided, That of the funds appropriated for ''Family Housing Construction, Air Force'' in previous Military Construction Appropriation Acts, $8,782,000 are rescinded.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $863,050,000.

FAMILY HOUSING CONSTRUCTION, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration, as authorized by law, $5,480,000, to remain available until September 30, 2007.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $42,395,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $2,000,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing, and supporting facilities.

BASE REALIGNMENT AND CLOSURE ACCOUNT

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $561,138,000, to remain available until expended.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or his designee; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Sea, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 percent of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(TRANSFER OF FUNDS)

SEC. 118. During the 5-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation ''Foreign Currency Fluctuations, Construction, Defense'' to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. (a) No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2

through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. Subject to 30 days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated for Partnership for Peace Programs in the New Independent States of the former Soviet Union.

SEC. 125. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the congressional defense committees the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(c) In this section, the term ''congressional defense committees'' means the following:

(1) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Military Construction Subcommittee, Committee on Appropriations of the House of Representatives.

(TRANSFER OF FUNDS)

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Notwithstanding this or any other provision of law, funds appropriated in Military Construction Appropriations Acts for operations and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days advance prior notification to the appropriate committees of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations all operations and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 128. Notwithstanding any other provision of law, the Secretary of the Navy is authorized to use funds received pursuant to section 2601 of title 10, United States Code, for the construction, improvement, repair, and maintenance of the historic residences located at Marine Corps Barracks, 8th and I Streets, Washington, D.C.: Provided, That the Secretary notifies the appropriate committees of Congress 30 days in advance of the intended use of such funds: Provided further, That this section remains effective until September 30, 2004.

SEC. 129. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 130. Amounts appropriated for a military construction project at Camp Kyle, Korea, relating to construction of a physical fitness center, as authorized by section 8160 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1274), shall be available instead for a similar project at Camp Bonifas, Korea.

SEC. 131. (a) REQUESTS FOR FUNDS FOR ENVIRONMENTAL RESTORATION AT BRAC SITES IN FUTURE FISCAL YEARS.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year after fiscal year 2003, the amount requested for environmental restoration, waste management, and environmental compliance activities in such fiscal year with respect to military installations approved for closure or realignment under the base closure laws shall accurately reflect the anticipated cost of such activities in such fiscal year.

(b) BASE CLOSURE LAWS DEFINED.—In this section, the term ''base closure laws'' means the following:

(1) Section 2687 of title 10, United States Code.

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(3) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

This Act may be cited as the ''Military Construction Appropriation Act, 2003''.

And the Senate agree to the same.

DAVID L. HOBSON,
JAMES T. WALSH,
DAN MILLER,
ROBERT ADERHOLT,
KAY GRANGER,
VIRGIL H. GOODE, Jr.,
JOE SKEEN,
DAVID VITTER,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN D. DICKS,
DAVID R. OBEY,
Managers on the Part of the House.

DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY L. LANDRIEU,
HARRY REID,
ROBERT C. BYRD,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
LARRY CRAIG,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5011) making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill (S. 2709). The conference agreement includes a revised bill.

ITEMS OF GENERAL INTEREST

Matters Addressed by Only One Committee.—The language and allocations set forth in House Report 107–533 and Senate Report 107–202 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where the House or the Senate have directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

Foreign Currency Fluctuation Savings.—The conference agreement rescinds funds from the following accounts in the specified amounts to reflect savings from favorable foreign currency fluctuations:

Account	*Amount*
Military Construction, Army	$13,676,000
Military Construction, Navy	1,340,000
Military Construction, Air Force	10,281,000
Military Construction, Defense-wide	2,976,000
Family Housing Construction, Army	4,920,000
Family Housing Construction, Navy and Marine Corps	2,652,000
Family Housing Construction, Air Force	8,782,000
Total	44,627,000

Revised Economic Assumptions.—The conference agreement includes reductions totaling $57,000,000, which result from the Office of Management and Budget's (OMB's) re-estimation of inflation in its mid-session review

of the budget request. The conferees direct the Department to distribute these reductions proportionally against each project and activity in each account as follows:

Account	*Amount*
Military Construction, Army	$8,000,000
Military Construction, Navy	5,000,000
Military Construction, Air Force	5,000,000
Military Construction, Defense-wide	3,000,000
Military Construction, Army National Guard	1,000,000
NATO Security Investment Program	1,000,000
Family Housing Construction, Army	2,000,000
Family Housing Operation and Maintenance, Army	8,000,000
Family Housing Construction, Navy and Marine Corps	3,000,000
Family Housing Operation and Maintenance, Navy and Marine Corps	6,000,000
Family Housing Construction, Air Force	5,000,000
Family Housing Operation and Maintenance, Air Force	6,000,000
Base Realignment and Closure	4,000,000
Total	57,000,000

United States Army South.—In the statement of the managers accompanying the Fiscal Year 2002 Department of Defense Appropriations Act (Public Law 107–117), the conferees directed the Department of the Army to provide information to the House and Senate Committees on Appropriations by February 28, 2002, regarding the relocation of the headquarters of U.S. Army South. The Army failed to comply with this direction for several reasons, some of which were not within its control. Nonetheless, the conferees remind the Department of the Army that it expects compliance with specific direction included in committee reports. If the Army is unable to comply with that direction or changes the manner in which the direction is to be implemented, the committees should be given the courtesy of an explanation.

Sustainment, Restoration, and Modernization: Reporting Requirement.—The conferees agree to the following general rules for repairing a facility under operation and maintenance funding:

Components of the facility may be repaired by replacement, and such replacement can be up to current standards or code;

Interior arrangements and restorations may be included as repair, but additions, new facilities, and functional conversions must be performed as military construction projects;

Such projects may be done concurrent with repair projects, as long as the final conjunctively funded project is a complete and usable facility; and

The appropriate Service Secretary shall notify the appropriate Committees 21 days prior to carrying out any repair project with an estimated cost in excess of $7,500,000.

In future budget requests, the Department is directed to provide the sustainment, restoration, and modernization backlog at all installations for which there is a requested construction project. This information is to be provided on the form 1390. In addition, for all troop housing requests, the form 1391 is to show all sustainment, restoration, and modernization conducted in the past two years and future requirements for such housing at the installation.

Family Housing Operation and Maintenance: Financial Management.—The conferees agree to continue the restriction on the transfer of funds between the family housing operation and maintenance accounts. The limitation is ten percent to all primary accounts and subaccounts. Such transfers are to be reported to the appropriate Committees within thirty days of such action.

Erosion Study.—The conferees direct the General Accounting Office to conduct a study of Alaska Native villages affected by flooding and erosion including but not limited to Kaktovik, Barrow, Point Hope, Kivalina, Unalakleet, and Bethel.

The General Accounting Office should consult with the following agencies: (a) the Secretary of the Army to determine: (1) which villages can reasonably be protected through construction of seawalls, rip rap, and other engineered structures and at what cost, and; (2) which villages cannot reasonably be protected and will be required to relocate; (b) the Secretary of the Interior to identify possible relocation sites including federal lands and existing villages; (c) the Secretary of Housing and Urban Development to determine the cost of constructing housing and water and sewer systems in relocated villages; (d) the Secretary of Health and Human Services to determine the cost of constructing health facilities in relocated villages; (e) the Secretary of Agriculture to determine the cost of constructing power systems in relocated villages; and (f) the Secretary of Transportation to determine the cost of constructing airports, roads, and dock facilities in relocated villages. This report should be submitted to the House and Senate Committees on Appropriations no later than October 1, 2003.

MILITARY CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The conference agreement appropriates $1,683,710,000 for Military Construction, Army, instead of $1,514,557,000 as proposed by the House and $1,679,212,000 as proposed by the Senate. This amount reflects $8,000,000 in savings that result from the re-estimation of inflation. Within this amount, the conference agreement earmarks $163,135,000 for study, planning, design, architect and engineer services, and host nation support instead of $158,664,000 as proposed by the House and $136,835,000 as proposed by the Senate. The conference agreement rescinds $49,376,000 from funds provided to this account in previous Military Construction Appropriation Acts. The rescission includes $13,676,000 to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these savings in section 128 of the General Provisions. In addition, the rescission includes $5,000,000 from a project that is no longer needed at Fort Bliss in Texas as proposed by the House, and $30,700,000 from three projects that are no longer needed at Fort Buchanan in Puerto Rico.

Kansas—Fort Leavenworth: U.S. Disciplinary Barracks.—The conferees are concerned that the Department of the Army is planning to relinquish its current mission of confining level III military inmates convicted under the Uniformed Code of Military Justice by transferring the mission to the Bureau of Prisons. This decision appears to have been made despite the Army's recent completion of the new maximum security U.S. Disciplinary Barracks at Fort Leavenworth, Kansas. The conferees direct the Army to submit a report to the congressional defense committees no later than December 15, 2002, on the rationale for this proposal as well as the impact a policy change will have on the operation of the new U.S. Disciplinary Barracks at Fort Leavenworth, Kansas.

New Mexico—White Sands Missile Range: Anechoic Chamber.—Of the additional funds provided for planning and design in this account, the conferees direct that not less than $1,000,000 be made available for the planning and design of this facility.

Puerto Rico—Fort Buchanan: Rescission of Funds.—The conferees agree to rescind $30,700,000 from unobligated balances in this account. The National Defense Authorization Act, 2001 (Public Law 106–398) established a construction moratorium in Puerto Rico due to concern over long-term stationing requirements. This moratorium halted three previously appropriated construction projects totaling $30,700,000 at Fort Buchanan in Puerto Rico. As a result of the recent decision to relocate the headquarters of U.S. Army South from Fort Buchanan to Fort Sam Houston, Texas, these projects are no longer needed and the conferees agree to rescind the funds.

Stryker Brigade Combat Team (SBCT) Initiative.—The conference agreement includes $25,000,000 above the budget request to assist in the Army's transformation effort. The Senate proposed $100,000,000 for this initiative. The House did not include a similar proposal. This funding is to support infrastructure requirements relating to fielding of the Stryker Brigade Combat Teams (SBCTs). It is the intent of the conferees that the Army has the discretion to determine how these funds will be allocated in support of transformation, subject to notification to the congressional defense committees 15 days prior to the obligation of these funds.

MILITARY CONSTRUCTION, NAVY

(INCLUDING RESCISSION)

The conference agreement appropriates $1,305,128,000 for Military Construction, Navy, instead of $1,245,765,000 as proposed by the House and $1,216,643,000 as proposed by the Senate. This amount reflects $5,000,000 in savings that result from the re-estimation of inflation. Within this amount, the conference agreement earmarks $87,043,000 for study, planning, design, architect and engineer services instead of $94,825,000 as proposed by the House and $91,620,000 as proposed by the Senate. The conference agreement rescinds $1,340,000 from funds provided to this account in previous Military Construction Appropriation Acts to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these funds in section 128 of the General Provisions.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $1,080,247,000 for Military Construction, Air Force, instead of $964,302,000 as proposed by the House and $1,175,617,000 as proposed by the Senate. This amount reflects $5,000,000 in savings that result from the re-estimation of inflation. Within this amount, the conference agreement earmarks $72,283,000 for study, planning, design, architect and engineer services instead of $78,951,000 as proposed by the House and $87,555,000 as proposed by the Senate. The conference agreement rescinds $13,281,000 from funds provided to this account in previous Military Construction Appropriation Acts. The rescission includes $10,281,000 to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these savings in section 128 of the General Provisions. In addition, the rescission includes $3,000,000 from funds appropriated in Public Law 107–64 for the civil engineer maintenance complex at Osan Air Base in Korea. The Defense Department has informed Congress that this project was canceled due to the U.S.-Korea Land Partnership Plan signed on March 29, 2002.

Air Mobility Modernization Program.—The conference agreement includes $25,000,000 above the budget request to assist in the Air Force's mobility modernization program. The Senate proposed $100,000,000 for this initiative. The House did not include a similar proposal. This funding is to support infrastructure requirements related to the implementation of this program. It is the intent of the conferees that the Air Force has the discretion to determine how these funds will be allocated in support of transformation, subject to notification to the congressional defense committees 15 days prior to the obligation of these funds.

Arizona—Luke Air Force Base: Land Acquisition.—The conferees agree to provide $13,000,000 to be used for a land acquisition to preserve access to the Barry M. Goldwater Range (BMGR), to prevent incompatible land uses and encroachment, and to increase the margin of safety in the Live Ordnance Departure Area (LODA) southwest of Luke Air Force Base.

North Dakota—Minot Air Force Base: Cruise Missile Storage Facility, Phase I.—Although the conferees were able to fund only Phase I of this project due to funding constraints, the conferees recognize the importance of this facility and strongly urge the Air Force to include full funding to complete the project in its fiscal year 2004 budget submission.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

The conference agreement appropriates $874,645,000 for Military Construction, Defense-wide, instead of $901,066,000 as proposed by the House and $927,242,000 as proposed by the Senate. This amount reflects $3,000,000 in savings that result from the re-estimation of inflation. Within this amount, the conference agreement earmarks $50,432,000 for study, planning, design, architect and engineer services instead of $45,432,000 as proposed by the House and $57,789,000 as proposed by the Senate. The conference agreement rescinds $2,976,000 from funds provided to this account in previous Military Construction Appropriation Acts to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these funds in section 128 of the General Provisions.

California—Presidio of Monterey: Medical Clinic Expansion.—The conferees are aware that the current medical clinic located at the Presidio of Monterey, which serves both the Defense Language Institute and the Naval Postgraduate School, must annually turn away 10,000 active duty family members and a large retiree population of 20,000 because of insufficient clinic space for primary care and selected specialty care. This situation is further exacerbated by the increased student enrollment at the Defense Language Institute to meet the language training demands of Operation Enduring Freedom. Therefore, the conferees encourage the Department to make this project a priority and program the requirement within the Future Years Defense Plan.

Chemical Demilitarization.—The conference agreement reduces the budget request for the Ammunition Demilitarization Facility (Phase V) project at Aberdeen Proving Ground, Maryland by $10,000,000 rather than a general reduction to the chemical demilitarization program as proposed by the Senate. The House did not include a similar reduction. The reduced amount reflects revised facility requirements resulting from the acceleration initiative for the destruction of chemical agents at Aberdeen Proving Ground.

The conferees are pleased with the Army's proposal to accelerate the neutralization of chemical agents and urge the Department of Defense to execute it as quickly as possible. The chemicals stored at these sites create health and environmental hazards.

As a result of revisions to accelerate the chemical demilitarization program, several military construction projects at Aberdeen Proving Ground have been terminated, leaving partially-completed structures. The conferees support the Department of the Army efforts to redesign and complete these partially-constructed buildings to meet other military construction needs. The conferees urge the Department of Defense to reach firm decisions on the re-use of these buildings without further delay. The Department is directed to submit a report to the congressional defense committees no later than December 31, 2002, on plans for re-use of existing and partially-constructed chemical demilitarization buildings at Aberdeen Proving Ground that are not needed as a result of the accelerated program. The conferees encourage the use of available funds to complete planning and design for re-use of the partially-constructed buildings during fiscal year 2003, and urge the Department to include the redesigned projects in the fiscal year 2004 budget submission.

In addition, the conferees agree to delete language proposed by the House and not included by the Senate, that makes $84,400,000 contingent upon the program meeting milestones agreed upon by the Secretary of Defense and the Office of Management and Budget. This language is not necessary and potentially could cause Chemical Weapons Convention Treaty compliance issues.

Energy Conservation Improvement Program.—The conferees agree to reduce this program by $15,000,000 due to substantial prior year unobligated balances.

Texas—Kingsville Naval Air Station: Replace Fuel Farm.—The conferees agree this project should be executed with funds made available for planning and design in this account rather than with funds in the ''Military Construction, Navy'' account, as proposed by the Senate.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conference agreement appropriates $241,377,000 for Military Construction, Army National Guard, instead of $159,672,000 as proposed by the House and $208,482,000 as proposed by the Senate. This amount reflects $1,000,000 in savings that result from the re-estimation of inflation.

Indiana—Gary: Army Aviation Support Facility and Readiness Center.—In response to the additional needs of homeland security and the protection of metropolitan areas, the conferees encourage the Army National Guard to include this project in its fiscal year 2004 budget submission.

Iowa—Waterloo: Readiness Center Addition.—Of the funds provided for unspecified minor construction in this account, the conferees urge the Army National Guard to provide $1,388,400 for an addition to the Readiness Center at Waterloo, Iowa.

Mississippi—Tupelo: Army Aviation Support Facility.—Of the amount provided for planning and design in this account, the conferees direct that not less than $891,000 be made available to design this facility instead of $879,000 for design of the Readiness Center at Tupelo, Mississippi as proposed by the House.

Pennsylvania—Fort Indiantown Gap: Multipurpose Training Range.—Of the funds provided for planning and design in this account, the conferees direct that not less than $1,400,000 be made available to design this project.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $203,813,000 for Military Construction, Air National Guard, instead of $119,613,000 as proposed by the House and $217,988,000 as proposed by the Senate.

Massachusetts—Otis Air National Guard Base: Fire Crash Rescue Station/Control Tower.—The conferees agree this project should be executed with funds made available for planning and design in this account as proposed by the House rather than with funds in the ''Military Construction, Air Force'' account, as proposed by the Senate.

Minnesota—Duluth International Airport: Aircraft Maintenance Complex and Shops, Phase II.—The conferees were unable to fully fund the final phases of this project due to funding constraints. Mindful of the importance of the facility, the conferees strongly urge the Air National Guard to provide full funding to complete the project in its fiscal year 2004 budget submission.

Ohio—Toledo Express Airport: Replace Logistics Complex.—Of the funds provided for planning and design in this account, the conferees direct that not less than $472,000 be made available for the design of this facility.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $100,554,000 for Military Construction, Army Reserve, instead of $99,059,000 as proposed by the House and $66,487,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $74,921,000 for Military Construction, Naval Reserve, instead of $75,821,000 as proposed by the House and $58,671,000 as proposed by the Senate.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $67,226,000 for Military Construction, Air Force Reserve, instead of $75,276,000 as proposed by the House and $58,209,000 as proposed by the Senate.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Due to savings that result from the re-estimation of inflation, the conferees agree to reduce this appropriation from $168,200,000 to $167,200,000.

The conferees agree to clarify Senate report language directing the Department to identify the level of funding anticipated for NATO enlargement and Partnership for Peace. This report should be provided to the Committees on Appropriations no later than June 15, 2003.

FAMILY HOUSING CONSTRUCTION, ARMY

(INCLUDING RESCISSION)

The conference agreement appropriates $280,356,000 for Family Housing Construction, Army, instead of $283,346,000 as proposed by the House and $282,856,000 as proposed by the Senate. This amount reflects $2,000,000 in savings that result from the re-estimation of inflation. The conference agreement rescinds $4,920,000 from funds provided to this account in previous Military Construction Appropriation Acts to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these funds in section 128 of the General Provisions.

Germany-Stuttgart: General Officer Quarters.—In light of the symbolic importance of the Deputy Commander-in-Chief's European Command residence in Stuttgart, the conferees deny the budget request for $990,000 to build the new on-post General Officer Quarters (GOQ). The House proposed to fully fund the project. The Senate proposed to reduce the project by $490,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

Due to savings that result from the re-estimation of inflation and a $5,000,000 reduction

for excessive housing privatization consulting costs, the conferees agree to reduce this appropriation from $1,119,007,000 to $1,106,007,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

(INCLUDING RESCISSION)

The conference agreement appropriates $376,468,000 for Family Housing Construction, Navy and Marine Corps, instead of $380,268,000 as proposed by the House and $374,468,000 as proposed by the Senate. This amount reflects $3,000,000 in savings that result from the re-estimation of inflation. The conference agreement rescinds $2,652,000 from funds provided to this account in previous Military Construction Appropriation Acts to reflect savings from favorable foreign currency fluctuations. The House bill proposed rescinding these funds in section 128 of the General Provisions.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

Due to savings that result from the re-estimation of inflation, the conferees agree to reduce this appropriation from $867,788,000 to $861,788,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSION)

The conference agreement appropriates $684,824,000 for Family Housing Construction, Air Force, instead of $689,824,000 as proposed by the House and $676,694,000 as proposed by the Senate. This amount reflects $5,000,000 in savings that result from the re-estimation of inflation. The conference agreement rescinds $8,782,000 from funds provided to this account in previous Military Construction Appropriation Acts to reflect savings from favorable foreign currency fluctuations as proposed by the Senate. The House bill proposed rescinding these funds in section 128 of the General Provisions.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

Due to savings that result from the re-estimation of inflation and a $5,000,000 reduction for excessive housing privatization consulting costs, the conferees agree to reduce this appropriation from $874,050,000 to $863,050,000.

BASE REALIGNMENT AND CLOSURE ACCOUNT

The conference agreement appropriates $561,138,000 for the Base Realignment and Closure Account, instead of $545,138,000 as proposed by the House and $645,138,000 as proposed by the Senate. This amount reflects $4,000,000 in savings that result from the re-estimation of inflation.

Environmental Cleanup Acceleration Initiative.—The conference agreement includes $20,000,000 above the budget request to accelerate the pace of environmental cleanup at closed or realigned military installations. The Senate proposed $100,000,000 for this initiative. The House did not include a similar proposal. Based on requirements identified by the services, the conferees direct that, of the additional funding provided, $11,000,000 be made available for the Navy, $6,000,000 for the Air Force, and $3,000,000 for the Army.

GENERAL PROVISIONS

The conference agreement includes general provisions (sections 101–120) that were not amended by either the House or Senate in their versions of the bill.

The conference agreement includes a provision, section 121, as proposed by the House, which prohibits the expenditure of funds except in compliance with the Buy American Act. The Senate bill contained no similar provision.

The conference agreement includes a provision, section 122, as proposed by the House, which states the recipients of equipment or products purchased with funds provided in this Act should be notified that they must purchase American-made equipment and products. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered section 123, as proposed by the Senate, permitting the transfer of funds from Family Housing Construction accounts to the Family Housing Improvement Fund. The House bill contained a similar provision with additional language permitting the transfer of funds from unaccompanied housing projects in the Military Construction accounts to the Family Housing Improvement Fund to support barracks privatization. Without prejudice to the concept, the conferees agree to delete language as proposed by the House allowing the service components to intermingle family housing and unaccompanied housing funds for the purpose of privatizing barracks projects. Rather than authorizing these expenditures, the conferees prefer to wait for policy guidance from the authorizing committees.

Areas of concern, however, are the unknown consequences of co-mingling these funds to the integrity of the audit trail. Specifically, the conferees are concerned that the Department of Defense and Congress must be able to clearly identify and track the financial advantages of privatizing unaccompanied barracks versus the traditional military construction approach. Especially during this pilot program, a merger of family housing and unaccompanied housing funding would not allow for a true comparison. Without that analysis, the Congress will not be able to determine the best approach to provide funds for unaccompanied housing.

The conference agreement includes a provision renumbered section 124, as proposed by the Senate, to prohibit the obligation of funds for Partnership for Peace programs in the New Independent States of the former Soviet Union. The House bill contained no similar provision. The Administration requested eliminating this limitation on providing NATO Security Investment Program (NSIP) funds for non-NATO countries that participate in Partnership for Peace programs. The conferees are concerned that NSIP funds are already oversubscribed and that expanding the scope of the program beyond NATO membership would compound an already serious problem. However, the conferees agree that the matter can be re-addressed should the Department have compelling and specific reasons to make NSIP funds available beyond the alliance.

The conference agreement includes a provision renumbered section 125, as proposed by the House and the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered section 126, as proposed by the Senate, which provides transfer authority from the Base Realignment and Closure (BRAC) account to the Homeowners Assistance Program. The House bill contained a similar provision with additional language providing transfer authority from the operation and maintenance accounts in the Department of Defense Appropriations Bill to the Homeowners Assistance Program.

The conference agreement includes a provision renumbered section 127, as proposed by the Senate, regarding funding for operation and maintenance of general officer quarters. The House provision did not authorize after-the-fact notification for costs associated with environmental remediation.

The conference agreement includes a provision renumbered section 128, as proposed by the House, authorizing the use of private funds for the construction, improvement, repair, and maintenance of historic residences at 8th and I Marine Barracks in Washington, D.C. The conferees agree to modify the provision by changing the authorization expiration from September 30, 2006 to September 30, 2004. The conferees direct the Secretary of the Navy to submit a report no later than February 28, 2003, outlining: (1) the current status of renovation efforts at 8th and I; (2) the total funds expended to date on renovation efforts (appropriated funds and private funds); (3) the current balance of the Friends of the Home of the Commandant's Fund, Fund activities to date, and future activities planned for the Fund; and (4) the overall projected cost of the renovation efforts at 8th and I.

The conference agreement includes a provision renumbered section 129, as proposed by the House, which limits funds from being transferred from this appropriation measure into any new instrumentality without authority from an appropriation Act. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered section 130, as proposed by the House, which transfers amounts appropriated for a physical fitness center at Camp Kyle, Korea, to a similar project at Camp Bonifas, Korea. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered section 131, as proposed by the Senate, which directs the Department of Defense to accurately reflect the cost of environmental remediation activities in its future budget submissions for the Base Realignment and Closure (BRAC) account. The House bill contained no similar provision.

Those general provisions not included in the conference agreement are as follows:

The conference agreement deletes the House provision rescinding funds from various accounts to reflect savings from favorable foreign currency fluctuations.

The conference agreement deletes the House provision limiting funds from being expended to prepare conveyance documents at the former Fort Ord in California.

The conference agreement deletes the House provision limiting funds provided in this Act from being used to relocate the headquarters of U.S. Army, South.

The conference agreement deletes Senate sections 127 through 131. The projects provided in these provisions were considered within the full scope of projects in conference. Projects included in the conference agreement are provided in the state list accompanying this report.

TITLE I – MILITARY PERSONNEL

The conferees agree to the following amounts for the Military Personnel accounts:

(In thousands of dollars)

	Budget	House	Senate	Conference
16250 RECAPITULATION				
16300 MILITARY PERSONNEL, ARMY	27,079,392	26,832,217	26,939,792	26,855,017
16350 MILITARY PERSONNEL, NAVY	22,074,901	21,874,395	21,975,201	21,927,628
16400 MILITARY PERSONNEL, MARINE CORPS	8,558,887	8,504,172	8,507,187	8,501,087
16450 MILITARY PERSONNEL, AIR FORCE	22,142,585	21,957,757	22,036,405	21,981,277
16500 RESERVE PERSONNEL, ARMY	3,398,555	3,373,455	3,402,055	3,374,355
16550 RESERVE PERSONNEL, NAVY	1,927,152	1,897,352	1,918,352	1,907,552
16600 RESERVE PERSONNEL, MARINE CORPS	557,883	553,983	554,383	553,983
16650 RESERVE PERSONNEL, AIR FORCE	1,243,904	1,236,904	1,237,504	1,236,904
16700 NATIONAL GUARD PERSONNEL, ARMY	5,128,988	5,070,188	5,128,588	5,114,588
16750 NATIONAL GUARD PERSONNEL, AIR FORCE	2,135,611	2,124,411	2,126,061	2,125,161
16800 GRAND TOTAL, MILITARY PERSONNEL	94,247,858	93,424,834	93,825,528	93,577,552

MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
50 MILITARY PERSONNEL, ARMY				
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER 150 BASIC PAY	4,138,217	4,138,217	4,138,217	4,138,217
200 RETIRED PAY ACCRUAL	1,133,871	1,133,871	1,133,871	1,133,871
250 DEFENSE HEALTH PROGRAM ACCRUAL	270,390	270,390	270,390	270,390
350 BASIC ALLOWANCE FOR HOUSING	832,483	832,483	832,483	832,483
400 BASIC ALLOWANCE FOR SUBSISTENCE	156,455	156,455	156,455	156,455
450 INCENTIVE PAYS	76,694	76,694	76,694	76,694
500 SPECIAL PAYS	218,677	218,677	218,677	218,677
550 ALLOWANCES	65,397	65,397	65,397	65,397
600 SEPARATION PAY	111,690	111,690	85,690	85,690
650 SOCIAL SECURITY TAX	313,641	313,641	313,641	313,641
700 TOTAL, BUDGET ACTIVITY 1	7,317,515	7,317,515	7,291,515	7,291,515
750 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS 800 BASIC PAY	9,277,977	9,278,940	9,278,940	9,278,940
825 RETIRED PAY ACCRUAL	2,542,166	2,542,430	2,542,430	2,542,430
850 DEFENSE HEALTH PROGRAM ACCRUAL	1,943,850	1,943,850	1,943,850	1,943,850
1000 BASIC ALLOWANCE FOR HOUSING	1,474,070	1,474,070	1,474,070	1,474,070
1050 INCENTIVE PAYS	67,866	67,866	67,866	67,866
1100 SPECIAL PAYS	547,812	497,812	531,312	510,812
1150 ALLOWANCES	409,382	409,382	409,382	409,382
1200 SEPARATION PAY	321,423	318,523	318,423	318,423
1250 SOCIAL SECURITY TAX	701,953	702,026	702,026	702,026
1300 TOTAL, BUDGET ACTIVITY 2	17,286,499	17,234,899	17,268,299	17,247,799
1350 ACTIVITY 3: PAY AND ALLOW OF CADETS 1400 ACADEMY CADETS	47,352	47,352	47,352	47,352

(In thousands of dollars)

	Budget	House	Senate	Conference
1500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
1550 BASIC ALLOWANCE FOR SUBSISTENCE	833,180	833,180	833,180	833,180
1600 SUBSISTENCE-IN-KIND	614,538	614,538	614,538	614,538
1625 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	5,198	5,198	5,198	5,198
1650 TOTAL, BUDGET ACTIVITY 4	1,452,916	1,452,916	1,452,916	1,452,916
1700 ACTIVITY 5: PERMANENT CHANGE OF STATION				
1750 ACCESSION TRAVEL	188,434	188,434	188,434	188,434
1800 TRAINING TRAVEL	46,250	46,250	46,250	46,250
1850 OPERATIONAL TRAVEL	179,001	179,001	179,001	179,001
1900 ROTATIONAL TRAVEL	525,754	525,754	525,754	525,754
1950 SEPARATION TRAVEL	152,926	152,926	152,926	152,926
2000 TRAVEL OF ORGANIZED UNITS	1,822	1,822	1,822	1,822
2050 NON-TEMPORARY STORAGE	28,105	28,105	28,105	28,105
2100 TEMPORARY LODGING EXPENSE	20,672	20,672	20,672	20,672
2200 TOTAL, BUDGET ACTIVITY 5	1,142,964	1,142,964	1,142,964	1,142,964
2250 ACTIVITY 6: OTHER MILITARY PERS COSTS				
2300 APPREHENSION OF MILITARY DESERTERS	611	611	611	611
2350 INTEREST ON UNIFORMED SERVICES SAVINGS	202	202	202	202
2400 DEATH GRATUITIES	3,360	3,360	3,360	3,360
2450 UNEMPLOYMENT BENEFITS	83,314	77,939	83,314	77,939
2500 SURVIVOR BENEFITS	7,204	7,204	7,204	7,204
2550 EDUCATION BENEFITS	19,163	19,163	19,163	19,163
2575 ADOPTION EXPENSES	252	252	252	252
2600 SPECIAL COMPENSATION FOR SEVERELY DISABLED RETIREES	20,200	---	20,200	20,200
2625 TRANSPORTATION SUBSIDY	2,092	2,092	2,092	2,092
2675 TOTAL, BUDGET ACTIVITY 6	136,398	110,823	136,398	131,023
2690 LESS REIMBURSABLES	-294,352	-294,352	-294,352	-294,352
2760 UNDISTRIBUTED ADJUSTMENT	-9,900	-9,900	-9,900	-9,900
2770 LEGISLATIVE PROPOSALS NOT ADOPTED	---	-9,300	---	---
2780 DHP ACCRUAL REESTIMATE	---	-110,700	-101,800	-110,700
2790 UNOBLIGATED BALANCES	---	-50,000	---	-50,000
2800 ADOPTED LEGISLATIVE PROPOSALS	---	---	6,400	6,400
2845 TOTAL, MILITARY PERSONNEL, ARMY	27,079,392	26,832,217	26,939,792	26,855,017

MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
2850 MILITARY PERSONNEL, NAVY				
2900 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER 2950 BASIC PAY	2,887,210	2,887,210	2,887,210	2,887,210
3000 RETIRED PAY ACCRUAL	791,096	791,096	791,096	791,096
3100 DEFENSE HEALTH PROGRAM ACCRUAL	248,010	248,010	248,010	248,010
3150 BASIC ALLOWANCE FOR HOUSING	730,451	730,451	730,451	730,451
3200 BASIC ALLOWANCE FOR SUBSISTENCE	109,467	109,467	109,467	109,467
3250 INCENTIVE PAYS	177,881	177,881	177,881	177,881
3300 SPECIAL PAYS	257,016	257,016	257,016	257,016
3350 ALLOWANCES	55,443	55,443	55,443	55,443
3400 SEPARATION PAY	59,069	54,569	40,069	40,069
3450 SOCIAL SECURITY TAX	219,838	219,838	219,838	219,838
3500 TOTAL, BUDGET ACTIVITY 1	5,535,481	5,530,981	5,516,481	5,516,481
3550 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS 3600 BASIC PAY	7,434,536	7,434,536	7,434,536	7,434,536
3650 RETIRED PAY ACCRUAL	2,037,050	2,037,050	2,037,050	2,037,050
3700 DEFENSE HEALTH PROGRAM ACCRUAL	1,460,429	1,460,429	1,460,429	1,460,429
3800 BASIC ALLOWANCE FOR HOUSING	2,075,003	2,075,003	2,075,003	2,075,003
3850 INCENTIVE PAYS	100,889	100,889	100,889	100,889
3900 SPECIAL PAYS	911,110	888,110	906,110	897,110
3950 ALLOWANCES	386,850	386,850	386,850	386,850
4000 SEPARATION PAY	213,869	196,469	213,869	213,869
4050 SOCIAL SECURITY TAX	563,249	563,249	563,249	563,249
4100 TOTAL, BUDGET ACTIVITY 2	15,182,985	15,142,585	15,177,985	15,168,985
4150 ACTIVITY 3: PAY AND ALLOW OF MIDSHIPMEN 4200 MIDSHIPMEN	47,294	47,294	47,294	47,294
4300 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS 4350 BASIC ALLOWANCE FOR SUBSISTENCE	573,757	573,757	573,757	573,757

(In thousands of dollars)

	Budget	House	Senate	Conference
4400 SUBSISTENCE-IN-KIND	344,595	344,595	344,595	344,595
4425 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	2,640	2,640	2,640	2,640
4450 TOTAL, BUDGET ACTIVITY 4	920,992	920,992	920,992	920,992
4500 ACTIVITY 5: PERMANENT CHANGE OF STATION 4550 ACCESSION TRAVEL	64,511	64,511	64,511	64,511
4600 TRAINING TRAVEL	58,287	58,287	58,287	58,287
4650 OPERATIONAL TRAVEL	180,140	180,140	180,140	180,140
4700 ROTATIONAL TRAVEL	268,923	268,923	268,923	268,923
4750 SEPARATION TRAVEL	105,254	105,254	105,254	105,254
4800 TRAVEL OF ORGANIZED UNITS	19,375	19,375	19,375	19,375
4850 NON-TEMPORARY STORAGE	11,390	11,390	11,390	11,390
4900 TEMPORARY LODGING EXPENSE	13,888	13,888	13,888	13,888
4950 OTHER	7,247	7,247	7,247	7,247
5000 TOTAL, BUDGET ACTIVITY 5	729,015	729,015	729,015	729,015
5050 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS 5100 APPREHENSION OF MILITARY DESERTERS	825	825	825	825
5150 INTEREST ON UNIFORMED SERVICES SAVINGS	209	209	209	209
5200 DEATH GRATUITIES	1,470	1,470	1,470	1,470
5250 UNEMPLOYMENT BENEFITS	50,858	44,085	50,858	44,085
5300 SURVIVOR BENEFITS	2,748	2,748	2,748	2,748
5350 EDUCATION BENEFITS	6,746	6,746	6,746	6,746
5400 ADOPTION EXPENSES	236	236	236	236
5420 SPECIAL COMPENSATION FOR SEVERELY DISABLED RETIREES	10,433	---	10,433	10,433
5440 TRANSPORTATION SUBSIDY	4,391	4,391	4,391	4,391
5500 TOTAL, BUDGET ACTIVITY 6	77,916	60,710	77,916	71,143
5510 LESS REIMBURSABLES	-399,282	-399,282	-399,282	-399,282
5580 UNDISTRIBUTED ADJUSTMENT	-19,500	-19,500	-19,500	-19,500
5590 LEGISLATIVE PROPOSALS NOT ADOPTED	---	-3,000	---	---
5600 DHP ACCRUAL REESTIMATE	---	-85,400	-78,600	-85,400
5610 UNOBLIGATED BALANCES	---	-50,000	---	-25,000
5620 ADOPTED LEGISLATIVE PROPOSALS	---	---	2,900	2,900
5645 TOTAL, MILITARY PERSONNEL, NAVY	22,074,901	21,874,395	21,975,201	21,927,628

Adjustments to Budget Activities

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:	
3400 Separation Pay/$30,000 Lump Sum Bonus	-19,000
Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
3900 Special Pays/Selective Reenlistment Bonus	-14,000
Budget Activity 6: Other Military Personnel Costs:	
5250 Unemployment Benefits	-6,773
Other Adjustments:	
5600 DHP Accrual Reestimate	-85,400
5610 Unobligated Balances	-25,000
5620 Adopted Legislative Proposals	2,900

MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
5650 MILITARY PERSONNEL, MARINE CORPS				
5700 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER 5750 BASIC PAY	953,611	953,611	953,611	953,611
5800 RETIRED PAY ACCRUAL	261,005	261,005	261,005	261,005
5850 DEFENSE HEALTH PROGRAM ACCRUAL	83,310	83,310	83,310	83,310
5950 BASIC ALLOWANCE FOR HOUSING	193,249	193,249	193,249	193,249
6000 BASIC ALLOWANCE FOR SUBSISTENCE	37,231	37,231	37,231	37,231
6050 INCENTIVE PAYS	46,651	46,651	46,651	46,651
6100 SPECIAL PAYS	2,451	2,451	2,451	2,451
6150 ALLOWANCES	19,727	19,727	19,727	19,727
6200 SEPARATION PAY	16,126	15,226	11,126	11,126
6250 SOCIAL SECURITY TAX	73,350	73,350	73,350	73,350
6300 TOTAL, BUDGET ACTIVITY 1	1,686,711	1,685,811	1,681,711	1,681,711
6350 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS 6400 BASIC PAY	3,297,782	3,298,382	3,298,382	3,298,382
6450 RETIRED PAY ACCRUAL	900,416	900,416	900,416	900,416
6500 DEFENSE HEALTH PROGRAM ACCRUAL	718,487	718,487	718,487	718,487
6600 BASIC ALLOWANCE FOR HOUSING	606,017	606,017	606,017	606,017
6650 INCENTIVE PAYS	8,356	8,356	8,356	8,356
6700 SPECIAL PAYS	118,988	118,988	118,988	118,988
6750 ALLOWANCES	163,489	163,489	163,489	163,489
6800 SEPARATION PAY	62,002	59,802	51,002	51,002
6850 SOCIAL SECURITY TAX	251,375	251,375	251,375	251,375
6900 TOTAL, BUDGET ACTIVITY 2	6,126,912	6,125,312	6,116,512	6,116,512
6950 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL 7000 BASIC ALLOWANCE FOR SUBSISTENCE	269,393	269,393	269,393	269,393

(In thousands of dollars)

	Budget	House	Senate	Conference
7050 SUBSISTENCE-IN-KIND	189,268	189,268	189,268	189,268
7075 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750	750	750
7100 TOTAL, BUDGET ACTIVITY 4	459,411	459,411	459,411	459,411
7150 ACTIVITY 5: PERMANENT CHANGE OF STATION 7200 ACCESSION TRAVEL	39,258	39,258	39,258	39,258
7250 TRAINING TRAVEL	7,431	7,431	7,431	7,431
7300 OPERATIONAL TRAVEL	68,889	68,889	68,889	68,889
7350 ROTATIONAL TRAVEL	99,944	99,944	99,944	99,944
7400 SEPARATION TRAVEL	43,492	43,492	43,492	43,492
7450 TRAVEL OF ORGANIZED UNITS	3,124	3,124	3,124	3,124
7500 NON-TEMPORARY STORAGE	5,006	5,006	5,006	5,006
7550 TEMPORARY LODGING EXPENSE	10,985	10,985	10,985	10,985
7600 OTHER	2,191	2,191	2,191	2,191
7650 TOTAL, BUDGET ACTIVITY 5	280,320	280,320	280,320	280,320
7700 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS 7750 APPREHENSION OF MILITARY DESERTERS	1,437	1,437	1,437	1,437
7800 INTEREST ON UNIFORMED SERVICES SAVINGS	16	16	16	16
7850 DEATH GRATUITIES	708	708	708	708
7900 UNEMPLOYMENT BENEFITS	28,753	19,738	28,753	25,753
7950 SURVIVOR BENEFITS	1,511	1,511	1,511	1,511
8000 EDUCATION BENEFITS	1,725	1,725	1,725	1,725
8020 ADOPTION EXPENSES	80	80	80	80
8040 SPECIAL COMPENSATION FOR SEVERELY DISABLED RETIREES	2,900	---	2,900	2,900
8060 TRANSPORTATION SUBSIDY	1,297	1,297	1,297	1,297
8150 TOTAL, BUDGET ACTIVITY 6	38,427	26,512	38,427	35,427
8160 LESS REIMBURSABLES	-32,294	-32,294	-32,294	-32,294
8240 UNDISTRIBUTED ADJUSTMENT	-600	-600	-600	-600
8250 LEGISLATIVE PROPOSALS NOT ADOPTED	---	-300	---	---
8260 DHP ACCRUAL REESTIMATE	---	-40,000	-36,900	-40,000
8265 ADOPTED LEGISLATIVE PROPOSALS	---	---	600	600
8295 TOTAL, MILITARY PERSONNEL, MARINE CORPS	8,558,887	8,504,172	8,507,187	8,501,087

Adjustments to Budget Activities

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:	
6200 Separation Pay/$30,000 Lump Sum Bonus.....	-5,000
Budget Activity 2: Pay and Allowances of Enlisted Personnel:	
6400 Basic Pay/CT-FP DERF Transfer--CINC Security Force Personnel.....	600
6800 Separation Pay/$30,000 Lump Sum Bonus.....	-11,000
Budget Activity 6: Other Military Personnel Costs:	
7900 Unemployment Benefits	-3,000
Other Adjustments:	
8260 DHP Accrual Reestimate	-40,000
8265 Adopted Legislative Proposals.....	600

MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
8300 MILITARY PERSONNEL, AIR FORCE				
8350 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
8400 BASIC PAY	3,872,634	3,872,634	3,872,634	3,872,634
8450 RETIRED PAY ACCRUAL	1,061,102	1,061,102	1,061,102	1,061,102
8500 DEFENSE HEALTH PROGRAM ACCRUAL	326,881	326,881	326,881	326,881
8600 BASIC ALLOWANCE FOR HOUSING	778,898	778,898	778,898	778,898
8650 BASIC ALLOWANCE FOR SUBSISTENCE	145,032	145,032	145,032	145,032
8700 INCENTIVE PAYS	284,327	284,327	284,327	284,327
8750 SPECIAL PAYS	261,119	203,536	261,119	222,436
8800 ALLOWANCES	58,222	58,222	58,222	58,222
8850 SEPARATION PAY	122,004	121,204	90,004	90,004
8900 SOCIAL SECURITY TAX	294,071	294,071	294,071	294,071
8950 TOTAL, BUDGET ACTIVITY 1	7,204,290	7,145,907	7,172,290	7,133,607
9000 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS				
9050 BASIC PAY	7,105,972	7,105,972	7,105,972	7,105,972
9100 RETIRED PAY ACCRUAL	1,947,036	1,947,036	1,947,036	1,947,036
9200 DEFENSE HEALTH PROGRAM ACCRUAL	1,328,732	1,328,732	1,328,732	1,328,732
9250 BASIC ALLOWANCE FOR HOUSING	1,542,052	1,542,052	1,542,052	1,542,052
9300 INCENTIVE PAYS	33,250	33,250	33,250	33,250
9350 SPECIAL PAYS	444,437	442,539	439,437	437,539
9400 ALLOWANCES	359,219	359,219	359,219	359,219
9450 SEPARATION PAY	135,166	135,166	134,166	134,166
9500 SOCIAL SECURITY TAX	543,607	543,607	543,607	543,607
9550 TOTAL, BUDGET ACTIVITY 2	13,439,471	13,437,573	13,433,471	13,431,573
9600 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
9650 ACADEMY CADETS	49,821	49,821	49,821	49,821

(In thousands of dollars)

	Budget	House	Senate	Conference
9750 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
9800 BASIC ALLOWANCE FOR SUBSISTENCE	722,407	722,407	722,407	722,407
9850 SUBSISTENCE-IN-KIND	124,086	124,086	124,086	124,086
9875 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	1,177	1,177	1,177	1,177
9900 TOTAL, BUDGET ACTIVITY 4	847,670	847,670	847,670	847,670
9950 ACTIVITY 5: PERMANENT CHANGE OF STATION				
10000 ACCESSION TRAVEL	95,779	95,779	95,779	95,779
10050 TRAINING TRAVEL	65,087	65,087	65,087	65,087
10100 OPERATIONAL TRAVEL	166,545	166,545	166,545	166,545
10150 ROTATIONAL TRAVEL	466,133	466,133	466,133	466,133
10200 SEPARATION TRAVEL	120,933	120,933	120,933	120,933
10250 TRAVEL OF ORGANIZED UNITS	6,614	6,614	6,614	6,614
10300 NON-TEMPORARY STORAGE	25,446	25,446	25,446	25,446
10350 TEMPORARY LODGING EXPENSE	42,226	42,226	42,226	42,226
10450 TOTAL, BUDGET ACTIVITY 5	988,763	988,763	988,763	988,763
10500 ACTIVITY 6: OTHER MILITARY PERS COSTS				
10550 APPREHENSION OF MILITARY DESERTERS	100	100	100	100
10600 INTEREST ON UNIFORMED SERVICES SAVINGS	595	595	595	595
10650 DEATH GRATUITIES	1,506	1,506	1,506	1,506
10700 UNEMPLOYMENT BENEFITS	26,456	19,709	26,456	19,709
10750 SURVIVOR BENEFITS	3,290	3,290	3,290	3,290
10800 EDUCATION BENEFITS	3,690	3,690	3,690	3,690
10820 ADOPTION EXPENSES	800	800	800	800
10840 SPECIAL COMPENSATION FOR SEVERELY DISABLED RETIREES	20,400	---	20,400	20,400
10860 TRANSPORTATION SUBSIDY	14,290	14,290	14,290	14,290
10950 TOTAL, BUDGET ACTIVITY 6	71,127	43,980	71,127	64,380
10960 LESS REIMBURSABLES	-443,957	-443,957	-443,957	-443,957
10980 B-52 FORCE STRUCTURE	---	---	3,700	2,600
11060 UNDISTRIBUTED ADJUSTMENT	-14,600	-14,600	-14,600	-14,600
11070 LEGISLATIVE PROPOSALS NOT ADOPTED	---	-14,600	---	---
11080 DHP ACCRUAL REESTIMATE	---	-82,800	-76,100	-82,800
11090 ADOPTED LEGISLATIVE PROPOSALS	---	---	4,220	4,220
11140 TOTAL, MILITARY PERSONNEL, AIR FORCE	22,142,585	21,957,757	22,036,405	21,981,277

RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
11150 RESERVE PERSONNEL, ARMY				
11200 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
11250 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,209,865	1,164,865	1,164,865	1,164,865
11300 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	39,372	39,372	39,372	39,372
11350 PAY GROUP F TRAINING (RECRUITS)	169,922	169,922	169,922	169,922
11400 PAY GROUP P TRAINING (PIPELINE RECRUITS)	10,117	10,117	10,117	10,117
11420 DEFENSE HEALTH PROGRAM ACCRUAL	339,788	339,788	339,788	339,788
11500 TOTAL, BUDGET ACTIVITY 1	1,769,064	1,724,064	1,724,064	1,724,064
11600 MOBILIZATION TRAINING	18,142	18,142	18,142	18,142
11650 SCHOOL TRAINING	100,610	100,610	108,110	108,110
11700 SPECIAL TRAINING	120,540	128,040	120,540	120,540
11750 ADMINISTRATION AND SUPPORT	1,134,589	1,155,589	1,193,089	1,155,589
11800 EDUCATION BENEFITS	51,378	51,378	51,378	51,378
11850 ROTC - SENIOR, JUNIOR	99,243	99,243	99,243	99,243
11900 HEALTH PROFESSION SCHOLARSHIP	29,556	29,556	29,556	29,556
11925 DEFENSE HEALTH PROGRAM ACCRUAL	62,614	62,614	62,614	62,614
11950 OTHER PROGRAMS	13,819	13,819	13,819	13,819
11960 TOTAL, BUDGET ACTIVITY 2	1,630,491	1,658,991	1,696,491	1,658,991
11970 UNDISTRIBUTED ADJUSTMENT	-1,000	-1,000	-1,000	-1,000
11980 ADDITIONAL FULL-TIME SUPPORT	---	11,500	---	11,400
11990 DHP ACCRUAL REESTIMATE	---	-20,100	-18,500	-20,100
12000 ADOPTED LEGISLATIVE PROPOSALS	---	---	1,000	1,000
12090 TOTAL RESERVE PERSONNEL, ARMY	3,398,555	3,373,455	3,402,055	3,374,355

Adjustments to Budget Activities

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Unit and Individual Training:	
11250 Pay Group A Training/Realignment to BA 2.....	-7,500
11250 Pay Group A Training/Annual Training Participation Rates	-37,500
Budget Activity 2: Other Training and Support:	
11650 School Training/Realignment from BA 1.....	7,500
11750 Administration and Support/CT-FP DERF Transfer--Threat Force Protection Condition Bravo.....	21,000
Other Adjustments:	
11980 Additional Full-Time Support.....	11,400
11990 DHP Accrual Reestimate	-20,100
12000 Adopted Legislative Proposals.....	1,000

RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
12100 RESERVE PERSONNEL, NAVY				
12150 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
12200 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	704,404	704,404	704,404	704,404
12225 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	3,854	3,854	3,854	3,854
12250 PAY GROUP F TRAINING (RECRUITS)	3,238	3,238	3,238	3,238
12275 DEFENSE HEALTH PROGRAM ACCRUAL	128,212	128,212	128,212	128,212
12350 TOTAL, BUDGET ACTIVITY 1	839,708	839,708	839,708	839,708
12400 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
12450 MOBILIZATION TRAINING	6,343	6,343	6,343	6,343
12500 SCHOOL TRAINING	16,099	16,099	16,099	16,099
12550 SPECIAL TRAINING	53,151	53,151	53,151	53,151
12600 ADMINISTRATION AND SUPPORT	877,719	877,719	877,719	877,719
12650 EDUCATION BENEFITS	1,103	1,103	1,103	1,103
12700 ROTC - SENIOR, JUNIOR	38,242	38,242	38,242	38,242
12750 HEALTH PROFESSION SCHOLARSHIP	28,988	28,988	28,988	28,988
12775 DEFENSE HEALTH PROGRAM ACCRUAL	65,899	65,899	65,899	65,899
12820 TOTAL, BUDGET ACTIVITY 2	1,087,544	1,087,544	1,087,544	1,087,544
12840 UNDISTRIBUTED ADJUSTMENT	-100	-100	-100	-100
12850 LEGISLATIVE PROPOSALS NOT ADOPTED	---	-100	---	---
12860 DHP ACCRUAL REESTIMATE	---	-9,700	-8,900	-9,700
12870 UNOBLIGATED BALANCES	---	-20,000	---	-10,000
12880 ADOPTED LEGISLATIVE PROPOSALS	---	---	100	100
12940 TOTAL, RESERVE PERSONNEL, NAVY	1,927,152	1,897,352	1,918,352	1,907,552

Adjustments to Budget Activities

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Other Adjustments:		
12860	DHP Accrual Reestimate	-9,700
12870	Unobligated Balances	-10,000
12880	Adopted Legislative Proposals	100

RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
12950 RESERVE PERSONNEL, MARINE CORPS				
13000 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
13050 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	172,881	172,881	172,881	172,881
13100 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	16,969	16,969	16,969	16,969
13150 PAY GROUP F TRAINING (RECRUITS)	72,473	72,473	72,473	72,473
13200 PAY GROUP P TRAINING (PIPELINE RECRUITS)	177	177	177	177
13225 DEFENSE HEALTH PROGRAM ACCRUAL	66,340	66,340	66,340	66,340
13300 TOTAL, BUDGET ACTIVITY 1	328,840	328,840	328,840	328,840
13350 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
13400 MOBILIZATION TRAINING	2,304	2,304	2,304	2,304
13450 SCHOOL TRAINING	10,710	10,710	10,710	10,710
13500 SPECIAL TRAINING	29,874	29,874	29,874	29,874
13550 ADMINISTRATION AND SUPPORT	141,474	141,474	141,474	141,474
13600 EDUCATION BENEFITS	16,198	16,198	16,198	16,198
13650 ROTC - SENIOR, JUNIOR	5,282	5,282	5,282	5,282
13675 DEFENSE HEALTH PROGRAM ACCRUAL	10,801	10,801	10,801	10,801
13700 OTHER PROGRAMS	12,400	12,400	12,400	12,400
13710 TOTAL, BUDGET ACTIVITY 2	229,043	229,043	229,043	229,043
13740 DHP ACCRUAL REESTIMATE	---	-3,900	-3,500	-3,900
13840 TOTAL, RESERVE PERSONNEL, MARINE CORPS	557,883	553,983	554,383	553,983

Adjustments to Budget Activities

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Other Adjustments:	
13740 DHP Accrual Reestimate	-3,900

RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
13850 RESERVE PERSONNEL, AIR FORCE				
13900 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
13950 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	520,875	520,875	520,875	520,875
14000 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	105,332	105,332	105,332	105,332
14050 PAY GROUP F TRAINING (RECRUITS)	24,933	24,933	24,933	24,933
14075 DEFENSE HEALTH PROGRAM ACCRUAL	132,127	132,127	132,127	132,127
14100 OTHER	95	95	95	95
14150 TOTAL, BUDGET ACTIVITY 1	783,362	783,362	783,362	783,362
14200 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
14250 MOBILIZATION TRAINING	3,058	3,058	3,058	3,058
14300 SCHOOL TRAINING	71,351	71,351	71,351	71,351
14350 SPECIAL TRAINING	148,351	148,351	148,351	148,351
14400 ADMINISTRATION AND SUPPORT	143,948	143,948	143,948	143,948
14450 EDUCATION BENEFITS	7,700	7,700	7,700	7,700
14500 ROTC - SENIOR, JUNIOR	53,315	53,315	53,315	53,315
14525 HEALTH PROFESSION SCHOLARSHIP	26,189	26,189	26,189	26,189
14550 DEFENSE HEALTH PROGRAM ACCRUAL	6,630	6,630	6,630	6,630
14600 TOTAL, BUDGET ACTIVITY 2	460,542	460,542	460,542	460,542
14610 DHP ACCRUAL REESTIMATE	---	-7,000	-6,400	-7,000
14690 TOTAL, RESERVE PERSONNEL, AIR FORCE	1,243,904	1,236,904	1,237,504	1,236,904

Adjustments to Budget Activities

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Other Adjustments:	
14610 DHP Accrual Reestimate	-7,000

NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
14700 NATIONAL GUARD PERSONNEL, ARMY				
14750 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
14800 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,811,587	1,783,587	1,811,587	1,793,587
14850 PAY GROUP F TRAINING (RECRUITS)	246,397	246,397	246,397	246,397
14900 PAY GROUP P TRAINING (PIPELINE RECRUITS)	24,894	24,894	24,894	24,894
14925 DEFENSE HEALTH PROGRAM ACCRUAL	577,660	577,660	577,660	577,660
15000 TOTAL, BUDGET ACTIVITY 1	2,660,538	2,632,538	2,660,538	2,642,538
15050 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
15100 SCHOOL TRAINING	229,609	229,609	229,609	229,609
15150 SPECIAL TRAINING	141,503	141,503	141,503	141,503
15200 ADMINISTRATION AND SUPPORT	1,926,099	1,926,099	1,954,499	1,926,099
15250 EDUCATION BENEFITS	66,158	66,158	66,158	66,158
15275 DEFENSE HEALTH PROGRAM ACCRUAL	107,181	107,181	107,181	107,181
15350 TOTAL, BUDGET ACTIVITY 2	2,470,550	2,470,550	2,498,950	2,470,550
15370 EMERGENCY SPILL RESPONSE PROGRAM	---	---	600	600
15380 UNDISTRIBUTED ADJUSTMENT	-2,100	-2,100	-2,100	-2,100
15390 ADDITIONAL FULL-TIME SUPPORT	---	28,400	---	35,100
15400 DHP ACCRUAL REESTIMATE	---	-34,200	-31,500	-34,200
15410 UNOBLIGATED BALANCES	---	-25,000	---	---
15420 ADOPTED LEGISLATIVE PROPOSALS	---	---	2,100	2,100
15445 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	5,128,988	5,070,188	5,128,588	5,114,588

NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
15450 NATIONAL GUARD PERSONNEL, AIR FORCE				
15500 ACTIVITY 1: UNIT AND INDIVIDUAL TRAINING				
15550 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	776,478	776,478	776,478	776,478
15600 PAY GROUP F TRAINING (RECRUITS)	41,453	41,453	41,453	41,453
15650 PAY GROUP P TRAINING (PIPELINE RECRUITS)	1,174	1,174	1,174	1,174
15675 DEFENSE HEALTH PROGRAM ACCRUAL	148,970	148,970	148,970	148,970
15750 TOTAL, BUDGET ACTIVITY 1	968,075	968,075	968,075	968,075
15800 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
15850 SCHOOL TRAINING	130,702	130,702	130,702	130,702
15900 SPECIAL TRAINING	109,752	109,752	109,752	109,752
15950 ADMINISTRATION AND SUPPORT	817,601	817,601	818,351	818,351
16000 EDUCATION BENEFITS	33,569	33,569	33,569	33,569
16025 DEFENSE HEALTH PROGRAM ACCRUAL	75,912	75,912	75,912	75,912
16100 TOTAL, BUDGET ACTIVITY 2	1,167,536	1,167,536	1,168,286	1,168,286
16120 DHP ACCRUAL REESTIMATE	---	-11,200	-10,300	-11,200
16200 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	2,135,611	2,124,411	2,126,061	2,125,161

Adjustments to Budget Activities

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 2: Other Training and Support:	
15950 Administration and Support/Additional AGR End Strength	750
Other Adjustments:	
16120 DHP Accrual Reestimate	-11,200

TITLE II – OPERATION AND MAINTENANCE

A summary of the conference agreement on the items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

		Budget	House	Senate	Conference
50000	RECAPITULATION				
50050	O & M, ARMY	23,961,173	23,942,768	24,048,107	23,992,082
50150	O & M, NAVY	28,697,235	29,121,836	29,410,276	29,331,526
50250	O & M, MARINE CORPS	3,310,542	3,579,359	3,576,142	3,585,759
50300	O & M, AIR FORCE	26,772,768	27,587,959	27,463,678	27,339,533
50400	O & M, DEFENSE-WIDE	14,169,258	14,850,377	14,527,853	14,773,506
50500	O & M, ARMY RESERVE	1,880,110	1,976,710	1,963,710	1,970,180
50550	O & M, NAVY RESERVE	1,159,734	1,239,309	1,233,759	1,236,809
50600	O & M, MARINE CORPS RESERVE	185,532	189,532	185,532	187,532
50650	O & M, AIR FORCE RESERVE	2,135,452	2,165,604	2,160,604	2,163,104
50700	O & M, ARMY NATIONAL GUARD	4,049,567	4,231,967	4,266,412	4,261,707
50750	O & M, AIR NATIONAL GUARD	4,062,445	4,113,010	4,113,460	4,117,585
50790	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	50,000	---	50,000	5,000
50800	UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	9,614	9,614	9,614	9,614
50850	ENVIRONMENTAL RESTORATION, ARMY	395,900	395,900	395,900	395,900
50900	ENVIRONMENTAL RESTORATION, NAVY	256,948	256,948	256,948	256,948
50950	ENVIRONMENTAL RESTORATION, AIR FORCE	389,773	389,773	389,773	389,773
51000	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	23,498	23,498	23,498	23,498
51050	ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	212,102	212,102	252,102	246,102
51200	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	58,400	58,400	58,400	58,400
51300	FORMER SOVIET UNION THREAT REDUCTION	416,700	416,700	416,700	416,700
51460	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS	19,000	19,000	19,000	19,000
51470	DEFENSE EMERGENCY RESPONSE FUND	19,338,151	---	---	---
51480	RETIREMENT ACCRUALS	---	---	---	---
51490	TRAVEL	---	---	---	---
51600	GRAND TOTAL, O & M	131,553,902	114,780,366	114,821,468	114,780,258

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

(In thousands of dollars)

	Budget	House	Senate	Conference
100 OPERATION AND MAINTENANCE, ARMY				
150 BUDGET ACTIVITY 1: OPERATING FORCES				
200 LAND FORCES 250 DIVISIONS	1,425,204	1,439,304	1,425,204	1,436,404
300 CORPS COMBAT FORCES	424,191	424,191	424,191	424,191
350 CORPS SUPPORT FORCES	361,001	361,001	361,001	361,001
400 ECHELON ABOVE CORPS SUPPORT FORCES	405,752	405,752	405,752	405,752
450 LAND FORCES OPERATIONS SUPPORT	1,115,776	1,123,776	1,165,776	1,162,276
500 LAND FORCES READINESS 550 FORCE READINESS OPERATIONS SUPPORT	1,529,998	1,581,498	1,573,998	1,576,498
600 LAND FORCES SYSTEMS READINESS	491,947	491,947	481,947	481,947
650 LAND FORCES DEPOT MAINTENANCE	808,666	808,666	808,666	808,666
700 LAND FORCES READINESS SUPPORT 750 BASE OPERATIONS SUPPORT	3,207,409	3,214,409	3,201,409	3,207,409
800 FAC SUSTAINMENT, RESTORATION & MOD (OP FORCES)	1,146,516	1,150,516	1,152,616	1,152,216
850 MANAGEMENT & OPERATIONAL HEADQUARTERS	297,834	307,234	306,834	305,234
900 UNIFIED COMMANDS	83,961	83,961	103,361	99,361
950 MISCELLANEOUS ACTIVITIES	1,607,610	1,622,610	1,622,610	1,622,610
1045 TOTAL, BUDGET ACTIVITY 1	12,905,865	13,014,865	13,033,365	13,043,565
1050 BUDGET ACTIVITY 2: MOBILIZATION				
1100 MOBILITY OPERATIONS 1200 STRATEGIC MOBILIZATION	365,257	365,257	365,257	365,257
1250 ARMY PREPOSITIONED STOCKS	158,237	158,237	158,237	158,237
1300 INDUSTRIAL PREPAREDNESS	9,497	9,497	9,497	9,497
1325 FAC SUSTAINMENT, RESTORATION & MOD (OP FORCES)	11,473	11,473	11,473	11,473
1350 TOTAL, BUDGET ACTIVITY 2	544,464	544,464	544,464	544,464

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$10,604,400
Budget estimates of new (obligational) authority, fiscal year 2003	9,664,04
House bill, fiscal year 2003	10,083,000
Senate bill, fiscal year 2003	10,622,000
Conference agreement, fiscal year 2003	10,499,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−105,400
Budget estimates of new (obligational) authority, fiscal year 2003	+834,959
House bill, fiscal year 2003	+416,000
Senate bill, fiscal year 2003	−123,000

DAVID L. HOBSON,
JAMES T. WALSH,
DAN MILLER,
ROBERT ADERHOLT,
KAY GRANGER,
VIRGIL H. GOODE, Jr.,
JOE SKEEN,
DAVID VITTER,
C.W. BILL YOUNG,
JOHN W. OLVER,
CHET EDWARDS,
SAM FARR,
ALLEN BOYD,
NORMAN D. DICKS,
DAVID R. OBEY,
Managers on the Part of the House.

DIANNE FEINSTEIN,
DANIEL K. INOUYE,
TIM JOHNSON,
MARY L. LANDRIEU,
HARRY REID,
ROBERT C. BYRD,
KAY BAILEY HUTCHISON
CONRAD BURNS,
LARRY CRAIG,
MIKE DEWINE,
TED STEVENS,
Managers on the Part of the Senate.

FURTHER CONSIDERATION OF H. RES. 114, AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Missouri (Mr. HULSHOF).

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. Mr. Speaker, ''When in the course of human events it becomes necessary for the people to dissolve the political bonds which have connected them with another, a decent respect to the opinions of mankind requires that they should declare the causes which impel them.''

When the delegates to the Second Continental Congress began to debate those immortal words in July of 1776, they did not have the long lens of history to guide them. These bold men adopted the radical idea of independence based upon deeply-held convictions and beliefs that bloodshed, though unwanted, was a probable course. Indeed, when the document declaring independence was executed in August of that year, 30,000 British and Hessian troops were assembled at Staten Island, New York, a 3 days' journey from Philadelphia.

At first blush, those of you reminded of this narrative would quickly make the distinction that those Philadelphia delegates and the colonists they represented were in imminent peril, and we are not. Is that in fact the case after September 11? America's enemies today do not dispatch columns of infantrymen ''across the green'' or battleships upon the high seas. Instead, we face a deadlier threat in chemical and biological weapons willing to be dispersed by an army of anonymous killers. This 107th Congress, as our forefathers before, must face this difficult issue without the benefit of history's clarity.

I have been contacted by a number of Missourians with wide-ranging opinions, and some have proclaimed, ''Let us not wage war with Iraq.'' Would that I could will it so, possessing the knowledge as I do of the threat Iraq poses. Would that Saddam Hussein lay down his arms, those weapons designed to commit mass murder against the defenseless.

Now, time does not permit me to make my case, but there has been a lot of discussion about the case that has been made, and I am convinced that Iraq continues to possess and manufacture weapons of mass destruction in defiance of 12 years of Security Council resolutions.

My colleague, the gentlewoman from California (Ms. LOFGREN), a good friend, a moment ago said there is no definitive link between Iraq and the attacks of September 11, 2001; and I acknowledge that. However, our United States intelligence services have detected that Saddam's regime has begun efforts to reach out to terrorist groups with global reach.

I acknowledge that Saddam Hussein's regime is largely secular and has often clashed with fanatical religious fundamentalist groups. However, I am mindful of a disquieting adage, the enemy of my enemy is my friend.

The resolution I support today suggests a variety of means to disarm Iraq without immediately resorting to the end of open warfare. It is imperative that the United Nations take strong action to implement a comprehensive and unfettered regime of weapons inspections. It is deeply troubling to me, however, that the only thing that seems to compel Saddam Hussein into compliance is the threat of military force. Certainly many questions remain. However, the risks of inaction are greater, in my mind, than the risks of action.

Ironically, a number of family members who lost loved ones last September have come to Capitol Hill and have questioned the inability of our intelligence agencies to foresee those attacks prior to September 11. Why did we not act upon those threads of information, they ask plaintively? Why did we not prevent the horrific attacks of that crisp, clear morning?

Mr. Speaker, let us not allow that tragic history to be repeated. We have a moral responsibility to defend our Nation from harm. This conflict has been brought to us, and we have provoked it only by being free. We must move forward decisively, confident in the knowledge that our voices, which cry out so desperately for a lasting peace, have been and will be heard by the rest of the world.

Mr. PAYNE. Mr. Speaker, I yield 5 minutes to my good friend, the gentleman from Arizona (Mr. PASTOR), a member of the House Committee on Appropriations, a top member of the Committee on Energy and Water and on the Committee on Standards of Official Conduct.

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Mr. Speaker, I am committed to the war against terrorism and believe that stopping Saddam Hussein from developing weapons of mass destruction is a necessary part of that effort. But at this time, however, I believe it is premature to authorize a unilateral attack on Iraq.

Working with the international community is the surest means of addressing this threat effectively, sharing costs and resources and ensuring stability in Iraq and throughout the Middle East in the event of a regime change. While the President has spoken of the value of a coalition effort, the resolution before the House today undermines the importance of our allies and of maintaining the momentum of international cooperation in the wider war on terrorism.

I support the Spratt amendment to this resolution. This amendment would authorize the use of U.S. forces in support of a new U.N. Security Council resolution mandating the elimination, by force, if necessary, of all Iraqi weapons of mass destruction and means of producing such weapons. Should the Security Council fail to produce such a resolution, the amendment calls on the President then to seek authorization for unilateral military action. In this way, the amendment emphasizes our preference for a peaceful solution and coalition support, while recognizing that military force and unilateral action may be appropriate at some point.

We should not rush into war without the support of our allies. We should not send American troops into combat before making a full-faith effort to put U.N. inspectors back into Iraq under a more forceful resolution. We should not turn to a policy of preemptive attack, which we have so long and so rightly

condemned, without first providing a limited-time option for peaceful resolution of the threat.

America has long stood behind the principles of exhausting diplomacy before resorting to war; and, at times like this, we must lead by example.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of House Joint Resolution 114, authorization of use of force against Iraq.

After the attacks of September 11, Congress reaffirmed our commitment to keep the American people safe from international threats. That commitment faces its first true test as we debate this resolution.

We are faced with clear evidence of a threat against the security of the American people. We have several options to deal with this threat. This resolution will provide all necessary options to the President for protecting the security interests of the American people.

By giving the President the needed flexibility, Iraq and the rest of the world will know that we are prepared to enforce our demands for disarmament with the use of force.

By giving the President this flexibility, the American people can be fully defended from the threat Iraq poses to our national security.

It is clear that Saddam Hussein constitutes a grave threat to the security of the United States through his motives, history, technological capabilities and his support for international terrorism. Saddam Hussein is a ruthless dictator who has sworn eternal hostility to the United States. There is evidence that this same dictator has financed and supported international terrorism, including harboring members of al Qaeda. Despite agreeing to fully disarm by ridding itself of weapons of mass destruction, Iraq has worked to actually enhance its weapons program, increasing its stockpiles of biological and chemical weapons and working to build nuclear weapons.

Saddam Hussein has used weapons of mass destruction against his neighbors and his own people. He has attempted assassinations of foreign leaders, including an American president.

Alone, these facts are very troubling. Together, they present a clear and present danger to the national security of the United States. Saddam Hussein has the motive, has the capabilities and the absence of humanity that is all too clear. Ignoring this evidence would be abandoning our duty to the security of the American people.

Now we are faced with this question: How do we deal with this threat? The answer is to leave all options at the President's disposal on the table, including military options. Like everyone in this Chamber, I sincerely hope and pray it will never come to that. Nevertheless, I believe the evidence justifies the President to act in the interests of our national security. This resolution gives the President the necessary authority to deal with this threat.

Mr. SHERMAN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the resolution that will come before us for final passage has already been written at the White House. I very much wish that it had a different phraseology, but that is not the choice of individual Members. The only question that will come before us that we can influence as individual Members is by what margin does that resolution pass. Does it get 325 votes, or 375, or somewhere in between?

□ 1645

Saddam Hussein does not fully understand our political process. He sees a nation in the throws of an election where we speak quite harshly to each other on domestic issues, and we will be doing more of that in the coming weeks. There is no better way to assure that Saddam capitulates on the issue of inspectors, no better way to assure that this war does not have to be fought, no better way to assure a peaceful resolution of this conflict than for us to pass this resolution by the largest possible margin and make sure that Saddam understands that America is united and capitulation on the issue of inspectors is the only rational course and the only course that will assure his own personal safety.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in strong support of this most balanced resolution. Like most of my colleagues who support the President in this important matter, I am not voting for this resolution because I have any wish to speed to war; I am voting for this resolution because I hold out hope for peace, a peace that can still come, but only if the United Nations will apply decisive pressure to Iraq to open itself to unconditional, unfettered weapons inspection.

Unfortunately, the last decade has shown that without the use of force as a threat, Saddam Hussein will continue to stonewall and ignore every resolution issued by the United Nations, all the while amassing weapons of terror. The resolution before us today does not send us to war, but it does provide a powerful incentive for Hussein to finally comply with the dictates of the United Nations. With the threat of force, the United Nations and President Bush will be able to negotiate from a position of strength.

Nobody, no legislator, Republican or Democrat, takes this responsibility of sending our children off to war lightly, but nor can we stand by as Saddam Hussein and his regime continue to work to amass stockpiles of the world's most deadly weapons. My deepest fears lay in the thought that he could soon supply terrorists with nuclear weapons. We simply cannot ignore our responsibility to protect our country, democracy, and our lone democratic ally in the Middle East, the State of Israel.

Mr. Speaker, again, I hold out my hope for peace; but to rely upon a dictatorial madman with little respect for the life of even his own people, let alone American life, to bring about a peaceful resolution to this crisis would be foolhardy. It is for that reason I strongly believe that we must strengthen the President's hand. With a hopeful heart, but realistic concern over this threat, I will cast my vote in support of this resolution as a last chance for peace.

Mr. PAYNE. Mr. Speaker, I yield 6 minutes to the gentlewoman from California (Ms. WATSON), a member of the Committee on International Relations and former ambassador to Micronesia.

Ms. WATSON of California. Mr. Speaker, I stand to oppose H.J. Res. 114, the authorization for military force against Iraq.

Mr. Speaker, I have attended numerous administrative hearings on Iraq where not one bit of new evidence was offered to demonstrate that presently Saddam Hussein is more of a menace than that proven diabolical character, Osama bin Laden. Why are we not still focusing our attention on him? I remember so well the declaration made by the President: ''Wanted, dead or alive.'' We have painfully experienced his capacity to wreak havoc on thousands of our people from thousands of miles from his own perch. And now, he appears to be an afterthought.

We have given Saddam Hussein the power to force the greatest country on Earth to abandon its domestic agenda, to potentially violate the U.N. charter, and possibly take unilateral and preemptive action before exhausting all diplomatic efforts. I am not convinced that Saddam Hussein warrants the daily headlines and the extraordinary amount of time and resources given to him. We are equating his power with ours and, in some ways, ascribing it to be beyond our ability to detect.

While we are monitoring his every move, I have no doubt that if he were to plan an attack on the United States or on our allies, we would be able to stop him in his tracks. But what we cannot do is to provide the proof of Osama bin Laden's whereabouts or whether he is dead or alive, or who spread anthrax and, currently, right here in this country, who is killing innocent Americans in a close radius of the White House. But our focus remains thousands of miles away on a villain who cowardly goes after the weakest. It is beneath us to choose war over diplomacy, and not only carry a big stick, but beat our perceived enemy over the head with it.

The United Nations is being diminished with our rhetoric of the last few weeks. As a charter member, we are not giving it credit for trying to uphold the principle of sovereign equality of

all its members. The U.N. charter states that in recognition of the sovereignty of all nations, all shall settle their international disputes by peaceful means. The U.N. charter also states that all members shall refrain in their international relations from the threat or the use of force against the territorial integrity or political independence of any State.

Chapter VI of the charter empowers the Security Council to investigate any disputes and to recommend appropriate procedures for the settlement of the dispute. If the dispute is not resolved, it is then referred to the Security Council for action. Under Chapter VII, the U.N. Security Council shall determine the existence of threats to peace. Article 46 provides that plans for the application of armed force shall be made by the Security Council. The U.N. charter does not provide for preemptive or first-strike options of member states against a perceived threat.

Too little in this House has been made of peace. When will we mature to a point when we will find noncombative ways to settle our differences? When are we ready to use our higher selves to find ways to be nonviolent? To effect a regime change, we are threatening an invasion of a territorial foe to enhance our own security; but such an invasion will, in fact, degrade and diminish us.

This resolution offers only the incessant drumbeat of war. During the Vietnam War, it was often said that ever every time we kill a Viet Cong guerrilla, we create two more. Our invasion of Iraq will be watched by millions of Muslim men and women. Many governments around the world will become less cooperative in helping us track down terrorist operatives in their countries. Hundreds, if not thousands, of American men and women may perish in the streets of Baghdad. Our invasion will engender a bottomless well of bitterness and resentment towards the United States that will haunt us for decades to come. We now have a choice to maintain the moral high ground or sink to the depths of our tormentors. History will record this moment.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 3295, HELP AMERICA VOTE ACT OF 2002

Mr. NEY. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider the conference report to accompany H.R. 3295; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

The SPEAKER pro tempore (Mr. LINDER). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Mississippi (Mr. PICKERING).

Mr. PICKERING. Mr. Speaker, today I rise in support of the resolution before us.

The most grave responsibility any Member of Congress ever undertakes or considers is the vote to give the President of the United States the authority to use force if necessary.

On September 11, I drove past the Pentagon. I came in to my congressional office building, and I was informed that a plane had just struck the Pentagon. We left our offices, we went to a place, we tried to call our families, the communications systems were jammed. It took 3 hours until I could finally talk to my wife and I have five sons, and I began talking to each of my boys. I got to my second son, Ross, and he was crying, and he asked me, Daddy, are we safe?

In my lifetime, I never asked that question. I never asked that question, Are we safe, of my mother and daddy, of my father, because the generations that went before us gave us the blessings of liberty. They protected and defended our safety and security when a threat, a challenge emerged; when we were at risk, they answered the call. So many times in our Nation's history, we have had the strong voices that have given us warnings and called us to action, and so many times we did not listen. Winston Churchill called on the world to look and to act at the threat that Hitler posed, and the world did not listen; and because of that, more death and more destruction and world war came.

Today, we have an opportunity, backed by a clear and convincing threat, and backed by a leader of character, to hear the warnings, to know that nuclear capability is around the corner in the hands of a dictator, in the hands of a tyrant; and he could use it, and the death and the destruction that it could cause would be devastating. It would be overwhelming. But if we act now, we can stop it. We can prevent it. We can preempt it.

For those reasons, we have the moral obligation to act. I support the resolution, and I urge my colleagues to do the same.

Mr. SHERMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BOYD).

(Mr. BOYD asked and was given permission to revise and extend his remarks.)

Mr. BOYD. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in support of H.J. Res. 114.

Mr. Speaker, I rise today in support of giving the President the authority to go to war with Iraq if it becomes necessary. I came to this difficult decision only after considering the threat to our national security that allowing Saddam Hussein to acquire long range missiles and nuclear weapons represents. While we should continue to seek a diplomatic solution, inaction is not an option. I feel that we must give the president the option of using force to remove this threat to our nation if diplomacy does not work.

No one in the United States wants another war with Iraq if it can be avoided. However, we know that Iraq has chemical and biological weapons, and is frantically working to develop nuclear weapons and a way to deliver them to the United States. This presents a serious threat to our national security and has the potential to destroy any chance for peace in the Middle East.

I believe our first step should be to develop a new, tougher weapons inspection resolution which would allow the U.N. inspectors unfettered access to all sights in Iraq, including the presidential palaces. If it is implemented successfully, the resolution would serve to disarm Iraq and would not require an armed confrontation. However, as President Bush has noted, the track record of Iraq's compliance with U.N. resolutions is abysmal, and this time we must give him the tools necessary to ensure that Iraq is truly disarmed.

In addition, I believe that before we use military force against Iraq that the administration should work to reassemble the coalition that was so successful during the Gulf War or like the one we developed to combat terrorism. While we could defeat Iraq without a coalition, policing and rebuilding Iraq will take years, and we will need allies to undertake this long and difficult task.

Those of us in this chamber who have worn the military uniform of this great country, understand the ravages and consequences of war, and do not take this vote lightly. All diplomatic options should be exhausted before the use of military force, but I believe the option of force must be available to the President as a last resort. Giving the authority to use force does not mean war, it only gives our commander-in-chief the maximum flexibility to protect our nation.

If it comes to war, many of our nation's sons and daughters will be put in harms way in order to protect our freedoms from Saddam Hussein's reign of terror and to keep him from acquiring nuclear weapons and the means of delivering them to the United States. I would never send our young men and women into combat unless it was absolutely necessary; and unless Iraq allows weapons inspectors into the country with unfettered access it will be necessary. Congress needs to give the President the authority he needs to protect America while encouraging the use of diplomacy and negotiations to try and arrive at a peaceful solution to this problem before turning to military force and this is why I will vote to give him the ability to eliminate this threat to American security.

Mr. SHERMAN. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. KIND), who has just arrived and is now available to convince the entire House of Representatives.

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time. We have before us today one of the most important issues that a democracy must decide, whether to potentially go to war against another nation. It is a vote of conscience, and I believe reasonable people can disagree while looking at the same set of facts.

□ 1700

September 11, however, has changed the psyche of our Nation forever. We witnessed in horror what a few suicidal terrorists can accomplish in a low-tech

operation, and now we shudder to imagine what suicidal terrorists can accomplish if they gain access to high-tech weapons of mass destruction.

I believe Saddam Hussein has biological and chemical weapons of mass destruction and that he is aggressively seeking to develop nuclear capability. But I also believe that he can be deterred because, as New York Times columnist Thomas Friedman puts it, Saddam loves his life more than he hates us.

It is, however, irrefutable that Saddam is in blatant violation of numerous U.N. resolutions that call for his disarmament of these weapons. Now the question becomes: How do we enforce these resolutions and accomplish the universal goal of disarming his weapons of mass destruction?

I have come to the conclusion that my two sons' futures and the future of all our children across the globe will be made a little safer if Saddam disarms, on his own or with our help; militarily, if necessary. I pray that it is done peacefully. I pray that he blinks.

But I have also concluded that we are dealing with a person who will not do the right thing unless, literally, he has a gun pointing at his head. Therefore, I support the resolution before us today.

But I also support the Spratt amendment, because how we accomplish our goals and with whom can make all the difference. We need to do this with the help and the support of the international community. I believe that it would be disastrous if we try to accomplish disarmament through unilateral military action.

The process we take will determine whether the rest of the world views us as a beacon or as a bully. We could remain a beacon of hope and optimism as the leader of the free world, promoting economic progress for all, respecting human rights, and ensuring democratic values such as freedom, political pluralism, religious tolerance, free speech, and respect for the rule of law; or we could be viewed as the superpower bully, imposing our military power whenever we want and wherever we want.

I give the President the benefit of the doubt when he now says that the use of military force will be a last resort, not a first option; that regime change can also mean attitude change of Saddam's; and that we will work hard to gather international support for disarming him before military action is taken.

That is what the administration should have been saying from day one, and it is now reflected in the new resolution before us today.

We need to do this the right way because U.N. engagement and international support is essential. I subscribe to the Thomas Friedman ''crystal store'' theory of U.S. foreign policy: If you break it, you own it. If we break Iraq, we will have the responsibility to rebuild it, just as we need to rebuild Afghanistan today. This is another vital reason why international support is critical for our action in Iraq, for what happens the day after.

We have never been good at nation building. We can accomplish military goals with little help, but our democracy does not have the experience or the sustainability for successful nation building. Therefore, we must approach the aftermath of any conflict in the region with the greatest degree of humility.

In addition, I am concerned that the administration is developing a blind spot. They are becoming overly intoxicated with the use of our military power. I am glad that we have the world's most powerful military; but this is not just a battle of military might, it is also a battle of values and ideas in the region. Our message to the outside world needs to be better than: You are either for us or you are against us; and if you are against us, we are going to kill you.

Instead, we need to send a message through words and deeds that we are interested in being good global citizens as well. Unfortunately, the unilateralist message this administration has sent from day one has now come back to haunt us in our attempt to secure support against Iraq: No to the global climate treaty, no to the biological treaty, no to the land mines treaty, no to the ABM treaty, no to an international crimes tribunal. If the rest of the world does not like it, that is just tough.

Instead, the world needs to hear from us that we are concerned about our global environment; we are concerned about their economic progress; we are concerned that 2 billion people must survive on just $1 a day; that 1.5 billion people, most of them children, cannot even get a clean glass of water; and that we want to help eradicate the scourge of AIDS.

Furthermore, the world needs to hear that we are truly interested in being honest brokers in finding a peaceful solution to the conflict in the Middle East. We need to recognize that the real battleground for peace throughout the world ultimately lies in education. We cannot just keep looking at the Arab world as a great gas station, indifferent to what happens inside their countries, because the gas now is leaking, and there are people starting to throw matches around.

If we have learned anything from September 11, it is that if we do not visit and help in a bad neighborhood, that bad neighborhood can come and visit us.

So for the sake of our young military troops, for the sake of the Iraqi people, and for the sake of our Nation as it is perceived by the rest of the world in the 21st century, I pray that we can accomplish Saddam's disarmament peacefully and, if not, then with international support.

But today we need to give the President this tool in his diplomatic arsenal, and also pray that he uses it wisely.

May God continue to bless these United States of America.

Mr. CANTOR. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BASS).

(Mr. BASS asked and was given permission to revise and extend his remarks.)

Mr. BASS. Mr. Speaker, I rise in strong support of House Joint Resolution 114.

Mr. Speaker, I appreciate the opportunity to address the House today in support of the resolution before us. The decision to allow our military to use force against Iraq will be one of the most important votes we cast in this Congress, but the responsible choice to support the resolution is clear.

Over the past few weeks, we have labored over the proper scope and limitations for this significant measure. The compromise language has been drafted by key House and Senate leaders, and the President.

This resolution is in the best interest of America's national security. After a decade of deceit and deception, in which we have permitted a hostile dictator to repeatedly violate every agreement we have in good faith put before him, the use of force has become a necessary option. I think I speak for all members of this Congress when I say that I hope and pray that military force does not become required; however, we must prepare for all possible outcomes.

This resolution protects the Congress' ability to remain fully involved in future decisions and actions in Iraq. It provides the resources for the United States to act ion the best interest of our national security, while remaining committed to generating support for a multilateral coalition.

I support our President and commend his efforts to ensure that the citizen's of American do not live in fear of another tragic terrorist attack or of harm from rogue nations. With passage of this resolution, we will provide our Commander in Chief with the resources necessary to carry out his greatest task of all—providing for the continued safety of our citizens.

This resolution to authorizer military action against Iraq is one that has been seriously deliberated by the President, his policy makers, and this Congress.

Mr. CANTOR. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, ''does this body have the will and resolve to commit this Nation to a future of peace, or will we leave for our children an inheritance of uncertainty and world instability? I do not want to see our Nation at war, and I pray that this crisis will be resolved peacefully. But I cannot in good conscience deny to the President of the United States every power and tool that he is entitled to in his efforts to resolve this crisis.''

Mr. Speaker, I spoke these words right here in this very spot on the floor of the House of Representatives during my first speech as a Member of this body. One day later, on January 12, 1991, I cast my first vote, one to give

the President the authority to use the Armed Forces in removing Saddam Hussein from Kuwait.

As a freshman Member of Congress, I could not ever have imagined that more than a decade later this body again would be faced with the challenge of dealing with Saddam Hussein's outlaw regime. But here we are in 2002, and Saddam is once again at the heart of our national security concerns.

The September 11 terrorist attacks have changed this Nation forever. Those tragic events increased our appreciation of our vulnerability to terrorist attacks, particularly from weapons of mass destruction. Saddam Hussein has actively developed a deadly biological and chemical weapons program, and he is actively pursuing the development of nuclear weapons. We cannot ignore this reality.

What has changed since the last time I voted to use our Armed Forces against Iraq has not been a new identification of our enemy, but the reassessment of our national security risk. The last 11 years have proven that attempting to contain Saddam through an ineffective weapons inspection regime does not alter his intentions nor force him to disarm. We must resolve to stand firm against Hussein's regime to guarantee security for Americans and the international community and justice for the Iraqi people.

I commend President Bush for his consistent consultation with the international community and with the congressional leadership on both sides as he develops a strategy for confronting this grave threat. The resolution before us today is a result of those consultations, and its passage is the United States government's opportunity to speak with one voice in its efforts to protect American interests at home and abroad.

We cannot expect the United Nations Security Council to take action to protect not only our interests but the interests of the international community without sending it a strong signal of our own resolve.

Looking back on the vote that this House cast to authorize force back in 1991, I can recall how somber my colleagues and I were as we contemplated the consequences of our actions. Today, I sense a similar mood in the House. Whenever Congress votes to authorize the use of the greatest Armed Forces in the world, it is destined to be one of the most serious and difficult votes ever cast by our Members. It is not a decision we relish, but it is one that we must make.

I pray and hope that the need to use military force to disarm Hussein's regime is not imminent. However, I stand ready to support such an action should the President deem it necessary.

The famous legislator and philosopher, Sir Edmond Burke from England, once said, ''All that is needed for evil to exist is for good men to do nothing.'' I also recall the words of our great President Ronald Reagan when he said ''If not now, when? If not us, who?''

It is time for us to act, it is time to support our President, and it is time to tell the rest of the world that the American people speak with just one voice.

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, today the Committee on Government Reform and Oversight unanimously approved the report of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources titled ''Federal Law Enforcement at the Borders and Ports of Entry,'' the most comprehensive report ever on our Nation's border security.

As chairman of this subcommittee, I would like to discuss some of the findings and how I feel they impact the debate on the resolution regarding Iraq that is before us.

There are 130 official ports of entry on the northern border at which it is legal to cross, whether by vehicle or foot. There are an additional over 300 unofficial crossing areas along the northern border, roads which are unmonitored and allow for individuals or groups to cross undetected.

Near Blaine, Washington, the only barrier is a narrow ditch easily stepped over and containing no water between two roads. In northwest North Dakota, it is even easier: It is flat for miles, and there is no ditch. As for the southern border, it is not exactly known as impenetrable. If we cannot stop tens of thousands of illegal immigrants, it does not breed a lot of confidence that we can stop all terrorists.

Our subcommittee has also begun to study port security. The challenges in our largest harbors, Long Beach and Los Angeles, are overwhelming. But by the time a nuclear device has slipped into L.A., we are already in deep trouble. Preclearance at point of origin, or at a point prior to coming into the U.S., is a probable method to reduce risk; but shipments could have chemical, biological, or nuclear weapons added en route at the receiving harbor or in transit to the next shipping point.

I have not even discussed airport security.

The point of my comments is this: If those opposed to this resolution somehow think we are going to stop terrorists from crossing our borders, that by itself is an incredibly high-risk strategy doomed to probable failure. As chemicals come across in different forms or nuclear weapons in parts, even with dramatically improved security we will not catch it all.

We need a multifaceted approach. We need a vastly improved intelligence collection and information-sharing. That is obvious to everyone. We are working to improve border security, port security, and airport security. But when we can see the chemical and biological facilities that have manufactured, can manufacture, and probably are manufacturing weapons of mass destruction intended for us, we need to act to destroy those facilities. When we get solid intelligence that someone intends to kill Americans and that they have the weapons to do so, we need to eliminate their capacity to do so.

If this leader and nation have already demonstrated, as Saddam Hussein has, a willingness to use such weapons of mass destruction to terrorize, like Iraq, alone in the world in demonstrating such willingness, then the need to act becomes urgent.

The American people do not want to burn while the politicians fiddle. We need to strengthen our borders. We need to monitor suspected terrorists and arrest those who become active. We need to take out the capacity of those bent on terrorizing our Nation.

If we implement all of these strategies, we have a chance of success. Partial, timid strategies against people bent upon killing Americans will not save lives. They will cost lives.

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Tennessee (Mr. JENKINS).

Mr. JENKINS. Mr. Speaker, I rise in support of this resolution.

The preamble of this resolution sets out in detailed chronological order the obligations that were imposed upon and accepted by the regime of Saddam Hussein as the result of a United Nations-sponsored ceasefire in 1991. They were clear obligations for Saddam Hussein to end his nuclear, biological, and chemical weapons programs and the means to deliver them and to end his support for international terrorism. I have heard no one deny the existence of these obligations. I have heard no credible denial of their breach.

Since our country has been attacked by terrorists and we continue to be threatened, at least in part, due to the breach of these obligations, it becomes the duty of the President and this Congress to chart a course of action that will protect our country and all its citizens. This resolution in my opinion charts such a course.

□ 1715

It provides that the President is authorized to use the Armed Forces as he deems necessary and appropriate to defend the national security of the United States, and, secondly, to enforce all relevant United Nations Security Council resolutions regarding Iraq.

In the final analysis, it boils down to a matter of judgment, whether we should vote ''yes'' or ''no.'' My judgment is unless I vote ''yes,'' I have failed to meet the obligation that I have to the more than 630,000 men, women and children who constitute the First Congressional District of Tennessee who are at risk today because of the failures of Saddam Hussein.

Is there any question in anybody's mind what the votes of any of those brave leaders who founded or helped perpetuate our Nation would be? Leaders like President Washington, President Lincoln, President Truman, or

President Eisenhower, all who demonstrated during their time in office the good judgment to chart and the courage to complete a difficult course.

Can we not agree all of us in this Chamber that mankind would have been spared terrible agony and death if the judgment of Winston Churchill had been heard and heeded and adopted as a course of action in the 1930's?

The eyes of all our great leaders of the past and the eyes of all who have laid down their lives for our freedom are upon us today to see if we are proper stewards of the freedom and the opportunities that they afforded us with their sacrifices. This decision is vital, not only to the future of Americans, but to the future of the world community and to all who would throw off the yoke of tyranny and oppression and escape the horrors of chemical, bacteriological, and nuclear warfare.

If we are forced to action following this resolution, and it is everybody's hope that we will not be, it will be easier in proportion to our accord for those who represent us on the battlefield.

Mr. Speaker, I urge passage.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, over the last 6 weeks, the President has changed long-standing policy that prohibits a unilateral American first strike and has argued that his new policy should be imposed upon Iraq.

President Bush, to his credit, has decided to include Congress in this process and to seek international support for his positions, although he will not wait for such support to enforce his new policy.

The process is important, but it is not the most important aspect of his efforts. For me, the most important question in this entire matter is what happens after Saddam Hussein is dethroned. Forty years ago we amended our policies to state that America will no longer allow long-range nuclear weapons to be installed in our hemisphere, a precise policy that applied only to Cuba at that time.

Twenty years ago we amended our policy to state that America will not allow foreign leaders to enrich themselves by using their governmental structure to ship illegal drugs into America. Again, a precise policy which applied only to Panama at the time. Although the President has changed some of his arguments, there do seem to be three constant points that he uses.

Number one, Iraq has weapons of mass destruction. Number two, Iraq has supported terrorists even if the link to al Qaeda cannot be proven. Number three, Iraq has a history of aggression and brutality against its own people and against its neighbors. We all agree on all of those points. They are not subject to debate. Based on constant repetition of these factors, we must conclude these are the criteria America will use to implement our new unilateral strike policy. But is this reaction to Iraq's threat comparable to previous reactions to such threats? Is it clear and precise? Who else violates this new policy and, therefore, who would be next to have our new policy implemented against them?

Let us start with Iran. They have weapons of mass destruction. Iran has certainly supported terrorists and does so today. In fact, many people believe that this country, Iran, now is home to more al Qaeda members than any other country in the world. Finally, Iran has a history of aggression and brutality against its own people and its neighbors. When do we attack Iran?

What about China? They certainly have very powerful weapons of mass destruction, including nuclear weapons. They are the leading sellers of both weapons of mass destruction and, more importantly, the industrial means to produce such weapons around the world. They have ignored all calls to withdraw from Tibet or to treat Tibetans fairly. They brutalize the Falun Gong. They brutalize Christians. They threaten Taiwan and the peace in of all of Asia. When do we attack China?

When do we attack the Sudan? When do we attack North Korea? When do we attack Russia itself?

Each of these countries meets all of the criteria the President is now using to say we should attack Iraq unilaterally.

Most Americans want Saddam Hussein gone. So do I. Most Americans want the United States to remain the strongest Nation in the world. So do I. But most Americans also want the United States of America to continue to be the world's moral leader while we accomplish both of these goals.

President Bush's unclear, imprecise new policy in support of a unilateral force first strike does not do it.

Not long ago another American stated, ''Our purpose is peace. The United States intends no rashness and seeks no wider war. We seek the full and effective restoration of international agreements.'' This House reacted by voting, ''The United States is prepared as the President determines to take all necessary steps including the use of armed forces.''

I am sure some of you recognize these words from the 1963 Gulf of Tonkin Resolution that led to the Vietnam debacle. We all know the results of that resolution. We all know that this House had to repeal this resolution 6 years later.

This resolution before us tonight uses virtually the same language and grants the President comparable authority to the Gulf of Tonkin resolution. But I think our actions here today may actually prove to be more dangerous because we base them on a new policy of unilateral first strike. At a minimum, the President needs to refine his new policy before we implement. Until we do so, America must adhere to the long-standing policies in existence now. Those policies require international agreement on war and peace, and they require war to be the last alternative, not the first.

As of today, the United States, and we know it, has not exhausted our peaceful options; and by tomorrow when we vote on this, we will have set America and the world on a new course that has not yet been fully thought out or debated. We owe it to ourselves and to our children to go slow.

Others have cited history as well. Let me be clear, no one has forgotten September 11. Everyone wants to avoid another such incident. But no one has divine insight as how to best accomplish that goal. Let me ask those who have cited World War II and to remind them that when Iraq did try to expand its borders, the world did react. This Congress reacted, unlike Europe in the 1930's. The comparison is not valid.

If necessary there will be plenty of time to wage war against Iraq, and I may support it. But if an unnecessary war is waged, we risk forfeiting America's well-deserved reputation as humanity's best hope for a long-lasting worldwide peace.

Mr. Speaker, I urge this Congress to vote ''no'' on this resolution.

Mr. CANTOR. Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise in strong support of the resolution and want to focus on what this debate is all about.

This debate is all about whether Saddam continued to build weapons of mass destruction after 1991 and would he use them. Well, I think everyone is in agreement in the second question, that he will use them because he has already done that. He has done it with the Kurds. He has done it with his own population a number of times.

Let us talk about whether or not he has weapons of mass destruction and how he got them. Mr. Speaker, I have given no less than 12 speeches on the floor of this House about the proliferation that occurred to Saddam Hussein in the 1990s.

Mr. Speaker, I insert two documents that I have inserted in the CONGRESSIONAL RECORD five times in the past.

Mr. Speaker, these are chronologies of weapons-related transfers of technology to Saddam by Chinese interests and Russian interests.

[Los Angeles Times Editorials, May 21, 1998]

INDIGNATION RINGS SHALLOW ON NUKE TESTS

(By Curt Weldon)

Escalating tensions between India and Pakistan should come as no surprise to the Clinton administration. Since the president took office, there have been dozens of reported transfers of sensitive military technology by Russia and China—in direct violation of numerous international arms control agreements—to a host of nations, including Pakistan and India.

Yet the Clinton administration has repeatedly chosen to turn a blind eye to this proliferation of missile, chemical-biological and nuclear technology, consistently refusing to impose sanctions on violators. And in those handful of instances where sanctions were imposed, they usually were either quickly waived by the administration or allowed to expire. Rather than condemn India for current tensions, the blame for the political powder keg that has emerged in Asia should be laid squarely at the feet of President Clinton. It is his administration's inaction and refusal to enforce arms control agreements that have allowed the fuse to grow so short.

In November 1992, the United States learned that China had transferred M–11 missiles to Pakistan. The Bush administration imposed sanctions for this violation but Clinton waived them a little more than 14 months later. Clearly, the sanctions did not have the desired effect: Reports during the first half of 1995 indicated that M–11 missiles, additional M–11 missile parts, as well as 5,000 ring magnets for Pakistani nuclear enrichment programs were transferred from China. Despite these clear violations, no sanctions were imposed. And it gets worse.

Not to be outdone by its sworn foe, India aggressively pursued similar technologies and obtained them, illicitly, from Russia. From 1991 to 1995, Russian entities transferred cryogenic liquid oxygen-hydrogen rocket engines and technology to India. While sanctions were imposed by President Bush in May 1992, the Clinton administration allowed them to expire after only two years. And in June 1993, evidence surfaced that additional Russian enterprises were involved in missile technology transfers to India. The administration imposed sanctions in June 1993, and then promptly waived them for a month, never following up on this issue.

Meanwhile, Pakistan continued to aggressively pursue technology transfers from China. In August 1996, the capability to manufacture M–11 missile or missile components was transferred from China to Pakistan. No sanctions. In November 1996, a special industrial furnace and high-tech diagnostic equipment were transferred from China to an unprotected Pakistani nuclear facility. No sanctions. Also during 1996, the director of the Central Intelligence Agency issued a report stating that China had provided a ''tremendous variety'' of technology and assistance for Pakistan's ballistic missile program and was the principal supplier of nuclear equipment for Pakistan's program. Again, the Clinton administration refused to impose sanctions.

Finally, in recent months we have learned that China may have been responsible for the transfer of technology for Pakistan's Ghauri medium-range ballistic missile. Flight tested on April 6, 1998, the Ghauri missile has been widely blamed as the impetus for India's decision to detonate five nuclear weapons in tests earlier this month. Again, no sanctions were imposed on China.

Retracing the history of these instances of proliferation, it is obvious that Pakistan and India have been locked in an arms race since the beginning of the decade. And the race has been given repeated jump-starts by China and Russia, a clear violation of a number of arms control agreements. Yet rather than enforce these arms control agreements, the Clinton administration has repeatedly acquiesced, fearing that the imposition of sanctions could either strain relations with China and Russia or potentially hurt U.S. commercial interests in those countries.

Now the Clinton administration has announced a get-tough policy, threatening to impose sanctions on India for testing its nuclear weapons. But what about Russia and China, the two nations that violated international arms agreements? Shouldn't they also be subject to U.S. sanctions for their role in this crisis? Sadly, the Clinton administration is likely to ignore the proliferators and impose sanctions solely on India. In the meantime, China and Russia will continue their proliferation of missile and nuclear technology to other nations, including rogue states such as Iran, Iraq and Syria.

CHRONOLOGY OF CHINESE WEAPONS-RELATED TRANSFERS

Date of transfer or report	Reported transfer by China	Possible violation	Administration's response
Nov. 1992	M–11 missiles or related equipment to Pakistan (The Administration did not officially confirm reports that M–11 missiles are in Pakistan.).	MTCR—Arms Export Control Act, Export Administration Act	Sanctions imposed on Aug. 24, 1993, for transfers of M–11 related equipment (not missiles); waived on Nov. 1, 1994.
Mid-1994 to mid-1995	Dozens or hundreds of missile guidance systems and computerized machine tools to Iran.	MTCR—Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
2nd quarter of 1995	Parts for the M–11 missile to Pakistan	MTCR—Arms Export Control Act, Export Administration Act	No sanctions.
Dec. 1994 to mid-1995	5,000 ring magnets for an unsafeguarded nuclear enrichment program in Pakistan.	NPT—Export-Import Bank Act, Nuclear Proliferation Prevention Act, Arms Export Control Act.	Considered sanctions under the Export-Import Bank Act; but announced on May 10, 1996, that no sanctions would be imposed.
July 1995	More than 30 M–11 missiles stored in crates at Sargodha Air Force Base in Pakistan.	MTCR—Arms Export Control Act, Export Administration Act	No sanctions.
Sept. 1995	Calutron (electromagnetic isotope separation system) for uranium enrichment to Iran.	NPT—Nuclear Proliferation Prevention Act, Export-Import Bank Act, Arms Export Control Act.	No sanctions.
1995–1997	C–802 anti-ship cruise missiles and C–801 air-launched cruise missiles to Iran.	Iran-Iraq Arms Nonproliferation Act	No sanctions.
before Feb. 1996	Dual-use chemical precursors and equipment to Iran's chemical weapon program.	Arms Export Control Act, Export Administration Act	Sanctions imposed on May 21, 1997.
summer 1996	400 tons of chemicals to Iran	Iran-Iraq Arms Nonproliferation Act,[1] Arms Export Control Act, Export Administration Act.	No sanctions.
Aug. 1996	Plant to manufacture M–11 missiles or missile components in Pakistan.	MTCR—Arms Export Control Act, Export Administration Act	No sanctions.
Aug. 1996	Gyroscopes, accelerometers, and test equipment for missile guidance to Iran.	MTCR—Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
Sept. 1996	Special industrial furnace and high-tech diagnostic equipment to unsafeguarded nuclear facilities in Pakistan.	NPT—Nuclear Proliferation Prevention Act, Export-Import Bank Act, Arms Export Control Act.	No sanctions.
July-Dec. 1996	Director of Central Intelligence (DCI) reported ''tremendous variety'' of technology and assistance for Pakistan's ballistic missile program.	MTCR—Arms Export Control Act, Export Administration Act	No sanctions.
July-Dec. 1996	DCI reported ''tremendous variety'' of assistance for Iran's ballistic missile program.	MTCR—Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
July-Dec. 1996	DCI reported principal supplies of nuclear equipment, material, and technology for Pakistan's nuclear weapon program.	NPT—Nuclear Proliferation Prevention Act, Export-Import Bank Act, Arms Export Administration Act.	No sanctions.
July-Dec. 1996	DCI reported key supplies of technology for large nuclear projects in Iran.	NPT—Iran-Iraq Arms Nonproliferation Act, Nuclear Proliferation Prevention Act, Export-Import Bank Act, Arms Export Administration Act.	No sanctions.
July-Dec. 1996	DCI reported ''considerable'' chemical weapon-related transfers of production equipment and technology to Iran.	Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
Jan. 1997	Dual-use biological items to Iran	BWC—Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
1997	Chemical precursors, production equipment, and production technology for Iran's chemical weapon program, including a plant for making glass-lined equipment.	Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
Sept. to Dec. 1997	China Great Wall Industry Corp. provided telemetry equipment used in flight-tests to Iran for its development of the Shahab-3 and Shahab-4 medium range ballistic missiles.	MTCR—Iran-Iraq Arms Nonproliferation Act, Arms Export Control Act, Export Administration Act.	No sanctions.
Nov. 1997/April 1998	May have transferred technology for Pakistan's Ghauri medium-range ballistic missile that was flight-tested on April 6, 1998.	MTCR—Arms Export Control Act, Export Administration Act	No sanctions.

[1] Additional provisions on chemical, biological or nuclear weapons were not enacted until February 10, 1996.

BWC: Biological Weapons Convention; MTCR: Missile Technology Control Regime; and NPT: Nuclear Nonproliferation Treaty.

CHRONOLOGY OF SUSPECTED RUSSIAN WEAPONS-RELATED TRANSFERS

Date of transfer or report	Reported Russian transfers that may have violated a regime or law	Possibly applicable treaties, regimes, and/or U.S. laws	Administration's response
early 1990s	Russians sold drawings of a sarin plant, manufacturing procedures, and toxic agents to a Japanese terrorist group.	AECA sec. 81, EAA sec. 11C	No publicly known sanction.
1991	Transferred to China three RD–120 rocket engines and electronic equipment to improve accuracy of ballistic missiles.	MTCR, AECA sec. 73, EAA sec. 11B	No publicly known sanction.
1991–1995	Transferred Cryogenic liquid oxygen/hydrogen rocket engines and technology to India.	MTCR, AECA sec. 73, EAA sec. 11B	Sanctions against Russia and India under AECA and EAA imposed on May 6, 1992; expired after 2 years.
1992–1995	Russian transfers to Brazil of carbon-fiber technology for rocket motor cases for space launch program.	MTCR, AECA sec. 73, EAA sec. 11B	Sanctions reportedly secretly imposed and waived.
1992–1996	Russian armed forces delivered 24 Scud-B missiles and 8 launchers to Armenia.	MTCR, AECA sec. 73, EAA sec. 11B	No publicly known sanction.

CHRONOLOGY OF SUSPECTED RUSSIAN WEAPONS-RELATED TRANSFERS—Continued

Date of transfer or report	Reported Russian transfers that may have violated a regime or law	Possibly applicable treaties, regimes, and/or U.S. laws	Administration's response
June 1993	Additional Russian enterprises involved in missile technology transfers to India.	MTCR, AECA sec. 73, EAA sec. 11B	Sanctions imposed on June 16, 1993 and waived until July 15, 1993; no publicly known follow-up sanction.
1995-present	Construction of 1,000 megawatt nuclear reactor at Bushehr in Iran.	IIANPA sec. 1604 and 1605, FOAA, NPPA sec. 821, FAA sec. 620G	Refused to renew some civilian nuclear cooperation agreements; waived sanctions on aid.
Aug. 1995	Russian assistance to Iran to develop biological weapons	BWC, AECA sec. 81, EAA sec. 11C, IIANPA sec. 1604 and 1605, FAA sec. 620G and 620H.	No publicly known sanction.
Nov. 1995	Russian citizen transferred to unnamed country technology for making chemical weapons.	AECA sec. 81, EAA sec. 11C	Sanctions imposed on Nov. 17, 1995.
Dec. 1995	Russian gyroscopes from submarine launched ballistic missiles smuggled to Iraq through middlemen.	United Nations Sanctions, MTCR, AECA sec. 73, EAA sec. 11B, IIANPA sec. 1604 and 1605, FAA sec. 620G and 620H.	No publicly known sanction.
July-Dec. 1996	DCI reported Russia transferred to Iran ''a variety'' of items related to ballistic missiles.	MTCR, AECA sec. 73, EAA sec. 11B, FAA sec. 620G and 620H, IIANPA sec. 1604 and 1605, FOAA.	No publicly known sanction.
Nov. 1996	Israel reported Russian assistance to Syria to build a chemical weapon plant.	AECA sec. 81, EAA sec. 11C, FAA sec. 620G and 620H	No publicly known sanction.
1996–1997	Delivered 3 Kilo diesel-electric submarines to Iran	IIANPA sec. 1604 and 1605, FAA sec. 620G and 620H	No publicly known sanction.
Jan.-Feb. 1997	Russia transferred detailed instructions to Iran on production of the SS–4 medium-range missile and related parts.	MTCR, AECA sec. 73, EAA sec. 11B, FAA sec. 620G and 620H, IIANPA sec. 1604 and 1605, FOAA.	No publicly known sanction.
April 1997	Sale of S–300 anti-aircraft/anti-missile missile system to Iran to protect nuclear reactors at Bushehr and other strategic sites.	IIANPA sec. 1604 and 1605, FAA sec. 620G and 620H	No publicly known sanction.
Oct. 1997	Israeli intelligence reported Russian technology transfers for Iranian missiles developed with ranges between 1,300 and 10,000 km. Transfers include engines and guidance systems.	MTCR, AECA sec. 73, EAA sec. 11B, IIANPA sec. 1604 and 1605, FAA sec. 620G and 620H, FOAA.	No publicly known sanction.

Regimes:
BWC: Biological Weapons Convention; and MTCR: Missile Technology Control Regime.
U.S. Laws:
AECA: Arms Export Control Act; EAA: Export Administration Act; FAA: Foreign Assistance Act; FOAA: Foreign Operations Appropriations Act; IIANPA: Iran-Iraq Arms Non-Proliferation Act; and NPPA: Nuclear Proliferation Prevention Act.

Mr. Speaker, during the 1990s, I would remind my colleagues, 37 times we had evidence of China and Russia transferring weapon technology to Hussein. Every one of those should have required a response, should have required sanctions. The previous administration imposed sanctions a total of four times out of 37. In nine of those cases, it was chemical and biological weapon technology, the very technology today that we are worried about. We saw it being transferred, and we did nothing about it. In fact, only in two of those nine cases did we impose the required sanctions.

Mr. Speaker, we have evidence which I will submit in the RECORD also of Iraq's policy on their defense system and offensive capabilities, both a 1984 document and a 1987 document. In the document Saddam's military talks about the use of chemical and biological weapons.

In President Bush's speech this past week he said, ''All that might be required of Saddam are a small container and one terrorist or Iraqi intelligence operative to deliver it.''

Well, here it is. Mr. Speaker, this is a biological disbursing device. You can build it for less than $100. If I would not offend the Parliamentarian, I would turn it on and you would have a plume in this room. If you put that device in the Metro station subway in D.C. and activate it, based on a study by the Office of Technology Assessment, you would have 150,000 people in the D.C. commuter system killed by the dispersion of 4.5 kilograms of anthrax.

Just like we saw back in the 1990s when we had evidence that Russian entities transferred these devices, a Soviet accelerometer and a Soviet gyroscope, which the previous administration did nothing about, never imposed the required sanctions. Now we have to pay the price.

Does Saddam have chemical and biological weapons? Absolutely. Where did he get it from? He got it from those 37 transfers that we knew about that are now in the record that we did nothing about. Does he have a nuclear weapon like the one I have in front of me that General Alexander Lebed told my delegation in 1997 that they built? And the previous administration when it became public said, we deny the Russians ever built them.

The previous administration sided with the Russian Ministry of Foreign Affairs and said we have no reason to doubt them, even though two top Russian leaders said there was reason to believe 80 of these devices were missing.

The reason why we have to support the President is because the failures of our policies in the past decade have given Saddam Hussein biological and chemical weapon capability, nuclear weapon capability, missile capability, none of which should have occurred during the 1990s if we would have enforced the very arms control agreements that the other side now talks about. Thirty-seven times we had evidence, nine cases of chemical and biological weapons going from Russian and China to Iraq. And what did we do? We went like this and like that. And now we are faced with the consequence.

So what President Bush has said is we must stand up and we must show the world that we will not tolerate what went on in the 1990s. We will not sit back and allow 37 violations to go unchecked. We will not pretend we do not see them because we want to keep Yeltsen in power. We will not pretend we do not want to see them because we want to protect the financial interests of the PLA for our fund-raising purposes.

We should have done this during the 1990s, but we did not. I say to my colleagues, support this resolution. Give the President a unanimous voice that says to the U.N., we will act to finally do what we did not do in the 1990s, and that is enforce the requirements of the six resolutions that were passed back then.

And if my colleagues want to see what a biological disbursement weapon looks like, come see me. I will activate it for them in the cloak room.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I rise in support of the resolution. As I have listened to this thorough debate and thought about the resolution we are about to vote on, it seems to me the Persian Gulf War has never really ended. In 1991 Saddam Hussein agreed to a conditional surrender. He has not met the conditions of his surrender. Iraq is still fighting, and we need to respond.

I have heard some of my colleagues say that use of force against Iraq would be a preemptive strike. I disagree. In 1991 Saddam Hussein said Iraq would comply with all United Nations resolutions. Iraq has not done so. Iraq agreed to eliminate nuclear, chemical and biological weapons programs. Today Iraq still has weapons of mass destruction and the will to use them.

Hussein agreed to allow unfettered weapons inspection in this country. However, Iraq has done everything possible to obstruct those inspections. Iraq pledged to keep planes out of the no-fly zone. In the past few years, his pilots have fired on U.S. and British troops 1,600 times. They have shot at us 460 times this year alone.

Iraq continues to be a threat to the area. In 1993 Iraqi troops moved toward the Kuwaiti border. Iraqi planes continued to fly in the no-fly zone. When Iraq banned U.N. inspections in 1998, President Clinton responded by launching missiles into the country.

□ 1730

Was that a preemptive strike? Along with the British, we dropped more than 600 bombs on Iraqi military targets. We have continued strikes against Iraq air defense installations and in response to Iraq shots at our planes in the no-fly zone.

Iraq must be held to the conditions it agreed to. This Congress authorized action to bring Iraq into compliance in 1998. We must do so again. Until Iraq

complies with the terms of its conditional surrender, there has been no surrender. The Persian Gulf War is ongoing.

Further, U.S. action against Iraq is not a preemptive strike, but is our responsibility to bring Saddam Hussein's continued plotting of his international obligations to an end. President Bush wants the commitment that Congress stands with him in dealing with Iraq.

I urge that Congress stand with President Bush and support the resolution to finally end the Gulf War once and for all.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. STEARNS).

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise in support of the resolution, but we are engaged in debating the most difficult decision that Members of Congress are called upon to make.

Notwithstanding that, Saddam Hussein is uniquely evil, the only ruler in power today, and the first one since Hitler, to commit chemical genocide. I believe there is reason for the long term to remove him from power. This resolution is the first step.

My colleagues, remember that Israel absorbed the world's hatred and scorn for its attack on and destruction of Iraq's Osirak nuclear reactor in 1981. Today it is accepted by most arms control experts that had Israel not destroyed Osirak, Hussein's Iraq would have had nuclear power by 1990, when his forces pillaged their way through Kuwait.

We can see on this chart all the resolutions that were passed and that Saddam Hussein did not comply with. In fact, there were 12 immediately after the war; 35 after those 12. All together, 47 resolutions, of which he scarcely complied.

Now, let us take the resolution on this chart, which is 687, governing the cease-fire in 1991. It required that Iraq unconditionally accept the destruction, removal or rendering harmless its chemical and biological weapons. Within 15 days after the passage of the resolution, Iraq was to have provided the locations, the amounts, and types of those specified items. Over a decade later, we still have little information on that.

That is why I applaud President Bush for taking his case to the United Nations and placing the burden of action upon the organization to enforce its own resolutions passed on Iraq. We owe diplomacy and peaceful opportunities the due diligence necessary to rid this despotic regime of weapons of mass destruction and terrorism sponsorship. However, if the U.S. is not credible in alternatives for noncompliance, we will again be at the crossroads asking the same question: If not now, when?

Let us move forward with this resolution, develop a consensus, and work together with other nations to remove this evil dictator.

Mr. Speaker, our vote this week will be whether or not to authorize the President of the United States to use necessary and appropriate force to defend the national security of the United States against the continuing threat posed by Iraq. I would like to emphatically state that no decision weighs heavier on the mind of a President, or a Member of Congress, than the decision to send our men and women of the Armed Forces into action.

And I want to thank the President for working hard to make the case for possible—and I want my colleagues and the public to understand this—possible action against Iraq. The President stated last night that he hopes military action is not required. Iraq can avoid conflict by adhering to the security resolutions requiring "declaring and destroying all of its weapons of mass destruction, ending support for terrorism and ceasing the persecution of its civilian population. And, it must release or account for all gulf war personnel, including an American pilot, whose fate is still unknown."

To quote a recent article from the "Weekly Standard":

> There are, of course, many repugnant dictators in the world; a dozen or so in the Middle East alone. But Saddam Hussein is a figure of singular repugnance, and singular danger. To review: There is no dictator in power anywhere in the world who has, so far in his career, invaded two neighboring countries; fired ballistic missiles at the civilians of two other neighboring countries; tried to have assassinated an ex-president of the United States; harbored al-Qaida fugitives . . . attacked the soldiers of an enemy country with chemical weapons; conducted biological weapons experiments on human subjects; committee genocide; and there is, of course, the matter of the weaponized aflatoxin, a tool of mass murder and nothing else.

And lastly, my colleagues, President Bush is not alone in calling for a regime change. Congress made the need for regime change clear in 1998 with the passage of the Iraq Liberation Act. The congress specifically stated "It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace that regime." In that legislation we also called upon the United Nations to establish an international criminal tribunal to prosecute Saddam Hussein and those in his regime for crimes against humanity and criminal violation of international law.

Mr. SHERMAN. Mr. Speaker, I yield myself 30 seconds to respond to the comments made by the gentleman from Pennsylvania (Mr. WELDON), who pointed out that our actions against Saddam during the 1990s were not as aggressive as they should have been.

I would point out that we were also not aggressive until September 11 of the prior year. Both administrations failed to grasp the importance of Saddam Hussein's weapons program until September 11 of last year.

I would also point out that when the prior administration did take military action against Saddam Hussein, it did not receive the level of support and unified support that it should have.

Mr. Speaker, I yield 5½ minutes to the extremely distinguished and thoughtful gentleman from Tennessee (Mr. FORD).

Mr. FORD. Mr. Speaker, I thank the gentleman for yielding me this time, and I join the gentleman from California and associate myself with his remarks. I would hope my friend, the gentleman from Pennsylvania (Mr. WELDON), who I believe is right on this issue, would refrain from politicizing. If there is blame to go around, there is certainly enough blame to go around here in this town today, yesterday, and even a few days ago.

After careful consideration, Mr. Speaker, I rise in support of this resolution. This vote is the most important and difficult one I have cast since coming to Congress some 6 years ago. I sincerely hope, as I imagine most of my colleagues do, that we will never have to cast another one like it.

I have listened carefully to the concerns and objections of many of my colleagues and constituents; and having never served in the Armed Forces, I have sought the counsel of those who have. I have reviewed the available intelligence about the threat from Iraq and weighed the risk of a potential conflict with Iraq in the context of our ongoing war on terrorism; and I have reached the conclusion, as many have, that the risk of inaction and delay far outweigh the risk of action.

Saddam Hussein has stockpiled chemical and biological weapons, as all have mentioned today, and is seeking the means to deliver them, if he does not already have the capacity now. He is developing missile delivery systems that could threaten American citizens, service members, and our own allies in the region. But in today's world, a sworn enemy of America does not need a missile to deliver weapons of mass destruction. All he needs is a suitcase, a small plane, a cargo ship, or a single suicidal terrorist.

The most compelling case for action, however, Mr. Speaker, is the nuclear threat. Let us be clear. We do not have the intelligence suggesting that an imminent nuclear threat is upon us. I would urge Secretary Rumsfeld to cease suggesting to Americans that there is some connection between Saddam Hussein and al Qaeda unless he has evidence to present to this Congress and to this public.

What we do have evidence of is that Saddam Hussein continues to desire to obtain a nuclear weapon. And we know that should he obtain the raw materials, which may be available to him in any number of ways, he could build a nuclear bomb in less than a year. The Iraqi regime's efforts to obtain nuclear weapons are coupled with the recklessness of the Iraqi dictator. We know that Saddam is capable of murder and untold cruelty. We know that Saddam is capable of aggression and also capable of miscalculating his adversary's response to his aggression.

Weapons of mass destruction in the hands of a cruel, reckless, and misguided dictator pose a clear and present danger to our security. I could not vote to authorize military action

abroad if I did not believe that Saddam Hussein poses a growing threat to our security, one that will not recede just because we hope it goes away. That is why I support giving the President the authority to achieve our fundamental goal: disarming the Iraqi regime of all weapons of mass destruction.

As we consider this resolution, every Member should read it carefully so we do not mischaracterize what we are voting on here today. So what is this resolution for? First, it is a resolution stating Congress' support for our diplomatic efforts. This resolution must not be taken as an endorsement of unilateralism. It explicitly affirms Congress' support for the President's efforts to work through the U.N. Security Council to address Iraq's ''delay, evasion and noncompliance.'' It calls for prompt and decisive action by the U.N. Security Council to enforce its own mandates on Iraq.

Second, this resolution is not a declaration of war. The resolution forces the President to affirm that all diplomatic and peaceful means have proven inadequate to protect our Nation's security. This gives the President the flexibility to dangle a stick with that carrot.

At the same time, it affirms that military action must be used only as a last resort. If it were up to some of us in this Congress, we would have done it another way, perhaps building international support before coming to Congress, but this President chose to do it another way.

Third, the resolution more defines our purpose in authorizing the use of force. The use of force has two clearly defined purposes: one, to defend the national security of the United States against the continuing threat posed by Iraq; and, two, to enforce all relevant United Nations Security Council resolutions regarding Iraq.

Unlike the White House's draft language, the resolution carefully limits its authorization to Iraq and only Iraq. And it is clear that our purpose is to protect against the threat to the United States. This resolution authorizes military action to disarm Iraq but does not mention regime change. The goal is Iraq's disarmament and full compliance with U.N. mandates.

I applaud Leader GEPHARDT and others, including Republicans and Democrats in the Senate, for helping to negotiate such language.

Although I strongly support the President in addressing the threat from Iraq, I believe the President must be more candid with us and the American people about the long-term commitment that is going to be needed in Iraq. It has been a year since we began the campaign in Afghanistan; and our efforts there politically, economically, and militarily are nowhere close to concluding. I visited Afghanistan in February and March and witnessed firsthand how fragile the peace is there. It will take years to forge stability in Afghanistan and years in Iraq.

War is the last outcome that I want, and the last outcome I believe the President wants; but when America's national security is at stake, the world must know that we are prepared to defend our Nation from tyrants and from terrorists. With that, I ask every Member of Congress to support this resolution supporting our President and supporting our Nation.

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time, and I stand in support of Joint Resolution 114.

Mr. Speaker, the way I see it is this way. Let us just say, hypothetically, if it was August 2001, and I stood before this House and said, listen, there is a guy out there named Osama bin Laden who is associated with a terrorist group named al Qaeda, and this terrorist group has found safe haven inside the corrupt Taliban government of Afghanistan. And, my colleagues, I think we should do something about it because our intelligence is not necessarily absolute, but this guy is up to no good and we need to strike before he strikes us.

Now, if I had said that in August of 2001, people would have said, that war monger, that jingoistic guy from Georgia. What is he talking about? Yet before September 11, would it not have been nice if we could have had that speech and maybe prevented the tragedy of September 11?

Well, here we are. We know Saddam Hussein has violated treaty after treaty which happened after Desert Storm, starting with U.N. Resolution 660, U.N. Resolution 678, U.N. Resolution 686, 687, 688, 701, all of them. In fact, 16 total of very significant matters going back to Resolution 660. All of them violated, Mr. Speaker.

And then here is the situation with the weapons. We know that they have VX. It is a sticky, colorless liquid that interferes with nerve impulses of the body, causes convulsions and paralysis. U.N. inspectors estimate that Iraq has the means to make 200 tons of VX. Sarin Gas. And, of course, we know that it causes convulsions and paralysis as well. It was used in a small quantity in a Tokyo subway in 1995. Again, inspectors estimate that they have maybe as high as 800 tons of sarin gas. It goes on. Mustard gas, anthrax, and other great worrisome chemical and biological weapons in their stockpile. We also know that he is trying to become nuclear capable.

Finally comes the question of terrorism. We know that the State Department has designated Iraq as a state that sponsors international terrorism. We know that they shelter the Abu Nidal terrorist organization that has carried out terrorist attacks in 20 different countries and killed over 900 people.

We also know that Iraq shelters several prominent terrorist Palestinian organizations, including the Palestine Liberation Front, which is known for its attacks on Israel, including one on the Achille Lauro ship that killed the United States citizen, Leon Klinghoffer.

My colleagues, the time to act is now. If we could just think for a minute what the price of action is versus inaction. Had Todd Beamer and the other passengers of Flight 93 elected a course of inaction on September 11, the price would have been significantly different for particularly those of us in this building. This is a time that calls for action. And in the great words of Todd Beamer, let me close with this: ''Let's roll.''

It is time to do something. Let us pass this resolution.

Mr. Speaker, I rise in strong support of House Joint Resolution 114, Authorizing the Use of Military Force Against Iraq.

Here's how I view the situation: Suppose last August (2001), I gave a speech announcing, ''There's a guy named Osama Bin Laden who is involved in a terrorist group called Al Quida, which has found a safe haven and training opportunities inside the corrupt Taliban government of Afghanistan. Bin Laden and his terrorist allies probably were involved in the 1993 bombing of the WTC, the bombing of the USS *Cole* in Yemen, and the bombing of our embassies in Africa. We know Bin Laden hates America and it is likely his group will attack our country in the future. Therefore we need to eliminate him. I suggest we start bombing his hideouts in Afghanistan immediately.''

Had I given that speech, I would have been laughed at and called a warmonger, even though action against Al Quida in August 2001 could have saved thousands of lives in both America and Afghanistan. But this, in fact, is our situation today. Saddam Hussein hates us. He harbors terrorist groups, possesses chemical and biological weapons, and may become nuclear capable in a short period of time. America traditionally does not do preemptive strikes, but the events of September 11th change everything. Americans will not tolerate the threat of another horrific attack against the United States. Although no American desires a war, the best way to ensure Hassein's compliance with UN resolutions, and reduce the threat he poses to our national security, is for Congress to confirm the United State's willingness to use force if necessary.

Mr. Speaker, let me give you an account of all the reasons why I support this resolution.

The whole world knows that Saddam Hussein has repeatedly violated all 16 of the United Nations Security Council Resolutions (UNSCRs) for more than a decade. These violations should not be taken lightly and are worthy of review. The list is substantial:

UNSCR 678—NOVEMBER 29, 1990—VIOLATED

Iraq must comply fully with UNSCR 660 (regarding Iraq's illegal invasion of Kuwait) ''and all subsequent relevant resolutions.''

Authorizes U.N. Member States ''to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area.''

UNSCR 686—MARCH 2, 1991—VIOLATED

Iraq must release prisoners detained during the Gulf War.

Iraq must return Kuwaiti property seized during the Gulf War.

Iraq must accept liability under international law for damages from its illegal invasion of Kuwait.

UNSCR 687—APRIL 3, 1991—VIOLATED

Iraq must ''unconditionally accept'' the destruction, removal or rendering harmless ''under international supervision'' of all ''chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities.''

Iraq must ''unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material'' or any research, development or manufacturing facilities.

Iraq must ''unconditionally accept'' the destruction, removal or rendering harmless ''under international supervision'' of all ''ballistic missiles with a range greater than 150 KM and related major parts and repair and production facilities.''

Iraq must not ''use, develop, construct or acquire'' any weapons of mass destruction.

Iraq must reaffirm its obligations under the Nuclear Non-Proliferation Treaty.

Creates the United Nations Special Commission (UNSCOM) to verify the elimination of Iraq's chemical and biological weapons programs and mandated that the International Atomic Energy Agency (IAEA) verify elimination of Iraq's nuclear weapons program.

Iraq must declare fully its weapons of mass destruction programs.

Iraq must not commit or support terrorism, or allow terrorist organizations to operate in Iraq.

Iraq must cooperate in accounting for the missing and dead Kuwaitis and others.

Iraq must return Kuwaiti property seized during the Gulf War.

UNSCR 688—APRIL 5, 1991—VIOLATED

''Condemns'' repression of Iraqi civilian population, ''the consequences of which threaten international peace and security.''

Iraq must immediately end repression of its civilian population.

Iraq must allow immediate access to international humanitarian organizations to those in need of assistance.

UNSCR 707—AUGUST 15, 1991—VIOLATED

''Condemns'' Iraq's ''serious violation'' of UNSCR 687.

''Further condemns'' Iraq's noncompliance with IAEA and its obligations under the Nuclear Non-Proliferation Treaty.

Iraq must halt nuclear activities of all kinds until the Security Council deems Iraq in full compliance.

Iraq must make a full, final and complete disclosure of all aspects of its weapons of mass destruction and missile programs.

Iraq must allow U.N. and IAEA inspectors immediate, unconditional and unrestricted access.

Iraq must cease attempts to conceal or move weapons of mass destruction, and related materials and facilities.

Iraq must allow U.N. and IAEA inspectors to conduct inspection flights throughout Iraq.

Iraq must provide transportation, medical and logistical support for U.N. and IAEA inspectors.

UNSCR 715—OCTOBER 11, 1991—VIOLATED

Iraq must cooperate fully with U.N. and IAEA inspectors.

UNSCR 949—OCTOBER 15, 1994—VIOLATED

''Condemns'' Iraq's recent military deployments toward Kuwait.

Iraq must not utilize its military or other forces in a hostile manner to threaten its neighbors or U.N. operations in Iraq.

Iraq must cooperate fully with U.N. weapons inspectors.

Iraq must not enhance its military capability in southern Iraq.

UNSCR 1051—MARCH 27 19961—VIOLATED

Iraq must report shipments of dual-use items related to weapons of mass destruction to the U.N. and IAEA.

Iraq must cooperate fully with U.N. and IAEA inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1060—JUNE 12, 1996—VIOLATED

''Deplores'' Iraq's refusal to allow access to U.N. inspectors and Iraq's ''clear violations'' of previous U.N. resolutions.

Iraq must cooperate fully with U.N. weapons inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1115—JUNE 21, 1997—VIOLATED

''Condemns repeated refusal of Iraqi authorities to allow access'' to U.N. inspectors, which constitutes a ''clear and flagrant violation'' of UNSCR 687, 707, 715, and 1060.

Iraq must cooperate fully with U.N. weapons inspectors and allow immediate, unconditional and unrestricted access.

Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom U.N. inspectors want to interview.

UNSCR 1134—OCTOBER 23, 1997—VIOLATED

''Condemns repeated refusal of Iraqi authorities to allow access'' to U.N. inspectors, which constitutes a ''flagrant violation'' of UNSCR 687, 707, 715, and 1060.

Iraq must cooperate fully with U.N. weapons inspectors and allow immediate, unconditional and unrestricted access.

Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom U.N. inspectors want to interview.

UNSCR 1137—NOVEMBER 12, 1997—VIOLATED

''Condemns the continued violations by Iraq'' of previous U.N. resolutions, including its ''implicit threat to the safety of'' aircraft operated by U.N. inspectors and its tampering with U.N. inspector monitoring equipment.

Reaffirms Iraq's responsibility to ensure the safety of U.N. inspectors.

Iraq must cooperate fully with U.N. weapons inspectors and allow immediate, unconditional unrestricted access.

UNSCR 1154—MARCH 2, 1998—VIOLATED

Iraq must cooperate fully with U.N. and IAEA weapons inspectors and allow immediate, unconditional and unrestricted access, and notes that any violation would have the ''severest consequences for Iraq.''

UNSCR 1194—SEPTEMBER 9, 1998—VIOLATED

''Condemns the decision by Iraq of 5 August 1998 to suspend cooperation'' with U.N. and IAEA inspectors, which constitutes ''a totally unacceptable contravention'' of its obligations under UNSCR 687, 7078, 715, 1060, 1115, and 1154.

Iraq must cooperate fully with U.N. and IAEA weapons inspectors, and allow immediate, unconditional and unrestricted access.

UNSCR 1205—NOVEMBER 5, 1998—VIOLATED

''Condemns the decision by Iraq of 31 October 1998 to cease cooperation'' with U.N. inspectors as ''a flagrant violation'' of UNSCR 687 and other resolutions.

Iraq must provide ''immediate, complete and unconditional cooperation'' with U.N. and IAEA inspectors.

UNSCR 1284—DECEMBER 17, 1998—VIOLATED

Created the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) to replace previous weapon inspection team (UNSCOM).

Iraq must allow UNMOVIC ''immediate, unconditional and unrestricted access'' to Iraqi officials and facilities.

Iraq must fulfill its commitment to return Gulf War prisoners.

Calls on Iraq to distribute humanitarian goods and medical supplies to its people and address the needs of vulnerable Iraqis without discrimination.

While all these violations are extremely serious, there are 3 or 4 items that stand out in my mind.

His blatant refusal to allow U.N. weapons inspectors to oversee the destruction of his weapons of mass destruction.

His continued development of new biological and chemical weapons.

His continued pursuit of nuclear weapons, and

His support and harboring of terrorist organizations inside Iraq (including Al Quida).

Mr. Speaker, some people have said, ''why are we doing this now?'' They say there is no ''clear and present danger.'' I don't know how much clearer it has to be. The facts of the matter are documented, and undoubtedly pose a clear and present danger to our national security.

Documented U.N. weapons inspector reports show that Iraq continually deceived the inspectors and never provided definitive proof that they destroyed their stockpiles of biological and chemical weapons.

Iraq has admitted producing the world's most dangerous biological and chemical weapons, but refuses to give proof that they destroyed them. Examples of Iraq's chemical weapons include VX, Sarin Gas and Mustard Gas.

VX, the most toxic of chemical weapons, is a sticky, colorless liquid that interferes with the body's nerve impulses, causing convulsions and paralysis of the lungs and blood vessels. Victims essentially chock to death. A dose of 10 milligrams on the skin is enough to kill.

Iraq acknowledged making nearly 4 tons of VX, and ''claimed'' they destroyed it, but they never provided any definitive proof. U.N. inspectors estimate that Iraq has the means to make more than 200 tons of VX, and Iraq continues to rebuild and expand dual-use facilities that it could quickly adapt to chemical weapons production.

Sarin gas, a nerve agent like VX, causes convulsions, paralysis and asphyxiation. Even a small scale Sarin Gas attack such as the one used in the Tokyo subway in 1995 can kill and injure vast numbers of people.

Iraq acknowledged making approximately 800 tons of Sarin gas and thousands of rockets, artillery shells and bombs containing Sarin, but they have not accounted for hundreds of these weapons. Iraq willingly used these weapons against Iran during the Iran-Iraq war, and it also used them against Kurdish Iraqi civilians.

Mustard Gas, a colorless liquid that evaporates into a gas and begins dissolving upon

contact with the skin causes injuries similar to burns and damages the eyes and lungs.

Iraq acknowledged making thousands of tons of mustard gas and using the chemical during it's war with Iran, but told U.N. inspectors they ''misplaced'' 550 mustard filled artillery shells after the Gulf war.

Examples of Iraq's biological weapons include Anthrax, Botulimun Toxin and Aflatoxin

Anthrax, as we all know, is a potentially fatal bacterium that causes flu like symptoms before filling the lungs with fluid and causing death. Just a few tiny spores are enough to cause the deadly infection.

Iraq has acknowledged making 2,200 gallons of anthrax spores—enough to kill millions, but U.N. inspectors determined that Iraq could have made three times as much. Inspectors say that at least 16 missile warheads filled with Anthrax are missing, and Iraq is working to produce the deadlier powdered form of Anthrax that could be sprayed from aircraft, put into missile warheads, or given to terrorists.

Botulimun Toxin, is a poison that is one of the deadliest substances known to man. Even in small doses it causes gastrointestinal infection and can quickly advance to paralysis and death. A mere 70 billionths of a gram is enough to kill if inhaled.

Iraq acknowledged making 2,200 gallons of Botulimun Toxin, most of which was put into missile warheads and other munitions. At least five missile warheads with Botulimun Toxin are missing according to U.N. inspectors.

Aflatoxin, is a poison that can cause swelling of the abdomen, lungs and brain resulting in convulsion, coma and death.

Iraq acknowledged making more than 520 gallons of Aflaxtoxin and putting it into missile warheads and bombs. At least four Aflatoxin—filled missile warheads are missing according to U.N. inspectors.

It is also a fact (and a clear and present danger) that Saddam Hussein continues his work to develop a nuclear weapon.

We know he had an advanced nuclear weapons development program before the Gulf War, and the independent Institute for Strategic Studies concluded that Saddam Hussein could build a nuclear bomb within months if he were able to obtain fissile material.

We now know that Iraq has embarked on a worldwide hunt for materials to make an atomic bomb. In the last 14 months, Iraq has sought to buy thousands of specially designed aluminum tubes, which are believed to be intended for use as components of centrifuges to enrich uranium.

As if weapons of mass destruction in the hands of a ruthless dictator were not enough, we now know that Saddam Hussein harbors terrorist organizations within Iraq.

Iraq is one of seven countries that have been designated by the State Department as ''state sponsors of international terrorism.'' UNSUR 687 prohibits Saddam Hussein from committing or supporting terrorism, or allowing terrorist organizations to operate in Iraq. Saddam continues to violate these UNSUR provisions.

Iraq shelters the Abu Nidal Terrorist Organization that has carried out terrorist attacks in twenty countries, killing or injuring almost 900 people. These terrorists have offices in Baghdad and received training, logistical assistance, and financial aid from the government of Iraq.

Iraq also shelters several prominent Palestinian terrorist organizations in Baghdad, including the Palestine Liberation Front (PLF), which is known for attacks against Israel and is headed by Abu Abbas, who carried out the 1985 hijacking of the cruise ship *Achille Lauro* and murdered U.S. citizen Leo Klinghoffer.

Hussein increased from $10,000 to $25,000 the money he offers to families of Palestinian suicide/homicide bombers who blow themselves up with belt explosives.

Several former Iraqi military officers have described a highly secret terrorist training facility in Iraq known as Salman Pak, where both Iraqis and non-Iraqi Arabs receive training on hijacking planes and trains, planting explosives in cities, sabotage, and assassinations.

And in 1993, the Iraqi Intelligence Service (IIS) attempted to assassinate former U.S. President George Bush and the Emir of Kuwait. Kuwaiti authorities thwarted the terrorist plot and arrested 17 suspects, led by two Iraqi nationals.

Mr. Speaker, I don't know how much clearer it needs to be. The American people will not understand if we ignore these facts, sit back, and wait for the unacceptable possibility of Saddam Hussein providing a weapon of mass destruction to a terrorist group for use against the United States.

Saddam Hussein was the only world leader to fully condone the September 11 attacks on America. His media even promised the American people that if their government did not change its policies toward Iraq, it would suffer even more devastating blows. He has even endorsed and encouraged acts of terrorism against America.

The case is clear. We know Saddam Hussein has weapons of mass destruction, we know he harbors terrorists including al-Qaida, and we know he hates America, so the case against Saddam really isn't the issue. The question is what are we going to do about it.

Cearly, we must authorize the use of military force against Iraq in case it becomes necessary. The President has said that military action is a last resort, and our bipartisan resolution calls for the same tact, but Saddam Hussein must know that America is prepared to use force if he continues to defy UN Security Council resolutions and refuses to disarm.

As the President said, approving this resolution does not mean that military action is imminent or unavoidable. The resolution will tell the United Nations, and all nations, that America speaks with one voice and is determined to make the demands of the civilized world mean something. Congress will be sending a message to Saddam Hussein that his only choice is full compliance—and the time remaining for that choice is limited.

The Speaker, the price of taking action against this evil dictator may be high, but history has shown that the price of inaction is even higher. Had Todd Beamer and the passengers of flight 93 elected a course of inaction on September 11th, the price may have been far higher for those of us in this building. There comes a time when we must take action. A time when we must risk lives in order to save lives. This resolution authorizes action, if necessary, to protect America.

Mr. Speaker, I am confident that I speak for every member of this House when I say I hope we can avoid war & that Saddam Hussein will allow unfettered access to all sites and willingly disarm. But if he does not, then the Congress will have done its duty and given the President the authority he needs to defend our great nation. The authority to take action if Iraq continues to delay, deceive and deny. If Hussein complies, our resolution will have worked, but if he does not, then in the words of that brave American Todd Beamer, ''Let's Roll!''

□ 1745

Mr. CANTOR. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, in this body our first and highest responsibility is protecting our homeland, and that responsibility may from time to time require us to embrace unpopular policies and justify them to our constituents when we recognize a transcendent danger to our country.

Mr. Speaker, I realize my vote for this resolution authorizes a military action that may put at risk thousands of American lives in Iraq. However, the tragedies of September 11 have vividly highlighted the danger that inaction may risk tens, if not hundreds of thousands of innocent American lives here at home from terrorism.

This bipartisan resolution was drafted in recognition of this fact and, therefore, presents our President with the initiative in continuing the global war against terrorism.

Mr. Speaker, we know that Saddam Hussein, like Osama bin Laden, hates America and has called for the murder of Americans everywhere. We know that Saddam Hussein even in the face of crippling economic sanctions has found the resources to reconstruct his chemical and biological weapons programs, even at great painful expense to his people.

We know that Saddam Hussein is directing an aggressive program to procure components necessary for building nuclear devices and that he actively supports terror in other nations, including Israel. So the question before us is, do we wait for Saddam Hussein to become a greater threat, or do we address that threat now?

CIA Director Tenet has told us in recent days that al Qaeda has sought cooperation from Iraq. I cannot stand here and trust that Saddam Hussein will not supply al Qaeda and other terrorist networks with weapons that could be used to massacre more Americans. On the contrary, we have every reason to believe that the Iraqi dictator would share his growing arsenal of terror with agents willing to strike at the United States.

With this in mind, and given other revelations from captured members of al Qaeda, it is clear that time is not on our side. That is why I support this balanced and nuanced resolution providing our President with the powerful backing of Congress in an effort to disarm Iraq. It is my sincere hope that this resolution will stimulate intrusive and decisive action by the United Nations and at the same time lead to a full disarmament of Saddam Hussein. But if it does not, the United States of America must stand willing to act in

order to prevent more events like those of September 11.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. THOMPSON), a member of the Committee on Armed Services and a combat veteran from Vietnam.

Mr. THOMPSON of California. Mr. Speaker, the vote we are debating today will be the most significant vote that we cast during this Congress and perhaps during our entire careers. I say that for two reasons.

First, this vote may very well send our American soldiers into what has been called on this floor ''harm's way.'' Make no mistake about it, it is important to note that is a very nice and sanitary way of saying that our soldiers will be going to war. They will face combat conditions that our forces have not seen during most of our lifetimes. According to the military experts and the generals I have heard from, the casualty rates may be high.

If, as some expect, Saddam Hussein uses chemical and biological weapons to defend Baghdad, the results will be horrifying.

Mr. Speaker, I have been in combat; and I am not willing to vote to send another soldier to war without clear and convincing evidence that America or our allies are in immediate danger and not without the backup and support of allied forces.

The President delivered a good speech on Monday evening. I agree with him that Saddam Hussein is a ruthless dictator and that he is trying to build an arsenal of weapons of mass destruction. However, he showed us no link between Iraq and September 11, nor did he produce any evidence that even suggests that America or our allies are in immediate danger.

This morning we learned from the CIA that Saddam Hussein is unlikely to use chemical or biological weapons if unprovoked by a U.S. military campaign. Most alarming about that news today is the report concludes by saying that, if we attack, the likelihood of him using weapons of mass destruction to respond would be ''pretty high.''

Second, this vote is a radical departure from the foreign policy doctrine that has served us honorably for the past 200 years. This radical departure to an unprovoked, preemptive first-strike policy creates what I believe will be a grave new world. This new foreign policy doctrine will set an international precedent that tells the world, if they think their neighbor is a threat, attack them.

This, I believe, is precisely the wrong message for the greatest Nation, the only true superpower Nation and the most wonderful democracy our planet has known, to send to Russia and Chechnya, to India and Pakistan, to China and Taiwan, and to whomever else is listening. And one thing we know, everyone is listening.

For these two reasons, I cannot support a resolution that does not first require that all diplomatic options be exhausted, that we work with the United Nations Security Council, and that we proceed to disarm Iraq with a broad base of our allies.

I appreciate the President's new position that war is the last option and that he will lead a coalition in our effort in Iraq. But, unfortunately, that is not what this resolution says. This resolution is weak at best on exhausting the diplomatic options and relinquishes to the executive branch Congress' constitutional charge to declare war. I believe that is wrong.

We must address the potential danger presented by Saddam Hussein. The first step should be the return of the U.N. weapons inspectors; and they must have unrestricted and unfettered access to every square inch of Iraq, including the many presidential palaces. We must then work with the Security Council to ensure the strictest standards, protocols, and modalities are in place to make certain that Hussein cannot weasel out of any of these inspections.

Finally, we need to amass the allied support necessary to carry out the inspections in a manner that will guarantee Iraq is completely stripped of all weapons of mass destruction and left unable to pursue new weapons of this type.

We had great success in building a coalition to fight terrorism, and we should do no less when it comes to disarming Saddam Hussein. We must respect international order and international law in our efforts to make this world a safer place.

With our military might, we can easily gain superiority over anyone in the world. However, it takes more than military might to prevail in a way that provides hope and prosperity, two ingredients that make it less likely for terrorism to breed and impossible for repressive dictators to rule.

Mr. Speaker, if it is the decision of this Congress to go to war, I will support our troops 1,000 percent. However, I saw Baghdad and I know fighting a war there will be ugly and casualties may be extremely high. Let us exhaust the diplomatic options, return the weapons inspectors, continue to build an international coalition so Saddam Hussein sees the world, not just the U.S. at the end of the gun. By doing this, we can avoid sending our soldiers into combat in Baghdad unless it is absolutely the last option.

Mr. CANTOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of the resolution.

Mr. Speaker, voting to authorize sending young Americans to war is a serious decision. Members will make that decision in this Chamber tomorrow.

Yesterday and today we have heard very impressive debate, most of which favors the resolution; some did not. We have heard over and over again the threat that Saddam Hussein and his regime is not only to the United States and our interests but to many other parts of the world.

I am not going to restate those issues that have already been stated yesterday and today, but as one of the many cosponsors of House Joint Resolution 114, I do rise in support of this resolution to authorize the use of United States military force against Saddam Hussein's regime.

Much like the first hours and days after September 11, the world, our friends and our foes, wondered how would the United States respond to that attack on our Nation? They wanted to know if we as a Nation would follow through with a serious response to bring the terrorists to justice. They wanted to see if we would respond with a token strike, as we did following the attack on U.S. troops in Somalia, at Khobar Towers in Saudi Arabia, against our embassies in Kenya and Tanzania, and in the attack on our sailors aboard the USS *Cole*. The world watched. Our credibility was at stake. Before joining us, many of our friends were waiting to see if we were serious this time. Our enemies were not concerned because they believed they could absorb another token response, as they had in past years.

But the message became clear just 3 days after September 11. A response was certain when Congress, with a strong bipartisan vote, stood and unanimously approved a $40 billion emergency supplemental appropriations bill to allow the President of the United States to lead not only a recovery effort in those parts of our country that were attacked in New York City and at the Pentagon but to pursue the war against the Taliban and against al Qaeda and against any terrorist, wherever they might be hiding. It was to fund the war against terrorism, wherever they were waiting to attack again.

When Congress spoke, almost immediately, with unity and with force, our friends knew we were serious this time, and it was with confidence that they joined our cause. And our enemies knew right away that America was serious; and when President Bush said what it was we were going to do, they knew that we had the resolve to fight the battle, no matter how long it would take or where it would lead.

Today, we are in a similar situation. There is no question about the threat to our Nation from Saddam Hussein's regime, to our allies, and to world peace. As has been pointed out here many times today, he has defied one United Nations resolution after another for more than a decade.

Remember, he lost the war. He lost the war in Desert Storm, and he signed up to certain rules and regulations which go along with losing a war, and he has ignored all of them. He has developed and stockpiled chemical and biological weapons. We know that he is seeking nuclear weapons. We know

that he has aided and abetted terrorists who have struck international targets around the world. But now it is time for Congress to speak again with a firm and resolute voice, just as we did on September 14, 3 days after the cowardly attacks on innocent Americans.

Many of our friends are watching and they are waiting today, as they were last year. Are they going to join with us, or not? Is this a serious effort, or not? Is Congress speaking for the American people to support the President of the United States as he seeks to protect this Nation and our interests?

President Bush needs Congress to act to convince our allies, our friends, and our enemies that we are serious. They need to know that our Nation is resolved to continue this battle against terrorism into Iraq if necessary.

Many have said that Saddam Hussein is not a real threat to the United States because he is so far away, and he is far away. It is a long distance.

□ 1800

Many have said that the President's speech Monday night did not address a lot of new subjects. He compiled and organized very well, many of the existing arguments. But he did say something new for those who paid really close attention. The President discussed for the first time publicly information that many of our colleagues who work with intelligence issues have been aware of for quite some time. That involves Saddam Hussein's aggressive efforts to develop and use unmanned aerial vehicles, UAVs, as a delivery method for his weapons of mass destruction. The SCUDs did not have a very long range. The SCUDs were not very accurate. I can attest to that because one night visiting with General Schwarzkopf during Desert Storm in Saudi Arabia, a SCUD was launched near our site, and it landed not too far away; but it was far enough away that it did not hurt anybody. So we know that the SCUDs were not that accurate. UAVs are a different story. UAVs have a much longer range; UAVs are able to be piloted and trained specifically on a target. UAVs are dangerous. And if my colleagues do not think UAVs have a long range, we ourselves have flown a UAV from the United States to Australia and back. Saddam is aggressively seeking ability to use those long-range UAVs to put so many more targets in his sights. We cannot let that happen.

Mr. Speaker, with this resolution Congress reaffirms our support for the international war against terrorism. It continues to be international in nature, as this resolution specifically expresses support for the President's efforts to strictly enforce, through the United Nations Security Council, and I will repeat that, through the United Nations Security Council, all relevant Security Council resolutions applicable to Iraq. It also expresses support for the President's efforts to obtain prompt decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion, and noncompliance with those resolutions.

One of the lessons of September 11 is that terrorism knows no boundaries. Its victims are men and women, children and adults. It can occur here; it can occur abroad. It can occur anywhere. Terrorists strike without warning. If we are to fight and win the war on terrorism, we must remain united, united in the Congress, united with the President of the United States, and united with the American people. President Bush told the Nation last September that victory would not come quickly or easily. It would be a battle unlike any our Nation has ever waged. Now is not the time to send a mixed message to our friends and allies. Now is not the time to show our enemies any weakness in our resolve.

Mr. Speaker, as we prepare to record our votes on this important resolution, we should remember the victims of terrorism, September 11 and other examples, and our promise last year to seek out and destroy the roots of terrorism whether it be its sponsors, planners, or the perpetrators of these cowardly missions. We should remember the unity of our Nation and the world. The battle continues, the stakes remain high, and the cause remains just. America must again speak one more time with unity, with force, and with clarity. This resolution does that.

Mr. CANTOR. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the Iraqi regime has posed a threat to peace, to the United States, and to the world for too long. In order to protect America against this very real and growing threat, I support giving the President the authority to use force, to use military action if necessary against Iraq. Without a doubt this is one of the most difficult decisions I have had to make as a Member of Congress. But after briefings from the administration, testimony from congressional hearings, I am convinced the threat to our Nation's safety is real. After repeatedly failing to comply with U.N. inspections, Saddam Hussein's efforts to build weapons of mass destruction, biological, chemical and nuclear, have gone unchecked for far too long. The world cannot allow him to continue down this deadly path. Saddam Hussein must comply with U.N. inspections; but if not, America and our coalition must be prepared to meet this threat.

After the Gulf War, in compliance with U.N. resolutions, a no-fly zone was implemented. The purpose was to protect Iraqi Kurds and Shiite Muslims from Saddam Hussein's aggressions and to conduct aerial surveillance. But since its inception, pilots patrolling the zones have come under repeated attack from Iraqi missiles and artillery.

The connection between Iraq's weapons of mass destruction and its longstanding ties to terrorist networks such as al Qaeda has significantly altered the U.S. security environment. The two linked together pose a clear and present danger to our country. Consider that Saddam Hussein could supply the terrorists who have sleeper cells in our land with weapons of mass destruction to attack the U.S. while concealing his responsibility for the action. It is a very real and growing threat. The Iraqi regime has been building a case against itself for more than 10 years, and if we fail to heed the warning signs and allow them to continue down this path, the results could be devastating, but they would not be a surprise.

After September 11, we are on notice. If Saddam Hussein refuses to comply with U.N. resolutions and diplomatic efforts, we have only one choice in order to ensure the security of our Nation and the safety our citizens.

Mr. ISSA. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS), a member of the Committee on International Relations.

Mr. PITTS. Mr. Speaker, years ago when I was a world away fighting to contain the scourge of communism in Southeast Asia, a movement grew up here at home to protest what we were doing. Late in the war, one of the anthems of that movement was a song by John Lennon called ''Give Peace a Chance.'' We are not here to debate the Vietnam War, but we are discussing war and peace. Peace is a very precious thing, and we should defend it and even fight for it. And we have given peace a chance for 11 long years.

We gave peace a chance through diplomacy, but Saddam Hussein has broken every agreement that came out of that diplomacy. We gave peace a chance through weapons inspections, but Saddam Hussein orchestrated an elaborate shell game to thwart that effort. We gave peace a chance through sanctions, but Saddam Hussein used those sanctions as an excuse to starve his own people. We gave peace a chance by establishing no-fly zones to prevent Saddam Hussein from killing more of his own citizens, but he shoots at our planes every day. We gave peace a chance by allowing him to sell some oil to alleviate the suffering of the Iraqi people, but instead he used the revenue to build more weapons of mass destruction.

Mr. Speaker, we have given peace a chance for more than a decade, and it has not worked. Even now our President is actively working to achieve a diplomatic solution by getting the United Nations to pass a resolution with teeth; and while the United Nations has an important role to play in this, no American President and no American Congress can shirk our responsibility to protect the American people. If the U.N. will not act, we must.

If we go down to the other end of the national Mall, we will see on the Korean War Memorial the words ''Freedom is not free.'' Peace is not free either. What some of those who are protesting the President's request for military authority do not understand is that our freedoms were not won with poster paint. Antiwar protestors do not win our freedoms or our peace. The freedom to live in peace was won by men and women who gave their lives on the battlefields of history.

As the world's only remaining superpower, we now even have an even greater responsibility to stand up to prevent mass murder before it happens. No world organization can override the President's duty and our duty to protect the American people. If Mohammed Atta had had a nuclear weapon, he would have used that weapon in New York and not an airplane. By all accounts Saddam Hussein is perhaps a year away from having nuclear weapons. He already has chemical and biological weapons capable of killing millions.

When police detectives investigate a crime, they look for three things: means, motive, and opportunity. Clearly Saddam Hussein has the means, he has the weapons, and he has the motive. He hates America, he hates the Kurds, he hates Kuwaitis, he hates Iran, he hates Israel, he hates anyone who gets in his way. And we know that when he hates people, he kills them, sometimes by the thousand. He has shown the propensity to use his weapons and so he has the means and the motive. But does he have the opportunity? Saddam Hussein could easily pass a suitcase with a nuclear weapon off to an al Qaeda terrorist with a one-way ticket to New York. No fingerprints, no evidence, and several million dead Americans.

Mr. Speaker, this is a very real danger. Before September 11 we might have thought this could never happen. Today we are too wise to doubt it, and it is a danger that grows every day. Every day Saddam Hussein grows stronger. Every day Saddam Hussein builds more chemical and biological weapons. Every day Saddam Hussein comes a little closer to achieving nuclear weapons capability. Every day that passes, America grows more vulnerable to a Saddam-sponsored terrorist attack.

In this case inaction is more costly than action. The price of delay is a greater risk. The price of inaction could be catastrophic, even worse than September 11. We must disarm Saddam Hussein.

Mr. Speaker, we are not advocating war. We are calling for peace, but peace might only be possible if we are willing to fight for it, and the President needs that authority to do that. I urge support for the resolution.

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to yield 15 minutes to the gentleman from Ohio (Mr. BROWN) and that he be able to control and yield that time to others.

The SPEAKER pro tempore (Mr. GILCHREST). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHIFF. Mr. Speaker, I yield 6 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is a very difficult vote for me. If there is ever one vote that should be made in the national interest, a vote that transcends politics and where Members must vote their conscience, it is the one that is before us tonight.

I have received thousands of letters against the resolution, and just this past weekend over 15,000 gathered in Central Park in my district to protest. But what is at stake are not our political careers or an election, but the future of our country and our way of life. I believe there is a more compelling case now against Saddam than 12 years ago. Then the threat was of a geopolitical nature, a move to change the map of the Middle East. But I never saw it as a direct threat to our Nation.

The main question before us today is whether Saddam is a threat to the United States and our allies. No one doubts that he has chemical and biological weapons. No one doubts that he is trying to stockpile weapons of mass destruction. No one doubts that he has thwarted inspections in the past and has developed UAVs. No one doubts that he has consistently worked to develop nuclear power. No one doubts that he has twice invaded his neighbors. The question is, Will he use these weapons against the United States and our allies, and can we deter him without using force?

As Lincoln said in the beginning days of the Civil War: ''The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise to the occasion. As our case is new, so must we think anew and act anew.''

I would be for deterrence if I thought it would work. We are in a new era and no longer in the Cold War. Deterrence depends on the victim knowing from where the aggression will come and the aggressor knowing the victim will know who has attacked him. It has been a year since the anthrax attacks in our Nation, and we still do not know where the attacks came from. Saddam has likely taken notice that we were unable to tie evidence of attacks to their source, and if he believes he can give weapons of mass destruction to terrorists to use against us without our knowing he has done so, our ability to deter him from such a course of action will be greatly diminished.

□ 1615

Opponents of our war talk about the unintended consequences of war. They do not talk about the unwanted consequences of not disarming Saddam. In today's environment, it is very possible he could supply weapons to terrorists who will attack the United States or our allies around the world.

I am pleased the resolution has been improved with congressional input. We should proceed carefully, step by step, and use the United Nations and the international community to disarm Saddam so that we are safer in the United States and New York and in our respective States and clear around the world.

Just today I spoke with British Permanent Representative to the United Nations, Sir Jeremy Greenstock, on this issue. Ambassador Greenstock told me that the members of the Security Council, both permanent and otherwise, will approve a robust inspection resolution; and if this fails to disarm Iraq, he expects a second resolution that may authorize force.

I come from a family of veterans. Most recently, my brother served in the 101st Airborne in Vietnam. It happens to be his birthday today. He told me that he parachuted many times behind enemy lines to acquire enemy intelligence. He saw many of his friends machine gunned down. This searing experience left deep wounds. So it is my deepest hope that we will not have to send our men and young women into harm's way.

So it is with a very heavy heart, but a clear resolve, that I will be voting to support this resolution. The accumulation of weapons of mass destruction by Saddam and the willingness of terrorists to strike innocent people in the United States and our allies across the world have, unfortunately, ushered in a dangerous new era. It is a danger that we cannot afford to ignore.

I will be voting yes. I will be supporting the President on this resolution.

Mr. ISSA. Mr. Speaker, I yield 2½ minutes to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong support of this resolution to authorize the use of military force against Iraq. I stand behind the Commander-in-Chief and our men and women in uniform who may be called upon to defend America's freedom again.

The War Powers Resolution was passed to ensure that the collective judgment of both the Congress and the President will apply before the introduction of our Armed Forces into hostilities. I want to commend the President for working with Congress on crafting this critical resolution.

Time and time again, Mr. Speaker, Saddam Hussein and the Iraqi regime have refused to comply with the sanctions imposed by the United States and its international community. In 1990, Iraq committed an unprovoked act of aggression and occupation against its Arab neighbor Kuwait, a peace-loving nation.

After the Gulf War, the Iraqi government continually violated the terms of the United Nations-sponsored cease-fire agreement. They refused to provide access to weapons inspectors to investigate suspected weapon production facilities.

Americans and coalition force pilots have been fired upon thousands of times while lawfully enforcing the no-fly zone crafted by the United Nations Security Council. In 1993, they attempted to assassinate former President Bush. As we speak here today, members of al Qaeda are known to be within the borders of Iraq.

Mr. Speaker, history has proven that Saddam Hussein and his government cannot be dealt with through diplomatic channels or peaceful means. He only understands death, destruction and trampling on the human rights of others, as evidenced by his treatment of the Kurdish people in Northern Iraq and anyone in his government who questions his power.

Some may argue that America is acting as the aggressor and planning a preemptive strike without justification. To the contrary, this is anticipatory self-defense against evil forces and weapons that threaten our national security and peace and stability throughout the Persian Gulf and the world.

We do not want to see another day like September 11 ever again in America, or anywhere else on God's great Earth. If we do not put an end to Iraq's development of its weapons of mass destruction program, the future could be worse.

America must act forcefully and with great resolve because the costs are too high. The time has come for America once again to set the example for the rest of the free world. Our children and our grandchildren should not have to face this threat again.

I ask all of my colleagues to vote in favor of this joint resolution.

Mr. ISSA. Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I rise today to express my support for the President in his policy regarding Iraq. Resolutions regarding war are not something we consider without much thought, and this should be very serious business for this House and each Member of it.

The last few months, there has been much talk about Iraq being given the opportunity to respond to weapons inspections. Sometimes this is said as if it were a new idea. However, when a defiant Saddam Hussein has repeatedly rejected inspections and threatened inspectors, there is little reason to believe that he will cooperate.

You may have seen the movies in which a prison is going to be inspected. The warden replaces the spoiled food with fresh vegetables and maybe even a meat entree. If Saddam Hussein allows inspectors in, it will only be at specific locations and not the unlimited, surprise inspections that we need in order to have our questions answered.

The fact that our President would consider any additional form of inspection is a testimony of his desire to avoid conflict. Saddam Hussein's actions in the past show a lack of regard, both for his own people and for his neighboring nations.

I remember back about 10 years ago as a young man preparing to practice law. It was about that time that the U.S. and our allies spent an enormous time and effort freeing the Kuwaiti people and hoped that the Iraqi people would also be able to free themselves from the dictator.

In World War II, Hitler introduced a concept of blitzkrieg, a high-speed attack by land and air. Today's increasingly long-range and accurate rockets, armed with warheads of mass destruction, makes blitzkrieg look like slow motion.

The President's top advisers and the Secretary of Defense, along with other members of the President's Cabinet, have briefed Members of Congress repeatedly and in a timely manner. I went down to Pennsylvania Avenue to the White House just last week, and back on September 19 met with the Secretary of Defense along with several other Members of Congress at the Pentagon to discuss and be briefed on the situation in Iraq.

Now, the President needs our support so that he can act quickly and decisively against the threat of Iraq should he deem that action necessary.

Again, let me stress, the action that we take this week is not just another vote for the United States Congress. It is, indeed, one of those landmark votes that will be long remembered and recorded in the history books. The action that we take this week might just, and certainly we pray, negate the need to send our troops into harm's way.

I would urge all the Members to support our President and vote yes on this resolution.

Mr. ISSA. Mr. Speaker, it is my great pleasure to yield 2 minutes to the gentleman from Washington (Mr. NETHERCUTT).

(Mr. NETHERCUTT asked and was given permission to revise and extend his remarks.)

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, it is appropriate that we fully discuss here the most serious responsibility that is entrusted to Congress, and that is authorizing the President to use force in the defense of our Nation. The decision by Congress to authorize the deployment of the U.S. military requires somber analysis and sober consideration, but it is not a discussion that we should delay.

The President has presented to the American people a compelling case for intervening in Iraq, and this body has acted deliberately in bringing to the House floor a resolution that unequivocally expresses our support for our Commander-in-Chief.

The threat to our national security from Iraq could not be more apparent. After the 1991 Persian Gulf War, the United Nations Special Commission on Iraq succeeded in destroying thousands of chemical munitions, chemical agents and precursor chemicals. Iraq admitted to developing offensive biological weapons, including botulinum, anthrax, aflatoxin, clostridium and others.

Yet this list of poisons describes only what the U.N. inspectors were able to detect in the face of official Iraqi resistance, deception and denial. They could not account for thousands of chemical munitions, 500 mustard gas bombs and 4,000 tons of chemical weapons precursors. In the intervening period, development efforts have continued unabated, and accelerated following the withdrawals of U.N. inspectors.

Iraq has repeatedly demonstrated a resolve not only to develop deadly weapons of mass destruction but to use them on their own people: 5,000 killed, 20,000 Iranians killed through mustard gas clouds and the most deadly agents that were inflicted on human beings. Perhaps in different hands the deadly arsenal possessed by Saddam Hussein's Iraq would be less of an imminent threat.

This authorization of force that we will vote on soon is at some level also a recognition of the ongoing state of war with Iraq. In the last 3 weeks, 67 attempts have been made to down collision aircraft. Four hundred and six attempts have been made this year.

The U.S. has struggled against the tepid resolutions and general inactivity of the international community for a decade. Regime change cannot happen through domestic posturing. Disarmament requires more than fervent hopes and good wishes.

On December 9, 1941, President Roosevelt said, ''There is no such thing as impregnable defense against powerful aggressors who sneak up in the dark and strike without warning. We cannot measure our safety in terms of miles on any map.''

In 1941, Congress stood with the President and promised full support to protect and defend our Nation. I urge our colleagues today to do the same.

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN), who serves with distinction on the Committee on International Relations and is the ranking Democrat on the Subcommittee on Health Care of the Committee on Energy and Commerce.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, for years our policy in this country has been one of containment, of deterrence, of collective security, of diplomacy. We contained and we deterred Joseph Stalin and the Soviets for decades. We have contained and deterred Fidel Castro and the Cubans for 40 years. We have contained and deterred Communist China in its expansionist tendencies for 5 decades.

Now this President wants to radically change our decades-old foreign policy of containment and deterrence to a policy of first strike. What does that tell the world? Does it embolden Russia to attack Georgia to better deal with Chechnya? Does it set an international precedent for China to go into Taiwan or deal even more harshly with Tibet? Does it embolden India or Pakistan, or both, each with nuclear weapons, from going to war in Kashmir?

The whole point of the Security Council is to prevent member states, including veto-wielding permanent members, perhaps especially veto-wielding permanent members, to prevent those member states from launching first strike, unilateral, unprovoked war.

Resolution 678, which authorized the Gulf War, called explicitly for countries cooperating with the exiled Kuwaiti loyals to create a coalition to use force. No country, no country in international law, has the unilateral right to decide Iraq has not complied with U.N. requirements, let alone what the U.N. response should be.

A couple of weeks ago, three retired four-star generals testified in the other body, stating that attacking Iraq without a United Nations' resolution supporting military action could limit aid from allies, would supercharge, in the general's words, supercharge recruiting for al Qaeda and undermine our war on terrorism.

□ 1830

There are too many questions the administration has yet to answer. If we strike Iraq on our own, what happens to our campaign against terrorism? Most of our allies in the war on terror oppose U.N. unilateral action against Iraq. Will our coalition against terrorism fracture? And if we win a unilateral war, will we be responsible for unilaterally rebuilding Iraq?

I am not convinced this administration possesses the political commitment to reconstruct the damage after we defeat Saddam Hussein to bring democracy to that country. It will entail appropriations of hundreds of millions of dollars a year, year after year after year. Do we have the political will and the financial commitment to do that in that country, in that region? Should a new enemy arise while we are paying for the campaign against al Qaeda and the reconstruction of Iraq, will our resources be so overextended that we will not be able to address this new threat?

This Congress should not authorize the use of force unless the administration details what it plans to do and how we will deal with the consequences of our actions, namely, what will the U.S. role be after military action is completed? We should set stronger conditions before any military action is permitted.

The President should present to Congress a comprehensive plan that addresses the full range of issues associated with action against Iraq: a cost estimate for military action, a cost estimate for reconstruction of Iraq, along with a proposal for how the U.S. is going to pay for these costs. We are going more into debt. Will there ever be a prescription drug benefit? Will we continue to underfund education? Will the economy continue to falter if we do this war?

We should do an analysis of the impact on the U.S. domestic economy of the use of resources for military action and the use of resources for reconstruction of Iraq. We should answer the questions.

We should have a comprehensive plan for U.S. financial and political commitment to long-term cultural, economic, and political stabilization in a free Iraq if the President is going to talk about Iraq being a model of democracy in the Middle East.

We should have a comprehensive statement that details the extent of the international support for military operations in Iraq and what effect a military action against Iraq will mean for the broader war on terrorism.

We should have a comprehensive analysis of the effect on the stability of Iraq, and the region, of any regime change in Iraq that may occur as a result of U.S. military action.

And, finally, we should have a commitment that the U.S. will take necessary efforts to protect the health, safety, and security of the U.S. Armed Forces and Iraqi civilians.

Mr. Speaker, before we send our young men and women to war, before we put our young men and women in harm's way, we must make certain in every way that this is the best course of action.

Mr. ISSA. Mr. Speaker, could I inquire as to the time remaining on both sides.

The SPEAKER pro tempore (Mr. GILCHREST). The gentleman from California (Mr. ISSA) has 2 hours and 26 minutes remaining; the gentleman from California (Mr. SCHIFF) has 39 minutes remaining; and the gentleman from Massachusetts (Mr. DELAHUNT) has 20 minutes remaining.

Mr. ISSA. Mr. Speaker, I would like to ask the gentleman on the other side of the aisle if we could agree to a 2- or 3-to-1 split in order to normalize the time, since there is such a disparity in the amount consumed.

Mr. DELAHUNT. Mr. Speaker, I would agree to a 2-to-1 split, I would say to my friend from California.

Mr. ISSA. Mr. Speaker, I thank the gentleman. We will proceed with two in a row and then yield.

Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. TOM DAVIS).

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, if there is anything that 9–11 and the events of that day taught us, it is that our policy of containment and deterrence does not work against terrorists who are willing to blow themselves up and, at the same time, innocent civilians.

I rise in support of this historic resolution, fully aware that this may be one of the most important votes this body casts.

We all hope that we can disarm Iraq without bloodshed. That is our goal. We all hope and pray that risking the lives of the women and men of our Armed Forces will prove unnecessary. We hold out hope that this time, against the recent tide of history, Saddam will allow U.N. inspectors full access, free of deception and delay. But if the events of 9–11 and ongoing intelligence-gathering have shown us anything, Mr. Speaker, it is that we must remain ever vigilant against the new and growing threat to the American way of life. Terrorists who are willing to commit suicide to murder thousands of innocents will not be halted by the conventional means and policies of deterrence we have deployed.

The greatest danger we face is in not acting, in assuming the terrorists who are committed to destroying our Nation will remain unarmed by Saddam. The first strike could be the last strike for too many Americans.

Mr. Speaker, we know enough at this point about the specific dangers posed by Iraq to make this resolution unavoidable: large stockpiles of chemical and biological weapons, an advanced and still-evolving nuclear weapons production program, support for and the harboring of terrorist organizations, the brutal repression and murder of its own civilian population, and the utter disregard for U.N. resolutions and dictates.

Mr. Speaker, we know enough.

We all applaud and support the President's commitment to working with the U.N. Security Council to deal with the threat that Iraq poses to the United States and our allies. I continue to hope and pray for a peaceful, internationally driven resolution to this crisis, but I believe that passing this resolution strengthens the President's hand to bring this about.

But with the events of September 11 still fresh in our minds and in our hearts, we cannot rest our hopes on the possibility that Iraq will comply with U.N. resolutions. Iraq has defied the United Nations openly for over a decade.

Today we are being asked to fulfill our responsibilities to our families, our constituents, and our Constitution; and I think we have to give the President the appropriate tools to proceed if Saddam does not cooperate with the arms inspectors and comply with existing U.N. resolutions.

While we should seek the active support of other nations, we must first and foremost protect our homeland, our people, and our way of life.

Mr. Speaker, I pray for the best as we prepare for the worst. Today, we recognize that there may come a time in a

moment when we realize that we are involved in a profound global struggle in which Saddam's regime is clearly at the epicenter on the side of evil; when it becomes clear there are times when evil cannot be appeased, ignored, or simply forgotten; when confrontation remains the only option.

There are moments in history when conscience matters, in fact, when conscience is the only thing that matters. I urge my colleagues to vote their conscience and acknowledge the danger confronting us, by not entrusting our fate to others, by demonstrating our resolve to rid the world of this menace. I urge this with a heavy heart, but a heart convinced that if confrontation should be required, we are ready for the task.

Mr. ISSA. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I rise in strong support of this resolution.

Defending America against all enemies, foreign and domestic, is the first and fundamental purpose of the Federal Government. Once, it took countries of great economic wealth to field a powerful military, to threaten the United States, and to place our people in fear. The threat of this new century has now changed, because we have individuals that truly hate us and can use something as simple as box cutters to place our people in fear and terror.

With regard to the threat of Saddam Hussein, it must be recognized for what it is: a deliberate and patient campaign by Saddam to terrorize free people and undermine the very foundations of liberty.

I am sufficiently convinced without hesitation that Saddam represents a clear and present danger. As a Gulf War veteran, I am filled with emotion to contemplate that my comrades will once again be upon the desert floor. I submit that it is easier to be ordered to war than to vote that someone else may go in my place. However, now is the time for our Nation to in fact be vigilant and to authorize the President to preserve freedom through military action, if necessary, and to take our foreign policy as defense in depth.

In many respects, this resolution represents a continuation of the Gulf War. Saddam Hussein agreed to provisions of the cease-fire. He has violated his cease-fire, he has been flagrant in his violations, and the hostility is now open and notorious. After a decade of denial, deception, and hostility toward the world, it is time to seek Iraq's compliance and, if necessary, remove this despotic dictator, his weapons of mass destruction, and the terrorists he supports and harbors.

Saddam Hussein and the Ba'ath Party rule Iraq through terror and fear. I will share some personalized stories.

Through interrogations at the enemy prisoner of war camp during the Gulf War, having done these interviews with Iraqi high command conscripts, I learned several things: number one, the Iraqi people do not like Saddam because he, in fact, keeps the great wealth to himself, keeps different tribes in ignorance, to the pleasure of his own tribe. In fact, one of the conscripts that I interrogated was scared to death of an American soldier. Why? Because they had been told that if you are captured by Americans, that you, in fact, would be quartered, your body would be quartered. Over 90,000 Iraqis that were held in two prisoner of war camps, I say to my colleagues, have had the opportunity to tell the stories of how well they were treated by Americans and, in fact, they called the prisoner of war camps ''the hotel.''

Let me tell about their leadership. Before the interrogation of a two-star Iraqi general, he was sitting with his legs crossed on the desert floor with his hands in his face weeping like a child. I had an interpreter with me. When I walked up, I kicked the bottom of his boot and, through the interpreter, I asked him to stand at attention. He stood up and I asked him if he was an Iraqi general. He responded and said yes, he was. Here I am, an American captain in the Army, and I told him, then if you are an Iraqi general, then act like one.

Mr. Speaker, why would an Iraqi general be weeping upon the desert floor? Because Saddam hand-selects his general officers. They do not earn it. The men who serve in their military have not earned the trust and confidence.

Also, what will be told is the lethality of American combat troops. They know exactly what happened in the short war of the gulf. The operations with regard to any military action that may occur in the Gulf War, I say to my colleagues, is so completely different than the operations of 10 years ago.

Mr. Speaker, I have faith in the Iraqi people because I also remember them. Do my colleagues know what their request was at the prisoner of war camp to bring calm? They just wanted to listen to Madonna. So that is what we did. We piped in Madonna. They wanted to listen to ''The Material Girl.'' Their culture is far more Westernized than we could ever imagine, and they like Americans.

This is not against the Iraqi people. This is any action to get Saddam Hussein to comply with the cease-fire to disarm; and if, in fact, he does not, then force is the means of last resort. And the soldiers, while they prepare to fight and win the Nation's wars, they are the ones who have taken the oath to lay down their life for the Constitution, and they do not want to fight. In fact, they want peace. But if called upon, they, in fact, will serve.

So I will vote for this resolution, and I will think about my comrades who may be placed in harm's way, and I also will think of the children that are left behind and the spouses who will keep the watch fires burning for their loved ones. Support the resolution.

Mr. SCHIFF. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Oklahoma (Mr. CARSON).

Mr. CARSON of Oklahoma. Mr. Speaker, for more than a decade, American foreign policy has struggled to define its role in the post-Cold War world. Unsure of when to use military force, how to use it, and with which allies, we have stumbled from engagement to ad hoc engagement from Somalia to Kosovo. We have at times acted hastily in the world; more often, far too late.

Our recent fecklessness points up the foreign policy confusion that the welcome end of the long war with totalitarianism has left with us. Confronted with the Soviet Union, Democrats and Republicans were united in the goals of containment and deterrence, this latter purpose backed up by the threat of nuclear annihilation. Such strategies are, of course, still not outdated, as we face an unstable Russia and a growing China, both armed with significant nuclear arsenals. But the primacy of these doctrines has no doubt receded with the Peace of Paris and with the difficult challenges that have arisen since.

As our Nation enters the 21st century, we are confronted by some of these challenges, like humanitarian crises in Somalia which are brought into our homes through the global reach of communications technology, and world opinion demands action to bring relief. Ethnic cleansing, with its echoes of the Holocaust, insist that the United States and its Western allies make good on the promise of ''never again.'' And the spread of weapons of mass destruction, which means that, for the first time in history, a nonstate actor can inflict lethal harm on a State, compels us to develop new doctrines of defense.

□ 1845

It is amidst this intellectual muddle that the current crisis with Iraq arises. There are certain undeniable facts about Saddam Hussein, who has so ruthlessly ruled Iraq for more than 20 years. He alone in the world has used chemical weapons, against his own people. He has a sophisticated biological weapons program. Most importantly, he has an insatiable appetite for nuclear weapons, which, but for the foresight of Israel and the success of the Gulf War, he would already possess. With these capabilities, Saddam Hussein has repeatedly tried to dominate the Middle East, a region of critical importance to the United States.

These facts alone dictate immediate action to disarm Iraq. If Saddam Hussein were to acquire a nuclear weapon, he would be able to muscle surrounding states, as he attempted to do with Kuwait in 1990, with relative impunity, for the threat of nuclear reprisal would deter all but the most determined vindicators of international law and Middle East stability.

Were Saddam Hussein to control not only his own mighty oil fields but also

those of his neighbors, the havoc to the world economy could not be overestimated, as would the danger to our long-standing ally, Israel.

Many people over the last 2 days have spoken eloquently of the need for United Nations approval before any American action against Iraq. President Bush was wise to recently address the U.N., and I am confident that the United Nations will acknowledge the need to enforce its own resolutions demanding the disarmament of Iraq; and recognize, too, that only the threat of military force can make those demands understood.

But if the United Nations itself has so little self-regard as to not demand compliance by Iraq, then that body's impotence should not forestall the United States from making the world's demands on its own.

While consistency is not always valued highly in Congress, my own party would well remember that President Bill Clinton chose to take action in Kosovo without any approval from the Security Council; indeed, against the opposition of at least one permanent Security Council member, but with the approval of most Democrats in the House of Representatives.

Still others of my colleagues have suggested that we must wait for further provocation by Iraq. Somehow, they argue, it is against the American tradition to take preventative military action; or they argue that Iraq can be deterred in the same manner as was the Soviet Union. Grenada, Panama, and Haiti rebut the notion that the United States is a stranger to unilateral preventative action, as does the commonsense realization that times have changed, and it is not so much the detonation of a nuclear bomb that threatens the United States but Iraq's mere possession of such a weapon.

Deterrence works well when it must, but the assumption that all are deterrable is, in the wake of September 11, on very shaky footing, indeed.

There is, in the end, no choice about disarmament. The only alternatives are between forced agreement or nonconsensual military force. Paradoxically, it is the threat of force which we authorize in this resolution that offers the best chance for a peaceful disarmament.

The authorization of force, which has in recent years taken the place of formal declarations of war, is the most grave and momentous decision anyone in Congress can make, but we will authorize force against Iraq tomorrow, and we will be right to do so. We will be right not because we desire war with Iraq, but because we desire to prevent it; right not because we lead this cause, but because no one else will; and right not because war is our first resort, but, unlike Iraq, it is always our last.

Mr. ISSA. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Florida (Mr. MICA), Chair of the Subcommittee on Aviation.

Mr. MICA. I thank the gentleman for yielding time to me, Mr. Speaker.

Mr. Speaker, in a perfect world, if given a simple choice, no rational human being would advocate war over peace. No father and no mother would ever want to send their daughter or son into harm's way. No truly civilized people would ever want to sit idly by and let their friends and allies be annihilated.

Unfortunately, Mr. Speaker, these are principled beliefs, all of which confront us at this difficult time. Unfortunately, Mr. Speaker, today we do not live in a perfect world. Tonight, however, as we debate the question of giving our President and Commander-in-Chief Congress' authorization to conduct war, we must remember the lessons of history. More than 60 years ago, many closed their eyes, many covered their ears, or chanted the same chorus for peace that we now hear. Mr. Speaker, when will we learn that we cannot trust, we cannot pacify, and we cannot negotiate with a mass murderer?

Mr. Speaker, humanity cannot afford ever to experience another Holocaust as a cruel reminder. Israel is not an expendable commodity.

Tonight, just a few miles from here near our Nation's Capitol, a mad killer lurks. Think of the terror tonight of those in range of that single madman. Think also of the terror in Israel, never knowing true security. I ask the Members, is that the kind of world we want our children and grandchildren to live in? I say no, a thousand times no.

That is why tonight I will support this resolution. I rise in support of the resolution and our President to ensure that we do not repeat history, or that we do not have our children live in that kind of world.

Mr. ISSA. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of House Joint Resolution 114 to provide authorization for the use of military force against Iraq. While I hope and pray President Bush does not have to commit our troops to such action, I believe that he must have the authority he needs to protect U.S. national security interests.

The events of September 11 showed that we are not protected from an attack on our homeland. There can be no doubt that Saddam Hussein possesses and continues to cultivate weapons of mass destruction. The U.N. weapons inspectors were thrown out of Iraq 4 years ago for a reason. A first strike made with weapons of mass destruction can result in millions dead, and the U.S. must be prepared to act preemptively.

Some ask why we must act against this threat in particular. The answer is that this threat is unique. I need not remind anyone that Hussein has used weapons of mass destruction already against his own people. In addition, he has tried to dominate the Middle East and has struck other nations in the region, including our ally, Israel, without warning.

Keeping this in mind, it seems to me that we, as guardians of freedom, have an awesome responsibility to act to ensure that Saddam Hussein cannot carry out a first strike against the United States or our allies.

Mr. Speaker, while there is no doubt that unqualified support for military intervention from the U.N. is preferable, we must be prepared to defend ourselves alone. We must never allow the foreign policy of our country to be dictated by those entities that may or may not have U.S. interests at heart.

The resolution before us does not mandate military intervention in Iraq. It does, however, give President Bush clear authority to invade Iraq should he determine that Hussein is not complying with the conditions we have laid before him. Chief among these is full and unfettered weapons inspections. If he fails to comply, we will have no choice but to take action. Our security demands it.

Mr. Speaker, the world community watching this debate ought not conclude that respectful disagreements on the floor of this House divide us. On the contrary, we find strength through an open airing of all views. We never take this privilege for granted, and we need look no further than to Iraq to understand why.

At the end of this debate, Congress will speak with one voice. I find comfort in the knowledge that this unity represents a promise that we will never back down from preserving our freedoms and protecting our homeland from those who wish to destroy us.

Mr. DELAHUNT. Mr. Speaker, I yield 5 minutes to the gentlewoman from Ohio (Mrs. JONES), who serves on the Committee on Financial Services and whose career has been earmarked by respect for the rule of law.

Mrs. JONES of Ohio. Mr. Speaker, I want to thank the gentleman for that kind yielding of time to me.

Mr. Speaker, this is a quote: ''I'm concerned about living with my conscience, and searching for that which is right and that which is true, and I cannot live with the idea of being just a conformist following a path that everybody else follows. And this has happened to us. As I've said in one of my books, so often we live by the philosophy 'Everybody's doing it, it must be alright.' we tend to determine what is right and wrong by taking a sort of Gallup poll of the majority opinion, and I don't think this is the way to get at what is right.

''Arnold Toynbee talks about the creative minority and I think more and more we must have in our world that creative minority that will take a stand for that which conscience tells them is right, even though it brings about criticism and misunderstanding and even abuse.''

That is excerpted from a 1967 interview of Dr. Martin Luther King, Jr.

Mr. Speaker, I stand here today as a part of a creative minority in Congress

who oppose this apparently inevitable resolution granting the President the authority to use force to remove Saddam Hussein from power. But I will not be a silent minority.

I know who Saddam Hussein is. I know he has viciously killed hundreds of thousands of Kurds in northern Iraq with chemical and biological weapons. I know he has murdered members of his own cabinet; in fact, his own family. I remember vividly his aggressions in Iran and Kuwait and the SCUD missiles he launched into Israel in the Gulf War. I know the contempt he has shown toward the U.N. and its weapons inspectors as they attempted to enforce post-Gulf War resolutions; and I know that the world, and particularly the Gulf region, would be a better and safer place without Saddam Hussein in power and those of his ilk in power.

But I also know that the resolution before us is a product of haste and hubris, rather than introspection and humility. I have seen President Bush confront the Iraq question with arrogance and condescension, initially bullying this Congress, our international allies, and the American people with accusations and threats and tales of terror eliciting fear in their hearts and minds.

President Bush has told us that war is not inevitable, but does anyone really believe that? For months, this administration has marched inexorably towards an attack on Iraq, changing its rationale to suit the circumstances. I have no doubt that, regardless of what we do here or what Saddam does there, we will go to war. I pray I am wrong.

The CIA today said Saddam is unlikely to initiate a chemical or biological attack against the United States and presented the alarming possibility that an attack on Iraq could provoke him into taking the very actions this administration claims an invasion would prevent.

I know, too, who we are. America has never backed down from a just war. From the Revolutionary era to the Civil War, across Europe, Asia, and Africa, in two world wars, just a dozen years ago in the Persian Gulf, and countless missions to faraway places like Bosnia, Kosovo, Liberia, and Afghanistan, America fought. We fought with righteousness, determination, and vision. We fought because principles and freedoms were threatened. We fought because fighting was our last choice.

America has always fought with a vision to the future and has been merciful and generous in our victories.

But the White House has not offered any vision for post-Saddam Iraq. As a Nation founded on moral principles, we have a moral obligation to prepare a plan for rebuilding Iraq before we declare war. Iraq, like Afghanistan and many of the other nations in the Gulf region, is made up of many ethnic groups that will compete for power in the vacuum that is created by Saddam Hussein's ouster. But as important as the tactical plans to overthrow Saddam Hussein are, we must address how we intend to help the Iraqi people institute a democratic government.

I ask the President, can he not answer a few simple questions: Have we completed the war on terrorism? What happened to Osama bin Laden? Do we know how long a war in Iraq would last? Has there been any assessment for the American people of how much a war in Iraq will cost our economy? Does he have any idea of the human loss we should expect in a war with Iraq?

Instead of answers, he gives us bombast. Yes, we have all heard the rhetoric: Saddam is evil, Saddam hates America, Saddam must be stopped, and you are either with us or against us. If you are not with us, we don't need you.

□ 1900

But when the rhetoric is peeled away, truth emerges.

Mr. Speaker, I cannot go on but I say to all of my colleagues, let us be the creative minority. Vote against allowing force against Iraq.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILCHREST). Members are reminded to address their remarks to the Chair and not to the President.

Mr. ISSA. Mr. Speaker, I ask unanimous consent that the time for debate on this resolution be extended for 2 hours to be equally divided between the majority and minority.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The Chair grants an additional hour to be controlled by the gentleman from California (Mr. ISSA) and by the gentleman from California (Mr. SCHIFF).

Mr. ISSA. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank my friend from California (Mr. ISSA) for yielding me time.

Mr. Speaker, as Members of Congress we face no more important issues than those of war and peace, and for that reason I agree wholeheartedly with my colleague from Ohio (Mrs. JONES) who just spoke that this must be a vote of Congress. For that reason this extended debate on the House floor is very appropriate and the views expressed by Members of Congress are deserving of respect. Having read it closely, my view is that the carefully crafted resolution before us is the right approach.

On Monday in my hometown of Cincinnati, the President of the United States clearly explained to the country what is at stake. He not only made the case that inaction is not an option, but that given the dangers and defiance of the Iraqi regime, the threat of military action must be an available option. Time and time again, Saddam Hussein has proven to be a threat to the peace and security of the region. That is why the international community through the United Nations has repeatedly called on the Iraqi regime to keep its word and open all facilities to weapons inspections. Yet repeatedly Iraq has refused, defying the United Nations. There is no reason to believe that without the threat of force, the disarmament the Iraqi regime agreed to as part of the disarmament after the Gulf War more than 10 years ago will ever occur.

And there is other gathering danger and risk to America and all freedom-loving people. The horror of September 11, Mr. Speaker, awakened us to that reality. We know that the Iraqi regime is producing and stockpiling chemical and biological weapons. We know they are in the process of obtaining a nuclear weapon. We know that this regime has a consistent record of aggression of supporting terrorist activities. Once the Iraqi regime possesses a nuclear weapon, it, or the technology that creates it, could easily be passed along to a terrorist organization. Already chemical and biological weapons could be provided. We must not permit this to happen.

The resolution will authorize military action but only if it is necessary. I would hope that every Member in this Chamber would pray that it would not be necessary. But the choice is clear, and it is a choice for the Iraqi regime to make. If the regime refuses to disarm, our military and our coalition partners will be compelled to make a stand for freedom and security against tyranny and terrorism. And if we take this course, it will not be unilateral as others on this floor have said. The United States will not be alone.

I commend the President for his diplomatic initiatives, for continuing to try to work through the United Nations, and for an impressive array of coalition partners already assembled. I do not take lightly the fact that the course laid out by this resolution may put at risk the lives of young men and women in uniform. But I believe not authorizing the possible use of force would put even more innocent Americans at risk.

This is a solemn debate and a tough vote of conscience. Mine will be a vote for an approach that I believe faces up to the very real dangers we face and maximizes the chance that these dangers can be addressed with a minimum loss of life. I will strongly support our President, Mr. Speaker, and I support the resolution.

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to yield 30 minutes to the gentleman from Massachusetts (Mr. DELAHUNT) and that he be able to control and yield that time to others.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHIFF. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Tennessee (Mr. TANNER).

(Mr. TANNER asked and was given permission to revise and extend his remarks.)

Mr. TANNER. Mr. Speaker, I thank the gentleman for yielding me time.

September 11, 2001, is a day that will rank with December 7, 1941, as a day of infamy in the history of the United States. That one event, 9–11, changed the world we live in forever. I serve as a delegate to the NATO Parliamentary Assembly from the Congress and never have I seen the outpouring of good will and support from our NATO allies as we experienced in the aftermath of 9–11.

For the first time in the 50-plus-year history of the mightiest military alliance in modern times, article 5 of the NATO charter was invoked stating in essence that when one member nation comes under attack, all consider themselves under attack and each pledges to the other member nations all military, diplomatic, and territorial assets they individually and collectively possess.

This past summer, less than a year from 9–11, the President and Vice President began to talk about a regime change in Iraq. The philosophy was this: Saddam Hussein is a despot and a threat to develop and perfect weapons of mass destruction including nuclear capabilities; and, therefore, he must be removed. Further, we, the United States, were going to effectuate that change with or without our allies, save the British. Suddenly the good will and support for America began to erode, particularly among our European allies and even here at home.

In fact, some with good reason, in my view, think an election in Germany turned on this one issue. The United States, led by President Bush and Vice President CHENEY's rhetoric, was boxing herself into a very dangerous and potentially disastrous position. Should that policy have continued, I would have voted ''no'' on this resolution.

Why do I say that? The best offense we have available to us to protect our country and our citizens is accurate, timely intelligence information so that we know what al Qaeda or others are planning, how they are planning it, when they are planning to attack us again so that we can stop it. In this war of terrorism, all of the United States military might and every weapon our country possesses is of little or no value in the defense of our homeland without these intelligence resources.

This unilateral approach by the administration threatened to jeopardize cooperation from those around the world who may be in a position to give us such intelligence information. World support, world opinion and the good will of every nation, no matter how small or militarily insignificant, has never been more important to us. A whisper in one ear from Kabul to Bagdad to the Philippines to Germany or even to Oregon can be more important in this war than all of the military might on Earth, for it may give us the warning we need to stop another event in this country as occurred on 9–11.

Thankfully, the President's appearance at the United Nations last month and his speech in Cincinnati Monday night sent a signal to our allies and to many of our own citizens who do not and did not support the ''lone cowboy'' approach, that the administration finally recognized the importance of international cooperation and the role of all civilized people as expressed by the United Nations in this war against humanity. Again, I refer not to the military resources offered by our global allies, but to the intelligence information which is vital or perhaps more vital to our national defense.

The gentleman from South Carolina (Mr. SPRATT) has an amendment which I believe does no harm to the substance of the resolution and in my view is much preferable and more compatible with our constitutional powers as Congress. I hope every Member will seriously consider its adoption. But should that fail, I believe that passage of this resolution is in the best interest of our country at this time. Such action on our part will hopefully spur movement in the international arena to enforce the United Nations resolutions when violated, with civilization as the prosecutor and humanity as the victor.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join my many esteemed colleagues today in support of the resolution authorizing the President to use force against Iraq. This is a historic moment in our country, and it should not be taken lightly. But it is not the first historic moment when it comes to Saddam Hussein's regime. This is hopefully the last chapter in a long saga of our dealings with Saddam Hussein.

More than 20 years ago he began to endanger his neighbors. More than 12 years ago he invaded Kuwait. His cruel regime has had a long history of the kind of practices that are not tolerated anywhere on this globe, and yet they persist.

Mr. Speaker, Saddam Hussein is in fact writing the last chapter as we speak in a 12-year war. We are not considering action which would be preemptive or a strike to begin a war. We are, in fact, dealing with an absence of peace which has cost America lives and time and effort for more than a decade. Over the past 10 years he has made a mockery of the United Nations and the multi-national diplomacy that we have in fact participated in. He has systematically undermined the United Nations resolutions that were designed to disarm and reform his regime. He threw out weapons inspectors in 1998 and has rebuilt his weapons of mass destruction; and there is no question he intends to target America. In fact, in 1993 he targeted President George Herbert Bush for assassination.

Each of those events was more than sufficient for us to do what we now must do. But the United States was patient. The United Nations was patient. We have all been patient for more than a decade. I believe that we need not look for the proverbial straw that breaks the camel's back; but in fact we need to simply ask, Why did we wait so long? Why did we tolerate this dictator so long? Even why in 1998 when the last administration rightfully so called for a regime change did we not act?

I hope that this body in its consideration of this resolution does not ask why should we act today, but in fact should ask why should we not act and why did we take so long?

Mr. Speaker, I reserve the balance of my time.

Mr. DELAHUNT. Mr. Speaker, I yield 6 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), who serves as the ranking member on the Subcommittee on Immigration, Border Security and Claims on the House Committee on the Judiciary, as well as a member of the Subcommittee on Crime, Terrorism and Homeland Security, who recently returned from Afghanistan where she conducted a fact-finding mission.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished member of the Committee on International Relations for his kindness in yielding me time.

As many of us who have come to this floor, I come with a heavy heart but a respect for my colleagues and the words that they have offered today.

□ 1915

As I stand here, I sometimes feel the world is on our shoulders, but I also think that my vote is a vote for life or death—I have chosen life and so I take the path of opposition to this resolution in order to avoid the tragic path that led former Secretary of Defense Robert MacNamara to admit, in his painful mea culpa regarding the Vietnam War, we were wrong, terribly wrong.

He saw the lost lives of our young men and women, some 58,000 who came home in body bags; and after years of guilt stemming from his role in prosecuting the war in Vietnam, MacNamara was moved to expose his soul on paper with his book, ''In Retrospect: The Tragedy and Lessons of Vietnam.'' He noted the words of an ancient Greek philosopher that ''the reward of suffering is experience,'' and concluded solemnly, let this be the lasting legacy of Vietnam; that we never send our young men and women into war without thoughtful, provocative analysis and an offer of diplomacy.

I stand in opposition for another reason, and that is because I hold the Constitution very dear. I might suggest to my colleagues that when our Founding Fathers decided to write the Constitution over 4 months of the hot summer of 1787, they talked about the distribution of authority between legislative,

executive and judicial branches, and they said it was a bold attempt to create an energetic central government at the same time that the sovereignty of the people would be preserved.

Frankly, the people of the United States should make the determination through this House of a declaration of war. And as the Constitution was written, it said, ''We the people of the United States, in order to form a more perfect union, establish justice, provide for the common defense, establish the Constitution of the United States of America.'' For that reason, I believe that this Nation, that suffered a war in Vietnam, should understand the importance of having the Congress of the United States declare war.

The reason I say that is we continue to suffer today as countless veterans of that generation from Vietnam have never recovered from the physical and mental horrors of their experiences, many reliving the nightmares, plagued by demons as they sleep homeless on our streets at night. What a price we continue to pay for that mistake. Can we afford to make it again?

Mr. Speaker, I am opposed to this resolution because it so clearly steers us towards a treacherous path of war while yielding sparse efforts to guide us to the more navigable road to peace. As Benjamin Franklin said in 1883, ''There never was a good war or a bad peace.'' Mr. Speaker, we have yet to give the power of diplomacy a chance and the power of the moral rightness of the high ground the chance that civilization deserves. Do we not deserve as well as the right to die the right to live? We have had the experience of Vietnam to see the alternatives. So if the unacceptable costs of war come upon us, why not use diplomacy? It is time to use diplomacy now.

The resolution before us is unlikely to lead to peace now or in the future because of the dangerous precedent that it would set. The notion of taking a first strike against another sovereign nation risks upsetting the already tenuous balance of powers around the world. In a time when countless nations are armed with enough weaponry to destroy their neighbors with the mere touch of a button, it can hardly be said that our example of attacking another country in the absence of self-defense is an acceptable way to go. The justification would sow the seeds of peace if we decided to follow peace.

It is important to note that rather than the President's proposed doctrine of first strike, we would do well to look to diplomacy first. The first strike presumption of the President would represent an unprecedented departure from a long-held United States policy of being a nonaggressor. We would say to the world that it is acceptable to do a first strike in fear instead of pursuing all possible avenues to a diplomatic solution.

Imagine the world in chaos with India going after Pakistan, China opting to fight Taiwan instead of negotiating, and North Korea going after South Korea and erupting into an all-out war. Because actions always speak louder than words, the United States' wise previous admonitions to show restraint to the world would go to the winds, and then, of course, would fall on deaf ears.

There is another equally important reason I must oppose this resolution. It is because to vote for it would be to effectively abdicate our constitutional responsibility as a Member of Congress to declare war when conditions call for such action. The resolution before us declares war singly by the President by allowing a first strike without the knowledge of imminent danger and without the input of Congress. It is by article 1, section 8 of the Constitution of the United States that calls for us to declare war.

Saddam Hussein is evil. He is a despot. We know that. And I support the undermining of his government by giving resistance to the United States, to be able to address these by humanitarian aid, by military support in terms of training, and also by providing support to the resistance. Yet I think we can do other things. Diplomacy first, unfettered robust United States weapons inspections, monitored review by United Nations Security Council, Soviet Union model of ally-supported isolation, support of democratization, and developing a more stringent United States containment policy.

This resolution is wrong. We must not abdicate our responsibility. And most importantly, Mr. Speaker, as I go to my seat, I stand here on the side of saving the lives of the young men and women of this Nation.

As I stand on the House floor today with great respect for the heartfelt positions of my colleagues, I must take the path of opposition to this resolution in order to avoid following the tragic path that led former Secretary of Defense Robert McNamara to admit in his painful mea culpa regarding the Vietnam war, ''We were wrong, terribly wrong.'' After years of guilt stemming from his role in prosecuting the war in Vietnam, McNamara was moved to expose his soul on paper with his book: ''In Retrospect: The Tragedy and Lessons of Vietnam''. He noted the words of the ancient Greek dramatist Aeschylus who said ''The reward of suffering is experience,'' and concluded solemnly, ''Let this be the lasting legacy of Vietnam.'' Therefore this legacy should remind us that war is deadly and the Congress must not abdicate its responsibility.

This Nation did suffer as result of that war, and we continue to suffer today as countless veterans of that generation have never recovered from the physical and mental horrors of their experiences, many reliving the nightmares, plagued by demons as they sleep homeless on our streets at night. What a price we continue to pay for that mistake. Can we afford to make it again? I think not.

Mr. Speaker, I am opposed to this resolution because it so clearly steers us toward a treacherous path of war, while yielding sparse efforts to guide us to the more navigable road to peace. And as Benjamin Franklin said in 1883, ''there never was a good war or a bad peace''—but we have yet to give the power of diplomacy and the power of the moral high ground the chance that civilization itself deserves. We have had the experience of Vietnam to see the alternatives, so if there were ever a time for diplomacy, it has got to be now.

The resolution before us is unlikely to lead to peace now or in the future because of the dangerous precedent that it would set. The notion of taking a first strike against another sovereign nation risks upsetting the already tenuous balance of powers around the world. In a time when countless nations are armed with enough weaponry to destroy their neighbors with the mere touch of a button, it can hardly be said that our example of attacking another country in the absence of a self defense justification would sow the seeds of peace around the world. Rather, the President's proposed doctrine of first strike, which would represent an unprecedented departure from a long-held United States' policy of being a non-aggressor, would say to the world that it is acceptable to do a first strike in fear, instead of pursuing all possible avenues to a diplomatic solution. Imagine the chaos in the world if India and Pakistan abandoned all notions of restraint, if China and Taiwan opted to fight instead of negotiate, and if North Korea and South Korea erupted into all-out war. Because actions always speak louder than words, the United States' wise previous admonitions to show restraint in the aforementioned conflicts would fall upon deaf ears as the nations would instead follow our dangerous lead.

There is another equally important reason that I must oppose this resolution. It is because to vote for it would be to effectively abdicate my Constitutional duty as a Member of Congress to delcare war when conditions call for such action. The resolution before us does authorize the President to declare war without the basis of imminent threat. Congress may not choose to transfer its duties under the Constitution to the President. The Constitution was not created for us to be silent. It is a body of law that provides the roadmap of democracy and national security in this country, and like any roadmap, it is designed to be followed. Only Congress is authorized to declare war, raise and support armies, provide and maintain a navy, and make the rules for these armed forces. There is nothing vague or unclear about the language in Article I, section 8, clauses 11–16 of our Constitution. In it, we are told that Congress has the power:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a navy;

To make rules for the government and regulation of the land and naval forces; and

To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions.

This system of checks and balances, which is essential to ensuring that no individual or branch of government can wield absolute power, cannot be effective if one individual is impermissibly vested with the sole discretionary authority to carry out what 535 Members of Congress have been duly elected by the people to do. It is through the process of

deliberation and debate that the views and concerns of the American people must be addressed within Congress before a decision to launch our country into war is made. The reason that we are a government of the people, for the people and by the people is because there is a plurality of perspectives that are taken into account before the most important decisions facing the country are made. Granting any one individual, even the President of the United States, the unbridled authority to use the Armed Forces of the United States as he determines to be necessary and appropriate is not only unconstitutional, but is also the height of irresponsibility.

Saddam Hussein is indeed an evil man. He has harmed his own people in the past, and cannot be trusted in the future to live peacefully with his neighbors in the region. I fully support efforts to disarm Iraq pursuant to the resolutions passed in the aftermath of the gulf war, and I do not rule out the possibility that military action might be needed in the future to see that those efforts come to fruition. I voted for the Iraqi Liberation Act in 1998 and still stand behind my decision to support the objective of helping the people of Iraq change their government. But that legislation contained an important caveat that precluded the use of United States armed forces to remove the government from power, and instead provided for various forms of humanitarian assistance. That Act, now has the effect of law, and unlike Iraq, we are a nation that respects the rule of law. And our Constitution, the supreme law of the land, sets forth the duties and responsibilities of Congress in clear, unambiguous language.

The indictment against Saddam Hussein is nothing new. He is a despot of the worst kind, and I believe that when the United Nations Security Council passes a resolution determining his present status and outlining a plan for the future, that will provide further documentation for Congress to act on a military option in Iraq. Right now, however, we are moving too far too quickly with many alarmist representations yet undocumented.

Some of us have begun to speculate about the cost that a war in Iraq might be. And while our economy now suffers because of corporate abuse and 2 years of a declining economy with high unemployment, I cannot help but to shudder when I think of what the cost might be—not only in dollars—but in human lives as well. My constituents, in flooding my offices with calls and e-mails all vehemently opposed to going to war, have expressed their concerns about the unacceptable costs of war. One Houston resident wrote, "This is a war that would cost more in money and lives that I am willing to support committing, and than I believe the threat warrants. Attacking Iraq is a distraction from, not a continuation of the 'war on terrorism'." I truly share this woman's concerns. In World War II, we lost 250,000 brave Americans who responded to the deadly attack on Pearl Harbor and the ensuing battles across Europe and Asia. In the Korean war, nearly 34,000 Americans were killed, and we suffered more than 58,000 casualties in Vietnam. The possible conflict in Iraq that the President has been contemplating for months now risks incalculable deaths because there is no way of knowing what the international implications may be. Consistent talk of regime change by force, a goal not shared by any of the allies in the United Nations, only pours fuel on the fire when you consider the tactics that a tyrant like Saddam Hussein might resort to if he realized that had nothing to lose. If he does possess chemical, biological or nuclear weapons, we can be assured that he would not hesitate to use them if the ultimate goal is to destroy his regime, instead of to disarm it. With that being the case, there can be little doubt that neighboring countries would be dragged into the fray—willingly or otherwise—creating an upheaval that would dwarf previous altercations in the region or possibly in the world. The resolution, as presently worded, opens the door to all of these possibilities and that is why I cannot support it.

Because I do not support the resolution does not mean that I favor inaction. To the contrary, I believe that immediate action is of the highest order. To that end, I would propose a five-point plan of action:

1. Diplomacy first;
2. Unfettered, robust United Nations weapons inspections to provide full disarmament;
3. Monitoring and review by United Nations Security Council;
4. Soviet Union model of allied supported isolation—support of democratization through governance training and support of resistance elements; and
5. Developing a more stringent United States containment policy.

What I can and will support is an effort for diplomacy first, and unfettered U.N. inspections. As the most powerful nation in the world, we should be a powerful voice for diplomacy—and not just military might. Since we are a just nation, we should wield our power judiciously—restraining where possible for the greater good. Pursuing peace means insisting upon the disarmament of Iraq. Pursuing peace means insisting upon the immediate return of the U.N. weapons inspectors. Pursuing peace and diplomacy means that the best answer to every conflict and crisis is not always violence.

Passing this resolution, and the possible repercussions that it may engender, will not enhance the moral authority of the United States in the world today and it will not set the stage for peace nor ensure that are providing for a more peaceful or stable world community.

Instead, as we ensure that Iraq does not possess illegal weapons, we should make good on the promise to the people that we made in the passage of the 1998 Iraqi Liberation Act. We should do all that we can to assist the people of Iraq because as President Dwight Eisenhower said, "I like to believe that people in the long run are going to do more to promote peace than our governments. Indeed, I think that people want peace so much that one of these days, governments had better get out of the way and let them have it." I oppose this resolution—H.J. Res. 114.

Mr. ISSA. Mr. Speaker, it is my pleasure to yield such time as he may consume to the distinguished gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding me this time, and I am pleased and privileged to join this serious debate.

I want to talk on a number of issues that I think are very, very important to us as we confront the decision we must make and the vote we must take tomorrow. I want to talk about the seriousness of this issue. I want to talk about the question of preemption and why America might even contemplate striking under these circumstances. I want to address the concerns of those who say they simply do not want to go to war and talk about why I do not want to go to war either, but sometimes war is necessary. I want to talk about the issue of why now, because I think that is a very pressing issue. And I want to talk, most importantly, about how I believe this resolution is the most certain way, indeed perhaps the only way, we have to avoid war.

Let me begin with the seriousness of this issue. Beyond a shadow of a doubt, this will be the most solemn, most serious vote I believe I will cast in my tenure in the United States Congress. I have been here for some pretty serious votes. I have seen us balance a budget, I have seen us impeach a President, but nothing comes close to the vote on a resolution of force such as the one we will consider tomorrow. I approach that vote with the grave appreciation of the fact that lives are in the balance: lives of American soldiers, lives of innocent Iraqis, lives of people throughout the world.

I also approach that vote with the grave knowledge that while my son is 16 years old and would not likely serve in this war, I have many constituents and many friends with sons and daughters who are 18 years old or 19 or 20, and who may be called upon to go to war. This is, indeed, I believe, the most serious issue this Congress can contemplate, and it is one that has weighed on me for weeks.

Some of those amongst my constituents who are deeply worried about this issue say why should we act and why should we act under these circumstances? They argue that we should pursue deterrence. They argue that we should pursue containment; and then they argue that if neither deterrence nor containment work, we should wait until a first strike is launched and then we should respond.

Well, I would respond by saying history has proven sadly over the history of the Saddam Hussein regime that deterrence does not work. This is a man who has proven by his conduct over and over again that he cannot be deterred. This is a man who will not respond to the kind of signals that the rest of the world sends in hopes that a world leader would respond. Although we have attempted containment, this is a man who has proven he will not respond to containment.

At the end of the Gulf War, he agreed to a number of things that we are all now painfully aware of and that have been covered in this debate. He agreed to end his efforts to procure chemical and biological weapons. He agreed to end his efforts to obtain nuclear weapons. He agreed to end his efforts to have and to develop long-term missiles and other delivery systems. And yet none of those have worked.

At the end of the day, deterrence and containment simply have proven, over a pattern of 11 years, not to work. His

deceit, his deception, his continued pattern of forging ahead show us beyond a question of a doubt that he will not be deterred and he will not be contained.

We know some things. We know that because of the nature of the weapons that he has, and because of his willingness to use those weapons and to use them perhaps secretly, we cannot wait. I listened to the debate last night, and I was very impressed with it. One of my colleagues in this institution came to the floor and made an impassioned speech against this resolution and said, we absolutely should wait, and he cited the Revolutionary War and the command to our troops to wait until fired upon. I would suggest to my colleagues that when we have an enemy who has chemical and biological weapons of the nature of those that this enemy has, we simply cannot wait.

VX nerve gas kills by paralyzing the central nervous system and can result in death in 10 minutes. Sarin nerve gas, cyclosarin nerve gas, mustard gas. I am afraid the words ''chemical weapons'' have lost their meaning; but they should not, because they are abhorrent weapons, and he has them. There is no doubt.

Biological weapons. He has anthrax. He has botulism toxin. He has aflatoxin and he has resin toxin. It would be bad enough if he simply had those, but we know more. He has them and he has tried to develop strains of them that are resistent to the best drugs we have, resistent to our antibiotics. That is to say he has them, he could use them, and not until they had been used could we discover that the best our science has cannot match them.

Now, why can we not wait, given that type of history and that type of chemical? Because the reality is we do not know when he will strike. He could indeed strike and we would not know it for days or weeks, until it began to manifest itself.

But let us talk also about the whole possibility of him using terrorists. We talk a lot about him, and we get deceived by this discussion of he does not have a long-range missile that can reach the United States, because he does not have aircraft that can reach the United States, we ought not to worry about those. We talk about the issue that it could be months or a year before he could develop a nuclear weapon. All of those are false pretexts. All of those are serious mistakes.

The reality is that if he chooses to deliver those weapons through any of the means that we know he possibly could. By handing them in a backpack to a terrorist, we might never know that it was Saddam Hussein that delivered the weapon. And if he chooses to use chemical or biological weapons for such an attack, we might not know until hundreds, indeed until thousands, perhaps tens of thousands, perhaps millions of Americans were infected and fatally wounded and would die, and we would not know until afterwards.

I would suggest that the old doctrine of wait until they fire is simply no longer applicable under these circumstances.

Now, I have conscientious colleagues and I have constituents who come to me and say, I am not ready for war; I do not want war. I want to make it clear that no one wants war. Not a single Member of this body would choose war. And this resolution, as the President said the other night, does not mean that war is either imminent or unavoidable. The President made it clear he does not want war. But I would urge my colleagues that there are some certainties. One of those is that the best way to prevent war is to be prepared for war.

□ 1930

The best way to prevent such a war is to send clear and unmistakable signals. He has unarmed aerial vehicles. That is to say, he has model airplanes, and he has larger airplanes which can be operated by remote control.

It has been pointed out that, given his lack of trust, an unmanned aerial vehicle, an unmanned airplane, is the perfect weapon for this leader, this insane leader, to use, because he does not have to trust a pilot who might not follow orders. He has the operator of a remote-controlled vehicle standing next to him. If, in fact, the pilot were to choose to not drop his load, there would be little he could do in a manned aircraft to that pilot. But in an unmanned aerial vehicle, equipped with a chemical or biological weapon, he remains in control; and it could easily be done.

He could bring that kind of weapon to our shores in a commercial ship like the hundreds lined up right now off the coast of California and launch them from there, and we would not know about the attack until after it was done.

It seems to me that we cannot wait under these circumstances; and it seems to me that he has proven beyond a doubt that deterrence and containment, although we have tried them, simply will not work.

One colleague pointed out he has chemical and biological weapons; and in time, because he is seeking them, he will have nuclear weapons. It was also pointed out that if we want to rely upon a scheme of inspections, and my constituents back home would hope that we could rely on inspections. I would hope that also. But make no mistake about it, there are two serious flaws.

An inspection regime that relies on inspecting a country where hundreds of acres are off limits, cannot be gone into, the presidential palaces that are there, an inspection regime that relies on that is not an inspection regime at all. But an inspection regime where we know to a moral certainty that he has mobile production facilities is an inspection regime that will give us false hope.

I was in the Middle East when the first weapons inspectors were kicked out of Iraq. I was on a CODEL with the gentleman from Illinois (Mr. HASTERT) and four or five other Members of Congress. They left Baghdad and went by ground to Jordan and flew to Bahrain. We had an opportunity to meet with them in Bahrain the first night they reached there. One of my colleagues who was there is here tonight on the other side of the aisle. We spent 2 to 2½ hours talking with weapons inspectors who had just been kicked out of Baghdad.

They made some serious impressions upon me which I will never forget. One was echoed in the President's speech last night, and that is the Iraq people are not our enemy. In fact, weapons inspectors explained to us that when individual Iraqis would learn that a given weapons inspector was an American, they would say, America, great place. I have a sister in San Francisco. I have a brother in Philadelphia.

The President said it right the other night. The Iraqi people are not our enemies, but they delivered another message to us and made another impression. That is, they explained to us carefully, six congressmen in a hotel room in Bahrain, now 7 years ago, they said, make no mistake about it, every time they got close to making a real discovery, every time they were at the door of a facility that they were convinced was producing chemical and biological weapons, there would be a stall, there would be a delay. They would be forced to stand outside the gates of that building for hours and hours while the inside was obviously being cleaned up.

Indeed, they would sometimes, when they got savvy to this, the inspectors would send somebody around to the back gate and watch the equipment, watch the trucks roll out the back door.

There is no question but that an inspection regime where they are determined to deceive you, where they are determined to deny you access to some locations, and where they have mobile facilities is no inspection regime at all.

I do not want war. No one wants war. But I am convinced that the risk of waiting is indeed too high.

I do not believe, and I agree with one of my colleagues on the other side of the aisle who said, I do not believe that Saddam Hussein will ever submit to a legitimate inspection regime. But I know this much, he will never submit to such an inspection regime until and unless it is backed by credible threat of force. That is what we are talking about here tonight.

We also on that trip went and visited our American troops enforcing the no-fly zone, both the southern and the northern no-fly zone. The American people deserve to know that we have been at a state of war with this regime for 11 years. He has fired on our pilots over and over and over again. He probably fired on them today. He has certainly fired on them within the last

month. He has fired hundreds of times, and he has declared war against us. He has declared a holy war against us.

We know some other facts. We know over time Saddam Hussein's weapons regime will grow, and the threat will become worse. We do not want war, but it would appear doing nothing is the one way to ensure war.

I believe to the depth of my soul that this resolution is a measured and thoughtful proposal to achieve one thing, and that is the disarmament of Iraq and the Saddam Hussein regime, hopefully by peace, but if necessary by force.

I think we know that it has the potential of creating the coalition we all want. If America sends a weak signal and says we are not sure of our course, we are not sure of our path, how can we even hope to bring into our ranks and to our side allies in a battle against an insane leader such as Saddam Hussein?

I think we also know, those of us who intend to vote for this resolution, it holds a second potential and that is it could lead the United Nations, indeed, I am prayerful, as is the President, that it will lead the United Nations to rise to its obligations, to make its resolutions meaningful, to remove itself from the irrelevancy that it currently has by not enforcing its resolutions, and to stand with strength and to say once and for all to this vicious dictator, we will not let you flaunt the rule of law and the requirements imposed by the U.N.

It could indeed cause Saddam Hussein to come to his senses. I hope it will.

I know failing to act involves too great a risk. Failing to act exposes not just the people of his nation, whom he has terrorized and butchered and tortured, to suffer longer.

We know the dimensions to which he will go. We know the threat. We know he will in fact and has used violence of every dimension against his own people, and we know for a moral certainty he will bring that aggression against the rest of the world if not stopped.

No one is happy about this moment, but I believe it is the right course and, for those who truly want peace, the only course.

Mr. Speaker, I include for the RECORD a column from the New Yorker written by Jeffrey Goldberg. It is called ''The Great Terror.'' It is an interview of the people who were the victims of Saddam Hussein's attack on his own people. It documents his murder of some 50,000 to 200,000 Kurds.

[From the New Yorker, Mar. 25, 2002]

THE GREAT TERROR

(By Jeffrey Goldberg)

In northern Iraq, there is new evidence of Saddam Hussein's genocidal war on the Kurds—and of his possible ties to Al Qaeda.

In the late morning of March 16, 1988, an Iraqi Air Force helicopter appeared over the city of Halabja, which is about fifteen miles from the border with Iran. The Iran-Iraq War was then in its eighth year, and Halabja was near the front lines. At the time, the city was home to roughly eighty thousand Kurds, who were well accustomed to the proximity of violence to ordinary life. Like most of Iraqi Kurdistan, Halabja was in perpetual revolt against the regime of Saddam Hussein, and its inhabitants were supporters of the peshmerga, the Kurdish fighters whose name means ''those who face death.''

A young woman named Nasreen Abdel Qadir Muhammad was outside her family's house, preparing food, when she saw the helicopter. The Iranians and the peshmerga had just attacked Iraqi military outposts around Halabja, forcing Saddam's soldiers to retreat. Iranian Revolutionary Guards then infiltrated the city, and the residents assumed that an Iraqi counterattack was imminent. Nasreen and her family expected to spend yet another day in their cellar, which was crude and dark but solid enough to withstand artillery shelling, and even napalm.

''At about ten o'clock, maybe closer to ten-thirty, I saw the helicopter,'' Nasreen told me. ''It was not attacking, though. There were men inside it, taking pictures. One had a regular camera, and the other held what looked like a video camera. They were coming very close. Then they went away.''

Nasreen thought that the sight was strange, but she was preoccupied with lunch; she and her sister Rangeen were preparing rice, bread, and beans for the thirty or forty relatives who were taking shelter in the cellar. Rangeen was fifteen at the time. Nasreen was just sixteen, but her father had married her off several months earlier, to a cousin, a thirty-year-old physician's assistant named Bakhtiar Abdul Aziz. Halabja is a conservative place, and many more women wear the veil than in the more cosmopolitan Kurdish cities to the northwest and the Arab cities to the south.

The bombardment began shortly before eleven. The Iraqi Army, positioned on the main road from the nearby town of Sayid Sadiq, fired artillery shells into Halabja, and the Air Force began dropping what is thought to have been napalm on the town, especially the northern area. Nasreen and Rangeen rushed to the cellar. Nasreen prayed that Bakhtiar, who was then outside the city, would find shelter.

The attack had ebbed by about two o'clock, and Nasreen made her way carefully upstairs to the kitchen, to get the food for the family. ''At the end of the bombing, the sound changed,'' she said. ''It wasn't so loud. It was like pieces of metal just dropping without exploding. We didn't know why it was so quiet.''

A short distance away, in a neighborhood still called the Julakan, or Jewish quarter, even though Halabja's Jews left for Israel in the nineteen-fifties, a middle-aged man named Muhammad came up from his own cellar and saw an unusual sight: ''A helicopter had come back to the town, and the soldiers were throwing white pieces of paper out the side.'' In retrospect, he understood that they were measuring wind speed and direction. Nearby, a man named Awat Omer, who was twenty at the time, was overwhelmed by a smell of garlic and apples.

Nasreen gathered the food quickly, but she, too, noticed a series of odd smells carried into the house by the wind. ''At first, it smelled bad, like garbage,'' she said. ''And then it was a good smell, like sweet apples. Then like eggs.'' Before she went downstairs, she happened to check on a caged partridge that her father kept in the house. ''The bird was dying,'' she said. ''It was on its side.'' She looked out the window. ''It was very quiet, but the animals were dying. The sheep and goats were dying.'' Nasreen ran to the cellar. ''I told everybody there was something wrong. There was something wrong with the air.''

The people in the cellar were panicked. They had fled downstairs to escape the bombardment, and it was difficult to abandon their shelter. Only splinters of light penetrated the basement, but the dark provided a strange comfort. ''We wanted to stay in hiding, even though we were getting sick,'' Nasreen said. She felt a sharp pain in her eyes, like stabbing needles. ''My sister came close to my face and said, 'Your eyes are very red.' Then the children started throwing up. They kept throwing up. They were in so much pain, and crying so much. They were crying all the time. My mother was crying. Then the old people started throwing up.''

Chemical weapons had been dropped on Halabja by the Iraqi Air Force, which understood that any underground shelter would become a gas chamber. ''My uncle said we should go outside,'' Nasreen said. ''We knew there were chemicals in the air. We were getting red eyes, and some of us had liquid coming out of them. We decided to run.'' Nasreen and her relatives stepped outside gingerly. ''Our cow was lying on its side,'' she recalled. ''It was breathing very fast, as if it had been running. The leaves were falling off the trees, even though it was spring. The partridge was dead. There were smoke clouds around, clinging to the ground. The gas was heavier than the air, and it was finding the wells and going down the wells.''

The family judged the direction of the wind, and decided to run the opposite way. Running proved difficult. ''The children couldn't walk, they were so sick,'' Nasreen said. ''They were exhausted from throwing up. We carried them in our arms.''

Across the city, other families were making similar decisions. Nouri Hama Ali, who lived in the northern part of town, decided to lead his family in the direction of Anab, a collective settlement on the outskirts of Halabja that housed Kurds displaced when the Iraqi Army destroyed their villages. ''On the road to Anab, many of the women and children began to die,'' Nouri told me. ''The chemical clouds were on the ground. They were heavy. We could see them.'' People were dying all around, he said. When a child could not go on, the parents, becoming hysterical with fear, abandoned him. ''Many children were left on the ground, by the side of the road. Old people as well. They were running, then they would stop breathing and die.''

Nasreen's family did not move quickly. ''We wanted to wash ourselves off and find water to drink,'' she said. ''We wanted to wash the faces of the children who were vomiting. The children were crying for water. There was powder on the ground, white. We couldn't decide whether to drink the water or not, but some people drank the water from the well they were so thirsty.''

They ran in a panic through the city, Nasreen recalled, in the direction of Anab. The bombardment continued intermittently, Air Force planes circling overhead. ''People were showing different symptoms. One person touched some of the powder, and her skin started bubbling.''

A truck came by, driven by a neighbor. People threw themselves aboard. ''We saw people lying frozen on the ground,'' Nasreen told me. ''There was a small baby on the ground, away from her mother. I thought they were both sleeping. But she had dropped the baby and then died. And I think the baby tried to crawl away, but it died, too. It looked like everyone was sleeping.''

At that moment, Nasreen believed that she and her family would make it to high ground and live. Then the truck stopped. ''The driver said he couldn't go on, and he wandered away. He left his wife in the back of the truck. He told us to flee if we could. The chemicals affected his brain, because why else would someone abandon his family?''

As heavy clouds of gas smothered the city, people became sick and confused. Awat Omer was trapped in his cellar with his family; he said that his brother began laughing uncontrollably and then stripped off his clothes, and soon afterward he died. As night fell, the family's children grew sicker—too sick to move.

Nasreen's husband could not be found, and she began to think that all was lost. She led the children who were able to walk up the road.

In another neichborhood, Muhammad Ahmed Fattah, who was twenty, was overwhelmed by an oddly sweet odor of sulfur, and he, too, realized that he must evacuate his family; there were about a hundred and sixty people wedged into the cellar. ''I saw the bomb drop,'' Muhammad told me. ''It was about thirty metres from the house. I shut the door to the cellar. There was shouting and crying in the cellar, and then people became short of breath.'' One of the first to be stricken by the gas was Muhammad's brother Salah. ''His eyes were pink,'' Muhammad recalled. ''There was something coming out of his eyes. He was so thirsty he was demanding water.'' Others in the basement began suffering tremors.

March 16th was supposed to be Muhammad's wedding day. ''Every preparation was done,'' he said. His fiancee, a woman named Bahar Jamal, was among the first in the cellar to die. ''She was crying very hard,'' Muhammad recalled. ''I tried to calm her down. I told her it was just the usual artillery shells, but it didn't smell the usual way weapons smelled. She was smart, she knew what was happening. She died on the stairs. Her father tried to help her, but it was too late.''

Death came quickly to others as well. A woman named Hamida Mahmoud tried to save her two-year-old daughter by allowing her to nurse from her breast. Hamida thought that the baby wouldn't breathe in the gas if she was nursing, Muhammad said, adding, ''The baby's name was Dashneh. She nursed for a long time. Her mother died while she was nursing. But she kept nursing.'' By the time Muhammad decided to go outside, most of the people in the basement were unconscious; many were dead, including his parents and three of his siblings.

Nasreen said that on the road to Anab all was confusion. She and the children were running toward the hills, but they were going blind. ''The children were crying, 'We can't see! My eyes are bleeding!' '' In the chaos, the family got separated. Nasreen's mother and father were both lost. Nasreen and several of her cousins and siblings inadvertently led the younger children in a circle, back into the city. Someone—she doesn't know who—led them away from the city again and up a hill, to a small mosque, where they sought shelter. ''But we didn't stay in the mosque, because we thought it would be a target,'' Nasreen said. They went to a small house nearby, and Nasreen scrambled to find food and water for the children. By then, it was night, and she was exhausted.

Bakhtiar, Nasreen's husband, was frantic. Outside the city when the attacks started, he had spent much of the day searching for his wife and the rest of his family. He had acquired from a clinic two syringes of atropine, a drug that helps to counter the effects of nerve agents. He injected himself with one of the syringes, and set out to find Nasreen. He had no hope. ''My plan was to bury her,'' he said. ''At least I should bury my new wife.''

After hours of searching, Bakhtiar met some neighbors, who remembered seeing Nasreen and the children moving toward the mosque on the hill. ''I called out the name Nasreen,'' he said. ''I heard crying, and I went inside the house. When I got there, I found that Nasreen was alive but blind. Everybody was blind.''

Nasreen had lost her sight about an hour or two before Bakhtiar found her. She had been searching the house for food, so that she could feed the children, when her eyesight failed. ''I found some milk and I felt my way to them and then I found their mouths and gave them milk,'' she said.

Bakhtiar organized the children. ''I wanted to bring them to the well. I washed their heads. I took them two by two and washed their heads. Some of them couldn't come. They couldn't control their muscles. ''

Bakhtiar still had one syringe of atropine, but he did not inject his wife; she was not the worst off in the group. ''There was a woman named Asme, who was my neighbor,'' Bakhtiar recalled. ''She was not able to breathe. She was yelling and she was running into a wall, crashing her head into a wall. I gave the atropine to this woman.'' Asme died soon afterward. ''I could have used it for Nasreen,'' Bakhtiar said. ''I could have.''

After the Iraqi bombardment subsided, the Iranians managed to retake Halabja, and they evacuated many of the sick, including Nasreen and the others in her family, to hospitals in Tehran.

Nasreen was blind for twenty days. ''I was thinking the whole time, Where is my family? But I was blind. I couldn't do anything. I asked my husband about my mother, but he said he didn't know anything. He was looking in hospitals, he said. He was avoiding the question.''

The Iranian Red Crescent Society, the equivalent of the Red Cross, began compiling books of photographs, pictures of the dead in Halabja. ''The Red Crescent has an album of the people who were buried in Iran,'' Nasreen said. ''And we found my mother in one of the albums.'' Her father, she discovered, was alive but permanently blinded. Five of her siblings, including Rangeen, had died.

Nasreen would live, the doctors said, but she kept a secret from Bakhtiar: ''When I was in the hospital, I started menstruating. It wouldn't stop. I kept bleeding. We don't talk about this in our society, but eventually a lot of women in the hospital confessed they were also menstruating and couldn't stop.'' Doctors gave her drugs that stopped the bleeding, but they told her that she would be unable to bear children.

Nasreen stayed in Iran for several months, but eventually she and Bakhtiar returned to Kurdistan. She didn't believe the doctors who told her that she would be infertile, and in 1991 she gave birth to a boy. ''We named him Arazoo,'' she said. Arazoo means hope in Kurdish. ''He was healthy at first, but he had a hole in his heart. He died at the age of three months.''

I met Nasreen last month in Erbil, the largest city in Iraqi Kurdistan. She is thirty now, a pretty woman with brown eyes and high cheekbones, but her face is expressionless. She doesn't seek pity; she would, however, like a doctor to help her with a cough that she's had ever since the attack, fourteen years ago. Like many of Saddam Hussein's victims, she tells her story without emotion.

During my visit to Kurdistan, I talked with more than a hundred victims of Saddam's campaign against the Kurds. Saddam has been persecuting the Kurds ever since he took power, more than twenty years ago. Several old women whose husbands were killed by Saddam's security services expressed a kind of animal hatred toward him, but most people, like Nasreen, told stories of horrific cruelty with a dispassion and a precision that underscored their credibility. Credibility is important to the Kurds; after all this time, they still feel that the world does not believe their story.

A week after I met Nasreen, I visited a small village called Goktapa, situated in a green valley that is ringed by snow-covered mountains. Goktapa came under poison-gas attack six weeks after Halabja. The village consists of low mud-brick houses along dirt paths. In Goktapa, an old man named Ahmed Raza Sharif told me that on the day of the attack on Goktapa, May 3, 1988, he was in the fields outside the village. He saw the shells explode and smelled the sweet-apple odor as poison filled the air. His son, Osman Ahmed, who was sixteen at the time, was near the village mosque when he was felled by the gas. He crawled down a hill and died among the reeds on the banks of the Lesser Zab, the river that flows by the village. His father knew that he was dead, but he couldn't reach the body. As many as a hundred and fifty people died in the attack; the survivors fled before the advancing Iraqi Army, which levelled the village. Ahmed Raza Sharif did not return for three years. When he did, he said, he immediately began searching for his son's body. He found it still lying in the reeds. ''I recognized his body right away,'' he said.

The summer sun in Iraq is blisteringly hot, and a corpse would be unidentifiable three years after death. I tried to find a gentle way to express my doubts, but my translator made it clear to Sharif that I didn't believe him.

We were standing in the mud yard of another old man, Ibrahim Abdul Rahman. Twenty or thirty people, a dozen boys among them, had gathered. Some of them seemed upset that I appeared to doubt the story, but Ahmed hushed them. ''It's true, he lost all the flesh on his body,'' he said. ''He was just a skeleton. But the clothes were his, and they were still on the skeleton, a belt and a shirt. In the pocket of his shirt I found the key to our tractor. That's where he always kept the key.''

Some of the men still seemed concerned that I would leave Goktapa doubting their truthfulness. Ibrahim, the man in whose yard we were standing, called out a series of orders to the boys gathered around us. They dispersed, to houses and storerooms, returning moments later holding jagged pieces of metal, the remnants of the bombs that poisoned Goktapa. Ceremoniously, the boys dropped the pieces of metal at my feet. ''Here are the mercies of Uncle Saddam,'' Ibrahim said.

2. THE AFTERMATH

The story of Halabja did not end the night the Iraqi Air Force planes returned to their bases. The Iranians invited the foreign press to record the devastation. Photographs of the victims, supine, bleached of color, littering the gutters and alleys of the town, horrified the world. Saddam Hussein's attacks on his own citizens mark the only time since the Holocaust that poison gas has been used to exterminate women and children.

Saddam's cousin Ali Hassan al-Majid, who led the campaigns against the Kurds in the late eighties, was heard on a tape captured by rebels, and later obtained by Human Rights Watch, addressing members of Iraq's ruling Baath Party on the subject of the Kurds. ''I will kill them all with chemical weapons!'' he said. ''Who is going to say anything? The international community? Fuck them! The international community and those who listen to them.''

Attempts by Congress in 1988 to impose sanctions on Iraq were stifled by the Reagan and Bush Administrations, and the story of Saddam's surviving victims might have vanished completely had it not been for the reporting of people like Randal and the work of a British documentary filmmaker named Gwynne Roberts, who, after hearing stories

about a sudden spike in the incidence of birth defects and cancers, not only in Halabja but also in other parts of Kurdistan, had made some disturbing films on the subject. However, no Western government or United Nations agency took up the cause.

In 1998, Roberts brought an Englishwoman named Christine Gosden to Kurdistan. Gosden is a medical geneticist and a professor at the medical school of the University of Liverpool. She spent three weeks in the hospitals in Kurdistan, and came away determined to help the Kurds. To the best of my knowledge, Gosden is the only Western scientist who has even begun making a systematic study of what took place in northern Iraq.

Gosden told me that her father was a high-ranking officer in the Royal Air Force, and that as a child she lived in Germany, near Bergen-Belsen. ''It's tremendously influential in your early years to live near a concentration camp,'' she said. In Kurdistan, she heard echoes of the German campaign to destroy the Jews. ''The Iraqi government was using chemistry to reduce the population of Kurds,'' she said. ''The Holocaust is still having its effect. The Jews are fewer in number now than they were in 1939. That's not natural. Now, if you take out two hundred thousand men and boys from Kurdistan''—an estimate of the number of Kurds who were gassed or otherwise murdered in the campaign, most of whom were men and boys—''you've affected the population structure. There are a lot of widows who are not having children.''

Richard Butler, an Australian diplomat who chaired the United Nations weapons-inspection team in Iraq, describes Gosden as ''a classic English, old-school-tie kind of person.'' Butler has tracked her research since she began studying the attacks, four years ago, and finds it credible. ''Occasionally, people say that this is Christine's obsession, but obsession is not a bad thing,'' he added.

Before I went to Kurdistan, in January, I spent a day in London with Gosden. We gossiped a bit, and she scolded me for having visited a Washington shopping mall without appropriate protective equipment. Whenever she goes to a mall, she brings along a polyurethane bag, ''big enough to step into'' and a bottle of bleach. ''I can detoxify myself immediately,'' she said.

Gosden believes it is quite possible that the countries of the West will soon experience chemical and biological-weapons attacks far more serious and of greater lasting effect than the anthrax incidents of last autumn and the nerve-agent attack on the Tokyo subway system several years ago—that what happened in Kurdistan was only the beginning. ''For Saddam's scientists, the Kurds were a test population,'' she said. ''They were the human guinea pigs. It was a way of identifying the most effective chemical agents for use on civilian populations, and the most effective means of delivery.''

The charge is supported by others. An Iraqi defector, Khidhir Hamza, who is the former director of Saddam's nuclear-weapons program, told me earlier this year that before the attack on Balabja military doctors had mapped the city, and that afterward they entered it wearing protective clothing, in order to study the dispersal of the dead. ''These were field tests, an experiment on a town,'' Hamza told me. He said that he had direct knowledge of the Army's procedures that day in Halabja. ''The doctors were given sheets with grids on them, and they had to answer questions such as 'How far are the dead from the cannisters?' ''

Gosden said that she cannot understand why the West has not been more eager to investigate the chemical attacks in Kurdistan. ''It seems a matter of enlightened self-interest that the West would want to study the long-term effects of chemical weapons on civilians, on the DNA,'' she told me. ''I've seen Europe's worst cancers, but, believe me, I have never seen cancers like the ones I saw in Kurdistan.''

According to an ongoing survey conducted by a team of Kurdish physicians and organized by Gosden and a small advocacy group called the Washington Kurdish Institute, more than two hundred towns and villages across Kurdistan were attacked by poison gas—far more than was previously thought—in the course of seventeen months. The number of victims is unknown, but doctors I met in Kurdistan believe that up to ten per cent of the population of northern Iraq—nearly four million people—has been exposed to chemical weapons. ''Saddam Hussein poisoned northern Iraq,'' Gosden said when I left for Halabja. ''The questions, then, are what to do? And what comes next?''

3. HALABJA'S DOCTORS

The Kurdish people, it is often said, make up the largest stateless nation in the world. They have been widely despised by their neighbors for centuries. There are roughly twenty-five million Kurds, most of them spread across four countries in southwestern Asia: Turkey, Iran, Iraq, and Syria. The Kurds are neither Arab, Persian, nor Turkish; they are a distinct ethnic group, with their own culture and language. Most Kurds are Muslim (the most famous Muslim hero of all, Saladin, who defeated the Crusaders, was of Kurdish origin), but there are Jewish and Christian Kurds, and also followers of the Yezidi religion, which has its roots in Sufism and Zoroastrianism. The Kurds are experienced mountain fighters, who tend toward stubbornness and have frequent bouts of destructive infighting

After centuries of domination by foreign powers, the Kurds had their best chance at independence after the First World War, when President Woodrow Wilson promised the Kurds, along with other groups left drifting, and exposed by the collapse of the Ottoman Empire, a large measure of autonomy. But the machinations of the great powers, who were becoming interested in Kurdistan's vast oil deposits, in Mosul and Kirkuk, quickly did the Kurds out of a state.

In the nineteen-seventies, the Iraqi Kurds allied themselves with the Shah of Iran in a territorial dispute with Iraq. America, the Shah's patron, once again became the Kurds' patron, too, supplying them with arms for a revolt against Baghdad. But a secret deal between the Iraqis and the Shah, arranged in 1975 by Secretary of State Henry Kissinger, cut off the Kurds and brought about their instant collapse; for the Kurds, it was an ugly betrayal.

The Kurdish safe haven, in northern Iraq, was born of another American betrayal. In 1991, after the United States helped drive Iraq out of Kuwait, President George Bush ignored an uprising that he himself had stoked, and Kurds and Shiites in Iraq were slaughtered by the thousands. Thousands more fled the country, the Kurds going to Turkey, and almost immediately creating a humanitarian disaster. The Bush Administration, faced with a televised catastrophe, declared northern Iraq a no-fly zone and thus a safe haven, a tactic that allowed the refugees to return home. And so, under the protective shield of the United States and British Air Forces, the unplanned Kurdish experiment in self-government began. Although the Kurdish safe haven is only a virtual state, it is an incipient democracy, a home of progressive Islamic thought and pro-American feeling.

Today, Iraqi Kurdistan is split between two dominant parties: the Kurdistan Democratic Party, led by Massoud Barzani, and the Patriotic Union of Kurdistan, whose General Secretary is Jalal Talabani. The two parties have had an often angry relationship, and in the mid-nineties they fought a war that left about a thousand soldiers dead. The parties, realizing that they could not rule together, decided to rule apart, dividing Kurdistan into two zones. The internal political divisions have not aided the Kurds' cause, but neighboring states also have fomented disunity, fearing that a unified Kurdish population would agitate for independence.

Turkey, with a Kurdish population of between fifteen and twenty million, has repressed the Kurds in the eastern part of the country, politically and militarily, on and off since the founding of the modern Turkish state. In 1924, the government of Atatürk restricted the use of the Kurdish language (a law not lifted until 1991) and expressions of Kurdish culture; to this day, the Kurds are referred to in nationalist circles as ''mountain Turks.''

Turkey is not eager to see Kurds anywhere draw attention to themselves, which is why the authorities in Ankara refused to let me cross the border into Iraqi Kurdistan. Iran, whose Kurdish population numbers between six and eight million, was not helpful, either, and my only option for gaining entrance to Kurdistan was through its third neighbor, Syria. The Kurdistan Democratic Party arranged for me to be met in Damascus and taken to the eastern desert city of El Qamishli. From there, I was driven in a Land Cruiser to the banks of the Tigris River, where a small wooden boat, with a crew of one and an outboard motor, was waiting. The engine sputtered; when I learned that the forward lines of the Iraqi Army were two miles downstream, I began to paddle, too. On the other side of the river were representatives of the Kurdish Democratic Party and the peshmerga, the Kurdish guerrillas, who wore pantaloons and turbans and were armed with AK–47s.

''Welcome to Kurdistan'' read a sign at the water's edge greeting visitors to a country that does not exist.

Halabja is a couple of hundred miles from the Syrian border, and I spent a week crossing northern Iraq, making stops in the cities of Dahuk and Erbil on the way. I was handed over to representatives of the Patriotic Union, which controls Halabja, at a demilitarized zone west of the town of Koysinjaq. From there, it was a two-hour drive over steep mountains to Sulaimaniya, a city of six hundred and fifty thousand, which is the cultural capital of Iraqi Kurdistan. In Sulaimaniya, I met Fouad Baban, one of Kurdistan's leading physicians, who promised to guide me through the scientific and political thickets of Halabja.

Baban, a pulmonary and cardiac specialist who has survived three terms in Iraqi prisons, is sixty years old, and a man of impish good humor. He is the Kurdistan coordinator of the Halabja Medical Institute, which was founded by Gosden, Michael Amitay, the executive director of the Washington Kurdish Institute, and a coalition of Kurdish doctors; for the doctors, it is an act of bravery to be publicly associated with a project whose scientific findings could be used as evidence if Saddam Hussein faced a war-crimes tribunal. Saddam's agents are everywhere in the Kurdish zone, and his tanks sit forty miles from Baban's office.

Soon after I arrived in Sulaimanya, Baban and I headed out in his Toyota Camry for Halabja. On a rough road, we crossed the plains of Sharazoor, a region of black earth and honey-colored wheat ringed by jagged, snow-topped mountains. We were not travelling alone. The Mukhabarat, the Iraqi intelligence service, is widely reported to have

placed a bounty on the heads of Western journalists caught in Kurdistan (either ten thousand dollars or twenty thousand dollars, depending on the source of the information). The areas around the border with Iran are filled with Tehran's spies, and members of Ansar al-Islam, an Islamist terror group, were said to be decapitating people in the Halabja area. So the Kurds had laid on a rather elaborate security detail. A Land Cruiser carrying peshmerga guerrillas led the way, and we were followed by another Land Cruiser, on whose bed was mounted an anti-aircraft weapon manned by six peshmerga, some of whom wore black balaclavas. We were just south of the American- and British-enforced no-fly zone. I had been told that, at the beginning of the safe-haven experiment, the Americans had warned Saddam's forces to stay away; a threat from the air, though unlikely, was, I deduced, not out of the question.

''It seems very important to know the immediate and long-term effects of chemical and biological weapons,'' Baban said, beginning, my tutorial. ''Here is a civilian population exposed to chemical and possibly biological weapons, and people are developing many varieties of cancers and congenital abnormalities. The Americans are vulnerable to these weapons—they are cheap, and terrorists possess them. So, after the anthrax attacks in the States, I think it is urgent for scientific research to be done here.''

Experts now believe that Halabja and other places in Kurdistan were struck by a combination of mustard gas and nerve agents, including sarin (the agent used in the Tokyo subway attack) and VX, a potent nerve agent. Baban's suggestion that biological weapons may also have been used surprised me. One possible biological weapon that Baban mentioned was aflatoxin, which causes long-term liver damage.

A colleague of Baban's, a surgeon who practices in Dahuk, in northwestern Kurdistan, and who is a member of the Halabja Medical Institute team, told me more about the institute's survey, which was conducted in the Dahuk region in 1999. The surveyors began, he said, by asking elementary questions; eleven years after the attacks, they did not even know which villages had been attacked.

''The team went to almost every village,'' the surgeon said. ''At first, we thought that the Dahuk governorate was the least affected. We knew of only two villages that were hit by the attacks. But we came up with twenty-nine in total. This is eleven years after the fact.''

The surgeon is professorial in appearance, but he is deeply angry. He doubles as a pediatric surgeon, because there are no pediatric surgeons in Kurdistan. He has performed more than a hundred operations for cleft palate on children born since 1988. Most of the agents believed to have been dropped on Halabja have short half-lives, but, as Baban told me, ''physicians are unsure how long these toxins will affect the population. How can we know agent half-life if we don't know the agent?'' He added, ''If we knew the toxins that were used, we could follow them and see actions on spermatogenesis and ovogenesis.''

Increased rates of infertility, he said, are having a profound effect on Kurdish society, which places great importance on large families. ''You have men divorcing their wives because they could not give birth, and then marrying again, and then their second wives can't give birth, either,'' he said. ''Still, they don't blame their own problem with spermatogenesis.''

Baban told me that the initial results of the Halabja Medical Institute-sponsored survey show abnormally high rates of many diseases. He said that he compared rates of colon cancer in Halabja with those in the city of Chamchamal, which was not attacked with chemical weapons. ''We are seeing rates of colon cancer five times higher in Halabja than in Chamchamal,'' he said.

There are other anomalies as well, Baban said. The rate of miscarriage in Halabja, according to initial survey results, is fourteen times the rate of miscarriage in Chamchamal; rates of infertility among men and women in the affected population are many times higher than normal. ''We're finding Hiroshima levels of sterility,'' he said.

Then, there is the suspicion about snakes. ''Have you heard about the snakes?'' he asked as we drove. I told him that I had heard rumors. ''We don't know if a genetic mutation in the snakes has made them more toxic,'' Baban went on, ''or if the birds that eat the snakes were killed off in the attacks, but there seem to be more snakebites, of greater toxicity, in Halabja now than before.'' (I asked Richard Spertzel, a scientist and a former member of the United Nations Special Commission inspections team, if this was possible. Yes, he said, but such a rise in snakebites was more likely due to ''environmental imbalances'' than to mutations.)

My conversation with Baban was suddenly interrupted by our guerrilla escorts, who stopped the car and asked me to join them in one of the Land Cruisers; we veered off across a wheat field, without explanation. I was later told that we had been passing a mountain area that had recently had problems with Islamic terrorists.

We arrived in Halabja half an hour later. As you enter the city, you see a small statue modelled on the most famous photographic image of the Halabj massacre: an old man, prone and lifeless, shielding his dead grandson with his body.

A torpor seems to afflict Halabja; even its bazaar is listless and somewhat empty, in marked contrast to those of other Kurdish cities, which are well stocked with imported goods (history and circumstance have made the Kurds enthusiastic smugglers) and are full of noise and activity. ''Everyone here is sick,'' a Halabja doctor told me. ''The people who aren't sick are depressed.'' He practices at the Martyrs'' Hospital, which is situated on the outskirts of the city. The hospital has no heat and little advanced equipment; like the city itself, it is in a dilapidated state.

The doctor is a thin, jumpy man in a tweed jacket, and he smokes without pause. He and Baban took me on a tour of the hospital. Afterward, we sat in a bare office, and a woman was wheeled in. She looked seventy but said that she was fifty; doctors told me she suffers from lung scarring so serious that only a lung transplant could help, but there are no transplant centers in Kurdistan. The woman, whose name is Jayran Muhammad, lost eight relatives during the attack. Her voice was almost inaudible. ''I was disturbed psychologically for a long time,'' she told me as Baban translated. ''I believed my children were alive.'' Baban told me that her lungs would fail soon, that she could barely breathe. ''She is waiting to die,'' he said. I met another woman, Chia Hammassat, who was eight at the time of the attacks and has been blind ever since. Her mother, she said, died of colon cancer several years ago, and her brother suffers from chronic shortness of breath. ''There is no hope to correct my vision,'' she said, her voice flat. ''I was married, but I couldn't fulfill the responsibilities of a wife because I'm blind. My husband left me.''

Baban said that in Halabja ''there are more abnormal births than normal ones,'' and other Kurdish doctors told me that they regularly see children born with neural-tube defects and undescended testes and without anal openings. They are seeing—and they showed me—children born with six or seven toes on each foot, children whose fingers and toes are fused, and children who suffer from leukemia and liver cancer.

I met Sarkar, a shy and intelligent boy with a harelip, a cleft palate, and a growth on his spine. Sarkar had a brother born with the same set of malformations, the doctor told me, but the brother choked to death, while still a baby, on a grain of rice.

Meanwhile, more victims had gathered in the hallway; the people of Halabja do not often have a chance to tell their stories to foreigners. Some of them wanted to know if I was a surgeon, who had come to repair their children's deformities, and they were disappointed to learn that I was a journalist. The doctor and I soon left the hospital for a walk through the northern neighborhoods of Halabja, which were hardest hit in the attack. We were trailed by peshmerga carrying AK–47s. The doctor smoked as we talked, and I teased him about his habit. ''Smoking has some good effect on the lungs,'' he said, without irony. ''In the attacks, there was less effect on smokers. Their lungs were better equipped for the mustard gas, maybe.''

We walked through the alleyways of the Jewish quarter, past a former synagogue in which eighty or so Halabjans died during the attack. Underfed cows wandered the paths. The doctor showed me several cellars where clusters of people had died. We knocked on the gate of one house, and were let in by an old woman with a wide smile and few teeth. In the Kurdish tradition, she immediately invited us for lunch.

She told us the recent history of the house. ''Everyone who was in this house died,'' she said. ''The whole family. We heard there were one hundred people.'' She led us to the cellar, which was damp and close. Rusted yellow cans of vegetable ghee littered the floor. The room seemed too small to hold a hundred people, but the doctor said that the estimate sounded accurate. I asked him if cellars like this one had ever been decontaminated. He smiled. ''Nothing in Kurdistan has been decontaminated,'' he said.

4. AL-ANFAL

The chemical attacks on Halabja and Goktapa and perhaps two hundred other villages and towns were only a small part of the cataclysm that Saddam's cousin, the man known as Ali Chemical, arranged for the Kurds. The Kurds say that about two hundred thousand were killed. (Human Rights Watch, which in the early nineties published ''Iraq's Crime of Genocide,'' a definitive study of the attacks, gives a figure of between fifty thousand and a hundred thousand.)

The campaign against the Kurds was dubbed al-Anfal by Saddam, after a chapter in the Koran that allows conquering Muslim armies to seize the spoils of their foes. It reads, in part, ''Against them''—your enemies—''make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies of Allah and your enemies, and others besides, whom ye may not know, but whom Allah doth know. Whatever ye shall spend in the cause of Allah, shall be repaid unto you, and ye shall not be treated unjustly.''

The Anfal campaign was not an end in itself, like the Holocaust, but a means to an end—an instance of a policy that Samantha Power, who runs the Carr Center for Human Rights, at Harvard, calls ''Instrumental genocide.'' Power has just published ''A Problem from Hell,'' a study of American responses to genocide. ''There are regimes that set out to murder every citizen of a race,'' she said. ''Saddam achieved what he had to do without exterminating every last Kurd.'' What he had to do, Power and others say,

was to break the Kurds' morale and convince them that a desire for independence was foolish.

Most of the Kurds who were murdered in the Anfal were not killed by poison gas; rather, the genocide was carried out, in large part, in the traditional manner, with roundups at night, mass executions, and anonymous burials. The bodies of most of the victims of the Anfal—mainly men and boys—have never been found.

One day, I met one of the thousands of Kurdish women known as Anfal widows: Salma Aziz Baban. She lives outside Chamchamal, in a settlement made up almost entirely of displaced families, in cinder-block houses. Her house was nearly empty—no furniture, no heat, just a ragged carpet. We sat on the carpet as she told me about her family. She comes from the Kirkuk region, and in 1987 her village was uprooted by the Army, and the inhabitants, with thousands of other Kurds, were forced into a collective town. Then, one night in April of 1988, soldiers went into the village and seized the men and older boys. Baban's husband and her three oldest sons were put on trucks. The mothers of the village began to plead with the soldiers. ''We were screaming, 'Do what you want to us, do what you want!' '' Baban told me. ''They were so scared, my sons. My sons were crying.'' She tried to bring them coats for the journey. ''It was raining. I wanted them to have coats. I begged the soldiers to let me give them bread. They took them without coats.'' Baban remembered that a high-ranking Iraqi officer named Bareq orchestrated the separation; according to ''Iraq's Crime of Genocide,'' the Human Rights Watch report, the man in charge of this phase was a brigadier general named Bareq Abdullah al-Haj Hunta.

After the men were taken away, the women and children were herded onto trucks. They were given little water or food, and were crammed so tightly into the vehicles that they had to defecate where they stood. Baban, her three daughters, and her six-year-old son were taken to the Topzawa Army base and then to the prison of Nugra Salman, the Pit of Salman, which Human Rights Watch in 1995 described this way: ''It was an old building, dating back to the days of the Iraqi monarchy and perhaps earlier. It had been abandoned for years, used by Arab nomads to shelter their herds. The bare walls were scrawled with the diaries of political prisoners. On the door of one cell, a guard had daubed 'Khomeini eats shit.' Over the main gate, someone else had written, 'Welcome to Hell.' ''

''We arrived at midnight,'' Baban told me. ''They put us in a very big room, with more than two thousand people, women and children, and they closed the door. Then the starvation started.''

The prisoners were given almost nothing to eat, and a single standpipe spat out brackish water for drinking. People began to die from hunger and illness. When someone died, the Iraqi guards would demand that the body be passed through a window in the main door. ''The bodies couldn't stay in the hall,'' Baban told me. In the first days at Nugra Salman, ''thirty people died, maybe more.'' Her six-year-old son, Rebwar, fell ill. ''He had diarrhea,'' she said. ''He was very sick. He knew he was dying. There was no medicine or doctor. He started to cry so much.'' Baban's son died on her lap. ''I was screaming and crying,'' she said. ''My daughters were crying. We gave them the body. It was passed outside, and the soldiers took it.''

Soon after Baban's son died, she pulled herself up and went to the window, to see if the soldiers had taken her son to be buried. ''There were twenty dogs outside the prison. A big black dog was the leader,'' she said. The soldiers had dumped the bodies of the dead outside the prison, in a field. ''I looked outside and saw the legs and hands of my son in the mouths of the dogs. The dogs were eating my son.'' She stopped talking for a moment. ''Then I lost my mind.''

She described herself as catatonic; her daughters scraped around for food and water. They kept her alive, she said, until she could function again. ''This was during Ramadan. We were kept in Nugra Salman for a few more months.''

In September, when the war with Iran was over, Saddam issued a general amnesty to the Kurds, the people he believed had betrayed him by siding with Tehran. The women, children, and elderly in Nugra Salman were freed. But, in most cases, they could not go home; the Iraqi Army had bulldozed some four thousand villages, Baban's among them. She was finally resettled in the Chamchamal district.

In the days after her release, she tried to learn the fate of her husband and three older sons. But the men who disappeared in the Anfal roundups have never been found. It is said that they were killed and then buried in mass graves in the desert along the Kuwaiti border, but little is actually known. A great number of Anfal widows, I was told, still believe that their sons and husbands and brothers are locked away in Saddam's jails. ''We are thinking they are alive,'' Baban said, referring to her husband and sons. ''Twenty-four hours a day, we are thinking maybe they are alive. If they are alive, they are being tortured, I know it.''

Baban said that she has not slept well since her sons were taken from her. ''We are thinking, Please let us know they are dead, I will sleep in peace,'' she said. ''My head is filled with terrible thoughts. The day I die is the day I will not remember that the dogs ate my son.''

Before I left, Baban asked me to write down the names of her three older sons. They are Sherzad, who would be forty now; Rizgar, who would be thirty-one; and Muhammad, who would be thirty. She asked me to find her sons, or to ask President Bush to find them. ''One would be sufficient,'' she said. ''If just one comes back, that would be enough.''

5. WHAT THE KURDS FEAR

In a conversation not long ago with Richard Butler, the former weapons inspector, I suggested a possible explanation for the world's indifference to Saddam Hussein's use of chemical weapons to commit genocide—that the people he had killed were his own citizens, not those of another sovereign state. (The main chemical-weapons treaty does not ban a country's use of such weapons against its own people, perhaps because at the time the convention was drafted no one could imagine such a thing.) Butler reminded me, however, that Iraq had used chemical weapons against another country—Iran—during, the eight-year Iran-Iraq War. He offered a simpler rationale. ''The problems are just too awful and too hard,'' he said. ''History is replete with such things. Go back to the grand example of the Holocaust. It sounded too hard to do anything about it.''

The Kurds have grown sanguine about the world's lack of interest. ''I've learned not to be surprised by the indifference of the civilized world,'' Barham Salih told me one evening in Sulaimaniya. Salih is the Prime Minister of the area of Kurdistan administered by the Patriotic Union, and he spoke in such a way as to suggest that it would be best if I, too, stopped acting surprised. ''Given the scale of the tragedy—we're talking about large numbers of victims—I suppose I'm surprised that the international community has not come in to help the survivors,'' he continued. ''It's politically indecent not to help. But, as a Kurd, I live with the terrible hand history and geography have dealt my people.''

Salih's home is not prime ministerial, but it has many Western comforts. He had a satellite television and a satellite telephone, yet the house was frigid; in a land of cheap oil, the Kurds, who are cut off the Iraqi electric grid by Saddam on a regular basis, survive on generator power and kerosene heat.

Over dinner one night, Salih argued that the Kurds should not be regarded with pity. ''I don't think one has to tap into the Wilsonian streak in American foreign policy in order to find a rationale for helping the Kurds,'' he said. ''Helping the Kurds would mean an opportunity to study the problems caused by weapons of mass destruction.''

Salih, who is forty-one, often speaks bluntly, and is savvy about Washington's enduring interest in ending the reign of Saddam Hussein. Unwilling publicly to exhort the United States to take military action, Salih is aware that the peshmerga would be obvious allies of an American military strike against Iraq; other Kurds have been making that argument for years. It is not often noted in Washington policy circles, but the Kurds already hold a vast swath of territory inside the country—including two important dams whose destruction could flood Baghdad—and have at least seventy thousand men under arms. In addition, the two main Kurdish parties are members of the Iraqi opposition group, the Iraqi National Congress, which is headed by Ahmad Chalabi, a London-based Shiite businessman; at the moment, though, relations between Chalabi and the Kurdish leaders are contentious.

Kurds I talked to throughout Kurdistan were enthusiastic about the idea of joining, an American-led alliance against Saddam Hussein, and serving as the northen-Iraqi equivalent of Afghanistan's Northern Alliance. President Bush's State of the Union Message, in which he denounced Iraq as the linchpin of an ''axis of evil,'' had had an electric effect on every Kurd I met who heard the speech. In the same speech, President Bush made reference to Iraq's murder of ''thousands of its own citizens—leaving the bodies of mothers huddled over their dead children.'' General Simko Dizayee, the chief of staff of the peshmerga, told me, ''Bush's speech filled our hearts with hope.''

Prime Minister Salih expressed his views diplomatically. ''We support democratic transformation in Iraq,'' he said—half smiling, because he knows that there is no chance of that occurring unless Saddam is removed. But until America commits itself to removing Saddam, he said, ''we're living on the razor's edge. Before Washington even wakes up in the morning, we could have ten thousand dead.'' This is the Kurdish conundrum: the Iraqi military is weaker than the American military, but the Iraqis are stronger than the Kurds. Seven hundred Iraqi tanks face the Kurdish safe haven, according to peshmerga commanders.

General Mustafa Said Qadir, the peshmerga leader, put it this way: ''We have a problem. If the Americans attack Saddam and don't get him, we're going to get gassed. If the Americans decided to do it, we would be thankful. This is the Kurdish dream. But it has to be done carefully.''

The Kurdish leadership worries, in short, that an American mistake could cost the Kurds what they have created, however inadvertently: a nearly independent state for themselves in northern Iraq. ''We would like to be our own nation,'' Salih told me. ''But we are realists. All we want is to be partners of the Arabs of Iraq in building a secular, democratic, federal country.'' Later, he added, ''We are proud of ourselves. We have

inherited a devastated country. It's not easy what we are trying to achieve. We had no democratic institutions, we didn't have a legal culture, we did not have a strong military. From that situation, this is a remarkable success story.''

The Kurdish regional government, to be sure, is not a Vermont town meeting. The leaders of the two parties, Massoud Barzani and Jalal Talabani, are safe in their jobs. But there is a free press here, and separation of mosque and state, and schools are being built and pensions are being paid. In Erbil and in Sulaimaniya, the Kurds have built playgrounds on the ruins of Iraqi Army torture centers. ''If America is indeed looking for Muslims who are eager to become democratic and are eager to counter the effects of Islamic fundamentalism, then it should be looking here,'' Salih said.

Massoud Barzani is the son of the late Mustafa Barzani, a legendary guerrilla, who built the Democratic Party, and who entered into the ill-fated alliance with Iran and America. I met Barzani in his headquarters, above the town of Salahuddin. He is a short man, pale and quiet; he wore the red turban of the Barzani clan and a wide cummerbund across his baggy trousers—the outfit of a peshmerga.

Like Salih, he chooses his words carefully when talking about the possibility of helping America bring down Saddam. ''It is not enough to tell us the U.S. will respond at a certain time and place of its choosing,'' Barzani said. ''We're in artillery range. Iraq's Army is weak, but it is still strong enough to crush us. We don't make assumptions about the American response.''

One day, I drove to the Kurdish front lines near Erbil, to see the forward positions of the Iraqi Army. The border between the Army-controlled territory and the Kurdish region is porous; Baghdad allows some Kurds—nonpolitical Kurds—to travel back and forth between zones.

My peshmerga escort took me to the roof of a building overlooking the Kalak Bridge and, beyond it, the Iraqi lines. Without binoculars, we could see Iraqi tanks on the hills in front of us. A local official named Muhammad Najar joined us; he told me that the Iraqi forces arrayed there were elements of the Army's Jerusalem brigade, a reserve unit established by Saddam with the stated purpose of liberating Jerusalem from the Israelis. Other peshmerga joined us. It was a brilliantly sunny day, and we were enjoying the weather. A man named Azlz Khader, gazing at the plain before us, said, ''When I look across here, I imagine American tanks coming down across this plain going to Baghdad.'' His friends smiled and said, ''Inshallah''—God willing. Another man said, ''The U.S. is the lord of the world.''

6. THE PRISONERS

A week later, I was at Shinwe, a mountain range outside Halabja, with another group of peshmerga. My escorts and I had driven most of the way up, and then slogged through fresh snow. From one peak, we could see the village of Biyara, which sits in a valley between Halabja and a wall of mountains that mark the Iranian border. Saddam's tanks were an hour's drive away to the south, and Iran filled the vista before us. Biyara and nine other villages near it are occupied by the terrorist group Ansar al-Islam, or Supporters of Islam. Shinwe, in fact, might be called the axis of the axis of evil.

We were close enough to see trucks belonging to Ansar al-Islam making their way from village to village. The commander of the peshmerga forces surrounding Biyara, a veteran guerrilla named Ramadan Dekone, said that Ansar al-Islam is made up of Kurdish Islamists and an unknown number of so-called Arab Afghans—Arabs, from southern Iraq and elsewhere, who trained in the camps of Al Qaeda.

''They believe that people must be terrorized,'' Dekone said, shaking his head. ''They believe that the Koran says this is permissible.'' He pointed to an abandoned village in the middle distance, a place called Kheli Hama. ''That is where the massacre took place,'' he said. In late September, forty-two of his men were killed by Ansar al-Islam, and now Dekone and his forces seemed ready for revenge. I asked him what he would do if he captured the men responsible for the killing. ''I would take them to court,'' he said.

When I got to Sulaimaniya, I visited a prison run by the intelligence service of the Patriotic Union. The prison is attached to the intelligence-service headquarters. It appears to be well kept and humane; the communal cells hold twenty or so men each, and they have kerosene heat, and even satellite television. For two days, the intelligence agency permitted me to speak with any prisoner who agreed to be interviewed. I was wary; the Kurds have an obvious interest in lining up on the American side in the war against terror. But the officials did not, as far as I know, compel anyone to speak to me, and I did not get the sense that allegations made by prisoners were shaped by their captors. The stories, which I later checked with experts on the region, seemed at least worth the attention of America and other countries in the West.

The allegations include charges that Ansar al-Islam has received funds directly from Al Qaeda; that the intelligence service of Saddam Hussein has joint control, with Al Qaeda operatives, over Ansar al-Islam; that Saddam Hussein hosted a senior leader of Al Qaeda in Baghdad in 1992; that a number of Al Qaeda members fleeing Afghanistan have been secretly brought into territory controlled by Ansar al-Islam; and that Iraqi intelligence agents smuggled conventional weapons, and possibly even chemical and biological weapons, into Afghanistan. If these charges are true, it would mean that the relationship between Saddam's regime and Al Qaeda is far closer than previously thought.

When I asked the director of the twenty-four-hundred-man Patriotic Union intelligence service why he was allowing me to interview his prisoners, he told me that he hoped I would carry this information to American intelligence officials. ''The F.B.I. and the C.I.A. haven't come out yet,'' he told me. His deputy added, ''Americans are going to Somalia, the Philippines, I don't know where else, to look for terrorists. But this is the field, here.'' Anya Guilsher, a spokeswoman for the C.I.A., told me last week that as a matter of policy the agency would not comment on the activities of its officers. James Woolsey, a former C.I.A. director and an advocate of overthrowing the Iraqi regime, said, ''It would be a real shame if the C.I.A.'s substantial institutional hostility to Iraqi democratic resistance groups was keeping it from learning about Saddam's ties to Al Qaeda in northern Iraq.''

The possibility that Saddam could supply weapons of mass destruction to anti-American terror groups is a powerful argument among advocates of ''regime change,'' as the removal of Saddam is known in Washington. These critics of Saddam argue that his chemical and biological capabilities, his record of support for terrorist organizations, and the cruelty of his regime make him a threat that reaches far beyond the citizens of Iraq.

''He's the home address for anyone wanting to make or use chemical or biological weapons,'' Kanan Makiya, an Iraqi dissident, said. Makiya is the author of ''Republic of Fear,'' a study of Saddam's regime. ''He's going to be the person to worry about. He's got the labs and the knowhow. He's hellbent on trying to find a way into the fight, without announcing it.''

On the surface, a marriage of Saddam's secular Baath Party regime with the fundamentalist Al Qaeda seems unlikely. His relationship with secular Palestinian groups is well known; both Abu Nidal and Abul Abbas, two prominent Palestinian terrorists, are currently believed to be in Baghdad. But about ten years ago Saddam underwent something of a battlefield conversion to a fundamentalist brand of Islam.

''It was gradual, starting the moment he decided on the invasion of Kuwait,'' in June of 1990, according to Amatzia Baram, an Iraq expert at the University of Haifa. ''His calculation was that he needed people in Iraq and the Arab world—as well as God—to be on his side when he invaded. After he invaded, the Islamic rhetorical style became overwhelming,''—so overwhelming, Baram continued, that a radical group in Jordan began calling Saddam ''the New Caliph Marching from the East.'' This conversion, cynical though it may be, has opened doors to Saddam in the fundamentalist world. He is now a prime supporter of the Palestinian Islamic Jihad and of Hamas, paying families of suicide bombers ten thousand dollars in exchange for their sons' martyrdom. This is part of Saddam's attempt to harness the power of Islamic extremism and direct it against his enemies.

Kurdish culture, on the other hand, has traditionally been immune to religious extremism. According to Kurdish officials, Ansar al-Islam grew out of an idea spread by Ayman al-Zawahiri, the former chief of the Egyptian Islamic Jihad and now Osama bin Laden's deputy in Al Qaeda. ''There are two schools of thought'' in Al Qaeda, Karim Sinjari, the Interior Minister of Kurdistan's Democratic Party-controlled region, told me. ''Osama bin Laden believes that the infidels should be beaten in the head, meaning the United States. Zawahiri's philosophy is that you should fight the infidel even in the smallest village, that you should try to form Islamic armies everywhere. The Kurdish fundamentalists were influenced by Zawahiri'.''

Kurds were among those who travelled to Afghanistan from all over the Muslim world, first to fight the Soviets, in the early nineteen-eighties, then to join Al Qaeda. The members of the groups that eventually became Ansar al-Islam spent a great deal of time in Afghanistan, according to Kurdish intelligence officials. One Kurd who went to Afghanistan was Mala Krekar, an early leader of the Islamist movement in Kurdistan; according to Sinjari, he now holds the title of ''emir'' of Ansar al-Islam.

In 1998, the first force of Islamist terrorists crossed the Iranian border into Kurdistan, and immediately tried to seize the town of Haj Omran. Kurdish officials said that the terrorists were helped by Iran, which also has an interest in undermining a secular Muslim government. ''The terrorists blocked the road, they killed Kurdish Democratic Party cadres, they threatened the villagers,'' Sinjari said. ''We fought them and they fled.''

The terrorist groups splintered repeatedly. According to a report in the Arabic newspaper Al-Sharq al-Awsat, which is published in London, Ansar al-Islam came into being, on September 1st of last year, with the merger of two factions: Al Tawhid, which helped to arrange the assassination of Kurdistan's most prominent Christian politician, and whose operatives initiated an acid-tbrowing campaign against unveiled women; and a faction called the Second Soran Unit, which had been affiliated with one of the Kurdish Islamic parties. In a statement

issued to mark the merger, the group, which originally called itself Jund al-Islam, or Soldiers of Islam, declared its intention to ''undertake Jiihad in this region'' in order to carry out ''God's will.'' According to Kurdish officials, the group had between five hundred and six hundred members, including Arab Afghans and at least thirty Iraqi Kurds who were trained in Afghanistan.

Kurdish officials say that the merger took place in a ceremony overseen by three Arabs trained in bin Laden's camps in Afghanistan, and that these men supplied Ansar al-Islam with three hundred thousand dollars in seed money. Soon after the merger, a unit of Ansar al-Islam called the Victory Squad attacked and killed the peshmerga in Kheli Hama.

Among the Islamic fighters who were there that day was Rekut Hiwa Hussein, a slender, boyish twenty-year-old who was captured by the peshmerga after the massacre, and whom I met in the prison in Sulaimaniya. He was exceedingly shy, never looking up from his hands as he spoke. He was not handcuffed, and had no marks on the visible parts of his body. We were seated in an investigator's office inside the intelligence complex. Like most buildings in Sulaimaniya, this one was warmed by a single kerosene heater, and the room temperature seemed barely above freezing. Rekut told me how he and his comrades in Ansar al-Islam overcame the peshmerga.

''They thought there was a ceasefire, so we came into the village and fired on them by surprise,'' he said. ''They didn't know what happened. We used grenades and machine guns. We killed a lot of them and then the others surrendered.'' The terrorists trussed their prisoners, ignoring pleas from the few civilians remaining in the town to leave them alone. ''The villagers asked us not to slaughter them,'' Rekut said. One of the leaders of Ansar al-Islam, a man named Abdullah a'Shafi, became incensed. ''He said, 'Who is saying this? Let me kill them.' ''

Rekut said that the peshmerga were killed in ritual fashion: ''We put cloths in their mouths. We then laid them down like sheep, in a line. Then we cut their throats.'' After the men were killed, peshmerga commanders say, the corpses were beheaded. Rekut denied this. ''Some of their heads had been blown off by grenades, but we didn't behead them,'' he said.

I asked Rekut why he had joined Ansar al-Islam. ''A friend of mine Joined,'' he said quietly. ''I don't have a good reason why I joined. ''A guard then took him by the elbow and returned him to his cell.

The Kurdish intelligence officials I spoke to were careful not to oversell their case; they said that they have no proof that Ansar al-Islam was ever involved in international terrorism or that Saddam's agents were involved in the attacks on the World Trade Center and the Pentagon. But they do have proof, they said, that Ansar al-Islam is shielding Al Qaeda members, and that it is doing so with the approval of Saddam's agents.

Kurdish officials said that, according, to their intelligence, several men associated with Al Qaeda have been smuggled over the Iranian border into an Ansar al-Islam stronghold near Halabja. The Kurds believe that two of them, who go by the names Abu Yasir and Abu Muzaham, are highranking Al Qaeda members. ''We don't have any information about them,'' one official told me. ''We know that they don't want anybody to see them. They are sleeping in the same room as Mala Krekar and Abdullah al-Shafi''—the nominal leaders of Ansar al-Islam.

The real leader, these officials say, is an Iraqi who goes by the name Abu Wa'el, and who, like the others, spent a great deal of time in bin Laden's training camps. But he is also, they say, a highranking officer of the Mukhabarat. One senior official added, ''A man named Abu Agab is in charge of the northern bureau of the Mukhabarat. And he is Abu Wa'el's control officer.''

Abu Agab, the official said, is based in the city of Kirkuk, which is predominantly Kurdish but is under the control of Baghdad. According to intelligence officials, Abu Agab and Abu Wa'el met last July 7th, in Germany. From there, they say, Abu Wa'el travelled to Afghanistan and then, in August, to Kurdistan, sneaking across the Iranian border.

The Kurdish officials told me that they learned a lot about Abu Wa'el's movements from one of their prisoners, an Iraqi intelligence officer named Qassem Hussein Muhammad, and they invited me to speak with him. Qassem, the Kurds said, is a Shiite from Basra, in southern Iraq, and a twenty-year veteran of Iraqi intelligence.

Qassem, shamblinog, and bearded, was brought into the room, and he genially agreed to be interviewed. One guard stayed in the room, along with my translator. Qassem lit a cigarette, and leaned back in his chair. I started by asking him if he had been tortured by his captors. His eyes widened. ''By God, no,'' he said. ''There is nothing like torture here.'' Then he told me that his involvement in Islamic radicalism began in 1992 in Baghdad, when he met Ayman al-Zawahiri.

Qassem said that he was one of seventeen bodyguards assigned to protect Zawahiri, who stayed at Baghdad's Al Rashid Hotel, but who, he said, moved around surreptitiously. The guards had no idea why Zawahiri was in Baghdad, but one day Qassem escorted him to one of Saddam's palaces for what he later learned was a meeting with Saddam himself

Qassem's capture by the Kurds grew out of his last assignment from the Mukhabarat. The Iraqi intelligence service received word that Abu Wa'el had been captured by American agents. ''I was sent by the Mukhabarat to Kurdistan to find Abu Wa'el or, at least, information about him,'' Qassem told me. ''That's when I was captured, before I reached Biyara.''

I asked him if he was sure that Abu Wa'el was on Saddam's side. ''He's an employee of the Mukhabarat,'' Qassem said. ''He's the actual decision-maker in the group''—Ansar al-Islam—''but he's an employee of the Mukhabarat.'' According to the Kurdish intelligence officials, Abu Wa'el is not in American hands; rather, he is still with Ansar al-Islam. American officials declined to comment.

The Kurdish intelligence officials told me that they have Al Qaeda members in custody, and they introduced me to another prisoner, a young Iraqi Arab named Haqi Ismail, whom they described as a middle- to high-ranking member of Al Qaeda. He was, they said, captured by the peshmerga as he tried to get into Kurdistan three weeks after the start of the American attack on Afghanistan. Ismail, they said, comes from a Mosul family with deep connections to the Mukhabarat; his uncle is the top Mukhabarat official in the south of Iraq. They said they believe that Haqi Ismail is a liaison between Saddam's intelligence service and Al Qaeda.

Ismail wore slippers and a blanket around his shoulders. He was ascetic in appearance and, at the same time, ostentatiously smug. He appeared to be amused by the presence of an American. He told the investigators that he would not talk to the C.I.A. The Kurdish investigators laughed and said they wished that I were from the C.I.A.

Ismail said that he was once a student at the University of Mosul but grew tired of life in Iraq under Saddam Hussein. Luckily, he said, in 1999 he met an Afghan man who persuaded him to seek work in Afghanistan. The Kurdish investigators smiled as Ismail went on to say that he found himself in Kandahar, then in Kabul, and then somehow—here he was exceedingly vague—in an Al Qaeda camp. When I asked him how enrollment in an Al Qaeda camp squared with his wish to seek work in Afghanistan, he replied, ''Being a soldier is a job.'' After his training, he said, he took a post in the Taliban Foreign Ministry. I asked him if he was an employee of Saddam's intelligence service. ''I prefer not to talk about that,'' he replied.

Later, I asked, the Kurdish officials if they believed that Saddam provides aid to Al Qaeda affiliated terror groups or simply maintains channels of communication with them. It was getting late, and the room was growing even colder. ''Come back tomorrow,'' the senior official in the room said, ''and we'll introduce you to someone who will answer that question.''

7. THE AL QAEDA LINK

The man they introduced me to the next afternoon was a twenty-nine-year-old Iranian Arab, a smuggler and bandit from the city of Ahvaz. The intelligence officials told me that his most recent employer was bin Laden. When they arrested him, last year, they said, they found a roll of film in his possession. They had the film developed, and the photographs, which they showed me, depleted their prisoner murdering a man with a knife, slicing his ear off and then plunging the knife into the top of the man's head.

The Iranian had a thin face, thick black hair, and a mustache; he wore an army jacket, sandals, and Western-style sweatpants. Speaking in an almost casual tone, he told me that he was born in 1973, that his real name was Muhammad Mansour Shahab, and that he had been a smuggler most of his adult life.

''I met a group of drug traffickers,'' he said. ''They gave us drugs and we got them weapons,'' which they took from Iran into Afghanistan. In 1996, he met an Arab Afghan. ''His name was Othman,'' the man went on. ''He gave me drugs, and I got him a hundred and fifty Kalashnikovs. Then he said to me, 'You should come visit Afghanistan.' So we went to Afghanistan in 1996. We stayed for a while, I came back, did a lot of smuggling jobs. My brother-in-law tried to send weapons to Afghanistan, but the Iranians ambushed us. I killed some of the Iranians.''

He soon returned with Othman to Afghanistan, where, he said, Othman gave him the name Muhammad Jawad to use while he was there. ''Othman said to me, 'You will meet Sheikh Osama soon.' We were in Kandahar. One night, they gave me a sleeping pill. We got into a car and we drove for an hour and a half into the mountains. We went to a tent they said was Osama's tent.'' The man now called Jawad did not meet Osama bin Laden that night. ''They said to me, 'You're the guy who killed the Iranian officer.' Then they said they needed information about me, my real name. They told Othman to take me back to Kandahar and hold me in jail for twenty-one days while they investigated me.''

The Al Qaeda men completed their investigation and called him back to the mountains. ''They told me that Osama said I should work with them,'' Jawad said. ''They told me to bring my wife to Afghanistan.'' They made him swear on a Koran that he would never betray them. Jawad said that he became one of Al Qaeda's principal weapons smugglers. Iraqi opposition sources told me that the Baghdad regime frequently smuggled weapons to Al Qaeda by air through

Dubai to Pakistan and then overland into Afghanistan. But Jawad told me that the Iraqis often used land routes through Iran as well. Othman ordered him to establish a smuggling route across the Iraq-Iran border. The smugglers would pose as shepherds to find the best routes. ''We started to go into Iraq with the sheep and cows,'' Jawad told me, and added that they initiated this route by smuggling tape recorders from Iraq to Iran. They opened a store, a front, in Ahvaz, to sell electronics, ''just to establish relationships with smugglers.''

One day in 1999, Othman got a message to Jawad, who was then in Iran. He was to smuggle himself across the Iraqi border at Fao, where a car would meet him and take him to a village near Tikrit, the headquarters of Saddam Hussein's clan. Jawad was then taken to a meeting at the house of a man called Luay, whom he described as the son of Saddam's father-in-law, Khayr Allah Talfah. (Professor Baram, who has long followed Saddam's family, later told me he believes that Luay, who is about forty years old, is close to Saddam's inner circle.) At the meeting, with Othman present, Mukhabarat officials instructed Jawad to go to Baghdad, where he was to retrieve several cannisters filled with explosives. Then, he said, he was to arrange to smuggle the explosives into Iran, where they would be used to kill anti-Iraqi activists. After this assignment was completed, Jawad said, he was given a thousand Kalashnikov rifles by Iraqi intelligence and told to smuggle them into Afghanistan.

A year later, there was a new development: Othman told Jawad to smuggle several dozen refrigerator motors into Afghanistan for the Iraqi Mukhabarat; a cannister filled with liquid was attached to each motor. Jawad said that he asked Othman for more information. ''I said, 'Othman, what does this contain?' He said, 'My life and your life.' He said they''—the Iraqi agents—''were going to kill us if we didn't do this. That's all I'll say.

''I was given a book of dollars,'' Jawad went on, meaning ten thousand dollars—a hundred American hundred-dollar bills. ''I was told to arrange to smuggle the motors. Othman told me to kill any of the smugglers who helped us once we got there.'' Vehicles belonging to the Taliban were waiting at the border, and Jawad said that he turned over the liquid-filled refrigerator motors to the Taliban, and then killed the smugglers who had helped him.

Jawad said that he had no idea what liquid was inside the motors, but he assumed that it was some type of chemical or biological weapon. I asked the Kurdish officials who remained in the room if they believed that, as late as 2000, the Mukhabarat was transferring chemical or biological weapons to Al Qaeda. They spoke carefully. ''We have no idea what was in the cannisters,'' the senior official said. ''This is something that is worth an American investigation.''

When I asked Jawad to tell me why he worked for Al Qaeda, he replied, ''Money.'' He would not say how much money he had been paid, but he suggested that it was quite a bit. I had one more question: How many years has Al Qaeda maintained a relationship with Saddam Hussein's regime? ''There's been a relationship between the Mukhabarat and the people of Al Qaeda since 1992,'' he replied.

Carole O'Leary, a Middle Eastern expert at American University, in Washington, and a specialist on the Kurds, said it is likely that Saddam would seek an alliance with Islamic terrorists to serve his own interests. ''I know that there are Mukhabarat agents throughout Kurdistan,'' O'Leary said, and went on, ''One way the Mukhabarat could destabilize the Kurdish experiment in democracy is to link up with Islamic radical groups. Their interests dovetail completely. They both have much to fear from the democratic, secular experiment of the Kurds in the safe haven, and they both obviously share a hatred for America.''

8. THE PRESENT DANGER

A paradox of life in northern Iraq is that, while hundreds, perhaps thousands, of children suffer from the effects of chemical attacks, the child-mortality rate in the Kurdish zone has improved over the past ten years. Prime Minister Salih credits this to, of all things, sanctions placed on the Iraqi regime by the United Nations after the Gulf War because of Iraq's refusal to dismantle its nonconventional-weapons program. He credits in particular the program begun in 1997, known as oil-for-food, which was meant to mitigate the effects of sanctions on civilians by allowing the profits from Iraq oil sales to buy food and medicine. Calling this program a ''fantastic concept,'' Salih said, ''For the first time in our history, Iraqi citizens—all citizens—are insured a portion of the country's oil wealth. The north is a testament to the success of the program. Oil is sold and food is bought.''

I asked Salih to respond to the criticism, widely aired in the West, that the sanctions have led to the death of thousands of children. ''Sanctions don't kill Iraqi children,'' he said. ''The regime kills children.''

This puzzled me. If it was true, then why were the victims of the gas attacks still suffering from a lack of health care? Across Kurdistan, in every hospital I visited, the complaints were the same: no CT scans, no MRIS, no pediatric surgery, no advanced diagnostic equipment, not even surgical gloves. I asked Salih why the money designated by the U.N. for the Kurds wasn't being used for advanced medical treatment. The oil-for-food program has one enormous flaw, he replied. When the program was introduced, the Kurds were promised thirteen per cent of the country's oil revenue, but because of the terms of the agreement between Baghdad and the U.N.—a ''defect,'' Salih said—the government controls the flow of food, medicine, and medical equipment to the very people it slaughtered. Food does arrive, he conceded, and basic medicines as well, but at Saddam's pace.

On this question of the work of the United Nations and its agencies, the rival Kurdish parties agree. ''We've been asking for a four-hundred-bed hospital for Sulaimaniya for three years,'' said Nerchivan Barzani, the Prime Minister of the region controlled by the Kurdish Democratic Party, and Salih's counterpart. Sulaimanlya is in Salih's territory, but in this case geography doesn't matter. ''It's our money,'' Barzani said. ''But we need the approval of the Iraqis. They get to decide. The World Health Organization is taking its orders from the Iraqis. It's crazy.''

Barzani and Salih accused the World Health Organization, in particular, of rewarding with lucrative contracts only companies favored by Saddam. ''Every time I interact with the U.N.,'' Salih said, ''I think, My God, Jesse Helms is right. If the U.N. can't help us, this poor, dispossessed Muslim nation, then who is it for?''

Many Kurds believe that Iraq's friends in the U.N. system, particularly members of the Arab bloc, have worked to keep the Kurds' cause from being addressed. The Kurds face an institutional disadvantage at the U.N., where, unlike the Palestinians, they have not even been granted official observer status. Salih grew acerbic: ''Compare us to other liberation movements around the world. We are very mature. We don't engage in terror. We don't condone extremist nationalist notions that can only burden our people. Please compare what we have achieved in the Kurdistan national-authority areas to the Palestinian national authority of Mr. Arafat. We have spent the last ten years building a secular, democratic society, a civil society. What has he built?''

Last week, in New York, I met with Benon Sevan, the United Nations undersecretary-general who oversees the oil-for-food program. He quickly let me know that he was unmoved by the demands of the Kurds. ''If they had a theme song, it would be 'Give Me, Give Me, Give Me,'" Sevan said. ''I'm getting fed up with their complaints. You can tell them that.'' He said that under the oil-for-food program the ''three northern govemorates''—U.N. officials avoid the word ''Kurdistan''—have been allocated billions of dollars in goods and services. ''I don't know if they've ever had it so good,'' he said.

I mentioned the Kurds' complaint that they have been denied access to advanced medical equipment, and he said, ''Nobody prevents them from asking. They should go ask the World Health Organization''—which reports to Sevan on matters related to Iraq. When I told Sevan that the Kurds have repeatedly asked the W.H.O., he said, ''I'm not going to pass judgment on the W.H.O.'' As the interview ended, I asked Sevan about the morality of allowing the Iraqi regime to control the flow of food and medicine into Kurdistan. ''Nobody's innocent,'' he said. ''Please don't talk about morals with me.''

When I went to Kurdistan in January to report on the 1988 genocide of the Kurds, I did not expect to be sidetracked by a debate over U.N. sanctions. And I certainly didn't expect to be sidetracked by crimes that Saddam is committing against the Kurds now—in particular—''nationality correction,'' the law that Saddam's security services are using to implement a campaign of ethnic cleansing. Large-scale operations against the Kurds in Kirkuk, a city southeast of Erbil, and in other parts of Iraqi Kurdistan under Saddam's control, have received scant press attention in the West; there have been few news accounts and no Security Council condemnations drafted in righteous anger.

Saddam's security services have been demanding that Kurds ''correct'' their nationality by signing papers to indicate that their birth records are false—that they are in fact Arab. Those who don't sign have their property seized. Many have been evicted, often to Kurdish-controlled regions, to make room for Arab families. According to both the Kurdistan Democratic Party and the Patriotic Union of Kurdistan, more than a hundred thousand Kurds have been expelled from the Kirkuk area over the past two years.

Nationality correction is one technique that the Baghdad regime is using in an overall ''Arabization'' campaign, whose aim is to replace the inhabitants of Kurdish cities, especially the oil-rich Kirkuk, with Arabs from central and southern Iraq, and even, according to persistent reports, with Palestinians. Arabization is not new, Peter Galbraith, a professor at the National Defense University and a former senior adviser to the Senate Foreign Relations Committee, says. Galbraith has monitored Saddam's anti-Kurdish activities since before the Gulf War. ''It's been going on for twenty years,'' he told me. ''Maybe it's picked up speed, but it is certainly nothing new. To my mind, it's part of a larger process that has been under way for many years, and is aimed at reducing the territory occupied by the Kurds and at destroying rural Kurdistan.''

''This is the apotheosis of cultural genocide,'' said Saedi Barzinji, the president of Salahaddin University, in Erbil, who is a human-rights lawyer and Massoud Barzani's legal adviser. Barzinji and other Kurdish leaders believe that Saddam is trying to set up a buffer zone between Arab Iraq and

Kurdistan, just in case the Kurds win their independence. To help with this, Barzinji told me last month, Saddam is trying to rewrite Kirkuk's history, to give it an ''Arab'' past. If Kurds, Barzinji went on, ''don't change their ethnic origin, they are given no food rations, no positions in government, no right to register the names of their new babies. In the last three to four weeks, hospitals have been ordered, the maternity wards ordered, not to register any Kurdish name.'' New parents are ''obliged to choose an Arab name.'' Barzinji said that the nationality-correction campaign extends even to the dead. ''Saddam is razing the gravestones, erasing the past, putting in new ones with Arab names,'' he said. ''He wants to show that Kirkuk has always been Arab.''

Some of the Kurds crossing the demarcation line between Saddam's forces and the Kurdish zone, it is said, are not being expelled but are fleeing for economic reasons. But in camps across Kurdistan I met refugees who told me stories of visits from the secret police in the middle of the night.

Many of the refugees from Kirkuk live in tent camps built on boggy fields. I visited one such camp at Beneslawa, not far from Erbil, where the mud was so thick that it nearly pulled off my shoes. The people at the camp—several hundred, according to two estimates I heard—are ragged and sick. A man named Howar told me that his suffering could not have been avoided even if he had agreed to change his ethnic identity.

''When you agree to change your nationality, the police write on your identity documents 'second-degree Arab,' which they know means Kurd,'' he told me. ''So they always know you're a Kurd.'' (In a twist characteristic of Saddam's regime, Kurdish leaders told me, Kurds who agree to ''change'' their nationality are fined for having once claimed falsely to be Kurdish.)

Another refugee, Shawqat Hamid Muhammad, said that her son had gone to jail for two months for having a photograph of Mustafa Barzani in his possession. She said that she and her family had been in the Beneslawa camp for two months. ''The police came and knocked on our door and told us we have to leave Kirkuk,'' she said. ''We had to rent a truck to take our things out. We were given one day to leave. We have no idea who is in our house.'' Another refugee, a man named Ibrahim Jamil, wandered over to listen to the conversation. ''The Arabs are winning Kirkuk,'' he said. ''Soon the only people there will be Arabs, and Kurds who call themselves Arabs. They say we should be Arab. But I'm a Kurd. It would be easier for me to die than be an Arab. How can I not be a Kurd?''

Peter Galbraith told me that in 1987 he witnessed the destruction of Kurdish villages and cemeteries—''anything, that was related to Kurdish identity,'' he said. ''This was one of the factors that led me to conclude that it is a policy of genocide, a crime of intent, destroying a group whole or in part.''

9. IRAQ'S ARMS RACE

In a series of meetings in the summer and fall of 1995, Charles Duelfer, the deputy executive chairman of the United Nations Special Commission, or UNSCOM—the now defunct arms-inspection team—met in Baghdad with Iraqi government delegations. The subject was the status of Iraq's nonconventional-weapons programs, and Duelfer, an American diplomat on loan to the United Nations, was close to a breakthrough.

In early August, Saddam's son-in-law Hussein Kamel had defected to Jordan, and had then spoken publicly about Iraq's offensive biological, chemical, and nuclear capabilities. (Kamel later returned to Iraq and was killed almost immediately, on his father-in-law's orders.) The regime's credibility was badly damaged by Kamel's revelations, and during these meetings the Iraqi representatives decided to tell Duelfer and his team more than they had ever revealed before. ''This was the first time Iraq actually agreed to discuss the Presidential origins of these programs,'' Duelfer recalled. Among the most startling admissions made by the Iraqi scientists was that they had weaponized the biological agent aflatoxin.

Aflatoxin, which is produced from types of fungi that occur in moldy grains, is the biological agent that some Kurdish physicians suspect was mixed with chemical weapons and dropped on Kurdistan. Christine Gosden, the English geneticist, told me, ''There is absolutely no forensic evidence whatsoever that aflatoxins have ever been used in northern Iraq, but this may be because no systematic testing has been carried out in the region, to my knowledge.''

Duelfer told me, ''We kept pressing the Iraqis to discuss the concept of use for aflatoxin. We learned that the origin of the biological-weapons program is in the security services, not in the military—meaning that it really came out of the assassinations program.'' The Iraqis, Duelfer said, admitted something else: they had loaded aflatoxin into two Scud-ready warheads, and also mixed aflatoxin with tear gas. They wouldn't say why.

In an op-ed article that Duelfer wrote for the Los Angeles Times last year about Iraqi programs to develop weapons of mass destruction, he offered this hypothesis: ''If a regime wished to conceal a biological attack, what better way than this? Victims would suffer the short-term effects of inhaling tear gas and would assume that this was the totality of the attack: Subsequent cancers would not be linked to the prior event.''

United Nations inspectors were alarmed to learn about the aflatoxin program. Richard Spertzel, the chief biological-weapons inspector for UNSCOM, put it this way: ''It is a devilish weapon. Iraq was quite clearly aware of the long-term carcinogenic effect of aflatoxin. Aflatoxin can only do one thing—destroy people's livers. And I suspect that children are more susceptible. From a moral standpoint, aflatoxin is the cruellest weapon—it means watching children die slowly of liver cancer.''

Spertzel believes that if aflatoxin were to be used as a weapon it would not be delivered by a missile. ''Aflatoxin is a little tricky,'' he said. ''I don't know if a single dose at one point in time is going to give you the long-term effects. Continuous, repeated exposure—through food—would be more effective.'' When I asked Spertzel if other countries have weaponized aflatoxin, he replied, ''I don't know any other country that did it. I don't know any country that would.''

It is unclear what biological and chemical weapons Saddam possesses today. When he maneuvered UNSCOM out of his country in 1998, weapons inspectors had found a sizable portion of his arsenal but were vexed by what they couldn't find. His scientists certainly have produced and weaponized anthrax, and they have manufactured botulinum toxin, which causes muscular paralysis and death. They've made Clostridium perfringens, a bacterium that causes gas gangrene, a condition in which the flesh rots. They have also made wheat-cover smut, which can be used to poison crops, and ricin, which, when absorbed into the lungs, causes hemorrhagic pneumonia.

According to Gary Milhollin, the director of the Wisconsin Project on Nuclear Arms Control, whose Iraq Watch project monitors Saddam's weapons capabilities, inspectors could not account for a great deal of weaponry believed to be in Iraq's possession, including almost four tons of the nerve agent VX; six hundred tons of ingredients for VX; as much as three thousand tons of other poison-gas agents; and at least five hundred and fifty artillery shells filled with mustard gas. Nor did the inspectors find any stores of aflatoxin.

Saddam's motives are unclear, too. For the past decade, the development of these weapons has caused nothing but trouble for him; his international isolation grows not from his past crimes but from his refusal to let weapons inspectors dismantle his nonconventional-weapons programs. When I asked the Iraqi dissident Kanan Makiya why Saddam is so committed to these programs, he said, ''I think this regime developed a very specific ideology associated with power, and how to extend that power, and these weapons play a very important psychological and political part.'' Makiya added, ''They are seen as essential to the security and longevity of the regime.''

Certainly, the threat of another Halabja has kept Iraq's citizens terrorized and compliant. Amatzia Baram, the Iraq expert at the University of Haifa, told me that in 1999 Iraqi troops in white biohazard suits suddenly surrounded the Shiite holy city of Karbala, in southern Iraq, which has been the scene of frequent uprisings against Saddam. (The Shiites make up about sixty percent of Iraq's population, and the regime is preoccupied with the threat of another rebellion.) The men in the white suits did nothing; they just stood there. ''But the message was clear,'' Baram said. ''What we did to the Kurds in Halabja we can do to you.'' It's a very effective psychological weapon. From the information I saw, people were really panicky. They ran into their homes and shut their windows. It worked extremely well.''

Saddam's weapons of mass destruction clearly are not meant solely for domestic use. Several years ago in Baghdad, Richard Butler, who was then the chairman of UNSCOM, fell into conversation with Tariq Aziz, Saddam's confidant and Iraq's deputy Prime Minister. Butler asked Aziz to explain the rationale for Iraq's biological-weapons project, and he recalled Aziz's answer: ''He said, 'We made bioweapons in order to deal with the Persians and the Jews.' ''

Iraqi dissidents agree that Iraq's programs to build weapons of mass destruction are focussed on Israel. ''Israel is the whole game,'' Ahmad Chalabi, the leader of the Iraqi National Congress, told me. ''Saddam is always saying publicly, 'Who is going to fire the fortieth missile?' ''—a reference to the thirty-nine Scud missiles he fired at Israel during the Gulf War. ''He thinks he can kill one hundred thousand Israelis in a day with biological weapons.'' Chalabi added, ''This is the only way he can be Saladin''—the Muslim hero who defeated the Crusaders. Students of Iraq and its government generally agree that Saddam would like to project himself as a leader of all the Arabs, and that the one sure way to do that is by confronting Israel.

In the Gulf War, when Saddam attacked Israel, he was hoping to provoke an Israeli response, which would drive America's Arab friends out of the allied coalition. Today, the experts say, Saddam's desire is to expel the Jews from history. In October of 2000, at an Arab summit in Cairo, I heard the vice-chairman of Iraq's Revolutionary Command Council, a man named Izzat Ibrahim al-Douri, deliver a speech on Saddam's behalf, saying, ''Jihad alone is capable of liberating Palestine and the rest of the Arab territories occupied by dirty Jews in their distorted Zionist entity.''

Amatzia Baram said, ''Saddam can absolve himself of all sins in the eyes of the Arab and Muslim worlds by bringing Israel to its knees. He not only wants to be a hero in his

own press, which already recognizes him as a Saladin, but wants to make sure that a thousand years from now children in the fourth grade will know that he is the one who destroyed Israel.''

It is no comfort to the Kurds that the Jews are now Saddam's main preoccupation. The Kurds I spoke with, even those who agree that Saddam is aiming, his remaining Scuds at Israel, believe that he is saving some of his ''special weapons''—a popular euphemism inside the Iraqi regime for a return visit to Halabja. The day I visited the Kalak Bridge, which divides the Kurds from the Iraqi Army's Jerusalem brigade, I asked Muhammad Najar, the local official, why the brigade was not facing west, toward its target. ''The road to Jerusalem,'' he replied, ''goes through Kurdistan.''

A few weeks ago, after my return from Iraq, I stopped by the Israeli Embassy in Washington to see the Ambassador, David Ivry. In 1981, Ivry, who then led Israel's Air Force, commanded Operation Opera, the strike against the Osirak nuclear reactor near Baghdad. The action was ordered by Prime Minister Menachem Begin, who believed that by hitting the reactor shortly before it went online he could stop Iraq from building an atomic bomb. After the attack, Israel was condemned for what the Times called ''inexcusable and short-sighted aggression.'' Today, though, Israel's action is widely regarded as an act of muscular arms control. ''In retrospect, the Israeli strike bought us a decade,'' Gary Milhollin, of the Wisconsin Project, said. ''I think if the Israelis had not hit the reactor the Iraqis would have had bombs by 1990''—the year Iraq invaded Kuwait.

Today, a satellite photograph of the Osirak site hangs on a wall in Ivry's office. The inscription reads, ''For General David Ivry—With thanks and appreciation for the outstanding job he did on the Iraqi nuclear program in 1981, which made our job much easier in Desert Storm.'' It is signed ''Dick Cheney.''

''Preemption is always a positive,'' Ivry said.

Saddam Hussein never gave up his hope of turning Iraq into a nuclear power. After the Osirak attack, he rebuilt, redoubled his efforts, and dispersed his facilities. Those who have followed Saddam's progress believe that no single strike today would eradicate his nuclear program. I talked about this prospect last fall with August Hanning, the chief of the B.N.D., the German intelligence agency, in Berlin. We met in the new glass-and-steel Chancellery, overlookincg the renovated Reichstag.

The Germans have a special interest in Saddam's intentions. German industry is well represented in the ranks of foreign companies that have aided Saddam's nonconventional-weapons programs, and the German government has been publicly regretful. Hanning told me that his agency had taken the lead in exposing the companies that helped Iraq build a poison-gas factory at Samarra. The Germans also feel, for the most obvious reasons, a special responsibility to Israel's security, and this, too, motivates their desire to expose Iraq's weapons-of-mass-destruction programs. Hanning is tall, thin, and almost translucently white. He is sparing with words, but he does not equivocate. ''It is our estimate that Iraq will have an atomic bomb in three years,'' he said.

There is some debate among arms-control experts about exactly when Saddam will have nuclear capabilities. But there is no disagreement that Iraq, if unchecked, will have them soon, and a nuclear-armed Iraq would alter forever the balance of power in the Middle East. ''The first thing that occurs to any military planner is force protection,'' Charles Duelfer told me. ''If your assessment of the threat is chemical or biological, you can get individual protective equipment and warning systems. If you think he's going to use a nuclear weapon, where are you going to concentrate your forces?''

There is little doubt what Saddam might do with an atomic bomb or with his stocks of biological and chemical weapons. When I talked about Saddam's past with the medical geneticist Christine Gosden, she said, ''Please understand, the Kurds were for practice.''

Mr. FALEOMAVAEGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BORSKI).

(Mr. BORSKI asked and was given permission to revise and extend his remarks.)

Mr. BORSKI. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of this resolution.

We in Congress must stand behind the President in granting him the authority to use military force against Iraq. The only chance to prevent war is to be prepared to go to war. We will not rush to war, but we cannot stand by while Iraq's weapons of mass destruction program poses a growing threat to our national security. Over the past few weeks, many have voiced a number of questions, including why we must take action at this moment, how long our armed forces may be in Iraq, and what the humanitarian, economic, and political costs of a military response may be. These are all valid concerns and questions I have considered. Ultimately, we must decide whether the threats we face merit the risk of American lives. The consequences of this vote are serious, and I have not had to make a more difficult decision in my 20 years in Congress. I believe that support for this resolution will send a strong, decisive signal to Saddam Hussein that his continued violation of U.N. Security Resolutions will not be tolerated.

This vote is evidence that the challenges we face today are unique in the context of our history. We as a nation, could not have prevented the horrific acts of September 11th and I witnessed the destruction firsthand, at both the World Trade Center and at the Pentagon. Because of the events of September 11th, we cannot wait to act on a threat to our nation and to the American people, lest we allow ourselves to be victims once again. We are faced with a situation in which the lessons of history speak clearly of danger, and we face a threat unlike any other in history. Iraqi President Saddam Hussein has proven himself to be a ruthless and unpredictable enemy, and even the slightest threat posed by his regime is one that we are unable to ignore without great risk to our national security. The world has come to know a long and terrible list of grievances against Saddam Hussein, including the brutal repression and torture of his political opponents, the use of chemical weapons against his own people, and his tireless pursuit of weapons of mass destruction. It is this record of brutality and tendency toward violence that should focus our attention on Iraq. Intelligence reports from both the United States and Great Britain highlight Iraq's relentless drive to produce chemical, biological, and nuclear weapons, and there is mounting evidence that Saddam Hussein is only 1–5 years away from nuclear weapons capability. Knowing that containment and deterrence are ineffective against the Iraqi regime, we have no choice. Knowing that Saddam Hussein has consistently violated United Nations resolutions we must act. We must act in a timely fashion to avoid the possibility that Saddam Hussein will use these weapons or that he would transfer these weapons to a terrorist organization such as Al Qaeda, which would not hesitate to use them against us. We cannot wait to protect ourselves until it is too late to do so. Now more than ever we must be proactive to protect Americans, our country, and our way of life.

In 1991, after the United States and United Nations had demonstrated a willingness to peacefully resolve the crisis that followed the Iraqi invasion of Kuwait, and after Saddam Hussein refused to comply with several U.N. Security Council Resolutions, I cast my vote in favor of military action against Iraq. I voted for the resolution then because I believed that my support would help demonstrate that Congress, the President, and the American people stand together against Saddam Hussein's defiance.

Since the Persian Gulf War, Saddam Hussein has repeatedly demonstrated his disdain for the authority of international law by defying U.N. Security Council Resolutions that were designed to ensure that Iraq does not pose a threat to international peace and security. Inspections and sanctions have both failed in the past to address the threat posed by Iraq. We should work toward a viable U.N. Security Council Resolution and build an international coalition to support action to dismantle Iraq's weapons of mass destruction. If we do take military action with such broad support, it will not set a precedent for preemption, but will boldly state the necessity for any future disputes to be resolved first through diplomatic channels.

I firmly believe that diplomatic efforts should precede any military action before we commit our men and women to fight for peace and justice. At a recent briefing, Secretary of State Colin Powell assured me that every effort is being made to reach an agreement on a U.N. Security Council Resolution, so that if we act, we will not act alone. Military power must not be the basis of our strategy, but should be one of many options we have at our disposal. It is my hope that we will do all that we can to avoid armed conflict, but should we engage, we will do so to promote peace and protect our national security.

Our unity in this vote will deliver a message to the international community that we as Americans share the belief that the threat we face is real, and that our cause is just. It is my hope that this vote is the first step toward increased peace and stability in the Middle East and a more secure future for the United States and for the world.

I believe that a strong vote in favor of this resolution will prompt the American people, the United Nations, and the international community to join in support of action to neutralize the threat that is posed by Saddam Hussein and the proliferation of his program of weapons of mass destruction.

Mr. Speaker, a few years ago, when my youngest daughter, Maggie, was only 5 years old, she was here with my family for the swearing-in ceremony for Members of the

House. Members were then casting their votes for our party leadership, and I tried to test her by asking her if we were Republicans or Democrats. ''We're Americans, aren't we Dad?'' was her reply. This is how I believe we, as Members of Congress, should view this vote. All of us want the best for the American people and I hope that partisanship can be put aside for the moment, as each of us vote our conscience. We have come together as a nation since September 11th, and we still must remain unified in the face of any threat to our nation. I urge a vote in favor of this resolution.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. COSTELLO).

(Mr. COSTELLO asked and was given permission to revise and extend his remarks.)

Mr. COSTELLO. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I stand in opposition to this resolution.

Mr. Speaker, the most important and difficult decision a Member of Congress must make is the decision to send our troops—our sons, daughters, husbands and wives—in harm's way.

Each member must do as I have done—listen to the arguments on both sides of the issue, assemble and review all available information and then do what they believe is in the best interest of our nation.

Some people have questioned the President's motives and the timing of this resolution. A few members of this body traveled to Baghdad to meet with officials of the government of Iraq.

Frankly, I was appalled to see a Member of the Congress from my party in Baghdad questioning the motives of President Bush. I do not question the President's motives. I believe the President is doing what he believes is in the best interest of our nation.

After much though and deliberation, I have decided to vote against the resolution before us giving the President the discretion to send our troops to war in Iraq. I do so for the following reasons:

First, I believe we have a moral obligation and a responsibility to exhaust every possible resolution before sending our troops into harm's way. I do not believe that we have attempted to assemble an international coalition similar to the coalition that President George Herbert Walker Bush brought together to undertake the mission of Desert Shield and Desert Storm in 1990–1991.

Second, Iraq does not present a direct immediate threat to the United States. I have attended numerous briefings from the Bush administration on this topic, and I have yet to hear a good explanation as to why Saddam Hussein is a greater threat to us today than he was six months or a year ago. In fact, our intelligence agencies have concluded that Saddam Hussein is unlikely to attack the United States unprovoked, but there is a real change that Saddam Hussein will use weapons of mass destruction in response to an invasion.

Last and more importantly, the President's decision to change our military doctrine from containment to preemptive action could have major ramifications to the United States and may lead to war between other countries.

For the past 50 years, the United States has used our military troops to contain aggression against the U.S. and our allies. We have been able to persuade our allies to use restraint instead of their military under the most difficult circumstances and times. During the Persian Gulf war, the U.S. was able to persuade Israel to show great restraint while Saddam Hussein was deploying scud missiles toward Israel. Since the Persian Gulf war, the Israelis at the request of the United States have shown restraint in dealing with Arafat and the PLO.

If the U.S military attacks a country in order to counter a perceived future security risk, other countries may very well adopt the same preemptive policy. Those countries are more likely to follow the U.S. and less likely to show restraint, with serious potential consequences for Israel and the Palestinians, India and Pakistan, Russia and Chechnya, China and Taiwan, and the list goes on.

Secretary Colin Powell recently reminded us that other countries look to the United States for our leadership and example. I agree! I only hope that when looking to the United States that they do not adopt the new preemptive military policy and use that same policy against their enemies.

Mr. Speaker, this administration should follow the example of the President's father prior to Desert Shield and during Desert Storm. We should be putting together an international coalition to send in weapon inspectors and if necessary take military action to disarm Saddam Hussein. A ''go it alone'' attitude or policy could have devastating consequences on our troops, the people of Israel and other parts of the world.

Mr. Speaker, therefore, I will vote against this resolution and in favor of the Spratt substitute.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. STUPAK), a distinguished member of the Committee on Energy and Commerce.

(Mr. STUPAK asked and was given permission to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, we are being asked to commit our young servicemen and women to a possible war in Iraq. It is important for everyone to understand the gravity of this vote and the legal, ethical and moral grounds for such a grave commitment of U.S. lives and resources.

To date, I have received nearly 900 communications opposed to the United States acting unilaterally against Iraq and approximately 16 communications in support of the President's position. No matter what the result of the vote on each proposed resolution, I am confident that every Member will rally around our brave young servicemen and women if or when they are committed to hostile action in Iraq or anywhere else in the world.

Over the past few weeks, I have attended classified briefings on Capitol Hill, at the Pentagon, and with the President. In reflecting upon the views, opinions, and concerns expressed by my constituents, and after a thorough review of international law, it is clear that war with another country should only be declared if your country is directly attacked; if another nation is an accomplice in the attack on your country; if there is an immediate pending attack on your country; and, finally, if there is defiance of international law in the community.

To rush headlong into war without world support under any one of these four conditions violates every principle and every ideal on which this great Nation is founded and on which a free and democratic world exists.

In review of these four principles, there is no question that Iraq did not directly attack America. The evidence is also clear that Iraq was not an accomplice with the al Qaeda attacks on America. If there was any complicity by Iraq and Saddam Hussein, I am confident the President would have addressed this complicity in his U.N. address or in Monday's speech to the American people. In the classified briefings, no one could document with any certainty Iraq's complicity in the attacks on America.

There is no dispute that Iraq is not an immediate imminent military threat to the United States at this time. Some people would argue Saddam Hussein will give biological, chemical or nuclear weapons when obtained to terrorist groups, but there has been no credible evidence provided to House Members of these weapons being supplied to terrorists.

Individuals may still argue that we must assume that Iraq must have an accomplice with the al Qaeda attacks of September 11. If we wish to make this assumption, and it is only an assumption, not fact, then the President already has the authority to use ''all necessary and appropriate force against Iraq.'' If Saddam Hussein and Iraq are directly or indirectly responsible in any way with the attacks of September 11, the President has the authorization to take whatever means necessary to bring them to justice. The authority was given to the President just 3 days after the cowardly attacks on our country.

The link between the September 11 attacks and Saddam Hussein is so tangential even the President cannot justify military action against Saddam Hussein and Iraq based on complicity.

The strongest claim for military action against Iraq is its continued defiance of international law since the 1991

Gulf War cease-fire. It is on this principle that President Bush went to the U.N. to seek their approval to use the U.S. military to enforce U.N. resolutions against Iraq. The legal, ethical and moral justification to get rid of Saddam Hussein and invade Iraq is enforcement of international law, the U.N. resolutions.

The United States has never invoked a first strike invasion of another nation based on a fear of what might happen tomorrow. Now is not the time for a first strike policy based on fear, but let us strike with the support of the U.N. Security Council resolutions, with a multinational force to once and for all rid the world of Saddam Hussein.

If we now allow the U.S. military to invade a nation or change a regime because of fear, then the goals of terrorism have been accomplished. If we allow the U.S. to become a first-strike nation in the name of defeating terrorism because of the possibility of future terrorist attacks, this opens the world to a Pandora's box of selected conflicts around the world. The U.S. would lose its moral, ethical and legal grounds and its stature to protest or to prevent, for example, Russia from invading Georgia to hunt down Chechnya rebels, Pakistan from invading India, or China from invading Taiwan.

In our world, terrorism would now be defined and determined by the aggressor nation. The United States would lose its legal and moral ability to protest, as it did in 1979, the Soviet army's invasion of Afghanistan.

The situation in Iraq must be addressed, but we must not be seen as moving forward unilaterally, and we must not alienate our allies who support it and fought with us in the Persian Gulf War.

N O T I C E

Incomplete record of House proceedings. Except for concluding business which follows, today's House proceedings will be continued in the next issue of the Record.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9573. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Technical Assistance for Specialty Crops Program (RIN: 0551-AA63) received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9574. A letter from the Secretary, Department of Labor, transmitting a bill entitled, ''Black Lung Consolidation of Administrative Responsibilities Act''; to the Committee on Education and the Workforce.

9575. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Massachusetts; Plan for Controlling MWC Emissions From Existing Large MWC Plants [MA-01-7203a; FRL-7387-5] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9576. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Iowa [IA 154-1154a; FRL-7392-6] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9577. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Indiana [IN144-1a; FRL-7390-3] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9578. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; To Prevent and Control Air Pollution from the Operation of Hot Mix Asphalt Plants [WV 047-6021a; FRL-7391-3] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9579. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Vehicle Inspection and Maintenance Programs; Salt Lake County and General Requirements and Applicability [UT-001-0038, UT-001-0039, UT-001-0040; FRL-7262-2] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9580. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Prevention of Significant Deterioration (PSD) of Air Quality Permit Requirements [NH-01-48-7174a; A-1-FRL-7376-5] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9581. A letter from the Senior Legal Advisor to the Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Cable Television Consumer Protection and Competition Act of 1992; Development of Competition and Diversity in Video Programming Distribution: Section 628(c)(5) of the Communications Act; Sunset of Exclusive Contract Prohibition [CS Docket No. 01-290] received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9582. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Fort Wayne, Indiana) [MB Docket No. 01-302, RM-10333] received October 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9583. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'') — received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9584. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Specification of a Probability for Unlikely Features, Events and Processes (RIN: 3150-AG91) received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9585. A letter from the Chairman and Co-Chairman, Congressional Executive Commission on China, transmitting the Commission's first 2002 annual report; to the Committee on International Relations.

9586. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates — received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

9587. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Mismanaged Special Education Payment System Vulnerable to Fraud, Waste and Abuse,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

9588. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Certification of the Fiscal Year 2002 Revenue Projection in Support of the District's $283,870,000 Multimodal General Obligation Bonds and Refunding Bonds,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

9589. A letter from the Executives Resources and Special Programs Division, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9590. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna [I.D. 083002D] received October 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9591. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; Coastal Pelagic Species Fisheries; Closure of the Fishery for Pacific Sardine North of Pt. Piedras Blancas, CA [Docket No. 011218302-1302-01; 091202B] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9592. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Stone Crab Fishery of the Gulf of Mexico; Amendment 7 [Docket

No. 020606141-22212-02; I.D. 031402C] (RIN: 0648-AN10) received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9593. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 011218304-1304-01; I.D. 092502E] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9594. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Western Aleutian District [Docket No. 011218304-1304-01; I.D. 092402D] received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9595. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Trawl Gear in the Chum Salmon Savings Area of the Bering Sea and Aleutian Islands Management Area [Docket No. 011218304-1304-01; I.D. 091902D] received October 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9596. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's proposed legislation entitled, ''Child Abduction and Sexual Abuse Prevention Act of 2002''; to the Committee on the Judiciary.

9597. A letter from the Program Analyst,FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 Series Airplanes [Docket No. 2002-NM-196-AD; Amendment 39-12887; AD 2002-19-07] (RIN: 2120-AA64) received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9598. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Vulcanair S.p.A. P 68 Series Airplanes [Docket No. 2002-CE-13-AD; Amendment 39-12888; AD 2002-19-08] (RIN: 2120-AA64) received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9599. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Textron Lycoming IO-540, LTIO-540, and TIO-540 Series Reciprocating Engines [Docket No. 2002-NE-03-AD; Amendment 39-12883; AD 2002-19-03] (RIN: 2120-AA64) received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9600. A letter from the Program Analyst,FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA — Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 2002-CE-15-AD; Amendment 39-12881; AD 2002-19-01] (RIN: 2120-AA64) received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9601. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30331; Amdt. No. 3024] received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9602. A letter from the FMCSA Regulations Officer, Department of Transportation, transmitting the Department's final rule — Development of a North American Standard for Protection Against Shifting and Falling Cargo (RIN: 2126-AA27) received October 1, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30330; Amdt. No. 3023] received October 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9604. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Contract Numbering (RIN: 2700-AC33) received October 8, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9605. A letter from the Acting Director, Office of Regulatory Law, Department of Veterans' Affairs, transmitting the Department's final rule — Enrollment — Provision of Hospital and Outpatient Care to Veterans (RIN: 2900-AK38) received October 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9606. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Extension of Transition Relief for Foreign Partnerships and their Withholding Agents under Notice 2001-4 [Notice 2002-66] received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9607. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2002-66) received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9608. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Qualified covered call options (Rev. Rul. 2002-66) received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9609. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Tax Treatment of Payments Made Under the USDA Peanut Quota Buyout Program [Notice 2002-67] received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9610. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2002-68] received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9611. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Summary of Revenue Procedure 2002-64 (Rev. Proc. 2002-64) received October 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148 WASHINGTON, WEDNESDAY, OCTOBER 9, 2002 No. 132

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Source of strength for those who seek to serve You, we praise You for that second wind of Your power that comes when we open ourselves to Your Spirit. You have promised that, ''As your days so shall your strength be.'' Well, Lord, You know what the days are like before a recess. The Senators and all who work with them feel the pressure of the work to be done and the little time left to accomplish it. In days like these, stress mounts and our emotional reserves are drained. Physical tiredness can invade our effectiveness, and relationships can be strained. In this quiet moment, we open ourselves to the infilling of Your strength. We admit our dependence on You, seek Your guidance, and commit our work to You. Give us that healing assurance that You will provide strength to do what You guide and that there will always be enough time in any one day to do what You have planned for us to do. In Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HILLARY RODHAM CLINTON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 9, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HILLARY RODHAM CLINTON, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. CLINTON thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the majority leader, or his designee; under the previous order, the second half of the time shall be under the control of the Republican leader, or his designee.

AUTHORITY FOR THE HEALTH, EDUCATION, LABOR, AND PENSIONS COMMITTEE TO MEET

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session after the first floor vote of the day during the session on Wednesday, October 9, in SC–216. The Senate will consider the nomination of Mark B. McLellan of the District of Columbia to be Commissioner of the Food and Drugs Department of Health and Human Services.

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

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Madam President, when we take up this legislation, I ask that the full hour and a half be allotted in morning business, so it will be shortly after 11 o'clock.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. At that time, I ask that Senator FEINGOLD be recognized for up to 30 minutes and Senator REED be recognized as the next Democrat in order, following Senator KAY BAILEY HUTCHISON, who would follow Senator FEINGOLD, and then Senator REED, and then Senator GRASSLEY. That is, Senator REED from Rhode Island for 45 minutes, Senator GRASSLEY for 20 minutes, and Senator HUTCHISON for 30 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Senator WELLSTONE is to be recognized for up to 8 minutes in morning business. Senator KENNEDY will have the time until 10 o'clock, and Senator REID of Nevada will be recognized at 10 o'clock to speak. I ask unanimous consent that that be the case.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Minnesota is recognized.

EMERGENCY UNEMPLOYMENT COMPENSATION

Mr. WELLSTONE. Madam President, shortly, a unanimous consent request will be made—and this is the third or fourth time—to pass S. 3009, the Emergency Unemployment Compensation Act of 2002, which I have introduced with the Presiding Officer, who has done so much work on this and Senator

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

KENNEDY and others. This is the third or fourth time, and every day we are going to be making this request.

To tell you the truth, I think it is absolutely unconscionable that the Senate has not acted on this and that the Republican leadership, each time, has thrown up a roadblock to extending unemployment benefits. Believe me, I would love nothing more than to be home campaigning, but I don't think we should leave here without extending unemployment benefits.

In my State of Minnesota, there are 20,000 Minnesotans who have run out of unemployment benefits. Nationwide, there are about 900,000. I am sure many are in the State of New York, which the Chair represents. Colleagues, these are men and women who are hard-working, who have lost their jobs. The economy is flat. We are in economic trouble as a nation. It would be nice if the administration would get serious about the economy. How about a little bit of humanity?

In the early 1990s when we went through this, we didn't hesitate to pass an extension of unemployment benefits under exactly the same circumstances. I think each time we had more than 95 votes, Republicans and Democrats alike. These are people who are flat on their backs through no fault of their own. They have run out of unemployment benefits.

There are two different issues here. One, if we don't extend it by the end of December, some people who are receiving the current 13 weeks of benefits get cut off in the middle. I guess there is some discussion in the House with the Republican leadership about helping them. But the larger question—and we must make sure they get full unemployment benefits—is people who have just run out of all their unemployment benefits. In Minnesota right now, twice as many people are looking for jobs as there are jobs available.

I want to make the argument—and I don't have a lot of time—and it is a two- or threefold argument. First, I appeal to the humanity of everybody here. Just imagine—I don't know how many Senators have been out of work—when you have a family to support, unemployment benefits are a lifeline.

We have a trust fund, and we have more than enough money to support this. We are not spending additional money out of general revenue.

How many Senators have been through this? If you are out of work and you have run out of benefits, you cannot put food on the table. It is a terrifying situation. I think our common humanity dictates that we must do this. Today, I want this unanimous consent agreement to be agreed to.

Second of all, from an economic point of view, although I think a humanitarian appeal should be made, given a flat economy, you can count on it, Senators, that people who get an extension of unemployment benefits for an additional 13 weeks will be consuming because, believe me, they have to. They will be spending these dollars because they have to.

Right now, the problem is they don't have enough money to make ends meet month by month. So, actually, you are injecting a much-needed stimulus into the economy. So if the first argument doesn't move your soul—the humanitarian argument that this is the right thing to do for people who are in real trouble through no fault of their own—how about doing it for the economy?

My third argument is—I know we are debating the resolution on Iraq—but I have said over and over, and I am sure the Chair has picked this up as well—I like to talk to the State legislature candidates because their methodology of campaigning for office, as opposed to when one is campaigning statewide, is knocking on doors every day. They pound the doors 3 or 4 hours every evening.

I ask them: What are you hearing? People are talking about how worried they are about the economy; some people are out of work; other people are worried they will be. They are talking about health care, health care, health care, as though people have not heard it before. In our State, given all the cuts in education, they are talking about education as well.

It is a false dichotomy. It is not as if people back home are worried about the economy but are not worried about Iraq, or are not worried about terrorists. They are worried about all of it, and all of us should be worried about all of it.

I think the people I represent in Minnesota believe we are a great enough and a good enough country we can deal with our challenges in international affairs and, at the same time, we can deal with challenges that affect people in our country and our local communities, our families.

I do not understand this false dichotomy where apparently the administration and my colleagues on the other side of the aisle think we cannot address any of these economic issues. Apparently, they think we cannot focus on any domestic issues any longer; cannot even provide an extension of unemployment benefits to people. I believe some colleagues do not want to do this because they feel it is an admission the economy is not doing that well. The economy is not doing that well. We should wake up and smell the coffee.

The people I represent are still waiting on the Federal Government to provide the resources we said we were going to provide for schools, education, and our kids. The House Republican leadership and the Senate Republican leadership do not want to bring an appropriations bill out here that deals with education. We could easily provide more funding for Pell grants, making higher education not less but more accessible.

We certainly should provide more funding for special education which would help all of our districts, and provide more funding for title I.

Again, the Republican leadership and the White House do not want anything to do with it. I am going to a press conference in a couple of minutes on—that sounds melodramatic, life or death; it is a bit like unemployment benefits—disaster relief. I have never been in the Senate when we have not provided disaster relief.

The people in northwest Minnesota are flooded out, they are gone, it is over for them, and this administration is opposed to this bill. I have never voted against disaster relief in any part of the country. If something happens in New York, Madam President, I will vote for the money the people need. People do not ask for hurricanes, tornadoes, fire, and flooding, but if it should happen to the people in Minnesota, I ask you to support that.

Whatever happened to some sense of community? Whatever happened to compassionate conservatism? Compassionate conservatism dictates, at the very minimum, before we leave that the Senate pass this legislation I have introduced to extend unemployment benefits. I will come out to the Senate Chamber and give enough speeches to deafen all the gods until this is done. Frankly, I think on the other side of the aisle, people should feel uneasy and uncomfortable in blocking this legislation. They are putting up a roadblock to providing help to people who really need the help.

This is the right thing to do. It is certainly profamily, it is certainly prochildren, and it is certainly compassionate. I do not know what the delay is. Time is not neutral for a lot of people.

Madam President, by way of concluding—I know other colleagues are going to be out on the floor—I thank the Presiding Officer, since, as the Presiding Officer, she cannot speak for herself, at least for this moment—she does a good job speaking for herself, otherwise, all the time. Madam President, you have been a leader in bringing this before the Senate. I thank you for doing that.

We are not going to let up until this legislation is passed. I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. WELLSTONE. Madam President, we did not suggest the absence of a quorum?

The ACTING PRESIDENT pro tempore. No.

Mr. WELLSTONE. Madam President, I am going to be joined by Senator KENNEDY in just a moment. He will be making a request, and we will wait for a response on the part of our colleague.

While I am waiting for Senator KENNEDY, let me say again I think we have a huge disconnect between some of what is going on in the Senate—or what is not going on in the Senate—and the people we represent.

In Minnesota—I do not know about other States—people in Minnesota cannot understand for the life of them what in the world is the delay in extending unemployment benefits. People in Minnesota do not know that in

the early nineties we passed similar legislation and did it in a bipartisan way. They do not know there is plenty of precedent for it. And they do not know all about unanimous consent, and how one Senator can object, and all of the rest.

What people do have in Minnesota is a sense of right and wrong. Let's talk values for a moment. The values of people in Minnesota are when the economy goes south—I know some of my colleagues do not like to talk about the economy—when the economy is flat, and when so many people have lost their jobs and are hurting, and their families are hurting, people in Minnesota believe we ought to reach out and help them.

This legislation I have introduced, with the support of Senator KENNEDY and Senator CLINTON, should pass today. I see my colleague, Senator KENNEDY, is in the Chamber. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 3009

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 619, S. 3009, a bill to provide for the extension of unemployment compensation; that the bill be read the third time and passed; and that the motion to reconsider be laid upon the table, without intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection? The Senator from Oklahoma.

Mr. NICKLES. Madam President, reserving the right to object, I had a colloquy with the Senator from Minnesota when he propounded this request a couple days ago, and I asked the question if this was a simple extension. I believe he said it was almost.

I have read the bill and have found it is not a simple extension. I ask my colleague, has the bill changed? Is this a simple extension, a 13-week extension of unemployment compensation for all States?

Mr. KENNEDY. If I can respond, this is not the Thomas bill which was extended the last time. This is the historic and the traditional legislation that was passed three or four times in the early 1990s. This is not the more restricted Thomas bill.

We are going back to the legislation that provides genuine protections for unemployed workers. This legislation will affect close to 3 million workers who otherwise will see their unemployment insurance expire by the end of this year and the early months of next year.

The bill does not do all we believe ought to be done for part-time workers who are contributing into the unemployment insurance fund, or lower-income workers, all of whom are participating and paying into the insurance fund.

What we want to do with this legislation is say: We have a $27 billion surplus. The workers have paid into the fund. We need $14 billion of that so people can pay their mortgages, pay their health insurance, and pay their bills. That is what this bill is, and that is what will happen when we pass it.

This bill has basically been supported by a strong editorial in the Washington Post.

Mr. NICKLES. If the Senator will yield, I am trying to figure out what his bill will do.

Mr. KENNEDY. The Senator had this request, and I hoped he would have had a chance to look at and review it, because he is going to hear about it every single day as long as the Senate is in.

Mr. NICKLES. That's fine.

Mr. KENNEDY. If there is some way we can help clarify it, we are glad to do it. Last week when I was in the Chamber, along with the Senator from Minnesota, the Senator from New York, and the Senator from Illinois, who were fighting for it, we heard asked: Is this the same bill, or how is this different? We are glad to take the time, but the time is going on. We will be glad to sit down with the Senator later on today and go over every bit of it and hopefully get the extension of it. We are troubled. We are troubled by the fact that even though the first President Bush effectively opposed it on two occasions, he did support it on the third, and had Republican support on the third occasion. We hope the good light that is shone—and the common sense and wisdom—on those Republicans and the President when he supported it the third time will be shed on the Republican Senators and the Senator will help us get this supported.

Mr. NICKLES. If my colleague will yield for a question, I guess by the length of the Senator's answer, it is not a clean extension. I am reading on page 4 of the Senator's bill a section entitled ''Adjusted Insured Unemployment Rate.''

Correct me if I am wrong, but this definition basically says people who have exhausted unemployment compensation in the most recent 3 calendar months, even if they subsequently get a job, are still counted as unemployed; is not that correct?

Mr. KENNEDY. If the Senator would—only if they have been exhausted.

Mr. NICKLES. So the Senator's bill permits individuals who have exhausted their unemployment compensation, and then may have subsequently found a job, to be counted in the unemployment figures, according to this Adjusted Insured Unemployment Rate calculation on page 4?

Mr. KENNEDY. We are effectively using the trigger that had been used before, which gives the focus and attention on those who are both unemployed and those who have States which have a higher incidence of unemployment, and in those States, those figures would be added to the valuation of the unemployed workers in an attempt to get a true reading on the numbers of the unemployed.

Mr. NICKLES. If the Senator will yield further, it says:

> . . . except that individuals exhausting their right to regular compensation during the most recent 3 calendar months for which data are available before the close of the period for which such rate is being determined shall be taken into account as if they were individuals filing claims for regular compensation for each week during the period for which such rate is being determined.

In other words, one could exhaust their unemployment compensation, and may or may not find another job in the following 3 months—they are still going to be counted as unemployed according to this definition, which is really yielding a higher figure. I find that totally unacceptable. Maybe it was done in the 1990s, but that does not make it right. Surely we would want accurate unemployment compensation statistics used in determining how many weeks would be available for additional extended benefits. We want to do it right, and I am sure my colleagues from Massachusetts and Minnesota want to as well. This section is not doing it right. This section alone does not make the bill a clean extension.

I will be happy to work with my colleagues, but this is not acceptable. So I want to point that out.

I want to make another point while I am considering whether I will object to this. This one section is not acceptable. Also, I am finding, after reading the proposal of my colleagues, instead of having a 13-week extension, it is a 26-week extension for all States. That is very expensive. I might ask my friend from Massachusetts, what is the estimated cost of this proposal?

Mr. KENNEDY. To answer the question, this counts people who are unemployed and who have no benefits. Right now if someone is getting extended benefits, they are not counted. We count those people. That is the principal difference. That was the difference in the early 1990s as well, and that is what the Thomas bill did not do. That is what we do. We think there is a sound reason for being able to do it.

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. I will yield, but first I will be glad to continue with my friend if he is interested in trying to get the legislation passed. We have not heard what the Senator is for. We know what he is against. He is against this bill. If the Senator is saying he is for an extension on it, we are more than glad to try and work and see if something can be achieved, if that is what the position is. If the Senator's position is in opposition and continues to be in opposition, then we are going to continue to press him. If his position is, yes, I will support—would the Senator support the extension of the Thomas bill?

Mr. NICKLES. If the Senator will yield, and I asked a question first. I

asked the Senator how much this would cost.

Mr. KENNEDY. Fourteen billion dollars.

Mr. NICKLES. Fourteen?

Mr. KENNEDY. Yes. Now, if I could ask the Senator a question. Will he support the Thomas bill?

Mr. NICKLES. I have not asked unanimous consent. We have an estimate from CBO, that their estimate is $17.1 billion. I realize this bill did not come through committee. I realize this bill did not have a hearing. I realize this bill has not been vetted. I realize it was just introduced last week and the Senator is trying to pass it by unanimous consent. I have just had a chance to start reading the bill, and the more I read it, I find out it is not 13 weeks, it is 26 weeks. I find out it has an Adjusted Insured Unemployment Rate provision, which says we could potentially count some people under this definition who are working. So this bill is not acceptable.

To answer my colleague, I may be willing to work with the Senator to find a bill that is acceptable. Certainly, if we did something more along the lines of a 13-week/6-month extension for all States, without jimmying the figures, without using Adjusted Insured Unemployment Rates, without establishing new triggers—since this bill uses different triggers from current law that allows more States to qualify for additional extended benefits—if we treat States the same, basically do 13 weeks for 6 months, I might be willing to do that. I might be willing to shop that with colleagues in the House, and the White House. I believe I heard last week or earlier this week, this is almost a straight extension. The more I read, I find out this is not a straight extension. This is a bill that costs—just as a comparison, the straight six-month extension costs about $7.3 billion. Quickly estimated by CBO, this bill costs $17.1 billion. There is a big difference.

Mr. KENNEDY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. I guess the time is moving on. As I understand it, the Senator has indicated he would not even support the Thomas proposal extension. Am I right?

Mr. NICKLES. No, I have not stated that.

Mr. KENNEDY. I am trying to find out if we have any good faith in terms of trying to work something out. If the Senator is opposed to that and opposed to this, he is opposed to everything. If he could say, I am for the Thomas proposal, but I am troubled by some of these triggers—although I think they are rational—we are glad to sit down with him.

Can the Senator think about that through the day and let us know?

Mr. NICKLES. Will the Senator yield?

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. There are others who want to speak.

Mr. DURBIN. I was on the floor last week, and the Senator from Oklahoma came in and took a look at this bill, which is only a few pages, and he said: I really need some time to read this.

I have watched the Senator from Oklahoma, and he reads very quickly. I cannot understand why, a week later, the Senator still needs to read this.

Mr. NICKLES. Will the Senator yield?

Mr. DURBIN. At this point, I suggest to the Senator from Oklahoma, I think he has read it. I think he understands it. Certainly President Bush's father understood it when three times in a recession he said we cannot leave these unemployed families in this terrible, perilous situation. We have to extend unemployment benefits. It is a very basic concept, supported by Republican and Democratic Presidents alike, as well as economists and business leaders in my State.

When I say to them, what can we do about this economy, they say give some spending power to these poor people who are out of work. That is pretty fundamental.

I want to give the Senator from Oklahoma all the time he needs, but a week has passed. Is another week going to have to pass, or are we going to be able to come to a resolution and help these families, including over 100,000 people in my State of Illinois?

We have the fifth highest unemployment rate in the Nation. I think this Congress can do something. It should do something. I want to give the Senator from Oklahoma his opportunity, but I think a week is enough to read a seven-page bill.

Mr. WELLSTONE. I say to my colleague, we want to work with him.

Mr. NICKLES. Can we have regular order in the Senate.

Mr. WELLSTONE. We have time.

The PRESIDING OFFICER (Mr. CORZINE). The regular order is a unanimous consent request has been made. Is there objection?

Mr. NICKLES. I reserve the right to object.

Mr. KENNEDY. The regular order is the Senator objects or does not object. That is the regular order, so we are going on the regular order.

The PRESIDING OFFICER. The Senator from Massachusetts is right. Is there objection?

Mr. NICKLES. Reserving the right to object.

Mr. KENNEDY. Regular order. It either goes through or there is an objection.

Mr. NICKLES. Reserving the right to object.

The PRESIDING OFFICER. Under the regular order, the Senator may not reserve the right to object. He must either object or permit the request to be granted.

Mr. NICKLES. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts retains the floor.

Mr. NICKLES. Mr. President, parliamentary inquiry. He made a unanimous consent request. I objected. I sought recognition. He gave up the floor.

Mr. KENNEDY. I do not lose the floor.

The PRESIDING OFFICER. Under the precedent, the Senator who made the unanimous consent request retains the floor, whether it is granted or not.

Mr. KENNEDY. Mr. President, I am sincerely sorry we have not been able to work this out. Senators WELLSTONE and DURBIN have indicated the steps we are going to take to try to get the unemployment insurance. This is no mystery. It is a seven-page bill. There were efforts or suggestions about how we might be able to do this. We are certainly open to try to do it.

What is unacceptable is not helping the number of Americans and people who are hurting.

The PRESIDING OFFICER. Under a previous order, the Senator from Nevada is recognized at 10 a.m.

Mr. REID. Mr. President, if the Senator from Oklahoma wishes to speak, I have no problem, under your time, which comes later, and I still maintain my 15 minutes.

If the Senator from Massachusetts wishes to complete his remarks, I am happy to yield.

Mr. KENNEDY. I will ask that my remaining remarks be included.

Mr. REID. The Senator from Massachusetts is welcome to a few minutes of my time. I will use my 15 minutes when the Senator from Oklahoma finishes.

Mr. NICKLES. Did my colleague from Massachusetts finish his comments?

Mr. KENNEDY. I had additional comments, but the Senator has been seeking recognition to explain his objection. I am happy to hear that.

Mr. NICKLES. Mr. President, I appreciate the gracious remarks of my colleague from Nevada. On the bill presented to the Senate last week, it has not been marked up in the committee, has not been reported out of committee.

We have a preliminary analysis by the Congressional Budget Office, and the cost estimate is $17.1 billion in Fiscal Year 2003. On the floor last week, it was estimated by proponents, the Senator from Minnesota, the cost was $10 to $12 to $13 billion. In other words, they did not know. They are trying to pass it so quickly, they did not know how much it would cost. It has not been studied.

This proposal is reportedly an extension of unemployment benefits, extending provisions that expire at the end of December. It was being portrayed as a 6 month extension. But when I looked at the details, I found we are using completely different triggers, among other differences.

What does that mean for someone who does not follow this debate? It means more States qualify for more Federal benefits. There is currently an

unemployment compensation program of up to 26 weeks financed by the State, then a Federally-funded Temporary Extended Unemployment Compensation of up to an additional 13 weeks, and finally up to another 13 weeks for high unemployment states. By changing the trigger under this new proposal, we are saying more stages are eligible for extended benefits. We are saying benefits would be available in all states not just for 13 weeks but for 26 weeks, with some States even for an additional 7 weeks. This is getting expensive. This new plan is $10 billion more than a straight extension.

Someone said we did this in 1990. That may not be the right way to do it. I am willing to work with my colleagues to provide assistance for those people in the States that really need help, but we ought to be very accurate in our language and not try to push something through too quickly. We ought to be responsible. We have enormous deficits now. We should try to do this in a fiscally responsible manner, so the bill can be signed. I will work with my colleagues from Massachusetts, from Minnesota, and others to see if we can come up with a bill that is affordable and has bipartisan support.

At this stage, you have to have almost unanimous support. I will work with my colleagues to see if we can come up with it. The bill before the Senate, S. 3009, in my opinion, should not be passed. Maybe we can come up with a straight 13-week extension as we have done previously in the Senate. I will work with my colleagues and the Senator from Nevada to see if we can get something done. A straight extension would cost an estimated $7.3 billion instead of $17.1 billion. That is a possible.

This bill that would cost $17 billion and would rewrite unemployment figures—I don't think that makes sense. Maybe we can work together and find something that is acceptable. I appreciate the cooperation of my colleagues.

I ask unanimous consent to have a preliminary CBO cost estimate printed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 2, 2002.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to a number of requests for information on the budgetary impact of S. 3009, the Emergency Unemployment Compensation Act of 2002, the Congressional Budget Office has prepared an estimate of the cost of that bill, as introduced on September 26, 2002.

S. 3009 would increase the number of weeks of Temporary Emergency Unemployment Compensation (TEUC) available to unemployed workers who exhaust their regular unemployment benefits. Under current law, up to 13 weeks of TEUC benefits are available in all states, with an additional 13 weeks available in states with a high unemployment rate. The TEUC program is scheduled to end on January 1, 2003, with no benefits paid after that date. S. 3009 would increase the number of weeks of TEUC benefits paid in all states to 26, with an additional seven weeks available in states with high unemployment. In addition, the bill would allow eligible unemployed workers to begin to collect TEUC until July 1, 2003. Those receiving benefits by that date would be able to collect benefits until October 14, 2003.

As shown in the following table, CBO estimates that enactment of S. 3009 would increase direct spending by $17.1 billion in fiscal year 2003. The effect over 10 years would be smaller—$15.5 billion—because the increase in spending on emergency benefits would eliminate anticipated transfers over the 2009–2012 period from the federal accounts in the unemployment trust fund to the state benefit accounts.

Revenues would increase by about $4.8 billion over the 10-year period. CBO estimates that state employment tax revenues, which are counted as federal receipts in the unemployment trust fund, would rise both to pay for the increase in regular unemployment compensation that would result from enacting the bill, and to make up for the reduction in revenues that states would otherwise have received in the form of intergovernmental transfers. These estimates assume that the bill will be enacted in October 2002.

ESTIMATED BUDGETARY IMPACT OF S. 3009, THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2002

	By fiscal year, in millions of dollars—									
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Estimated Budget Authority	17,100	400	0	0	0	0	−495	−505	−515	−525
Estimated Outlays	17,100	400	0	0	0	0	−495	−505	−515	−525
Estiamted Revenues	0	230	330	330	270	230	250	560	1,080	1,540

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Sadoti.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have a list of speakers who will begin the debate this morning. Senator REED of Rhode Island was given 45 minutes under the order by the Chair. I ask unanimous consent to substitute Senator LEAHY to speak for up to 30 minutes in exchange for Senator REED's time. We will work Senator REED in later.

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

Mr. REID. Mr. President, how much time does the majority retain?

The PRESIDING OFFICER. Eleven and one-half minutes.

Mr. REID. We have a number of Republicans here. They are ready to go. Why don't we let them go? If we decide to use that time, we will use it later. I ask unanimous consent that we proceed in that fashion.

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

The Senator from Missouri.

THE IRAQ RESOLUTION

Mr. BOND. Mr. President, I take this opportunity to discuss the very serious matter that is before us today and this week. This is, I trust, going to be a very somber discussion as we had approximately 11 years ago when this body approved the actions which led to Desert Storm. Unfortunately, at that time we did not solve the problems confronting us as a result of Saddam Hussein and his murderous regime in Iraq.

As we move toward a resolution authorizing the use of force against the threat posed by Saddam Hussein, let us be clear about the intent. This resolution we will send a clear message to the world community and to the Iraqi regime that the demands of the United Nations Security Council must be followed. Saddam Hussein must be disarmed.

For over a decade now we have tried every means of diplomacy, sanctions, and inspections to encourage Saddam to keep the promises that he made after the gulf war. Nothing has worked. Saddam has made a mockery of the United Nations resolutions and the threat he now poses to the world is significant and growing.

President Bush stated last night that Iraqi dictator Saddam Hussein is a ''murderous tyrant'' who could attack the United States ''on any given day'' using unmanned aerial vehicles loaded with chemical or biological weapons. Iraq is unique. By its past and present actions, by its technological capabilities, by the merciless nature of its regime, Iraq is unique. Iraq is a true present danger to the United States. As a former chief weapons inspector of the U.N. has said:

> The fundamental problem with Iraq remains the nature of the regime, itself. Saddam Hussein is a homicidal dictator who is addicted to weapons of mass destruction.

The Iraqi regime possesses biological and chemical weapons, is rebuilding the facilities to make more and, according to the British Prime Minister Tony Blair, could launch a biological or chemical attack in as little as 45 minutes after the order is given. The regime has long-standing and continuing ties to terrorist groups, and we now know that there are al Qaeda terrorists inside Iraq. In fact, senior members of the Iraqi government and members of the al Qaeda network have been in contact for many years. This regime is seeking a nuclear weapon and the delivery capability to go with it.

There have been reports in the past from Desert Storm that rather than having the acquisition of a nuclear weapon years in advance, it could have been within a year that they could have developed a nuclear weapon. Had he waited until he had that nuclear device before he invaded Kuwait, we would have been in a far different position as we attempted at that time to expel him from Kuwait.

The Iraqi dictator has answered a decade of resolutions with a decade of defiance. In the Southern and Northern No-fly zones over Iraq, coalition aircraft continue to be fired on and coalition pilots continue to put their lives on the line to enforce these resolutions.

There is an ongoing war that Saddam Hussein has carried out against the coalition which is seeking to enforce United Nations resolutions. Just this year alone, coalition aircraft have been fired on over 400 times. Since Saddam Hussein made what I believe, from past experience, will be shown to be a hollow promise to cooperate with the United Nations, they have fired on coalition aircraft more than 47 times. Saddam Hussein is a master at saying one thing and doing another.

As President Bush has stated in the past:

> The Iraqi regime is led by a dangerous and brutal man. We know he is actively seeking the destructive technologies to match his hatred. And we know that he must be stopped. The dangers we face will only worsen from month to month and year to year. To ignore these threats is to encourage them—and when they have fully materialized, it may be too late to protect ourselves and our allies. By then, the Iraqi dictator will have had the means to terrorize and dominate the region, and each passing day could be the one on which the Iraqi regime gives anthrax or VX nerve gas or someday a nuclear weapon to a terrorist group.

The mantle of leadership requires this body to act. We have seen the results of a decade of speaking loudly and carrying a soft stick.

We have pointed out, in past years, the danger of this regime. We have called for changes. We have asked the United Nations to strengthen its resolutions. We have asked Saddam Hussein to readmit inspectors to assure us there are no deadly weapons of mass destruction being stockpiled. We have been rejected at all points.

Let us act now and pass this resolution in support of our President. This resolution is needed to send an important signal to our allies and to the United Nations. With our leadership, I am convinced the President will build a robust coalition to say no to Saddam Hussein. It will tell the world we are serious about disarmament, and it will reaffirm our message to Saddam Hussein.

Approving this resolution does not mean military action is imminent or unavoidable. The resolution will tell the United Nations and all nations America speaks with one voice and is determined to make the demands of the civilized world mean something.

If we do not act, then we face the terrible dangers of an attack with weapons of mass destruction. If the United Nations does not act, it faces the prospect of joining the League of Nations on the dustbin of history: an international organization, organized with the highest purposes, and by its inaction shown to be ineffective.

I believe and I trust we will give a strong vote, a bipartisan vote, in support of this resolution. I believe building on that resolution we will build a coalition, and our world will be a safer place, even though we have to take the risks that are necessary and that come with this resolution in order to secure that safety and that peace for ourselves, our children, and our future.

Mr. President, I urge my colleagues to support this resolution. I look forward to working with them on this matter.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I rise to speak today on the resolution before this body concerning the use of force against Iraq.

For the third time in 12 years, the Senate is considering a resolution to address a threat posed by Saddam Hussein to America as well as to the global community.

As I said on the floor of the House of Representatives when I was a Member of that body in 1991, on behalf of the authorization of what would become Operation Desert Storm:

> [T]he magnitude of the vote I now face is greater than any other I have or likely will cast.

That is true any time we consider whether to potentially place American men and women in harm's way. That is why I approached this particular vote with the deliberation and the solemnity it demands.

During that 1991 debate, I concluded Saddam Hussein's invasion of Kuwait ''threatened in infancy a new decade of hope.'' As I said at the time, I voted as I did:

> . . . not because the military option is inevitable, but in order not to undermine the President's efforts to achieve a peaceful outcome to this crisis—efforts which require that a credible military threat be maintained against a brutal aggressor who only understands the language of force. A credible threat is necessary against a man who has raised one of the world's largest armies, used chemical weapons against his own people, invaded two neighbors and is developing nuclear and biological capabilities. We are hardly dealing with a man of peace in Saddam Hussein.

History, regrettably, has a way of repeating itself. Because 7 years later, in 1998, the Senate unanimously passed a resolution which found Iraq in ''material and unacceptable breach of its international obligations'' under previous U.N. resolutions—including Security Council Resolution 687 that set the terms and conditions for the 1991 ceasefire—and urged the President ''to take appropriate action . . . to bring Iraq into compliance with its international obligations.'' But compliance, as we know, never followed.

Which brings us to today, to the resolution we have before us, and to the two fundamental questions that are being asked here in Washington, in Maine, and throughout America: Why Saddam Hussein? And why now?

As to the first question, I have come to the conclusion—based on the facts—that Saddam Hussein's continued, aggressive production of weapons of mass destruction presents a real and immediate global mess, particularly in light of the absence of any U.N.-mandated inspectors over the last 4 years. Indeed, it was just 4 months after Congress passed the 1998 resolution that Hussein drove out the U.N. weapons inspectors.

And what were those inspectors leaving behind? A 1999 report by Richard Butler, the chief inspector, UNSCOM, found when they left Iraq, they were unable to account for 360 tons of bulk chemical agent, including 1½ tons of VX nerve agent, 3,000 tons of precursor chemicals, enough growth media to manufacture 25,000 liters of anthrax spores, and 30,000 special munitions for delivering of chemical and biological agents.

Today, there is no reason to believe Hussein has ever looked back. As reported in the U.S. intelligence community document made public on October 4, 2002, he has been seeking to revamp and accelerate his nuclear weapons program. The report concluded that if left unchecked, Iraq would ''probably have a nuclear weapon during this decade,'' and that if Hussein could acquire weapons-grade fissile material from abroad ''it could make a nuclear weapon within a year.''

This information is echoed in the September 24, 2002, intelligence dossier released by British Prime Minister Tony Blair—a critical voice and ally in our war on terrorism. That dossier outlines Iraq's weapons of mass destruction programs past and present.

It finds Hussein, following the departure of U.N. inspectors in 1998, is aggressively pursuing development of a nuclear capability, and is undeniably seeking items needed to enrich uranium, such as fissile material and gas centrifuge components like vacuum pumps and specialized aluminum tubes. Tellingly, the report also documents Iraq's attempts to buy large quantities of uranium from Africa, even though Iraq has no civil nuclear power program. All of this is in breach of U.N. Security Council Resolution 687.

Furthermore, the October 4 report states that Iraq is capable of ''quickly producing and weaponizing'' a variety of both chemical and biological agents, including anthrax, ''for delivery by bombs, missiles, aerial sprayers, and covert operatives, including potentially against the U.S. homeland.'' Both reports highlight that Hussein's weapons are hidden in ''highly survivable'' facilities, some of them mobile, and, of course, in further violation of

Resolution 687, his unrelenting effort to expand his ballistic missile capabilities beyond 150 kilometers.

Finally, the October 4 report found that Iraq has rebuilt missile and biological weapons facilities damaged during U.S. cruise missile strikes in 1998. Iraq has begun renewed production of chemical warfare agents, probably including mustard, sarin, cyclosarin, and VX—all lethal chemical toxins.

All of this is in flagrant violation not only of the case-fire resolution, but also 12 other U.S. calls for disarmament over the ensuing 11 years. So it should come as no surprise that the Security Council would have issued 30 letters of condemnation to Iraq over this last decade alone.

Iraq was condemned for failures to cooperate fully and immediately, failures to allow immediate, unconditional, and unrestricted access, and failures to fulfill all of its obligations as set out in previous resolutions. The bottom line is, in every instance, he has failed to comply—and the U.N. has failed to enforce.

Which brings us to the question of: Why now? What urgency has interjected itself that would necessitate the actions we contemplate today? My answer begins not by citing a single fact or occurrence, but rather by illustrating a new, encroaching threat over the past decade that was foreshadowed by the first attack on American soil since Pearl Harbor—the 1993 bombing of the World Trade Center.

I believe that was the seminal moment when our enemies of today were introduced to the realm of the possible—as those who would wish our destruction developed and implemented comprehensive strategies to systematically assault Americans and our interests whenever, wherever, and however they could.

It also should have been an awakening for America. That is why I spearheaded investigations into the comings and goings of Sheikh Omar Abdel Rahman, the mastermind of that bombing in 1993, who entered and existed this country five times totally unimpeded.

What I found led me to introduce legislation in 1994, requiring information sharing among critical Government agencies, to ensure those on the front lines of securing America would have the resources to keep dangerous aliens from entering the U.S. But there were those who didn't take the threat seriously, and those reforms were quietly altered, and allowed to fade out of law in 1998, and out of the national consciousness.

Now, as we peel back the layers through further investigation, we discovered the Sheikh was closely tied to Osama bin Laden and the network we now know as al-Qaida. The point is, over the decade of the 1990s and into the fledgling days of the 21st century, our consciousness was not attuned to the emerging pattern of attacks, and so the pattern continued—from Khobar Towers in 1996, to the 1998 embassy bombings in Kenya and Tanzania, to the attack on the USS *Cole* in the fall of 2000, and culminating in the horrific events of September 11, 2001.

That terrible day would finally and forever change the way we assess our security and vulnerability, single-handedly adding the term ''homeland Security'' to our national lexicon. It has changed our conception of what constitutes weapons and warfare—and how both may be used against us.

To paraphrase Governor Ridge, we are now compelled to come to grips with an enemy who makes no distinction between combatants and noncombatants. The battlefield itself has changed—today, asymmetrical threats accost us in a theater of engagement that includes our own backyard. There is no line of demarcation.

Before September 11, we underestimated the threat, and overestimated our security. That is why the Senate and House have been holding joint intelligence hearings, to determine how we can learn from failures of the past. The lapses were so egregious that it prompted our recent vote to authorize an independent commission, to conduct a more far-reaching inquiry into how we could have done better and how we must do better in the future.

Because there is no longer any question as to the scope of the threat—and the ability and intent of terrorist groups to bring devastation to our soil. As Secretary Rumsfeld said:

> We have entered a world in which terrorist movements and terrorist states are developing the capacity to cause unprecedented destruction. Today, our margin of error is notably different. In the 20th century, we were dealing, for the most part, with conventional weapons—weapons that could kill hundreds of thousands of people, generally combatants. In the 21st century, we are dealing with weapons of mass destruction that can kill potentially tens of thousands of people—innocent men, women and children.

It is through this prism of the post-September 11 world that we must view an ever emerging convergence of threats over the last 10 years, represented on the one hand by transnational terrorism exemplified by al-Qaida—with cells in more than 30 countries—and on the other by a regime in Iraq that has already developed and deployed horrific weapons of mass destruction.

Even as far back as 1991, the United Nations was concerned enough about a potential linkage between terrorists and Saddam Hussein to include in Resolution 687 a requirement that Iraq inform the Security Council:

> that it will not commit or support any act of international terrorism or allow any organization directed towards commission of such acts to operate within its territory . . .

Today, we know from Secretary Rumsfeld that ''al-Qaida is operating in Iraq''. . . that we have ''accurate and not debatable'' evidence of reportedly the presence of senior members of Al-Qaida in Baghdad, and other associations.

> Iraq has also reportedly provided safe haven to Abdul Rahman Yasin, one of the FBI's most wanted terrorists, who was a key participant in the first World Trade Center bombing.

We also know that Saddam Hussein continues to provide $25,000 rewards to the families of suicide bombers in the Middle East, continues to harbor the Abu Nidal Organization, and continues to harbor the Palestinian Liberation Front.

And so the question we really need to ask ourselves is, why is Hussein so single-mindedly and at all costs amassing such huge stores of horrific weapons? We know he has them. We know he has used them before. The question is, will he use them again?

The answer is that we don't know for certain. But from all I have been able to ascertain from high-level briefings, the logical conclusion—based on all the evidence, all the broken promises, all the obfuscation. And now the nexus between Hussein and terrorist groups and individuals—is that we simply can't afford the risk to humanity.

Some say we should wait until the threat is imminent. But how will we know when the danger is clear, present and immediate? When people start checking into hospitals? When the toxin shows up in the water supply? When the dirty bomb goes off?

Because, in the shadowy world of terrorism, as we have seen, that will already be too late. For these are not weapons that can be easily intercepted or anticipated. They aren't detected by sonar, and they don't show up on radar screens. Therefore, the standard by which we judge the level and immediacy of threat must be calibrated accordingly.

In the instance of Iraq, for a terrorist organization that shares Hussein's disdain for America, where better to acquire weapons of mass destruction? And for Saddam Hussein, what better way to deliver these weapons than a terrorist who might smuggle a vial of smallpox in a suitcase or store a canister of sarin gas in a cargo container or launch a drone aircraft or other unmanned aerial vehicle that sprays aerosolized biological agents.

In fact, Richard Butler, the former chief U.N. weapons inspector, was asked in an interview on October 8, 2002, ''how easy it would be . . . for the Iraquis to arm a terrorist group, or an individual terrorist, with weapons of mass destruction.'' It would be ''extremely easy,'' Ambassador Butler told the interviewer. ''If they decided to do it, it would be a piece of cake.''

It is true we cannot enter the diabolical mind of Saddam Hussein to know conclusively if and when he may deliver his weapons—or share those weapons with terrorists organizations. But we do have an obligation to make a judgment on which side of the equation we want to err—knowing he has the means and opportunity to strike, and knowing we will put potentially millions at risk should we misread his inclination, miscalculate this timing, or underestimate his capability.

And we have been wrong before. According to Secretary Rumsfeld, before Operation Desert Storm, ''these best intelligence estimates were that Iraq was at least 5 to 7 years away from having nuclear weapons. The experts were wrong. When the U.S. got on the ground, it found the Iraquis were probably 6 months to a year away . . .'' Just imagine if we were confronted with an Iraq that already had nuclear capability.

Today he is procuring his weapons with the $6.6 billion in illict revenue GAO estimates he has gained over the last 4 years through oil smuggling and ''surcharges.'' When you consider that al-Qaida spent merely $500,000 to inflict such horror as we saw in New York, Pennsylvania, and the Pentagon, that equation becomes even more ominous—all the more so as September 11 raised our sense of urgency and illuminated a whole new range of dangerous scenarios that place Hussein's weapons of mass destruction in a very different light.

As Henry Kissinger warned the Senate Foreign Relations Committee on September 26, ''We are only at the beginning of global proliferation,'' and thus we need to ''consider not only the risk of action but the consequences of inaction.'' In context of all we know—we can no longer assure Americans that he can be contained and confined to Iraq. Therefore, I believe the world must disarm Saddam Hussein now, when the development of his capability is imminent—not waiting until it is imminent he is about to strike.

In the absence of true strength of enforcement, Hussein will continue to exploit our every weakness through his methodical ''cheat and retreat,'' as he has done systematically and persistently in the past—resulting in more of the old dynamic of U.N. resolutions and economic sanctions, followed by the repeated inability of the U.N. to enforce its own mandates.

To change this paradigm, the President has now rightfully come to Congress to seek authorization and support for a resolution ensuring that when he speaks, he does so with the strength of a unified, unequivocal American voice that leaves no ambivalence as to the resoluteness of our position . . . no doubt where America stands.

Given the gravity of the global implications of Hussein's serial intransigence, there is no substitute for the U.N. enforcing compliance, or for the U.S. working through the U.N. Appropriately, this resolution calls upon the President to use the full weight of this office, first and foremost through his diplomatic means and persuasive power—as well as that of his foreign policy team—to convince the U.N. to impose and enforce unfettered, unrestricted inspections. And as Secretary of State Powell has noted, ''our diplomatic efforts at the United Nations would be helped by a strong Congressional resolution. . . .''

Furthermore, as many of my colleagues, as well as my constituents, have expressed, the use of force should be the last resort, and under this resolution it is the last resort. The President emphasized in his speech to the Nation that, ''congressional authorization does not mean that military action is imminent or unavoidable.''

I realize there are those who oppose unilateral action should the U.N. fail to act, and accordingly would oppose this resolution granting such Presidential authority. But for those who would ultimately preserve the right to authorize military action—even if we cannot secure a U.N. mandate for enforcement—this resolution is preferable to a two-tiered approach.

Why? In my view, by granting military authority to the President in advance, it leaves no question or uncertainty as to the level of our commitment, thereby strengthening the President's ability to secure U.N. implementation of a new and enforceable resolution and potentially places us on a course toward a peaceful disarmament. As always, diplomacy must constitute our first line of defense. But in the event that action becomes necessary to safeguard our national security interests outside the auspices of the United Nations, let there be no mistake—the President must exert the last full measure of effort in building an international coalition to join us in disarming Saddam Hussein, because this shouldn't have to be a solo endeavor for our nation.

Iraq is not just a threat to America. It is a threat to all of humanity. It is not just our interests we are protecting, it is the interests of a new century that must be free from the scourge of global terrorism. And our goals with regard to Saddam Hussein are inseparable from our mission to eradicate terror at its roots.

I have come to the regrettable conclusion that if we allow the Iraqi regime to continue developing its horrific capabilities with impunity, we are endangering mankind by sending a corrosive message that the stockpiling of weapons of mass destruction buys immunity from international response.

If the United States and its allies offer nothing but disapproving rhetoric or ineffective sanctions as the only price for Iraq's hostility and defiance, then we concede a victory to the tactics of aggression. Rather, if the free nations of the world are to remain the authors of our own destiny, history teaches us that we must never countenance the tyranny of such threats.

As Winston Churchill wrote in 1936 of the tyrants building stocks of state-of-the-art weapons of the day:

> Dictators ride to and fro upon tigers which they dare not dismount. And the tigers are getting hungry.

The world can no longer ignore the tiger in Iraq.

Mr. President, I ask unanimous consent that a transcript of the ''Today Show'' of October 8, 2002, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MATT LAUER (co-host): As we reported, President Bush laid out his case against Saddam Hussein again in a speech on Monday night in Cincinnati. He talked about Iraq's capability to manufacture weapons of mass destruction. Richard Butler was chief U.N. weapons inspector in Iraq and the last person to oversee an inspection team in Baghdad. Mr. Butler, good morning to you.

Mr. RICHARD BUTLER (Former U.N. Weapons Inspector): Good morning, Matt. Good to see you.

LAUER: Good to see you. In his speech last night, the president actually quoted you, saying that Saddam Hussein is, quote, ''addicted to weapons of mass destruction.'' You were last in Iraq in 1998, and before your inspection team was kicked out . . .

Mr. BUTLER: Mm-hmm.

LAUER: . . . you said, and I'm quoting a Time magazine article, quote, ''you saw some really disturbing stuff,'' end quote. Be more specific. What did you see that we should be afraid of now?

Mr. BUTLER: Well, in particular, Matt, one of the substances that the president mentioned last night, in may I say what I thought was an outstanding speech, I think the best he's given, that substance is called VX. It is the most toxic of the chemical warfare agents. And we saw some deeply disturbing evidence that Iraq had made a very significant quantity of VX. I was pleased to see the president refer to that last night. We also saw evidence that they had loaded it into missile warheads. That's the—the difficulty Iraq has always had, is how to weaponize this hideous stuff that they make and they continue to make. And in the case of VX, we saw evidence that they had loaded it into missile warheads for delivery.

LAUER: Iraq has agreed to let UN weapons inspection teams back into the country with limitations. They will not be allowed to inspect Saddam Hussein's personal palaces. Is that worth anything, in your opinion?

Mr. BUTLER: No, it's not, Matt. I'm really slightly stunned to think that we are now exactly where we were four years ago. And by the way, it's not palaces, it's presidential sites. The—the parts of Iraq that the Iraqis declared in the past to be of presidential significance measured some 75 square kilometers, you know, 50 square miles, much larger than the eight palaces that Saddam has. The number of buildings is what was really important in those presidential sites. It . . .

LAUER: What's going on at . . .

Mr. BUTLER: . . . was 1,100 . . .

LAUER: . . . those sites . . .

Mr. BUTLER: . . . buildings.

LAUER: . . . in our opinion?

Mr. BUTLER: Well, no, we—we can't know without inspection. But we had excellent intelligence information in the past that weapons were stored there, that materials, with which to make weapons were stored there. Matt, it's always been the same, and it is the same today. The Iraqis say they have no weapons, OK. If they don't, let the inspectors in. And what they have tried to do today, as they did four years ago, is say you can come in up to a point . . .

LAUER: Right.

Mr. BUTLER: . . . but not in the places that we say are presidential. That's not good enough.

LAUER: And real, real quickly, how easy would it be, in your opinion, Mr. Butler, for the Iraqis to arm a terrorist group or an individual terrorist with weapons of mass destruction?

Mr. BUTLER: Really quickly, Matt? Extremely easy. If they decide to do it, piece of cake.

LAUER: Richard Butler. Mr. Butler, thanks very much for your time.

Mr. BUTLER: Thank you.

LAUER: It's 17 after the hour. Once again, here's Katie.

KATIE COURIC (co-host): Thanks, Matt.

Ms. SNOWE. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. LEAHY). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

AUTHORIZATION OF THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S.J. Res. 45, which the clerk will report.

The senior assistant bill clerk read as follows:

A joint resolution (S.J. Res. 45) to authorize the use of United States Armed Forces against Iraq.

Pending:

Lieberman/Warner Modified Amendment No. 4856, in the nature of a substitute.

Graham Amendment No. 4857 (to Amendment No. 4856), in the nature of a substitute.

The PRESIDING OFFICER. The senior Senator from Virginia.

Mr. WARNER. The Senate now turns to the resolution, it is my understanding.

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. The leadership has indicated there have been expressions of interest to speak this morning from Senator FEINGOLD for approximately 30 minutes; Senator KAY BAILEY HUTCHISON for 30 minutes; the Presiding Officer, Senator LEAHY, for 20 minutes; and Senator GRASSLEY for 20 minutes.

Further, we have expressions on this side by about half a dozen other Members who would hope to speak during the course of the day and the afternoon, but we will await announcement of names and times until the other side indicates the expression of interest on their side.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. I am advised it is the Graham second degree amendment.

Mr. MCCAIN. I thank the President for informing me of what the pending business is before the Senate. I urge my colleagues to come and speak on behalf or in opposition to the Graham amendment so we can dispose of that amendment. It is my intention to move to table the Graham amendment after a reasonable length of time for my colleagues to come and speak for or against that amendment, which is my right, as is any Senator's right, but I want to make sure every Senator has the time, if they so wish, to speak on the pending business.

I see my dear friend from Wisconsin in the Chamber. I know he is talking about the overall issue. We need Senators to speak on the Graham amendment. I am sure my friend from Wisconsin and my colleague from West Virginia would be glad to speak, but we need to dispose of the pending Graham amendment and move on to other amendments.

I understand by 1 p.m. all amendments have to be filed. So let us move on and dispose of the Graham amendment.

I yield the floor.

Mr. REID. Mr. President, in debating this resolution on which we spent so much time and so much thought, we are making one of the most important decisions we have ever faced. The decision to send American troops into battle is not one we take lightly and I don't take lightly.

There is much at stake for this Nation. There is much at stake for the State of Nevada. Thousands of men and women in Nevada would undoubtedly be called to support or directly serve in a military conflict with Iraq. Our pilots from Fallon Naval Air Station and Nellis Air Force Base are considered the best aviators in the world. I know they would be asked to play a leading role in eliminating the threat posed by Saddam Hussein.

I am personally very grateful for the contributions that would be made by the National Guard and Reserve forces not only from Nevada but from across our country. These heroic citizen soldiers are such an integral part of the American military. We simply could not succeed without them. We must be mindful that their sacrifices are great because they leave their families and civilian occupations behind and become citizen soldiers. They serve proudly on behalf of our Nation. When called upon, they do not complain. They did not question the need to act. They did not ask why.

However, we must explain that these brave men and women are the reason for making this life-and-death decision. Therefore, I rise today to explain to one man why I intend to vote and how I intend to vote. That man is President George W. Bush. I say, President Bush, your father may recall that a decade ago I was the first Democrat in this body to publicly support his request for congressional authorization to make war to free Kuwait. At that time, I compared Saddam Hussein to Benito Mussolini. My position has not changed, although I believe our continued efforts have degraded Hussein from a second-grade dictator to a third-rate thug.

In 1991, I said I thought the constitutional role of the Chief Executive is to make war. That is our role—halt or prevent an unjust or unwise conflict. I stated my strong belief that the President must be able to use the diplomatic corps and the Marine Corps with equal facility, subject only to our power to force a halt to actions taken contrary to the national interests.

President Bush, I intend once again to vote to give you that power on a geographically limited basis, but I do so with more reluctance because the situation has changed. We do not, as we did 10 years ago, face a dictator who successfully invaded a tiny and relatively defenseless neighbor.

We have not enlisted, as your father did so magnificently, the whole world to fight by our side. We have not yet convinced our people or the world that international law is on our side, or that we are champions of the new world order envisioned by your father in which the power of a nation is measured by the strength of its moral values and not by the size of its Armed Forces.

President Bush, the core ideal which motivated the Founding Fathers was that this would be a nation of laws not men. As such a decent respect to the opinions of mankind requires that we should declare the causes which impel our action. Our quarrel with Iraq is not about one two-bit tin-horn dictator. Rather, it is, and it ought to, be explained as a question of the rule of law.

I am voting you this power, Mr. President, because I know this nation would be justified in making war to enforce the terms we impose on Iraq in 1991, if we have to. But I am also voting you this power secure in the knowledge that no President of the United States of whatever political philosophy, will take this nation to war as a first resort alternative rather than as a last resort.

I found most encouraging your speech on Monday when you said war was not inevitable.

I urge you Mr. President to continue to make the case to the American people and to the world. The international coalition you have started to build is critical, not only for military and cost-sharing reasons, but also to assist in the rebuilding of Iraq.

Your father chose not to carry our fight into the cities of Iraq in 1991, and we have to live with his decision. He gave the Iraqi leadership a chance to reenter the community of peaceful nations. Saddam Hussein has squandered that opportunity.

We stopped the fighting based on an agreement that Iraq would take steps to assure the world that it would not engage in further aggression and that it would destroy its weapons of mass destruction. It has refused to take those steps. That refusal constitutes a breach of the armistice which renders

it void and justifies resumption of the armed conflict. President Bush, if you believe the time has come to use force, this resolution authorizes you to do so. I trust you will use this force wisely.

I have not doubt that is Iraq continues to refuse to abide by its agreement the nations united in 1991 will again support enforcement in the United Nations. But Mr. President, the rule of law matters, and so does a decent respect for opinion of the rest of the world. As President of the United States you are the leader of the free world; you are not its ruler.

I will support the Lieberman amendment. But I have said enough, President Bush, and I have said it to explain my vote to you, to the people of Nevada, to the people of this Nation, and to the world. I have confidence, sir, that you will do the right thing.

Mr. FEINGOLD. Mr. President, what is the regular order?

The PRESIDING OFFICER. The regular order is for Senators to debate the Graham amendment to S.J. Res. 45. Senators will be recognized as they seek to speak, as they so appropriately do.

Mr. FEINGOLD. My understanding was there was an order entered whereby I would be recognized at this point.

The PRESIDING OFFICER. It was not a unanimous consent request, but the distinguished Senator from Virginia had mentioned others would be coming. Of course, the Senator from Wisconsin now has the floor and he is in control of his time.

Mr. FEINGOLD. I thank the Chair.

Mr. BYRD. Will the distinguished Senator yield for a question?

Mr. FEINGOLD. I yield for a question.

Mr. BYRD. This Senator has to go downtown and speak around noon. Does the Senator intend to speak a considerable length at this point?

Mr. FEINGOLD. Not that long. I will be concluded in time for the Senator to speak prior to that.

Mr. BYRD. Prior to that time?

Mr. FEINGOLD. Yes, sir.

Mr. BYRD. I wonder if I might ask unanimous consent to follow the Senator from Wisconsin?

Mr. WARNER. I say to my colleague that Senator REID, the assistant Democrat leader, working with us, established the order. In consultation with Senator REID, if he wishes to come back and suggest to us an amendment to what he had in mind, certainly we will take into consideration the desire of the Senator from West Virginia. But at this time, I feel the leadership has established this, and I would not be at liberty to agree to anything else.

Mr. BYRD. If the Senator will yield further without losing the floor?

Mr. FEINGOLD. Yes.

Mr. BYRD. If and when Senator REID comes back to the floor and attempts to change the list——

Mr. REID. I am here.

Mr. BYRD. I was about to say, I was hoping I might be considered on the list and be able to follow the statement by Mr. FEINGOLD.

Mr. REID. Without the Senator from Wisconsin losing his right to the floor, could we answer a few questions that are pending? I was watching the proceedings from my office.

It is my understanding there is an order that is now in effect. Could the Chair announce what that is?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. It is my understanding, under the order, we have four Senators who are set to speak, and they have been given time. Senator FEINGOLD is first. The Republican is Senator HUTCHISON of Texas, to speak for 30 minutes, as I recall. Then Senator LEAHY speaks for 30 minutes, and then Senator GRASSLEY speaks. That is as far as we went this morning.

Mr. MCCAIN. Is there a unanimous consent in effect?

Mr. REID. That order has already been entered.

The PRESIDING OFFICER. The Chair was in error before. There is a unanimous consent that was granted this morning before the present occupant took the chair, giving the allocated times to Senator FEINGOLD, Senator HUTCHISON, Senator LEAHY, and Senator GRASSLEY in the order as described by the senior Senator from Virginia.

Mr. REID. Yesterday, we tried to line up Senators and give specific times, but it did not work. So what we decided to do, with the consent of the two leaders, is to line up a couple on each side. We hope that works better than yesterday. Yesterday we had a little bit of downtime because some people did not speak long enough, some people spoke too long. So if the Senators from Arizona and West Virginia wish to get in the queue, I think that is totally appropriate.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. If the Senator from Nevada will yield, I stated earlier the pending business before the Senate is the Graham amendment. The Graham amendment should be dispensed with. That is why I hope any Senator who supports or opposes the Graham amendment would speak on it because I intend to move to table the Graham amendment, which is my right. So when we line up people to talk, I am all for that, but I would seek recognition at some time—sooner rather than later—so we could dispose of the Graham amendment. We need to move forward on this issue, I say to my friend from Nevada.

Mr. REID. The Senator from Arizona is totally correct. I have been in touch with the Senator from Florida, and he needs to come and speak. Otherwise, his motion is going to be tabled because it is not only the Senator from Arizona but others have the same thing in mind. As we all know, once that motion is made, it is nondebatable. From what I have been able to determine, it is likely that motion would prevail.

I would like to hear from the Senator from West Virginia. Does the Senator from West Virginia wish to speak after the four we have lined up?

Mr. BYRD. I have an engagement downtown. I had hoped to speak immediately following Mr. FEINGOLD. I would have to say to my friend from Arizona my remarks are on the general subject. They are not precisely on the point with respect to the Graham amendment.

May I make a parliamentary inquiry? I ask if the Senator will yield for that purpose?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. FEINGOLD. I do not want to lose my right to the floor at this point. Can the Senator from West Virginia pose a question to me?

Mr. BYRD. I would like to make a parliamentary inquiry of the Chair.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. FEINGOLD. If I retain my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia.

Mr. BYRD. I thank the distinguished Senator for yielding for the inquiry. Is there a motion to invoke cloture before the Senate?

The PRESIDING OFFICER. Two cloture motions were filed yesterday, on the resolution itself and on the Lieberman substitute amendment.

Mr. BYRD. If I might ask, until what time today are Senators in a position to offer amendments in the first degree to the cloture motion on the Lieberman amendment?

The PRESIDING OFFICER. Under rule XXII, a 1 p.m. filing deadline is imposed on the first-degree amendments.

Mr. BYRD. I wonder if Senators would yield consent to allow Senators to file first-degree amendments until a later point today. For example, my own situation is such, I have so many things going on, including a conference on the Defense appropriations. I also have other problems that would impinge upon my ability to offer an amendment by 1 p.m.

Could all Senators have a little longer than that today?

Mr. REID. If I may, with the permission of the Senator from Wisconsin, I will respond to the Senator from West Virginia. I will be happy, while Senator FEINGOLD is speaking, to see if we can work with both sides to see if that is possible. We will do that.

You are scheduled to speak for how long, Senator?

Mr. FEINGOLD. Thirty minutes.

Mr. REID. And I say to my friend from Arizona, we have heard from Senator GRAHAM from Florida. He was ready to come anytime today, but because we lined up the speakers, he did not come. We will make sure he has an opportunity to speak on his amendment and that you are recognized.

Mr. WARNER. Mr. President, we can rearrange the Senators on our side because the Senator from Arizona made

the point last night, Senator GRAHAM came in—we were here—unexpectedly, laid that amendment down, and indicated to this Senator that he was going to pursue it early in the morning.

Mr. REID. I say to my friend from Virginia it is not his fault. He is anxious to speak.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. REID. I ask unanimous consent that the time to which the Senator from Wisconsin is entitled still be in effect.

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

Mr. BYRD. I thank the distinguished Senator from Wisconsin for his kindness and courtesy.

Mr. FEINGOLD. Mr. President, many have spent months reviewing the issue on advisability of invading Iraq in the near future, from hearings and meeting on the process and the very important role of Congress to the difficult questions of substance, including foreign policy and military implications. After my own review and carefully listening to hundreds of Wisconsin citizens in person, I spoke on the floor on Thursday, September 26. I indicated my opposition to the original draft use of force authorization by the President. I also used that opportunity to raise some very important questions to which I needed answers before supporting a narrower and more responsible resolution.

Now, after many more meetings and reading articles and attending briefings, listening to my colleagues' speeches, and especially listening to the President's speech in Cincinnati on Monday, I still do not believe the President and the administration have adequately answered the critical questions. They have not yet met the important burden to persuade Congress and the American people we should invade Iraq at this time.

Both in terms of the justifications for an invasion and in terms of the mission and the plan for the invasion, the administration's arguments do not add up. They do not add up to a coherent basis for a new major war in the middle of our current challenging fight against the terrorism of al-Qaida and related organizations. Therefore, I cannot support the resolution for the use of force before the Senate.

My colleagues, my focus today is on the wisdom of this specific resolution, vis-a-vis Iraq, as opposed to discussing the notion of an expanded doctrine of preemption, which the President has articulated on several occasions. However, I associate myself with the concerns eloquently raised by Senator KENNEDY and Senator BYRD and others that this could well represent a disturbing change in our overall foreign and military policy. This includes grave concerns about what such a preemption-plus policy will do to our relationship with our allies, to our national security, and to the cause of world peace in so many regions of the world where such a doctrine could trigger very dangerous actions with very minimal justification.

I want to be clear about something. None of this is to say that I don't agree with the President on much of what he has said about the fight against terrorism and even what he has said about Iraq. I agree, post-9/11, we face, as the President said, a long and difficult fight against terrorism. We must be very patient and very vigilant, and we must be ready to act and make some very serious sacrifices.

With regard to Iraq, I agree, Iraq presents a genuine threat, especially in the form of weapons of mass destruction, chemical, biological, and potentially nuclear weapons. I agree that Saddam Hussein is exceptionally dangerous and brutal, if not uniquely so, as the President argues. And I support the concept of regime change. Saddam Hussein is one of several despots whom the international community should condemn and isolate with the hope of new leadership in those nations.

Yes, I agree; if we do this Iraq invasion, I hope Saddam Hussein will actually be removed from power this time. I agree, we cannot do nothing with regard to Saddam Hussein in Iraq. We must act. We must act with serious purpose and stop the weapons of mass destruction and stop Saddam Hussein. I agree, a return to the inspections regime of the past alone is not a serious, credible policy.

I also believe and agree, as important and as preferable as U.N. action and multilateral solutions to this problem are, we cannot give the United Nations the ability to veto our ability to counter this threat to our people. We retain and will always retain the right of self-defense, including self-defense against weapons of mass destruction. When such a threat requiring self-defense would present itself—and I am skeptical that is exactly what we are dealing with here—then we could, if necessary, act alone, including militarily.

These are all areas where I agree with the administration. However, I am increasingly troubled by the seemingly shifting justifications for an invasion at this time. My colleagues, I am not suggesting there has to be only one justification for such a dramatic action, but when the administration moves back and forth from one argument to another, it undercuts the credibility of the case and the belief in its urgency. I believe this practice of shifting justifications has much to do with the troubling phenomenon of many Americans questioning the administration's motives in insisting on action at this time.

What am I talking about? I am talking about the spectacle of the President and senior administration officials citing a reported connection to al-Qaida one day, weapons of mass destruction the next day, Saddam Hussein's treatment of his own people on another day, and then on some days the issue of Kuwaiti prisoners of war.

For some of these, we may well be willing to send some 250,000 Americans into harm's way; for others, frankly, probably not.

These litanies of various justifications—whether the original draft resolution discussions or the new White House resolution, or, regrettably throughout the President's speech in Cincinnati—in my view set the bar for an alternative to a U.S. invasion so high I am afraid it almost locks in—it almost requires—a potentially extreme and reckless solution to these problems.

I am especially troubled by these shifting justifications because I and most Americans strongly support the President on the use of force in response to the attacks on September 11, 2001. I voted for S.J. Res. 23—the use of force resolution—to go after al-Qaida and the Taliban and those associated with the tragedies of September 11, and I strongly supported military actions pursuant to S.J. Res. 23. But the relentless attempt to link 9/11 and the issue of Iraq has been disappointing to me for months, culminating in the President's singularly unpersuasive attempt in Cincinnati to intertwine 9/11 and Iraq, to make the American people believe there are no important differences between the perpetrators of 9/11 and Iraq.

I believe it is dangerous for the world—and especially dangerous for us—to take the tragedy of 9/11 and the word ''terrorism'' in all their powerful emotion and then too easily apply them to many other situations—situations that surely need our serious attention, but are not necessarily the same as individuals and organizations who have shown a willingness to fly suicide planes into the World Trade Center and into the Pentagon.

Let me say the President is right, we have to view the world, the threats, and our own national security in a very different light since 9/11. There are shocking new threats. But it is not helpful to use virtually any strand or extreme rhetoric to suggest the new threat is the same as other preexisting threats.

I think common sense tells us they are not the same. They cannot so easily be lumped together as the President sought to do in Cincinnati.

I have reviewed the intermittent efforts to suggest a connection of 9/11 and Saddam Hussein, or suggest the possibility such a connection has developed since 9/11. I want to be very clear. In fact, if there was a connection in planning for the 9/11 attacks by Saddam Hussein or his agents and the perpetrators of 9/11 and al-Qaida, I have already voted for military action. I have no objection. But if it is not, if this is premised on some case that has supposedly been made with regard to a subsequent coalition between al-Qaida and the Iraqi government, I think the President has to do better. He has to do

better than the shoddy piecing together of flimsy evidence that contradicts the very briefings we have received by various agencies. I am not hearing the same things at the briefings I am hearing from the President's top officials.

In fact, on March 11 of this year, Vice President CHENEY, following a meeting with Tony Blair, raised the possibility of weapons of mass destruction falling into the hands of terrorists. He said:

> We have to be concerned about the potential marriage, if you will, between a terrorist organization like al-Qaida and those who hold or are proliferating knowledge about weapons of mass destruction.

In March, there was a potential marriage.

Then the Vice President said on September 8, without evidence—and no evidence has been given since that time—that there are:

> ''Credible but unconfirmed'' intelligence reports that 9/11 ringleader Mohammad Atta met in Prague with senior Iraqi intelligence officials a few months before the 9/11 attacks.

We have seen no proof of that.

Finally, the Secretary of Defense follows on September 27 of this year, and says:

> There is ''bulletproof evidence'' of Iraqi links to al-Qaida, including the recent presence of senior al-Qaida members in Baghdad.

I don't know where this comes from. This so-called ''potential marriage'' in March is beginning to sound like a 25th wedding anniversary at this point.

The facts just aren't there. At least they have not been presented to me in the situations where they should have been presented to me as an elected Member of this body. In other words, the administration appears to use 9/11 and the language of terrorism and the connection to Iraq too loosely—almost like a bootstrap.

For example, I heard the President say in Cincinnati that Iraq and al-Qaida both regard us as a common enemy. Of course they do. Who else are we going to attack in the near future on that basis alone?

Or do we see an attempt to stretch the notion of harboring terrorists? I agree with the President, if any country is actively harboring and assisting terrorists involved in 9/11, we have to act against them. But I don't think you can bring to the definition of harboring terrorists the simple presence of some al-Qaida members somewhere in Iraq. After all, apparently we have al-Qaida agents active in our country as well. They are present in our Nation as well. How can this be a sufficient basis on its own?

Therefore, without a better case for an al-Qaida connection to Saddam Hussein, this proposed invasion must stand on its own merit—not on some notion that those who question this invasion don't thoroughly condemn and want to see the destruction of the perpetrators of 9/11 and similar terrorist attacks on the United States.

Invasion of Iraq must stand on its own—not just because it is different than the fight against the perpetrators of 9/11, but because it may not be consistent with and may even be harmful to the top national security issue of this country. And that is the fight against terrorism and the perpetrators of the crimes of 9/11.

In fact, I am so pleased to see one of the most eloquent spokesmen on this viewpoint here in the Senate Chamber, Senator GRAHAM, who has done a terrific job of trying to point out our top priorities in this area. He said:

> Our first priority should be the successful completion of the war on terrorism. Today, we Americans are more vulnerable to international terrorist organizations than we are to Saddam Hussein.

I ask: Is this war against terrorism going so terribly well when we see the possible explosion of the French tanker in Yemen, when we see the tremendous difficulties in trying to pursue stability in Afghanistan itself, and when we realize we are not certain at all whether Mr. Osama bin Laden is alive or dead? Will the invasion of Iraq encourage our allies and Islamic friends to help us in the fight against terrorism, or just make them extremely nervous?

I met with a group of African Ambassadors the other day in my role as chairman of the Africa Subcommittee of the Foreign Relations Committee. They told me various people were placing bets on what country would be next after Iraq under this new doctrine the President is putting forward. Will this idea of invading Iraq at this time, on this case, on these merits, help or hurt cooperation in our fight against terrorism, against the known murderers of Americans who are known to be plotting more of the same?

I am especially dismayed at the weak response to the potential drain on our military capability and resources in our fight against terrorism, if we go forward with this invasion at this time. The administration likes to quickly say, whenever asked whether we can do this and fight the war against terrorism—they just simply say we can do both. There is no proof. There is no real assurance of this.

I find these answers glib, at best.

When former Secretary of State Kissinger was asked in this regard, he said:

> It is not clear to me what measures that are required in the war against terrorism would be interrupted or weakened by the actions that may be imposed on us if it is not possible to do away with the stockpiles of weapons of mass destruction in Iraq by other means.

That is the only explanation the former Secretary of State gave us on this tough question.

But let's look at what the current Secretary of State, Colin Powell, said in response to a similar question. He said:

> So the campaign against terrorism is going in full swing. And I don't see why there is a suggestion that somehow, if we had to undertake this mission, it would be at the expense of the campaign against terrorism.

That is all he said. Now, that is a pretty weak reassurance, to me, that such an enormous undertaking will not call into question some of our other military efforts and priorities.

What about what we are doing in Bosnia? What about what we are doing in Kosovo? What about all the resources stretching from the Philippines all the way to portions of the former Soviet Union, to the Middle East, to parts of Africa, that are being employed in the fight against terrorism? What about the fact we are using our National Guards and Reserves, many times within our country, to protect our own citizens at public events with regard to the challenge of the fight against terrorism?

All of this, and an invasion of Iraq, too? I wonder. As mighty as we are, I wonder if we are not very close to being overextended. Invasion of Iraq in the next few weeks or months could, in fact, be very counterproductive. In fact, it could risk our national security.

In any event, I oppose this resolution because of the continuing unanswered questions, including the very important questions about what the mission is here, what the nature of the operation will be, what will happen concerning weapons of mass destruction in Iraq as the attack proceeds and afterward, and what the plan is after the attack is over.

In effect, we are being asked to vote on something that is unclear. We do not have the answers to these questions. We are being asked to vote on something that is almost unknowable in terms of the information we have been given.

In my judgment, the issue that presents the greatest potential threat to U.S. national security—Iraq's pursuit of weapons of mass destruction—has not been addressed in any comprehensive way by the administration to date. Of course, I know we don't need to know all the details, and we don't have to be given all the details, and we shouldn't be given all the details, but we have to be given some kind of a reasonable explanation.

Before we vote on this resolution, we need a credible plan for securing WMD sites and not allowing materials of concern to slip away during some chaotic course of action. I know that is a tall order, but it is a necessary demand.

As I said, I agree with the administration when it asserts that returning to the same restricted weapons inspection regime of the recent past is not a credible policy for addressing the WMD problem in Iraq. But there is nothing credible about the ''we will figure that out later'' approach we have heard to date.

What if actors competing for power in the post-Hussein world have access to WMD? What if there is chaos in the wake of the regime's fall that provides new opportunities for non-state actors, including terrorist organizations, to bid on the sinister items tucked away in Iraq?

Some would say those who do not unquestionably support the administration are failing to provide for our national security. But, I am sure of this: these issues are critical to that security, and I have yet to get any answers.

We need an honest assessment of the commitment required of America. If the right way to address this threat is through internationally supported military action in Iraq, and Saddam Hussein's regime falls, we will need to take action to ensure stability in Iraq and to help the country on the road to reconstruction.

This could be very costly and time-consuming. It could involve the occupation—the occupation—of a Middle Eastern country. Now, this is not a small matter: the American occupation of a Middle Eastern country. Consider the regional implications of that scenario: the unrest in moderate states, the calls for action against American interests, the difficulty of bringing stability to Iraq so we can extricate ourselves in the midst of regional turmoil.

We need much more information about how we propose to proceed so we can weigh the costs and benefits to our national security.

In Afghanistan, the Government of President Karzai works under constant threat, and instability plagues the country outside of Kabul. Many Afghan people are waiting for concrete indicators that they have a stake in this new Taliban-free future. The task is daunting, and we only have just begun that task.

What demands might be added in a post-Saddam Iraq?

I do believe the American people are willing to bear high costs to pursue a policy that makes sense. But right now, after all of the briefings, after all of the hearings, and after all of the statements, as far as I can tell, the administration apparently intends to wing it when it comes to the day after, or, as others have suggested, the decade after. I think that makes no sense at all.

So, Mr. President, I believe to date the administration has failed to answer the key questions to justify the invasion of Iraq at this time.

Yes, September 11 raises the emotional stakes and raises legitimate new questions. This makes the President's request understandable, but it does not make it wise.

I am concerned the President is pushing us into a mistaken and counterproductive course of action. Instead of, in his words, this action being ''crucial to win the war on terrorism,'' I fear it could have the opposite effect.

So this moment—in which we are responsible for assessing the threat before us, the appropriate response, and the potential costs and consequences of military action—this moment is of grave importance. Yet there is something hollow in our efforts. In all of the administration's public statements, its presentations to Congress, and its exhortations for action, Congress is urged to provide this authority and approve the use of our awesome military power in Iraq without knowing much at all about what we intend to do with it.

We are about to make one of the weightiest decisions of our time within a context of confused justifications and vague proposals. We are urged to get on board and bring the American people with us, but we do not know where the ship is sailing.

On Monday night, the President said in Cincinnati: ''We refuse to live in fear.'' I agree. But let us not overreact or get tricked or get trapped out of fear, either.

Mr. President, on the 11th of September, 2001, our country came under attack, and the world suddenly seemed shockingly small and unquestionably dangerous. What followed that horror continued to be frightening and disorienting: anthrax attacks, color-coded threat levels, report after report of terrorist cells seemingly everywhere.

In the weeks and months since September 11, Americans have had to contend with these changes and to come to grips with the reality this could happen again and there are forces planning to do us harm, and we cannot unconditionally guarantee our own safety.

In this new world, we cannot help but sense the future is uncertain, our world is disordered, unpredictable, up for grabs. So when our leaders propose taking action, Americans do not want to resist. But they are resisting this vague and worrisome proposal.

My constituents have voiced their concerns in calls, at town meetings, in letters, and through e-mails or faxes. They are not calling for Congress to bury its head in the sand. They are not naively suggesting Saddam Hussein is somehow misunderstood. But they are asking questions that bear directly on our national security, and they are looking for answers that make sense. They are setting the standard, just as they should do, in a great democracy.

Their standard is high. We should work together to develop a policy toward Iraq that meets it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WARNER. The Senator from Texas is present in the Chamber. My understanding is, she is next to be recognized.

The PRESIDING OFFICER. The Senator is right. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I thank the Senators from Virginia, Arizona, and Connecticut for all of the efforts being made to bring a full debate on this issue to the Senate.

Congress has no greater responsibility under the Constitution than to provide for our Nation's common defense. There is no decision we make that requires more careful consideration than a decision to authorize the use of armed forces and, in so doing, send America's sons and daughters into harm's way.

Shortly after I was elected to the Senate, our Nation suffered through the brutal battle in Mogadishu, Somalia. It left 18 of our soldiers dead. Our mission was vague. There was no clear American national security threat in Somalia. The President did not come to the American people and explain the rationale for continued military involvement.

The impact of this uncertainty became very clear to me soon after the tragedy when I met a constituent on a flight from Washington, DC, to Dallas.

He came up to me and said: Senator, my name is Larry Joyce. I am your constituent.

I said: Hi, Larry, how are you doing? What were you doing in Washington?

He said: I was burying my son in Arlington National Cemetery.

His son Casey had been killed in the street ambush that was depicted in the book ''Black Hawk Down,'' also a movie.

Colonel Joyce said to me, with tears rolling down his face: Senator, I am a military man. I served two tours in Vietnam. And now my son Casey, on his first mission as an Army Ranger, is not coming home. Senator, I can't tell you why.

I vowed that day that I would never vote to send an American into battle unless I could answer that question. I want to be able to face any parent and say: This is the national security interest of our country, and that is why your child signed up and was willing to fight and was sent to do so.

Since Somalia, I have come to the Senate floor to express grave reservations about deployments to Haiti, Bosnia, and Kosovo. In each case, I called on the President to come to Congress, make the case to the American people, and outline the U.S. security interest.

After the tragic events of 9/11, President Bush sought and received the authorization to use force to find and destroy the terrorists who had launched that heinous crime. There was no question in my mind and in the minds of most Members of Congress that our national security demanded our support of the President.

Today, President Bush seeks congressional authorization to use military force to deal with the threat Saddam Hussein poses with weapons of mass destruction. We must answer the major question for America: What is the U.S. security interest? Why Saddam? Why now?

It is a question I thought about as I sat among the hushed crowds at the Pentagon's memorial service on September 11, 2002. It was a poignant moment. I was surrounded by those who had suffered so much and many who will ultimately bear the consequences of the decision we are about to make.

I doubt there is anyone in America who doesn't feel as I do. If we could have prevented 9/11, we certainly would have. We didn't have warning, and we paid a heavy price.

It is this experience that has led President Bush to think in a different way about protecting our homeland. I believe he doesn't want to wait until an enemy is finished building his deadly arsenal and ready to attack from a position of strength. It is one thing to turn three commercial airliners into weapons of mass destruction. It is another to have a nuclear missile ready to deploy or to arm an unmanned aerial vehicle with anthrax ready to ship anywhere in the world.

Each generation of Americans has been called to defend our freedom. Each time, our forefathers and mothers have answered the call. Our generation's time of national trial has come. We are being called to stop a new kind of enemy, different from any we have ever fought before. This enemy is not just contained in one country or two, it is spread throughout the world and even within our own borders. This enemy purposely kills itself in order to harm others.

This enemy is patient, building resources and striking when and where we are least prepared. This enemy uses a different method each time. This enemy requires a new kind of defense. That is what the President is attempting to build.

The cold war ended when the Iron Curtain and Berlin Wall came tumbling down. The post-cold-war era ended when the World Trade Center towers came crashing down. September 11 made it abundantly clear that the strategy of deterrence alone is not enough.

The President recently released a new national security strategy. It articulates a policy of preemption and dominance. Some fear that our new national security strategy is too bold. A bold defense does not cause calamities to occur, but a lack of action will. It is not our defense strategy that will provoke attacks on the United States. Rather, it is when we fail to act or fail to lead that our enemies strike. It is when they think we have become soft and complacent that they will kill innocent Americans again.

We have learned hard and valuable lessons these past few years. The first terrorist attack on the World Trade Center occurred in 1993, a bombing that killed 6 Americans and injured more than 1,000. What did we do? In 1996, Hezbollah extremists bombed the United States military barracks at Khobar Towers in Saudi Arabia, killing 19 American servicemembers and injuring 500 others. What did we do? In 1998, al-Qaida terrorists bombed the United States Embassies in Kenya and Tanzania, killing and injuring hundreds. What did we do? In 2000, al-Qaida terrorists again attacked Americans, this time bombing the U.S.S. *Cole* in Yemen, killing 17 American servicemembers and injuring scores more. What did we do?

Then came the devastating attacks of 9/11. Our Nation finally was awakened. We put the pattern together to see the threat to the very freedom that we cherish. We did do something. We took action against our enemy swiftly and boldly after 9/11. Now we must follow through.

The President has asked for authority to meet this threat. Congress gave him wide latitude to root out terrorism. We and our allies are doing that job in Afghanistan, the home base of al-Qaida.

We have liberated millions and millions of innocent Afghanis from the cruel Taliban regime.

Now the President is asking for authority to go into Iraq. Why Iraq? Why now? Because we have learned the lessons of complacency. We have learned the lessons of not being prepared.

The President has solid information that with a small amount of highly enriched uranium, Iraq could have a nuclear weapon in less than a year. We know Iraq already has the means to deliver it. He has hard intelligence that Iraq has chemical and biological weapons and small, unmanned aerial vehicles to disseminate them, potentially killing thousands of people anywhere in the world. The President is saying: ''Do we wait for the attack, or do we take steps to prevent it?'' Our post-9/11 defense strategy demands that we prevent it.

Saddam Hussein has fired on coalition aircraft patrolling the no-fly zones over Iraq 2,500 times since the Gulf War. Saddam Hussein has rewarded the families of Palestinian suicide bombers. He has attempted to assassinate the former U.S. President who led the international coalition that defeated him in the Gulf War. His No. 1 enemy is the United States of America.

So if all diplomatic efforts fail, and if the U.N. weapons inspectors are not allowed unfettered access to suspected sites, our President wants to be able to take away Saddam Hussein's means to destroy us and our allies.

It is our responsibility to give the President the authorization he needs. The question of whether the security of the United States is threatened has been answered. The answer is yes.

It is with a heavy heart and a realization of the consequences that I will vote yes. But it would be a burden I could not carry to vote no and then, a year or 2 from now, see a preventable attack kill thousands more innocent Americans or our allies.

Mr. President, we are going to meet this test of our generation. We are going to protect the freedom and the way of life that has become the beacon to the world of the way life should be. We can do no less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Has the Senator completed her statement?

Mrs. HUTCHISON. Yes.

Mr. REID. Mr. President, I ask unanimous consent that following the statement of Senator GRASSLEY, Senator GRAHAM of Florida be recognized.

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

Mr. WARNER. Reserving the right to object. Senator MCCAIN will address the Chair.

Mr. MCCAIN. Mr. President, I ask the Senator to repeat that.

Mr. REID. I said that following the statement of the Senator from Iowa, Mr. GRASSLEY, Senator GRAHAM be recognized. Based on our conversations, following that, the Senator from Arizona would like to be recognized.

Mr. MCCAIN. That is fine.

Mr. REID. I add to the request, Mr. President.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Mr. President, might I at this juncture complete my statement to express strong support for the remarks made by the distinguished Senator from Texas. She has been very much involved in the planning for this resolution, and I very much appreciate her remarks.

(Mr. REID assumed the Chair.)

Mrs. HUTCHISON. Thank you. I say to the Senator from Virginia that I appreciate that. We have worked together on this resolution to try to ensure that the President has the authorization he needs and that Congress plays its constitutional role. I appreciate all the cooperation on both sides of the aisle to make this happen.

Mr. MCCAIN. Mr. President, pending the arrival of Senator LEAHY, I ask unanimous consent for a colloquy with Senator SPECTER and LIEBERMAN. I imagine Senator LEAHY will be here shortly.

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

The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I had discussed briefly with the Senator from Connecticut a couple of questions, and I would like to engage him in a colloquy. The first relates to the difference in language between the 1991 resolution authorizing then-President Bush to use force, which says in pertinent part:

> The President is authorized to use United States Armed Forces, pursuant to resolutions of the UN, in order to achieve implementation of those Security Council resolutions.

Now, that is different from the authorization in the current resolution, which says:

> The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate.

The current resolution might be called a subjective standard, which gives substantially greater latitude to President Bush to use force ''as he determines to be necessary and appropriate.'' This language is very much

subjective as contrasted with the 1991 language, which is more objective, authorizing the President to use force to achieve implementation of certain Security Council resolutions.

I ask the Senator from Connecticut if the intent here, in trying to develop some legislative history, notwithstanding the language in the present resolution, is really about the same—or is the same—as the 1991 resolution.

Mr. LIEBERMAN. Mr. President, I thank my colleague from Pennsylvania for his thoughtful question. The intent is the same, although we may have a different understanding of what that intent is. I will say that the operative language here may be somewhat different because the circumstances that engendered the resolution of Congress in 1991 are different than now. Then, we had a specific act, which was the Iraq invasion of Kuwait. Resolutions have been passed by the U.N. so that there was specifically reference in the authorizing resolution that Senator WARNER and I were privileged to cosponsor in 1991.

Now we have a totality of circumstances, including the repeated violation of some of those same resolutions, but others calling for inspections, calling for the destruction of weapons of mass destruction that Saddam Hussein has. In fact, in the initial suggestion of a resolution drafted by the White House, there was an enumeration of specific U.N. resolutions, and Members of Congress negotiating—I believe from the other body—preferred to have the term that we have in there now, giving the President the power to use the Armed Forces to enforce all relevant United Nations Security Council resolutions.

In either case, I think what is involved here is an understanding both in the 1991 resolution and in this one that Congress, using its authority under article I of the Constitution to declare war, authorize military action, does so and sets the parameters, but that ultimately, according to article II, it is the President who is the Commander in Chief of the Army, Navy, United States militia of the several States, when called into the actual service of the United States. Implicit in that has to be the understanding that the President will use the force that he determines to be necessary and appropriate.

As I said yesterday, with the authority to give the President comes accountability. So, bottom line: There are two different circumstances that engender slightly different resolutions. In each case, Congress is fulfilling its responsibility to authorize military action, ultimately, within the parameters set forth in both resolutions. You have to give the President, as Commander in Chief, the authority to make decisions that he deems to be necessary and appropriate in the defense of our national security, and then be held accountable for those decisions.

The PRESIDING OFFICER. Senator LEAHY is now recognized for up to 30 minutes.

Mr. LEAHY. Mr. President, was the Senator from Pennsylvania seeking further time?

Mr. SPECTER. I ask, Mr. President, the Senator from Vermont if I may pose one more question.

Mr. MCCAIN. Mr. President, I suggest the regular order.

The PRESIDING OFFICER. The time will come off Senator LEAHY's time.

Mr. LEAHY. I will have no objection to that provided the time is not taken from the time the Senator from Vermont has reserved.

Mr. MCCAIN. Reserving the right to object, how long will it take?

Mr. SPECTER. Probably less than the time to inquire about it. I will ask the question in a minute or less.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for up to 1 minute.

Mr. SPECTER. The question I have for the Senator from Connecticut is on the expansive whereas clauses. One of these clauses refers to repression of the civilian population of Iraq. I ask whether the resolution intends to give the President the power to use force to cure those kinds of matters, which are separate from the issues of weapons of mass destruction, and whether the issue on weapons of mass destruction is satisfied, so that the UN resolutions are satisfied, and whether the clause on authorization relating to defending the national security interests of the United States will be satisfied with the resolution of the weapons of mass destruction without picking up the whereas clause on regime change.

I think that is less than a minute, Mr. President.

Mr. LIEBERMAN. I probably should let the Senator from Arizona respond because he will do it much more quickly than I.

Mr. LEAHY. Again, Mr. President, I ask this not be deducted from the time available to the Senator from Vermont.

Mr. LIEBERMAN. Mr. President, I will try to do this within a minute and perhaps give time for Senator SPECTER to clarify this. The whereas clauses, the preamble, speak for themselves. It suggests a totality of circumstances that lead the sponsors of the resolution to want to authorize the President, if all else fails, to take military action against Iraq under Saddam Hussein.

Clearly—and what the President has said and what the sponsors of the resolution have said—the focus of our concern is the weapons of mass destruction and the means to deliver them. As we said yesterday, this resolution is intended to send a message to Saddam: Disarm, as you promised to do 11 years ago at the end of the gulf war, or we will use force to disarm you with our allies and the international community.

Nonetheless, the other conditions describing the totality of Saddam's brutality—violation of international law, invasion of his neighbors, et cetera—are stated in the preamble and consistent with what I said in response to the earlier question.

The President, as Commander in Chief, is given the authority, the responsibility, and accountability to enforce all relevant U.N. Security Council resolutions regarding Iraq. I do not think anyone expects the President to take military action against Iraq if, hopefully, and in some sense miraculously, Saddam disarms, destroys his ballistic missiles, unmanned aerial vehicles, allows inspections without any restrictions. Under those circumstances, it is hard to imagine the President would authorize military action, for instance, in regard to some of the lesser U.N. resolutions as generally understood by this body.

Mr. SPECTER. I thank the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Vermont is recognized for up to 30 minutes.

Mr. LEAHY. Mr. President, I have enjoyed this colloquy and would yield further, but I know there are other Senators awaiting their turn to speak.

On September 26, I spoke at length in this Chamber about the important issue before us. I voiced my concerns and the concerns of a great many Vermonters—in fact, a great many Americans from whom I have heard. I spoke about the President's plan to send Americans into battle to overthrow Saddam Hussein.

Many Senators have also expressed their views on this difficult decision. As I prepared to speak 2 weeks ago, I listened to Senator BINGAMAN urge the administration to seriously consider a proposal for ''coerced inspections.'' After I finished speaking, Senator JOHNSON voiced his support for providing the President with the broad authority he seeks to use military force against Iraq.

The opportunity and responsibility to have this debate is one of the cornerstones on which this institution, and indeed this country is built. Some have suggested that expressing misgivings or asking questions about the President's plan to attack Iraq is somehow unpatriotic. Others have tried to make it an election year issue on bumper stickers or in TV advertisements.

These attempts are misguided. They are beneath the people who make these attempts and they are beneath the issue. This is an issue of war. An issue of war should be openly debated. That is a great freedom of this Nation. We fought a revolution to have such debates.

As I and others have said over and over, declaring war is the single most important responsibility given to Congress. Unfortunately, at times like this, it is a responsibility Congress has often shirked. Too often, Congress has abdicated its responsibility and deferred to the executive branch on such matters. It should not. It should pause and read the Constitution.

In the Senate, we have a duty to the Constitution, to our consciences, and

to the American people, especially our men and women in uniform, to ask questions, to discuss the benefits, the risks, the costs, to have a thorough debate and then vote to declare war or not. This body, the Senate, is supposed to be the conscience of the Nation. We should fulfill this great responsibility.

In my 28 years in the Senate, I can think of many instances when we asked questions and took the time to study the facts. It led to significant improvements in what we have done here.

I can also remember times when Senators in both parties wished they had taken more time to carefully consider the issues before them, to ask the hard questions, or make changes to the legislation, despite the sometimes overwhelming public pressure to pass the first bill that came along.

I know following the Constitution is not always politically expedient or popular. The Constitution was not designed to be politically expedient, but following the Constitution is the right course to take. It is what we are sworn to do, and there is no question that having this debate, which really began some months ago, has helped move the administration in the right direction.

Today, we are considering a resolution offered by Senator LIEBERMAN to authorize the use of force. Article I of the Constitution gives the Congress the sole power to declare war. But instead of exercising this responsibility and voting up or down on a declaration of war, what have we done? We have chosen to delegate this authority and this burden to the executive branch.

This resolution, like others before it, does not declare anything. It tells the President: Why don't you decide; we are not going to.

This resolution, when you get through the pages of whereas clauses, is nothing more than a blank check. The President can decide when to use military force, how to use it, and for how long. This Vermonter does not sign blank checks.

Mr. President, I suppose this resolution is something of an improvement. Back in August the President's advisors insisted that there was not even any need for authorization from Congress to go to war. They said past resolutions sufficed.

Others in the administration argued that the United States should attack Iraq preemptively and unilaterally, without bothering to seek the support of the United Nations, even though it is Iraq's violations of U.N. resolutions which is used to justify military action.

Eventually, the President listened to those who urged him to change course and he went to the United Nations. He has since come to the Congress. I commended President Bush for doing that.

I fully support the efforts of Secretary Powell to negotiate a strong, new Security Council resolution for the return of weapons inspectors to Iraq, backed up with force, if necessary, to overcome Iraqi resistance.

Two weeks ago, when the President sent Congress his proposed resolution authorizing the use of force, I said that I hoped his proposal was the beginning of a consultative, bipartisan process to produce a sensible resolution to be acted on at the appropriate time.

I also said that I could envision circumstances which would cause me to support sending U.S. Armed Forces to Iraq. But I also made it clear that I could never support the kind of blank check resolution that the President proposed. I was not elected to do that.

I commend Senator DASCHLE, Senator HAGEL, and others who tried hard to work with the administration to craft a bipartisan resolution that we could all support.

But while the resolution that we are considering today is an improvement from the version that the President first sent to Congress, it is fundamentally the same. It is still a blank check. I will vote against this resolution for all the reasons I have stated before and the reasons I will explain in detail now.

Mr. President, there is no dispute that Saddam Hussein is a menace to his people and to Iraq's neighbors. He is a tyrant and the world would be far better without him.

Saddam Hussein has also made no secret of his hatred of the United States, and should he acquire a nuclear weapon and the means to deliver it, he would pose a grave threat to the lives of all Americans, as well as to our closest allies.

The question is not whether Saddam Hussein should be disarmed; it is how imminent is this threat and how should we deal with it?

Do we go it alone, as some in the administration are eager to do because they see Iraq as their first opportunity to apply the President's strategy of preemptive military force?

Do we do that, potentially jeopardizing the support of those nations we need to combat terrorism and further antagonizing Muslim populations who already deeply resent our policies in the Middle East?

Or, do we work with other nations to disarm Saddam, using force if other options fail?

The resolution now before the Senate leaves the door open to act alone, even absent an imminent threat. It surrenders to the President authority which the Constitution explicitly reserves for the Congress.

And As I said 2 weeks ago, it is premature. I have never believed, nor do I think that any Senator believes, that U.S. foreign policy should be hostage to any nation, nor to the United Nations. Ultimately, we must do what we believe is right and necessary to protect our security, whenever it is called for. But going to war alone is rarely the answer.

On Monday night, the President spoke about working with the United Nations. He said:

> To actually work, any new inspections, sanctions, or enforcement mechanisms will have to be very different. America wants the U.N. to be an effective organization that helps keep the peace. That is why we are urging the Security Council to adopt a new resolution setting out tough, immediate requirements.

I could not agree more. The President is right. The status quo is unacceptable. Past U.N. resolutions have not worked. Saddam Hussein and other Iraqi officials have lied to the world over and over and over. As the President points out, an effort is underway in the U.N. Security Council—led by the United States—to adopt a strong resolution requiring unconditional, unimpeded access for U.N. weapons inspectors, backed up with force if necessary.

That effort is making steady progress. There is wide acceptance that a new resolution is necessary before the inspectors can return to Iraq, and this has put pressure on the other nations, especially Russia and France, to support our position.

If successful, it could achieve the goal of disarming Saddam without putting thousands of American and innocent Iraqi lives at risk or spending tens of billions, or hundreds of billions, of dollars at a time when the U.S. economy is weakening, the Federal deficit is growing, and the retirement savings of America's senior citizens have been decimated.

Diplomacy is often tedious. It does not usually make the headlines or the evening news. We certainly know about past diplomatic failures. But history has shown over and over that diplomatic pressure cannot only protect our national interests, it can also enhance the effectiveness of military force when force becomes necessary.

The negotiations are at a sensitive stage. By authorizing the use of force today, the Congress will be saying that irrespective of what the Security Council does, we have already decided to go our own way.

As Chairman and sometime Ranking Member of the Foreign Operations Subcommittee for over a decade, I have received countless letters from Secretaries of State—from both Democratic and Republican Administrations—urging Congress not to adopt legislation because it would upset ongoing negotiations. Why is this different?

Some say the President's hand will be strengthened by Congress passing this resolution. In 1990, when the United States successfully assembled a broad coalition to fight the gulf war, the Congress passed a resolution only after the UN had acted. The world already knows that President Bush is serious about using force against Iraq, and the votes are there in Congress to declare war if diplomatic efforts fail and war becomes unavoidable.

More importantly, the resolution now before the Senate goes well beyond what the President said on Monday about working through the United Nations. It would permit the administration to take precipitous, unilateral action without following through at the U.N.

Many respected and knowledgeable people—former senior military officers and diplomats among them—have expressed strong reservations about this resolution. They agree that if there is credible evidence that Saddam Hussein is planning to use weapons of mass destruction against the United States or one of our allies, the American people and the Congress would overwhelmingly support the use of American military power to stop him. But they have not seen that evidence, and neither have I.

We have heard a lot of bellicose rhetoric, but what are the facts? I am not asking for 100 percent proof, but the administration is asking Congress to make a decision to go to war based on conflicting statements, angry assertions, and assumption based on speculation. This is not the way a great nation goes to war.

The administration has also been vague, evasive and contradictory about its plans. Speaking here in Washington, the President and his advisors continue to say this issue is about disarming Saddam Hussein; that he has made no decision to use force.

But the President paints a different picture when he is on the campaign trail, where he often talks about regime change. The Vice President said on national television that ''The President's made it clear that the goal of the United States is regime change. He said that on many occasions.''

Proponents of this resolution argue that it does put diplomacy first. They point to section 4, which require the President to determine that further diplomatic or other peaceful means alone will not adequately protect the national security, before he resorts to military force. They say that this ensures that we will act only in a deliberative way, in concert with our allies.

But they fail to point out that the resolution permits the President to use unilateral military force if he determines that reliance on diplomacy along.

. . . is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq . . .''

Unfortunately, we have learned that ''not likely'' is a wide open phrase that can be used to justify just about anything. So let us not pretend we are doing something we are not. This resolution permits the President to take whatever military action he wants, whenever he wants, for as long as he wants. It is a blank check.

We have the best trained, best equipped Armed Forces in the world, and I know they can defeat Iraq. I hope, as we all do, that if force is used the Iraqi military surrenders quickly.

But if we have learned anything from history, it is that wars are unpredictable. They can trigger consequences that none of us would intend or expect. Is it fair to the American people, who have become accustomed to wars waged from 30,000 feet lasting a few weeks with few casualties, that we not discuss what else could happen? We could be involved in urban warfare where large numbers of our troops are killed.

And what of the critical issue of rebuilding a post-Saddam Iraq, about which the Administration has said virtually nothing? It is one thing to topple a regime, but it is equally important, and sometimes far more difficult, to rebuild a country to prevent it from becoming engulfed by factional fighting.

If these nations cannot successfully rebuild, then they will once again become havens for terrorists. To ensure that does not happen, do we foresee basing thousands of U.S. troops in Iraq after the war, and if so, for how many years? How many billions of dollars will we spend?

Are the American people prepared to spend what it will take to rebuild Iraq even when the administration is not budgeting the money that is needed to rebuild Afghanistan, having promised to do so? Do we spend hundreds of billions in Iraq, as the President's Economic Adviser suggested, while not providing at home for homeland defense, drought aid for farmers, education for our young people, and other domestic priorities?

Who is going to replace Saddam Hussein? The leading coalition of opposition groups, the Iraqi National Congress, is divided, has questionable support among the Iraqi people, and has made little headway in overthrowing Saddam. While Iraq has a strong civil society, in the chaos of a post-Saddam Iraq another dictator could rise to the top or the country could splinter along ethnic or religious lines.

These are the questions the American people are asking and these are the issues we should be debating. They are difficult issues of war and peace, but the administration, and the proponents of this resolution, would rather leave them for another day. They say: vote now! and let the President decide. Don't give the U.N. time to do its job. Don't worry that the resolution is a blank check.

I can count the votes. The Senate will pass this resolution. They will give the President the authority he needs to send United States troops to Iraq. But before the President takes that step, I hope he will consider the questions that have been asked. I hope he considers the concerns raised by former generals, senior diplomats, and intelligence officials in testimony before Congress. I hope he listens to concerns raised privately by some of our military officers. Above all, I hope he will listen to the American people who are urging him to proceed cautiously and not to act alone.

Notwithstanding whatever disagreements there may be on our policy toward Iraq, if a decision is made to send troops into battle, there is no question that every Member of Congress will unite behind our President and our Armed Forces.

But that time has not yet come. Based on what I know today, I believe in order to solve this problem without potentially creating more terrorists and more enemies, we have to act deliberately and not precipitously. The way the United States responds to the threat posed by Iraq is going to have consequences for our country and for the world for years to come.

Authorizing a U.S. attack to overthrow another government while negotiations at the United Nations are ongoing, and before we exhaust other options, could damage our standing in the world as a country that recognizes the importance of international solutions. I am afraid that it would be what the world expects of a superpower that seems increasing disdainful of international opinion or cooperation and collective diplomacy, a superpower that seems more and more inclined to ''go it alone.''

What a dramatic shift from a year ago, when the world was united in its expressions of sympathy toward the United States. A year ago, the world would have welcomed the opportunity to work with us on a wide agenda of common problems.

I remember the emotion I felt when I saw ''The Star Spangled Banner'' sung by crowds of people outside Buckingham Palace in London. The leading French newspaper, Le Monde, declared, ''We are all Americans.'' China's Jiang Zemin was one of the first world leaders to call Washington and express sympathy after September 11.

Why squander the goodwill we had in the world? Why squander this unity? If September 11 taught us anything, it is that protecting our security involves much more than military might. It involves cooperation with other nations to break up terrorist rings, dry up the sources of funding, and address the conditions of ignorance and despair that create breeding grounds for terrorists. We are far more likely to achieve these goals by working with other nations than by going it alone.

I am optimistic that the Administration's efforts at the U.N. will succeed and that the Security Council will adopt a strong resolution. If Saddam Hussein refuses to comply, then force may be justified, and it may be required.

But we are a great nation, with a wide range of resources available to us and with the goodwill of most of the world. Let us proceed deliberately, moving as close to our goal as we can by working with our allies and the United Nations, rather than writing a blank check that is premature, and which would continue the trend of abdicating our constitutional authority and our responsibility.

Mr. President, that trend started many years ago, and I have gone back and read some of the speeches the Senators have made. For example, and I quote:

The resolution now pending is an expression of American unity in this time of crisis.

It is a vote of confidence . . . but is not a blank check for policies that might in the future be carried on by the executive branch of the Government without full consultation by the Congress.

Do these speeches sound familiar? They were not about Iraq. They were spoken 38 years ago when I was still a prosecutor in Vermont. At the end of that debate, after statements were made that this resolution is not a blank check, and that Congress will always watch what the Executive Branch is doing, the Senate voted on that resolution. Do you know what the vote was? 88 to 2. It passed overwhelmingly.

In case everyone does not know what resolution I am talking about, I am talking about the Tonkin Gulf resolution. As we know all too well, the Tonkin Gulf resolution was used by both the Johnson and Nixon administrations as carte blanche to wage war on Vietnam, ultimately involving more than half a million American troops, resulting in the deaths of more than 58,000 Americans. Yet, even the Tonkin Gulf resolution, unlike the one that we are debating today, had a sunset provision.

When I came to the Senate, there were a lot of Senators, both Republicans and Democrats, who had voted for the Tonkin Gulf resolution. Every single Senator who ever discussed it with me said what a mistake it was to write that kind of blank check on the assurance that we would continue to watch what went on.

I am not suggesting the administration is trying to mislead the Congress about the situation in Iraq, as Congress was misled on the Tonkin Gulf resolution. I am not comparing a possible war in Iraq to the Vietnam war. They are very different countries, with different histories, and with different military capabilities. But the key words in the resolution we are considering today are remarkably similar to the infamous resolution of 38 years ago which so many Senators and so many millions of Americans came to regret.

Let us not make that mistake again. Let us not pass a Tonkin Gulf resolution. Let us not set the history of our great country this way. Let us not make the mistake we made once before.

I yield the floor.

Mr. WARNER. Madam President, late last night in a colloquy between myself and the Senator from Oregon, the Senator from Oregon read into the RECORD portions of a letter addressed to Senator GRAHAM, chairman, Select Committee on Intelligence, signed by George Tenet. I ask unanimous consent that that letter be printed in the RECORD today, followed by a statement issued by Mr. Tenet bearing on his interpretation and intent in writing that letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CENTRAL INTELLIGENCE AGENCY,
Washington, DC, October 7, 2002.

Hon. BOB GRAHAM,
Chairman, Select Committee on Intelligence, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your letter of 4 October 2002, we have made unclassified material available to further the Senate's forthcoming open debate on a Joint Resolution concerning Iraq.

As always, our declassification efforts seek a balance between your need for unfettered debate and our need to protect sources and methods. We have also been mindful of a shared interest in not providing to Saddam a blueprint of our intelligence capabilities and shortcoming, or with insight into our expectation of how he will and will not act. The salience of such concerns is only heightened by the possibility for hostilities between the U.S. and Iraq.

These are some of the reasons why we did not include our classified judgments on Saddam's decisionmaking regarding the use of weapons of mass destruction (WMD) in our recent unclassified paper on Iraq's Weapons of Mass Destruction. Viewing your request with those concerns in mind, however, we can declassify the following from the paragraphs you requested.

Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW against the United States.

Should Saddam conclude that a US-led attack could no longer be deterred, he probably would become much less constrained in adopting terrorist actions. Such terrorism might involve conventional means, as with Iraq's unsuccessful attempt at a terrorist offensive in 1991, or CBW.

Saddam might decide that the extreme step of assisting Islamist terrorists in conducting a WMD attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.

Regarding the 2 October closed hearing, we can declassify the following dialogue.

Senator Levin: . . . If (Saddam) didn't feel threatened, did not feel threatened, is it likely that he would initiate an attack using a weapon of mass destruction?

Senior Intelligence Witness: . . . My judgment would be that the probability of him initiating an attack—let me put a time frame on it—in the foreseeable future, given the conditions we understand now, the likelihood I think would be low.

Senator LEVIN: Now if he did initiate an attack you've . . . indicated he would probably attempt clandestine attacks against us . . . But what about his use of weapons of mass destruction? If we initiate an attack and he thought he was in extremis or otherwise, what's the likelihood in response to our attack that he would use chemical or biological weapons?

Senior Intelligence Witness: Pretty high, in my view.

In the above dialogue, the witness's qualifications—"in the foreseeable future, given the conditions we understand now"—were intended to underscore that the likelihood of Saddam using WMD for blackmail, deterrence, or otherwise grows as his arsenal builds. Moreover, if Saddam used WMD, it would disprove his repeated denials that he has such weapons.

Regarding Senator Bayh's question of Iraqi links to al-Qa'ida, Senators could draw from the following points for unclassified discussions:

Our understanding of the relationship between Iraq and al-Qa'ida is evolving and is based on sources of varying reliability. Some of the information we have received comes from detainees, including some of high rank.

We have solid reporting of senior level contacts between Iraq and al-Qa'ida going back a decade.

Credible information indicates that Iraq and al-Qa'ida have discussed safe haven and reciprocal non-aggression.

Since Operation Enduring Freedom, we have solid evidence of the presence in Iraq of al-Qa'ida members, including some that have been in Baghdad.

We have credible reporting that al-Qa'ida leaders sought contacts in Iraq who could help them acquire WMD capabilities. The reporting also stated that Iraq has provided training to al-Qa'ida members in the areas of poisons and gases and making conventional bombs.

Iraq's increasing support to extremist Palestinians, coupled with growing indications of a relationship with al-Qa'ida, suggest that Baghdad's links to terrorists will increase, even absent US military action.

Sincerely,

JOHN MCLAUGHLIN
(For George J. Tenet, Director).

STATEMENT BY DCI GEORGE TENET, October 8, 2002

There is no inconsistency between our view of Saddam's growing threat and the view as expressed by the President in his speech. Although we think the chances of Saddam initiating a WMD attack at this moment are low—in part because it would constitute an admission that he possesses WMD—there is no question that the likelihood of Saddam using WMD against the United States or our allies in the region for blackmail, deterrence, or otherwise grows as his arsenal continues to build. His past use of WMD against civilian and military targets shows that he produces those weapons to use not just to deter.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 20 minutes.

Mr. GRASSLEY. Madam President, before I give my reasons for my vote on this resolution, I would like to point out some ironies and inconsistencies in some positions of some of my colleagues.

It is not unusual for Senators to be inconsistent in positions taken, but in recent weeks we have had some colleagues blaming the administration for not responding to the pre-9/11 warnings of possible terrorist attacks on the United States. I am talking about the warnings of whether or not the CIA and the FBI had information about that and whether or not the President had access to that information. The insinuation is that maybe the President knew more than what he did and, why didn't he do something about 9/11?

It seems to me the same colleagues are now refusing to support the President's call to disarm Saddam Hussein. The President is trying to preempt Saddam Hussein from unleashing on Americans his weapons of mass destruction. Yet my colleagues who are inconsistent in this way apparently want the President to wait until we are attacked again. I ask, if you were expecting preemption before September 11, 2001, why wouldn't you expect the President to preempt an attack on the United States today?

I come to the floor today to share my thoughts concerning the resolution before the Senate. Again we find ourselves in the midst of an important debate with one of the most important decisions that many Senators will make in our lifetime. The issue of war and peace involves the threats to the lives of the men and women we send to battle. This issue may even involve threats to the American civilian population, as well.

It was just a little more than a decade ago that many Members were here making similar decisions in regard to the Persian Gulf war.

As many of my colleagues may remember, I was just one of two Senate Republicans who opposed the resolution authorizing military action against Iraq in 1991. I voted against that resolution because I questioned the timing of military action while diplomatic measures and economic sanctions had just been started. I felt they needed a chance to work. Opposing the resolution was a difficult decision, but one that I have never regretted.

While today's decision is not one to be taken lightly, it stands in stark contrast to that of 1991. While I opposed that resolution for the reasons I stated, I intend to support the compromise resolution before us because I believe the time to hold Saddam Hussein accountable is past due.

But, this is not the first time since 1991 that Congress has approved a resolution approving military action against Iraq.

In 1998, by unanimous vote by the Senate and an overwhelming 407–6 vote in the House, Congress approved a resolution, and subsequently President Clinton bombed Iraq in December of 1998.

Let us see how forthrightly the Senate spoke at that time about the dangers of Iraq and Saddam Hussein.

I speak from page 2 of the Iraq Liberation Act of 1998. It says in section 3:

> It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a democratic government to replace the regime.

It is pretty clear we knew about the threat of Saddam Hussein under a Democratic President—President Clinton—with a bipartisan action by consensus of this body. Why should anybody be surprised if President Clinton and the Senate, in a bipartisan way, would be expressing the same concern 4 years later?

What was the basis of that overwhelming vote? Primarily, it was because Iraq has kicked United Nations weapons inspectors out, as they did in 1998. Today we have a lot of intelligence information saying it is a far more dangerous situation today, and particularly for the United States.

Thousands of Americans were killed in that 9/11 attack by terrorists.

Iraq is aligned with those terrorists, and Iraq is building weapons of mass destruction. We must, therefore, respond appropriately.

One of the most pressing concerns expressed by my constituents over the past few months is that of timing. The question: Why now? The question: Why can't we continue to pursue inspections and other diplomatic measures? They are legitimate questions. Many of my colleagues will answer this differently than I will. But the response for me is quite simple. I believe the actions by Saddam Hussein over the past 10 years builds a strong case why firm action is needed and why we cannot afford as a Congress delaying a decision any longer.

None of this precludes inspections or diplomatic missions. But these alternatives demand full cooperation by Iraq if a military response is to be withheld.

However, during the past 10 years, the international community has worked with Iraq through diplomatic efforts, various inspection regimes, economic sanctions, and even limited military force in an effort to encourage Saddam Hussein to abide by the very resolutions he agreed to at the end of the gulf war. He agreed to follow these within the rule of law—the international rule of law. We can legitimately expect any person to agree to follow those agreements.

Yet Saddam Hussein has consistently and convincingly evaded and defied those obligations he agreed to.

In the spring of 1991, the United Nations Security Council agreed to Resolution 687, which required Saddam Hussein to destroy his chemical and biological weapons and to unconditionally agree not to acquire or develop nuclear weapons. That same resolution also demanded Iraq not develop or acquire any weapons of mass destruction. However, the CIA reported Iraq is continuing to develop and acquire chemical and biological weapons.

The report states since the United Nations weapons inspectors left in 1998, Iraq has maintained its chemical weapons effort and invested even more heavily in biological weapons.

In addition, the CIA estimated Iraq could develop nuclear weapons in the near term with the proper supply of material.

United Nations Resolution 687 also required Saddam Hussein to end his support for terrorism and to prohibit terrorist organizations from operating inside the borders of Iraq.

Yet there is clear evidence Iraq has provided safe haven to a number of prominent, international terrorists. Iraq has provided assistance to terrorist organizations whose sole purpose is to disrupt and prevent peace efforts in the Middle East.

Most importantly, fleeing al-Qaida members now reside in Iraq. Of course, it is only a matter of time before these two enemies of the United States join forces—and maybe they already have.

Altogether, Saddam has defied at least 16 United Nations resolutions during the past decade. He has manipulated U.N. weapons inspectors, tortured and repressed Iraqi people, supported international terrorists, and violated United Nations economic sanctions.

So he continues to thumb his nose at the world, and particularly the rule of law under the international regimes we all respect.

The issue is as much about protecting people as it is about enforcing the international rule of law. But enforcing international rule of law is one way to eliminate chaos so people can live peacefully.

Will the United Nations take a stand in defense of their very own resolutions and hold Saddam Hussein accountable? Will the United Nations resolutions, which seek to provide peace and security in the region, continue to be unenforced?

This resolution before the Senate then asks the United Nations: Does the organization want to be relevant during the 21st century, an instrument of peace in this century, or does it somehow want to fade away as the League of Nations did because of its failures in Abyssinia in the 1930s?

I want, and I hope all my colleagues want, the U.N. to be relevant. I want the U.N. to lead. Its moral leadership is important. We have to discourage tinhorn dictators from violating the rule of law. The time for accountability is right now.

According to former President Clinton, in a speech on December 16, 1998:

> Heavy as they are, the costs of action must be weighed against the price of inaction. If Saddam defies the world and we fail to respond, we will face a far greater threat in the future. Saddam will strike again at his neighbors. He will make war on his own people. And mark my words, he will develop weapons of mass destruction. He will deploy them, and he will use them.

That is what President Clinton said in a speech on December 16, 1998.

Former President Clinton's words are very applicable to the situation now, even 4 years later.

I have also heard concerns from people who question this resolution, saying that by supporting it, we are supporting preemptive military action against a sovereign nation. However, for the last decade, the United States and allied forces have patrolled no-fly zones in northern and southern Iraq to protect Kurdish and Shiite minority populations from Saddam Hussein, and all the while they have been fired upon by Iraq's military.

These are American pilots. Some of them have been Iowans because over the past 6 years the Iowa Air National Guard has completed five 90-day missions and will likely be needed for a sixth mission before the end of this year. And as the President stated earlier this week, the American and British pilots have been fired upon more than 750 times. In a sense, we have been involved in military action in Iraq since the 1991 gulf war. So what is contemplated by this resolution cannot be described as preemptive.

Some of my constituents have also questioned the effect this will have on our war on terrorism. I believe that forcing Iraq to disarm is part of the war against terrorism and is consistent with the war on terrorism. Iraq has already been labeled by previous administrations as a state sponsor of terrorism. Iraq is one of seven nations to be designated by our own State Department as a state sponsor of terrorism. And given Iraq's support for international terrorists and its support for efforts to provide safe haven for al-Qaida, it is clear that this effort should not be seen as separate from the war on terrorism but very much an integral part of the war on terrorism.

It is because of our obligations to enforce international law, and to disarm this threat to our national security and to the security of the entire world, that I have decided to support the resolution offered by Senator LIEBERMAN and Senator WARNER.

A decade ago, as I said, I opposed war with Iraq because I believed we had not exhausted all alternatives available at that time. Today, I support this resolution because we have exhausted all other remedies, unless somehow Saddam Hussein has a change of heart. After years of evasion, after years of defiance, the time has come to stand firm and enforce the resolutions to disarm Iraq. Or, on the other hand, it is time for Saddam Hussein to repent and fully cooperate. But his track record in that regard is not very promising.

It is important to keep in mind that this resolution before the Senate does not guarantee military action, nor do I think it should. But it does authorize the use of United States military forces to defend the national security of the United States against this continuing threat posed by Iraq and to enforce all relevant U.N. resolutions regarding Iraq. In other words, this is as much about enforcing the rule of law as a policeman in Washington, DC, would enforce the domestic rule of law to prevent chaos and to encourage law-abiding citizenry, as it is about military action, at least from my standpoint.

Most importantly, this resolution makes clear that if the United Nations fails to ensure full compliance with international law, we will not sit quietly and let this tinhorn dictator ignore the rule of law. At the same time, we will be sending the message to other tinhorn dictators around the world that they had better not violate the international rules of law.

The terrorist attacks on September 11, 2001, dispelled notions of America's invincibility, it placed greater demands on our Government to protect and defend American citizens, and it put more demand on American citizens themselves to look out for their own safety, as a Jerusalem-type terrorist bombing could happen in New York City or Washington, DC, as much as it happens in Jerusalem.

My resolve is stronger than ever to win the war on terrorism, protect U.S. citizens, secure the homeland, and, most importantly, defend American values and our way of life. By supporting this resolution, we will send a strong signal to the United Nations, as well as our friends and allies around the world, that we will not sit idly by and allow a ruthless dictator to violate international law and threaten the security of that region and, in fact, impact the whole world. This resolution says to the world community that America stands together, committed to the rule of law and the security of all nations.

So, Madam President, I urge my colleagues to support this resolution offered by our colleagues, Senator LIEBERMAN and Senator WARNER.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I believe there is an order. I ask unanimous consent that I be able to speak for a moment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, I thank the Senator from Iowa for his strong and thoughtful statement and for his expression of intention to vote for this resolution—all the more significant, as he pointed out, because he was one of two Republican Members of the Senate to vote against the similar resolution prior to the gulf war. And I think his support—a respected and solid Member of the Senate, as he is—gives encouragement to those of us who are the sponsors of this resolution that when the final roll is called, we will enjoy the broad bipartisan support that I truly believe this resolution deserves and the moment requires.

I thank my colleague and the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I alert Members that at 1:30 or a quarter to 2, thereabouts, there will be a vote. Knowing that the Senator from Arizona usually does not speak for long periods of time, it will probably be closer to 1:30. There will be a vote on the Graham amendment, the pending amendment.

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

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

Mr. GRAHAM. Madam President, I rise in support of an amendment which I have offered which will increase the authority of the President of the United States to use force to protect the people of the United States.

This amendment will designate a set of international terrorist organizations for whom the President does not now have the authority to use force as within the range of his authority.

There has been a lot of discussion over the past several months about connecting the dots, seeing a pattern out of what might appear to be isolated independent events. It is always easier to do that after the disaster, after September 11, than it is before. I consider us today as standing before the event has occurred, and I think we can begin to see the pattern of the dots today. What are those dots? What is that pattern?

First, a new element has been added to our assessment of national security risk. That is the element of what is the risk to Americans in the homeland. When we went to war in Korea, we did not ask the question: What will this mean to our people at home? We did not ask that question in Vietnam. We did not ask that question when we voted together to authorize the President to use force in the Persian Gulf. This is a new phenomenon in the paradigm of American and national security consideration.

The second dot is, who poses the greatest risk inside the homeland? In my judgment, it is those nations, organizations, and persons who possess three primary characteristics: One, access to weapons of mass destruction; two, a hatred for the United States; and three, a significant presence of trained operatives within the United States. It is that triumvirate which makes our enemy lethal.

The third dot, that we have the opportunity to reduce the risk of that triumvirate. We can do it by rolling up the terrorists here at home, or we can do it by cutting off the support which the terrorists are receiving from abroad. I suggest we ought to be doing both.

If we are going to effectively attack over there, it requires we have the resources, a strategy, and the authorization to use the force against our enemy over there.

The next dot is a surprising dot. It is essentially a void. Unlike many Members of this Chamber—and I will cite one who just a few moments ago gave a speech in which he implied the President of the United States today has the authority to take on international terrorists who meet these requirements: Access to weapons of mass destruction, hatred of the United States, and a significant presence inside the United States of America. The answer is, no, the President today does not have such authority. In my judgment, the Congress should grant this authority and do so concurrent with the granting to the President his power to use force in Iraq, because it is that act of giving the authority to commence war in Iraq that is going to raise the risk of those terrorists among us attacking.

Those are the dots I see. That is the sequence I think the dots lead us to.

There is one thing we agree upon, and that is that Saddam Hussein is an evil man. He is a tyrant. He has used

chemical and biological weapons on his own people. He has disregarded United Nations resolutions calling for inspections of his capabilities and research and development programs. His forces regularly fire on American and British jet pilots enforcing the no-fly zones in the north and south of his country. And he has the potential to develop and deploy nuclear weapons, a potential that we need to monitor closely.

Saddam Hussein lives in a tough neighborhood. It is a neighborhood in which the United States has a number of commitments and threats. The underlying resolution suggests Saddam Hussein is the ultimate bully, the baddest dog in this rough neighborhood, and that taking him out now and for good is in the Nation's highest priority.

I respectfully disagree. And in so disagreeing, I am, or at least I was, joined by the President of the United States and the Secretary of Defense.

Less than 13 months ago, 9 days after the terrorist attack of September 11, the President declared our top national priority to be a war on terrorism. This is what he said:

> Our war on terror begins with al-Qaida but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated.

In his State of the Union speech on January 29 of this year, President Bush restated our priority:

> Our nation will continue to be steadfast and patient and persistent in the pursuit of two great objectives. First, we will shut down terrorist camps, disrupt terrorist plans, and bring terrorists to justice. And, second, we must prevent the terrorists and regimes who seek chemical, biological or nuclear weapons from threatening the United States and the world.

That is what the President said on January 29.

Just Monday of this week, on the anniversary of the commencement of the war in Afghanistan, Secretary of Defense Donald Rumsfeld recommitted himself to the war on terrorism. The Secretary repeated the statement he had made one year earlier:

> Our objective is to defeat those who use terrorism and those who house or support terrorists. The campaign will be broad, sustained, and we will use every element of American power.

The Secretary of Defense proceeded to say:

> Today, Afghanistan is no longer a safe haven for terrorists, but there is no question that free nations are still under threat. Thousands of terrorists remain at large in dozens of countries. They're seeking weapons of mass destruction that would allow them to kill not only thousands but tens of thousands of innocent people. Our objective in the global war on terror is to prevent another September 11th, or an attack that is far worse, before it happens.

The war on terrorism did not begin in Afghanistan. For us, it began in the United States of America on September 11th, 2001. It began and it continues in our homeland. As we assess the many challenges faced by the United States—and Saddam Hussein is clearly among those challenges—we must ask: What is our greatest responsibility? In my opinion, the answer is easy: Securing the peace and safety of the homeland or our great Nation.

And what is the most urgent threat to our peace and security? In my judgment, it is that shadowy group of international terrorists who have the capabilities, the materials, conventional and weapons of mass destruction, the trained core of zealots united by their hatred for the United States, and the placement of many of those bombthrowers so they are sleeping among us, waiting for the order to assault.

For the better part of 2 years, 19 of those killers took silent refuge in the sanctuary of the United States, silent refuge until they struck us on September 11. Three thousand twenty-five innocent lives later, we have learned the bitter lesson of the power of those who live dual lives in our communities. To the outside they were appearing to be unexceptional, while they were prepared to do the most unimaginable evil. Those who committed mass murder left behind a much larger number of terrorists, continuing their dual existence of duplicity.

How many of these are there, Mr. President? What are the skills they possess? What are their plans and intentions? Why are they so driven by hatred? The answer is we know only dimly.

Unfortunately, our ability to tear out these weeds from our home garden is limited because the attention we have paid to understanding this enemy next door has been grossly inadequate.

The Inspector General at the Department of Justice issued a report just last month, in September. That report concluded:

> The Federal Bureau of Investigation serves as the Federal Government's principal agency for responding to and investigating terrorism.

But the IG report went on:

> The FBI has never performed a comprehensive, written assessment of the risk of a terrorist threat facing the United States.

So we arm for battle with a shield of ignorance at home. Unfortunately, one of the realities of the startup of the proposed Department of Homeland Security is that, for at least a transition period, Americans will be even more vulnerable in the homeland. Agencies such as the Coast Guard, Border Patrol, Immigration Service, which will play a key role in protecting our perimeter defenses, will be distracted as organizational relationships of decades or more are reshuffled. And a final increased vulnerability is the likelihood that, if war starts and intensifies in Iraq, this very conflict thousands of miles away could spark a wake-up call to action from the sanctuaries of the Middle East and Central Asia to the sleepers in your hometown.

Mr. President, I refer you to the front-page story in today's Washington Post, which talks about the possibility of counterattacks in the United States after a war commences in Iraq.

The first prong of our defense here in the homeland, which is to root out the terrorists among us—both because of the instability of the days through which we are and will be living and our lack of preparation through the quality of intelligence we need—is not a shield that should give us great hope.

Thus, the importance of a second strategy for disrupting and decapitating the enemy among us—attacking them at their source, just as we have done with such devastating effectiveness against al-Qaida in Afghanistan. One of the reasons the anticipated second, third, and fourth wave of terrorist acts have not occurred since September 11 is the military assault we began on October 7, 2001, has largely dismantled the command-and-control operations of al-Qaida, making it more difficult for them to support and provide financing and logistics to their large number of operatives in the United States.

I believe we need to adopt a similar strategy of disruption and dismantlement. What is it going to take to do so? First, it is going to require the President of the United States have the authority to use that necessary force to dismantle, as he said in his State of the Union speech, the terrorist camps, terrorist plans, and the command-and-control centers of these organizations. Here we come to a point of widespread confusion, and that is the President already has this authority.

On Sunday afternoon, a prominent foreign policy spokesman appeared immediately after Senator SHELBY and myself on a talk show and, in passing in the hallway, she said, ''I support the position that you have taken that we need to go after these international terrorists, but doesn't the President already have the authority to do so?'' I quickly explained that the answer was no. I think she was stunned at the vulnerability we have and by the limited authority the President has.

Our colleague, the Senator from Texas, today in her remarks implied she thought the President of the United States had the authority to attack international terrorism broader than those who are directly linked to the events of September 11.

If I might say, the very language of the resolution we are considering today carries the same inference.

The language of the resolution states that:

> Acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those who planned, authorized, committed, or aided in the terrorist attack that occurred on September 11.

The fact is the only group the President has authority to use force against is those who planned, authorized, committed, or aided in the terrorist attack that occurred on September 11. The

President specifically was denied the authority to take on the other terrorist groups who, in my judgment, represent the greatest threat inside the American homeland today.

Let me just give a little bit of history. On September 12, President Bush requested robust authority to launch a full-scale war on terror. He sent to the Congress a proposed resolution which stated:

> The President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, harbored, committed, or aided in the planning or commission of the attacks against the United States on September 11, 2001, and to deter and preempt any future acts of terrorism or aggression against the United States.

That is what the President asked for on September 12, 2001. But Congress demurred. They only granted the President the power to use necessary force related to those nations or organizations and persons which were determined to be connected to the tragedy of September 11. Al-Qaida was not only our bull's-eye, it was the totality of the target. Two days after the Congress gave the President this limited authority, President Bush, on September 20, expanded the scope of the war:

> In a joint session of Congress, our war on terror begins with al-Qaida, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped, and defeated.

From that point until today, Mr. President, the stated mission of the United States in the war on terror has fallen well beyond the authority we have given to the President of the United States to deliver on that mission.

The President continues:

> . . . to be limited to those nations, organizations, and persons who can be indicted as conspirators and participants in September 11.

This limited authority to use force has made it possible for America and our allies to crush the Taliban and severely cripple al-Qaida. The amendment I offer would extend that power to the President to use necessary force through the next still vigorous and violent band of terrorists.

Against whom would the President by this amendment be given power to use force? The State Department has identified 34 international terrorist organizations, approximately two-thirds of which are in the region of the Middle East and central Asia. They list five, in addition to al-Qaida, that have these characteristics: They currently receive support from a state that possesses weapons of mass destruction; they have a history of hating and killing Americans; and they have the ability today to strike within the United States of America.

Who are these groups? I will name them and then talk about the A team: The Abu Nidal organization, Hamas, the Islamic Resistance Movement, the Palestine Islamic Jihad, and the Palestine Liberation Front.

Who is the A team? The A team is Hezbollah, ''the party of God.'' Hezbollah was formed in 1982 in response to the Israeli invasion of Lebanon. This organization, which is based primarily in Lebanon and Syria and financed from Iran, is a radical Shi'a group which takes its ideological inspiration from the Iranian revolutions and teachings of Ayatollah Khomeni.

Hezbollah formally advocates the ultimate establishment of Islamic rule in Lebanon and liberating all occupied Arab lands, including Jerusalem. It has expressed as a goal the elimination of Israel. Although closely allied with and closely directed by Iran, the group may have conducted operations that were even beyond those approved by the Government of Iran.

While Hezbollah does not share the Syrian regime's secular orientation, the group has been a strong tactical ally in helping Syria advance its political objectives in the region.

What are some of the activities of Hezbollah? It is known or suspect to have been involved in numerous anti-U.S. terrorist attacks, including the suicide truck bombing of the U.S. Embassy in Beirut in April of 1983; the U.S. Marine barracks in Beirut in October 1983; the U.S. Embassy annex in Beirut in September of 1984; three members of Hezbollah are on the FBI's list of the 22 most wanted terrorists for the hijacking of TWA flight 847 during which a U.S. Navy diver was murdered; elements of the group are responsible for the kidnaping and detention of U.S. and Western hostages.

The group also attacked the Israeli Embassy in Argentina in 1992 and is suspect in the 1994 bombing of the Israeli Cultural Center in Buenos Aires, and the Senator from Texas stated, in her judgment, they were also responsible for Khobar Towers.

This group receives a substantial amount of financial, training, weapons, explosives, diplomatic, and organizational aid from Iran and receives diplomatic, political, and logistical support from Syria. Hezbollah has a significant presence of its trained merchants of death placed in the United States of America.

Mr. President, you will note that several of these organizations gravitate around one axis of evil: Iran. And not surprisingly.

Yesterday, October 8, former FBI Director Louis Freeh testified before the joint inquiry on the attacks of September 11 which are being conducted by the House and Senate Intelligence Committee. Mr. Freeh cited the conclusions of the National Commission on Terrorism that:

> Iran remains the most active state supporter of terrorism. The Iranian Revolutionary Guard Corps and the Ministry of Intelligence and Security have continued to be involved in the planning and execution of terrorist acts. They also provide funding, training, weapons, logistical resources, and guidance to a variety of terrorist groups, including the Lebanese Hezbollah, Hamas, the Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine.

My amendment says that those five groups should also be brought within the ambit of evil that the President of the United States should be entitled to use force against to protect the security of the people of the United States of America.

What strategy should be used against the designated international terrorist groups? The decision will be left to the President. The Congress invested its confidence in the judgment of the President on September 18 of last year when it gave him the power to use force against the Taliban and al-Qaida. If the underlying resolution is adopted, he will have the authority to use force against Iraq.

This amendment will give the President the next stage of powers which he will be required to have in order to wage war on terror and to do so to a successful conclusion. The President would have the authority and the subsequent accountability to use these three authorities in whatever sequence and with whatever impact he deems to be in our national interest.

In this stage on the war on terror, the President has already fashioned a war plan: To take out the training camps, the incubators from which in the 1990s thousands of youth were given the skills and the determination to be hardened assassins; to attack the terrorists' plans, to disrupt and dismantle.

Many of these operations, and particularly the training camps, are flourishing today in the orbit of Iran. We should empower the President to take those acts that are going to be necessary to protect the security of the United States.

Director Freeh, in his remarks yesterday, spoke of the need for a full arsenal of weapons to triumph over terrorists. Director Freeh said:

> We must recognize the limitations inherent in a law enforcement response. As we see at this very moment in history, others, to include Congress, must decide if our national will dictates a fuller response.

I am not prepared to say the only response I want against these five organizations that have access to weapons of mass destruction, that have a history of killing Americans and have a capability to do so here at home because of a significant presence of their operatives among us, that we are going to tell the President of the United States that he does not have the authority to attack with force these terrorists groups where they live and to disband and dismantle their capability of continuing to provide support to their agents in the United States.

I believe our national will and our obligation to the security of the American people, especially their security on our native soil, demand a fuller response to meet this fuller challenge.

I conclude by saying that I am not optimistic about the prospects for this amendment, but I am deeply concerned, and I am deeply saddened. I am concerned in part because I see us making life-and-death decisions without

consideration because we do not have access to what might be critical, and I would suggest determinative, information. I believe the national security interests are being put at risk by this information not being available.

I am saddened because I fear the action we are going to take will increase the risk at home without increasing our capability to respond to that risk.

I have been described as a cautious man. I will accept that label. I do not see the world as a simple set of blacks and whites. I see the world as a complex of grays. That leads to caution. I believe that caution today is to recognize that we are not dealing with one evil, as evil as Saddam Hussein might be. We are dealing with a veritable army of evils.

We must be prepared to respond to that army of evils. I believe the step we can take today is to give to the President of the United States the opportunity to exercise his judgment as to whether he believes it would be appropriate to use U.S. force against these five international terrorist groups which represent, in my judgment, the most serious urgent threat to the interests of the United States of America, including a threat to Americans at home.

I urge the adoption of this amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my colleague from Florida for the thoughtful statement he has made. I agree with so much he has said, certainly about the threats that are represented by the terrorist groups cited in his amendment, but I want to explain why I have reluctance about the amendment. It is for reasons that are both procedural and substantive.

The resolution offered by Senator MCCAIN, Senator WARNER, Senator BAYH, myself, and others—including the occupant of the Chair, the Senator from Georgia—is the result of a detailed, open, and sincere process of negotiation between Members of both Chambers, both parties, and the White House.

This is not to say it is a perfect document, but in responding to the threat to our national security posed by Iraq under the leadership of Saddam Hussein, it represents our best effort to find common ground to dispatch our constitutional responsibility and to provide an opportunity for the broadest bipartisan group of Senators to come together and express their support of action to enforce the United Nations resolutions that Saddam Hussein has constantly violated, and in so doing endangered his neighbors, his people and, of course, the rest of the world, including us. We have a well-worked-over and finely calibrated document.

In his amendment, the Senator from Florida has opened new territory, and I am reluctant to see that added to this resolution, all the more so since the new territory he opens up was considered in the immediate aftermath of the attacks against us on September 11 when the initial resolution in which the President sought to have authority to take action against terrorists generally—not just those who had planned, authorized, committed, or aided terrorist attacks that occurred on September 11 of last year—was rejected or was opposed by a large number of Members of the Senate, including particularly those on the Democratic side, and in that sense the amendment offered by the Senator from Florida may well reopen concerns expressed by many Senate Democrats about granting too much authority to the President at this point.

Let me get to the essence of what is said. Clearly, I agree with what the Senator has said, and I agree wholeheartedly with his description of the terrorist groups he has cited, specifically five in number, and the extent to which they represent a threat to the areas in which they operate, as well as the American people.

I respectfully disagree with him that the President of the United States would not be authorized, without this action, to take action against any of these groups—the Abu Nidal organization, Hamas, Hezbollah, Palestine Islamic Jihad, Palestinian Liberation Front—if the President, as Commander in Chief, concluded that any one of those groups or its members posed a threat to the security of the American people or any group of Americans. It seems to me that is inherent in the authority given to the President, as Commander in Chief, under article II, section 2 of the Constitution, followed by other descriptions of the authority that the President has in that regard, and not just the general constitutional authority but the specific acts of this Congress that have dealt with terrorism and have established a counterterrorism center at the Central Intelligence Agency, counterterrorism programs in the FBI, counterterrorism activities in the Department of Defense and the Department of State, all of them funded by Congress.

Implicit in that is not that the money was funded just to study or investigate but that there is a presumption that if all of those programs produce evidence that any one of those groups is seeking to do damage to any one of the American people or group of Americans, then the President is authorized implicitly, inherently, in his authority as Commander in Chief to take action against them. In fact, as has been testified to publicly, the Special Operations Forces of our military, an extraordinary group we are fortunate to have in our service, has been working on programs together with the intelligence community and various nations around the world to watch—using the term ''watch'' in the broadest sense of the term—and be prepared to take specific action, not just court action.

After September 11, we have made a transition to understanding that terrorists are at war with the United States so there are times when the best defense we can give is not to build a case in court but to take military action to stop the terrorists from striking before they ever do.

So while I appreciate and support the concerns of the Senator from Florida, my own conclusion is that they would do some damage to the broad support that otherwise will come together for the resolution that we have introduced that deals with the immediate problem of Saddam Hussein, and that in the end it is not necessary because the President, as Commander in Chief, has the inherent authority, under the Constitution and the laws of the United States, to take exactly the action that the Senator's amendment would specifically authorize him to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I associate myself with the remarks of our distinguished colleague from Connecticut and therefore I will not elaborate given the shortage of time.

I say to my colleague from Florida, I am very impressed by his statement today. I think there is merit to be found. I draw the Senator's attention to Public Law 107–40. As the Senator recalls, that is the amendment that the Congress adopted on September 14, 2001, and that dealt with the authorization for use of military force against those responsible for the recent attacks against the United States.

It seems to me that particular statute and that body of law is the place where an amendment like that of the Senator from Florida should be placed, and I say that with all due respect.

My further added observation is that our Secretary of State is now busily engaged at the United Nations with regard to the possible framework of a possible 17th resolution. The draft amendments before the Senate and the House of Representatives are indeed the subject of those discussions.

At this time, to broaden that base could well in some respects jeopardize the efforts on behalf of the United States and others to craft a tough resolution directed clearly at the weapons of mass destruction, Saddam Hussein, and those surrounding his regime.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. I will reserve a few moments to close when others who wish to speak on this motion to table have completed their remarks.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I inform my friend from Florida, under the normal procedures, as soon as I made a motion to table, the vote would begin. But if the Senator from Florida would like for me to ask unanimous consent for him to speak up to how many minutes he would like to before the vote, I would be pleased to propound that.

Does the Senator from Connecticut want to speak again?

Mr. LIEBERMAN. I ask for an additional 2 minutes.

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senator from Connecticut be permitted to speak for 2 minutes without my losing my right to the floor.

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

The Senator from Connecticut.

Mr. LIEBERMAN. From the text of the resolution we have submitted in section 4(b) after our authorization, we require, as soon as feasible, but not later than 48 hours after exercising such authority—that is, directly deploying forces of the United States—that the President has to make available to the Congress his determination that—and there are two sections he has to report. The material section is this: The President has to declare to Congress that pursuant to this resolution—which is to say deploying forces for the purpose of enforcing U.N. resolutions against Iraq in protecting the national security of the American people against Iraq—is consistent with the United States and other countries continuing to take the necessary actions against international terrorist and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided terrorists in the attacks that occurred on September 11, 2001.

I stress that this is not limited to those terrorists who acted against us on September 11.

I see in this further support for the end goal, which the Senator from Florida has, which is to make sure the war against Iraq does not deter our war against terrorism and not just against al-Qaida but against any terrorist group that threatens the people of the United States, including the five the Senator from Florida enumerated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I ask unanimous consent that following my remarks and making the motion to table the Graham amendment, Senator GRAHAM be recognized for up to 10 minutes, and immediately following that, the vote occur on my motion to table.

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

Mr. McCAIN. Mr. President, I commend the Senator from Florida for his thoughtful statement about the threat of terrorist organizations of global reach posed to American national security. The Senator from Florida has devoted much of his time and professional energies to investigating the terrorist threat in great detail as chairman of the Senate Intelligence Committee.

Again, I thank the Senator for the superb job he has done as chairman of the Intelligence Committee in probably the most trying times this country has experienced since World War II—from an intelligence standpoint, perhaps the most difficult times. And I am grateful we have a man of his caliber in a leadership role. He is an eloquent and thoughtful spokesman on these issues.

I agree that ultimately the war on terrorism will not be won until we have ended these groups' murderous activities and held them accountable for killing American citizens.

However, I must oppose the amendment because it provides our Commander in Chief with authority he has not requested. It is highly unusual for Congress to provide the President the authority to use military force to defend American security against a particular threat when the President himself has not requested such authority.

For the President to determine that the terrorist organizations listed in the Senator's amendment posed an imminent danger to the United States, and if the President requested congressional authorization to use military force to deal with that danger, I don't doubt Congress would have full consideration or debate to provide that authority.

It does seem unusual in a time of war, and in response to the President's request for congressional authorization to confront a threat he has identified as imminent, for Congress to identify and grant the President the authority to use military force to confront a different enemy.

The Graham amendment would increase beyond what was requested by the administration the scope of authority provided to the President. Including these groups in the resolution, unfortunately, muddies the strong message the United States must send to the United Nations Security Council and the world that we are intent on dealing with the threat posed by Iraq.

The President wants a strong statement authorizing the use of force against Iraq. He understands the value of an overwhelming congressional vote to American diplomacy and to demonstrating American seriousness to the world.

The pending resolution represents a carefully crafted, bipartisan, bicameral agreement on providing the President with the authority to use force against Iraq. This amendment is the product of negotiations between the Speaker of the House, Congressman GEPHARDT, the Democrat leader, and the White House. It was carefully crafted. We intentionally introduced the exact same language so that when the other body passes it and we pass it, it will be the exact same message. Modifying that agreement could reopen issues that otherwise have been resolved and would unnecessarily slow down consideration of a resolution that the President has requested and made clear is an urgent priority for his administration.

Yesterday, when asked about the amendment, Secretary Powell stated that Congress should focus in on the threat posed by Iraq. The Secretary also made clear the administration's desire that both Houses of Congress pass identical resolutions to send a message to the world that we are united in our resolve to confront Saddam Hussein and to send a message to Iraq that we are serious about doing so.

The administration opposes the Graham amendment on procedural grounds. The President has requested congressional authorization to use all means necessary to protect American national security against the threat posed by Iraq. For this body to supercede the President's request by identifying other threats to American national security—I could come up with a long list of such threats myself—would send a confused message to the American people and the world as we come together to end the threat posed by Saddam Hussein's regime.

Some have argued that the President's determination to hold Iraq to account would undermine the global war against al Qaeda. I believe this is a false argument, for as the president has said, Iraq and al Qaeda are two faces of the same evil. The Graham amendment would expand our global campaign to target not just al Qaeda but several of the most sophisticated terrorist organizations on earth. I would assume that anyone who worries about diversions from the war on terrorism would vote against expanding that war at this time.

I want to stress, however, that ultimately the war on terrorism will not be won until we have dealt with the threat posed by terrorist groups with global reach such as Hezbollah. Hezbollah and other organizations listed in the Graham amendment have killed Americans and deserve no quarter. They ultimately represent a grave threat to America—a threat that will not diminish until we have dismantled these organizations and held them accountable for murdering Americans.

The pending resolution is not the proper vehicle for this debate. I look forward to working with the Senator from Florida to address the threat posed by Hezbollah and the other terrorist organizations he has listed.

I urge my colleagues to support the request of our Commander in Chief by tabling the Graham amendment.

I ask unanimous consent to have printed in the RECORD a letter from the White House.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, October 9, 2002.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: Thank you for asking the Administration's position on the Graham amendment to the Iraq Resolution. The Administration opposes it.

The Lieberman-Warner-Bayh-McCain amendment represents a carefully crafted bipartisan, bicameral agreement on providing the President with use-of-force authority against Iraq. The Graham amendment would

increase—beyond what was requested by the Administration—the scope of authority provided to the President, and introduce additional elements to the resolution. Modifying the agreement now, as the Graham amendment would, could reopen issues otherwise resolved and unnecessarily slow consideration of this important resolution.

Sincerely,

NICHOLAS E. CALIO,
Assistant to the President for Legislative Affairs.

Mr. MCCAIN. I say to my friend from Florida that the administration's message is very clear that they do not disagree with his assessment of the threat. He is held in the highest regard by all who have observed his distinguished work as chairman of the Intelligence Committee.

I thank my friend from Florida for his contributions. I know that in the days ahead he and I will be joining together with other Members of this body in addressing the serious threats to American national security which he has so eloquently described in his statement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I appreciate the thoughtful remarks of the Senator from Connecticut and the Senator from Arizona. The Senator from Arizona concluded with the hope that we may soon be working together on expanding our efforts to reach those who threaten us here at home. I only hope we will not have another 3,025 Americans unnecessarily exposed to the risks that I see if we do not supplement this resolution with the immediate authority of the President to use force against those organizations which have access to weapons of mass destruction, which have killed Americans, and which have substantial numbers of operatives inside the United States of America at this hour. I invite anybody to say Iraq doesn't meet those standards.

We are not talking about a threat 90 days from now. We are not talking about a threat that may come a year from now if nuclear material is made available. I am talking about a threat that can happen this afternoon.

Let us trace the history of what Congress did. The President asked for this authority on September 12, 2001. We denied it.

When I was in law school, one read the legislative history to try to arrive at legislative intent. It seems to me, just as a first-year-law legislative interpretation, that probably doesn't mean giving the President authority beyond that which is specifically provided. Therefore, the President of the United States, in my judgment, does not have the authority today to use force against Hezbollah or these other groups.

But even beyond the legal limits, let us talk about the pragmatics. The President of the United States in his State of the Union Address on January 29 said our first priority was terrorists—our first priority. And do you know what the first priority of the first priority was? The training camps. Why did he say that? Because those who were responsible said if there was one major mistake we made in the 1990s, it was allowing al-Qaida training camps to be a sanctuary where every year thousands and thousands of young people were converted into hardened assassins.

If that is the criticism we are going to have, because in the 1990s we allowed that to go on month after month and year after year, what is going to be our excuse today when similar training camps are in operation in Iran, Syria, and Syrian-controlled areas of Lebanon? And we are not going to give the President of the United States the authority to use force against those camps? It is inconceivable to me. The very fact that the President, recognizing this, has not acted against those camps is, in my judgment, the strongest verification that he doesn't think he has the authority to do so.

I believe it is not in our national interest to leave this question ambiguous. We want to deter groups such as Hezbollah from continuing to aid, or to provide aid, comfort, and support to their operatives who are placed in the United States. Until we reach the point that we can domestically, through law enforcement means and domestic intelligence, locate and eradicate those operatives who are in this country, we must pursue as aggressively as possible to cut off their support system.

I cannot believe we are saying we are not prepared today to make an unambiguous decision. We don't want to have the Hezbollah going to their lawyers and asking the question, What is the legislative interpretation of what Congress did on September 18, 2001? Does it put us under the gun? I don't want them to have that in their mind. I want them to know, with the clearest method we can write in English and that can be interpreted in all the languages these people speak, that we mean they are under the gun, and they are under the gun now.

There has been a lot of discussion about urgency. Why do we need to do things now? Why can't we wait for 60 days?

Let me tell you why we cannot afford to wait. We are taking an action by authorizing the President to take action against Saddam Hussein. I will stand first in line to say he is an evil person. But we, by taking that action, according to our own intelligence reports—and, friends, I encourage you to read the classified intelligence reports which are much sharper than what is available in declassified form—we are going to be increasing the threat level against the people of the United States. I think we have a moral and legal obligation to at the same time be taking what reasonable steps we can to confront that increased vulnerability.

If you do not like what I am suggesting, if you do not think we ought to give the President authority to use force against groups such as Hezbollah, what do you think we ought to do? Or do you disagree with the premise that we are going to be increasing the threat level inside the United States?

If you disagree with that premise, what is the basis upon which your disagreement is predicated? If you reject that, and believe that the American people are not going to be at additional threat, then, frankly, my friends—to use the term—blood is going to be on your hands. I think we are going to be at substantially greater threat.

I think there are some things we ought to be doing now. We certainly should be escalating the FBI intelligence and other efforts to root out the terrorists who are among us. But we also ought to be attacking the terrorists where they live because it is on the offensive—not the defensive—in my judgment, that we are going to eventually win this war on terror.

My friends, as I said, I am not optimistic about the adoption of this. I recognize there are backroom deals made. This is what people have come together on and locked down on, and say: We are locking down on the principle that we have one evil, Saddam Hussein. He is an enormous, gargantuan force, and that is whom we are going to go after.

That, frankly, is an erroneous reading of the world. There are many evils out there, a number of which are substantially more competent, particularly in their ability to attack Americans here at home, than Iraq is likely to be in the foreseeable future.

But we are going to say we are going to ignore those and we are going to allow them to continue to fester among us. I do not wish to be part of that decision. I am concerned by those who see only one evil, who believe we must all commit ourselves to the arrangement that has been made by a few who have that view of the world. I urge my colleagues to open there eyes to the much larger array of lethal, more violent foes who are prepared today to assault us here at home.

I said in my closing remarks that I was concerned and saddened. I am saddened because I know my colleagues would not knowingly place U.S. lives in unnecessary peril. I am as sure as I have ever been of anything in my life, the peril here in America caused by the action we are about to take could be substantially reduced by giving to the President of the United States the additional powers to send the strongest possible message, and, if necessary, the force to eradicate those who are evil and who have placed evildoers among us, and who are prepared to awaken those evildoers to attack. The responsibility is ours.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I move to table the——

Mr. REID. Will the Senator yield for a question, first?

Mr. MCCAIN. I am glad to yield to the Senator from Nevada.

Mr. REID. Mr. President, I have the greatest respect for the Senator from Florida, but the Senator from Arizona and I came to the Congress together. And I hope that my friend from Florida was not implying the Senator from Arizona was involved in any backroom deals because I have never known the Senator from Arizona to be involved in any backroom deals.

Mr. MCCAIN. I have been singularly unsuccessful in orchestrating any backroom deals in the years I have served here, I say to my friend from Nevada. And I thank him.

Mr. President, I move to table the pending Graham amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question occurs on agreeing to the motion to table Graham amendment No. 4857.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Nevada (Mr. ENSIGN) is necessarily absent.

The result was announced—yeas 88, nays 10, as follows:

[Rollcall Vote No. 231 Leg.]

YEAS—88

Akaka	Edwards	McConnell
Allard	Enzi	Mikulski
Allen	Feingold	Miller
Bayh	Feinstein	Murkowski
Bennett	Fitzgerald	Murray
Biden	Frist	Nelson (NE)
Bingaman	Gramm	Nickles
Bond	Grassley	Reed
Boxer	Gregg	Reid
Brownback	Hagel	Roberts
Bunning	Harkin	Santorum
Burns	Hatch	Sarbanes
Campbell	Helms	Schumer
Cantwell	Hollings	Sessions
Carnahan	Hutchinson	Shelby
Carper	Hutchison	Smith (NH)
Chafee	Inhofe	Smith (OR)
Cleland	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kerry	Thomas
Craig	Kohl	Thompson
Crapo	Kyl	Thurmond
Daschle	Leahy	Voinovich
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lott	Wyden
Dorgan	Lugar	
Durbin	McCain	

NAYS—10

Baucus	Dayton	Rockefeller
Breaux	Graham	Torricelli
Byrd	Lincoln	
Corzine	Nelson (FL)	

NOT VOTING—2

Ensign	Landrieu

The motion was agreed to.

The PRESIDING OFFICER (Mr. JOHNSON). The majority leader is recognized.

Mr. DASCHLE. Mr. President, I wanted to inform my colleagues, after consultation with the distinguished Republican leader, that it is our intention, assuming we get cloture tomorrow—the cloture vote will be cast on the resolution tomorrow—it would be my intent to stay in for the full 30 hours, or whatever period of time would be required to complete our work on the resolution.

I said at the beginning of the week, it would be my determination to finish our debate on this resolution before the end of the week and that is still my determination. So if cloture is achieved, we would go for whatever length of time to accommodate Senators who wish to be heard under the rules of cloture.

We would expect, therefore, a vote on final passage on the resolution prior to the time we leave this week. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, shortly I will yield to my distinguished senior colleague, Mr. THURMOND, for not to exceed—what time does he want?

Mr. NICKLES. Five minutes.

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield to my senior colleague, Mr. THURMOND, for not to exceed 5 minutes, without losing my right to the floor.

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

NOMINATION OF JUDGE DENNIS SHEDD

Mr. THURMOND. Mr. President, I rise today to express my outrage at yesterday's proceedings in the Judiciary Committee. In an unprecedented move, Chairman LEAHY violated committee rules and removed the nomination of Judge Dennis Shedd from the agenda. On a procedural vote, the committee refused to consider Judge Shedd's nomination.

I am hurt and disappointed by this egregious act of destructive politics. Chairman LEAHY assured me on numerous occasions that Judge Shedd would be given a vote. I took him at his word.

Dennis Shedd is a fine judge who has received a rating of well qualified by the American Bar Association. President Bush nominated him to the Fourth Circuit Court of Appeals on May 9, 2001, but his hearing did not take place until June 27 of this year. Since that time, he has answered all questions asked of him.

For over 17 months, I have waited patiently. On July 31, Chairman LEAHY stated publicly before the Judiciary Committee that we had reached a solution regarding Judge Shedd that would be satisfactory. The chairman's recent actions are not only unsatisfactory, but they are unacceptable. In my 48 years in the Senate, I have never been treated in such a manner.

Mr. President, I hope this situation will be corrected and that Judge Shedd will soon be confirmed as a judge on the Fourth Circuit Court of Appeals.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. REID. Mr. President, may I ask the Senator from West Virginia if he will be kind enough to allow me to respond to the distinguished Senator from South Carolina, as the name of my friend, Senator LEAHY, was mentioned on several occasions.

Mr. BYRD. How much time does the Senator need?

Mr. REID. A few minutes; 6 or 7 minutes at most.

Mr. BYRD. Not to exceed 7 minutes. I make that request.

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

Mr. REID. Mr. President, we understand that Senator THURMOND is disappointed that the Judiciary Committee was not able to proceed on Judge Dennis Shedd's nomination at its meeting this week. We all have great respect for Senator THURMOND and I know that the committee is working toward a committee vote on the Shedd nomination.

The Judiciary Committee has continued to receive opposition from South Carolina and from African American and other civil rights organizations and leaders from around the country to the Shedd nomination. Senators are taking those concerns seriously and being thoughtful and deliberate in reaching their own conclusions.

Over the past weeks, the committee—led by Chairman LEAHY who has done such an outstanding job—has received hundreds of letters from individuals and organizations, both in and out of South Carolina, expressing concerns about elevating Judge Shedd, and these letters raise serious issues. Many of these letters have arrived in just the last week or so. The committee has just received a letter from the Mexican American Legal Defense and Educational Fund, citing the interests of the many Latinos living in the Fourth Circuit, and expressing opposition to Judge Shedd. A letter arrived recently from the Black Leadership Forum asking for more time to consider the nomination. It was signed by a number of well respected African American leaders, including the forum's chairman, Dr. Joseph Lowery, and over a dozen other nationally recognized figures. In recent weeks, State legislators from Delaware, North Carolina, South Carolina, and Maryland, have written with their misgivings about the elevation of Judge Shedd. And hundreds, probably thousands, of letters from South Carolina citizens have been arriving that urge a closer look at Judge Shedd's fitness for this job.

Senator LEAHY was correct in his judgment that beginning the debate on the nomination of Judge Shedd on Tuesday morning would not have resulted in a final vote, but might well have prevented committee action on 17

other judicial nominees of this President. Indeed, as it was, Republicans almost prevented those 17 judicial nominations and six executive branch nominations from being reported before the end of that business session.

Unfortunately, this partisan procedural maneuvering obstructed the committee from reaching any items on the legislative agenda, even the simplest consensus items of significant importance. Republican Senators even objected to granting consent to an amendment of the American Legion charter. I understand that today Republicans boycotted a business meeting of the Governmental Affairs Committee.

I understand that at Senator THURMOND's request, the Judiciary Committee held a hearing fro Judge Shedd who has a lifetime appointment to the District Court in south Carolina. Judge Shedd's hearing was the second for a nominee to the Fourth Circuit since the reorganization of the committee in the summer of 2001.

In fact, no judge was confirmed to the fourth Circuit during the last 30 months of Republican majority control even though there were nominees of significant qualifications. Neither Judge James Beaty, Judge Rich Leonard, Judge James Wynn, Judge Roger Gregory, Judge Andre Davis or Elizabeth Gibson received a hearing or a vote from the Republican majority on their nominations to the Fourth Circuit.

In contrast, the first nominee on which the Judiciary Committee held a hearing in July 2001 and the first confirmed after the change in majority was a Fourth Circuit nominee, Judge Gregory.

In addition, the Committee worked hard to consider and report the nomination of Judge Terry Wooten to be a Federal district court judge in South Carolina at the request of Senator THURMOND. Judge Wooten's nomination was not without controversy but with hard work and perseverance the committee was able to report that nomination to the Senate and the Senate confirmed Judge Wooten last November.

The committee also expedited consideration of Strom Thurmond, Jr., to be the U.S. Attorney for south Carolina last fall, under tremendous pressure to Senator LEAHY.

During the last 15 months, the Judiciary Committee has held hearings on over 100 judicial nominees, voted on 100 and reported 98. The Senate has confirmed 80 to date with 18 more on the calendar, as we speak. That is more hearings for more nominees and more votes on nominees and more confirmations of more nominees than in the last 30 months in which Republicans controlled the Senate.

The Judiciary Committee is doing a good job of helping reduce the judicial vacancies it inherited from the Republicans when they delayed and obstructed President Clinton's nominees.

I understand Senator THURMOND's disappointment, but he has to understand Senator LEAHY is doing an outstanding job. And I and the rest of the Democrat conference totally support this good man, the Senator from Vermont.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. HATCH. Mr. President, I ask the Senator from West Virginia to allow me 5 minutes to respond.

Mr. BYRD. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Utah, Mr. HATCH, for not to exceed 5 minutes—I hope this will be the last request—not to exceed 5 minutes, and that I retain my right to the floor.

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

Mr. HATCH. Mr. President, I thank the Senator from West Virginia for his courtesy. I appreciate it.

I listened to these remarks, and I am outraged. I know they were not written by any staffer for Senator REID, and they are not accurate. I think we have had very disdainful treatment of one of the most prestigious and important Senators in the history of this body.

Let's think about it. Yesterday, Chairman Leahy denied a vote on Dennis Shedd, President Bush's nominee for the Fourth Circuit Court of Appeals, the nominee from South Carolina. This action was outrageous because yesterday may very well have been the last markup Senator THURMOND, the former chairman of the Judiciary Committee, who cares very deeply about Judge Shedd's nomination, was able to attend.

The committee rules are very clear. They allow an agenda item held over from 1 week, which Judge Shedd was held over, to be brought up on the next agenda. He was held over on September 19 on that markup agenda by the Democrats.

Yesterday, Chairman LEAHY, in violation of committee rules, removed Judge Shedd from the agenda. This is not right. To my knowledge, that is the first time that has ever happened. It may have happened before, but I do not remember it.

What makes this even more unusual and has our Members outraged is that we operate in the Senate under a presumption that a Senator's word is as good as gold. Chairman LEAHY assured several Republican Senators—our leader, Senator THURMOND, Senator GRASSLEY, Senator BROWNBACK, and myself—that Judge Shedd would get a vote. He promised that to me, and all of these others. It is fair to say the entire Republican caucus expected a vote yesterday on Judge Shedd.

There is no doubt about Judge Shedd's qualifications. He has strong bipartisan support. One of his most ardent supporters from South Carolina is none other than my dear friend and colleague, Senator FRITZ HOLLINGS. The people of South Carolina support him. The ABA, long held to be the gold standard by the Democrats, gave him a well-qualified rating. So it is not Judge Shedd's qualifications that are standing in the way. Simply put, there is no good reason that Judge Shedd did not get a vote at yesterday's markup.

In accordance with the rules, I moved to have a vote. The chairman ruled it out of order. It was a 9-to-9 vote, not sustaining his position but basically not allowing the vote.

The real reason Judge Shedd was not on the agenda was there are liberal special interest groups in this city that seem to have lock-stock control over the Judiciary Committee. When I was chairman, I never ceded control to any of these outside groups. In fact, I told them to get lost. I have to say I paid a big price for it, too. It is atrocious that ceding of control is happening now.

With regard to the Fourth Circuit Court of Appeals and those nominees cited by the distinguished Senator from Nevada, they did not have home State senatorial support. We cannot do much about that when there is not home State senatorial support, which has always been a courtesy that has been extended.

Think about it. Judge Shedd has been waiting for almost 18 months. Now all of a sudden, at the last minute, we come up with all of these lame excuses to not give him a vote. All we were asking for was a vote in accordance with the rules of the Senate—a vote in the Judiciary Committee and then a vote on the floor—for a man who used to be chief of staff of the Judiciary Committee, who was sponsored by one of the most dignified and important Senators in the history of this body. Just one committee vote and a floor vote.

If they want to vote him down, they can do that, but Senator THURMOND deserved the benefit of the doubt. He deserved the privilege of having a vote on his nominee, especially since this nominee has waited for almost 18 months. He was peppered with all kinds of questions. He answered them. He did everything he possibly could. He has a wonderful reputation. He had it when he was on the committee. What is more, every member of that committee who sat when he was here knows it.

Now this is wrong. It is wrong to treat a senior Senator like this. It is wrong to treat a distinguished Federal district court judge like this. It is wrong to break the rules. It is wrong to break them with impunity. And I think it is wrong to treat the President's nominees this way.

To make a long story short, virtually everything that was said yesterday and even today was not very accurate. I would ask that this body reconsider, that my friends on the other side——

The PRESIDING OFFICER. The Senator has spoken for 5 minutes.

Mr. HATCH. I ask for 30 seconds more, and I will finish.

Mr. BYRD. Mr. President, I yield an additional minute to the Senator, under the same conditions.

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

Mr. HATCH. I am grateful to my colleague.

I ask for simple courtesy from the other side. Give us an up-or-down vote on Dennis Shedd. Everybody who is on the Judiciary Committee knows this man, and I think most others in the Senate know this man and know what a good person he is. But everybody knows Senator THURMOND, that he is an honest, decent man, and he deserves this kind of courtesy, especially at the end of the longest, most distinguished career in the Senate.

I thank my dear colleague from West Virginia.

AUTHORIZATION OF THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ—Continued

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I take the floor at this time to urge the joint leadership of the Senate to delay the vote on cloture which is set this moment for 10:15 tomorrow morning. I urge the leadership of this body to consider and to help bring about an order that will vitiate that vote on cloture tomorrow morning at 10:15.

I make my plea on behalf of the mothers, fathers, grandmothers, and grandfathers of this country, the fate of whose sons, daughters and grandchildren hinges upon the outcome of the vote on cloture; shutting off the debate of this Senate, shutting it down to 30 hours, with each Senator to have only 1 hour unless other Senators can be prevailed upon to seek unanimous consent to yield that Senator additional time, with the exception of the managers, the majority leader, and the minority leader, who have an additional 2 hours automatically.

What is involved is the fate of the service men and women in this country who may have to go to Iraq, the fate of the reserves, the fate of our National Guardsmen and Guardswomen in this country who may have to go to Iraq.

This decision is going to be made no later than 10:15 tomorrow morning unless it is changed. This is a fateful decision. It involves the treasure of this country. It involves the blood of our fighting men and women. It is too momentous and too far reaching a decision to be signed, sealed, and delivered by 10:15 tomorrow morning.

I know it is in accordance with the rules of the Senate. Nobody knows the rules of the Senate more than I do, and nobody has used the rules of the Senate more than I have in past years. But I say that this rule, which is perfectly within order, should be set aside because of the fateful, momentous, and far-reaching implications and ramifications of this vote.

If we go through with this vote, Senators are going to have 1 hour each, up to 30 hours, and only amendments which are germane can be offered. This is too much, and I appeal to the sense of justice, the sense of right, and the sense of our duties to our people. I appeal to all Senators and to the leadership that we seek to get unanimous consent to put off that vote, to delay it.

Mr. SARBANES. Mr. President, will the Senator yield for a question?

Mr. BYRD. Yes, I yield.

Mr. SARBANES. I ask the very able and distinguished Senator from West Virginia—it is my understanding that the motion to proceed to this resolution took place a week ago. Is that the Senator's understanding?

Mr. BYRD. Mr. President, I yield to the Senator for such a parliamentary inquiry.

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

Mr. SARBANES. Parliamentary inquiry. When did the Senate proceed to this resolution?

The PRESIDING OFFICER. It appears from the Journal, the Senate proceeded to this measure on October 4.

Mr. SARBANES. October 4, and today is October 9. October 4, I am told by the Chair. Today is October the 9th, on a resolution that may take the Nation into war.

Mr. BYRD. That includes Saturday and Sunday.

Mr. SARBANES. The distinguished Senator, I think I am correct in recalling, was the leader of the Senate at the time we did the Panama Canal treaties.

Mr. BYRD. The Senator is correct.

Mr. SARBANES. Did the Senator recall there were two treaties, the neutrality treaty and the canal treaty itself? We went to the neutrality treaty. Floor debate began on February 6 of 1978. We voted on March 16 of 1978. So we had a period from February the 6th until March 16 to consider that treaty.

We then went to the Panama Canal treaty. We began debate on March 17 of 1978 and we voted on that treaty on April 18 of 1978. In other words, roughly 6 weeks on one treaty and a month on the other treaty.

Mr. BYRD. Yes.

Mr. SARBANES. Neither of which involved the prospect of going to war.

Mr. BYRD. Exactly.

Mr. SARBANES. Now, as I understand it, we are facing the prospect of, in effect, terminating all debate, precluding a lot of potential amendments, and ending this matter in about one week's time, a matter of this grave import. I ask the Senator if that is correct.

Mr. BYRD. Absolutely correct. Absolutely correct.

Mr. SARBANES. I make this observation to my colleague. It seems to me it is a sad commentary.

Mr. WARNER. Might I make an observation along the lines of the distinguished colleague now debating this?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. BYRD. Then I will be glad to yield.

Mr. SARBANES. The distinguished Senator from Virginia, I have been watching him. He is marshaling the war forces on the floor of the Senate.

Mr. MCCAIN. Is this regular order?

Mr. SARBANES. I see as part of that process, any time anyone speaks, he wants to make an observation. I would be happy to hear it so I get an opportunity to respond.

The PRESIDING OFFICER. The regular order is the Senator from Maryland may ask a question of the Senator from West Virginia.

Mr. BYRD. Mr. President, I share that feeling, and in due time we will get that explanation.

At this moment I appeal, I appeal to the Members of the Senate to find a way to give unanimous consent to put aside this vote on tomorrow and delay it so as to give this Senate more time to debate and to act upon this resolution, which is so weighty, involving, as it does, the most serious, the most solemn question that can ever face this Senate, the question of peace or war. We are being hurried by the rules of the Senate, we are being hurried into reaching a decision that is premature.

I appeal to my colleagues. I appeal to my colleagues. The people out there in the country deserve better than this. They deserve a decision taken after due time, due consideration, ample consideration, ample opportunities to offer amendments and to have them decided.

As it is under the rules of the Senate, we will be forced tomorrow at 10:15 a.m. to vote on cloture. If enough Senators voted against cloture, that would be one thing. If 41 Senators opposed it—or put it this way: If those who support this resolution cannot get 60 votes tomorrow, then we would automatically have additional time.

I am concerned the way this Senate is being stampeded, stampeded. I don't blame any Senator in particular. Every Senator here is acting in accordance with the rules. I am asking that in this peculiar, unique situation involving so much of the country's treasury, in blood and in dollars, I am asking the Senators join with me in putting off this decision. It can be done. It can be done by unanimous consent. That is not asking too much. That is not asking too much.

We are talking about people who are in the military of this country who may have to go to war in a foreign country, depending on this vote tomorrow.

Mrs. BOXER. Will the Senator yield?

Mr. WARNER. Will the Senator yield?

Mr. BYRD. Let me first yield to the distinguished Senator from Virginia for a question, without losing my right to the floor.

Mr. WARNER. I thank my colleague and dear friend from West Virginia.

To both of my colleagues, the Senator from Maryland and the Senator from West Virginia, this debate, as stated, started on the 4th, which was last Friday.

The PRESIDING OFFICER. The Chair advises the Senator from Virginia and the Senator from Maryland that on further review of the Journal,

this debate began on October 3, rather than October 4.

Mr. WARNER. Fine.

I had the privilege of being on the floor last Friday afternoon for over 5 hours with this debate on that side of that aisle, led by my distinguished colleague from West Virginia. The Senator from Massachusetts, Senator KENNEDY, participated. The Senator from Connecticut, Mr. DODD, participated. We had 5½ hours. I returned to the floor on Monday. We had another roughly 6 hours of debate. Tuesday is fresh in the minds of all. And here we are.

This is the point I wish to make. I share with my distinguished colleague the seriousness of this vote. It is a vote, hopefully, to ensure a resolution which will act as a deterrent, I say most respectfully, a deterrent, to the use of force, a resolution that will support the United Nations that is this very hour working to possibly craft a 17th resolution which would call for inspections. It is timely that the United Nations hear from not only our President, who gave a brilliant speech, but a unified Congress with these resolutions.

I can conclude my remarks by saying in 1990/1991, I and all of the Members here—most of us were involved in that debate—the record shows the debate began on January 10, 1991, on the Persian Gulf resolution. There were two resolutions, one submitted by myself and the distinguished Senator, Mr. LIEBERMAN, the other by the then-majority leader, Mr. Mitchell. That debate started on the 10th. It concluded 2 days later, just 2 days later, on January 12, 1991, concluding with 2 votes on both resolutions.

So that ended up sending men and women of the Armed Forces, ours and other nations', into harm's way. Let us hope we have had adequate time, having begun on the 3rd, as stated by the Chair, and now we are here today with 13 amendments which have just been submitted, which will be respectfully treated by this body in due course, I hope expeditiously.

The rule is being complied with. This is clear. But it is 13 amendments.

Mr. SARBANES. Will the Senator yield?

Mr. BYRD. I yield.

Mr. SARBANES. Will the Senator agree with me the timetables which the Senator from Virginia just set out, both in 1991 and now, show a deterioration in the Senate's level of commitment in terms of debate on important matters of State?

Now, we do not have to go back that far. The time period I cited was 24 years ago, just shy of a quarter of a century. We took up an important matter of foreign policy, the Panama Canal treaty—two of them, 4 weeks on one and 4 weeks on the other. Now we are here with a resolution to take us to war, and we are told, Well, you know, we have been on it not quite a week. As the Senator pointed out, there was an intervening weekend. Then we are cited as a precedent, Well, in 1991 we did it in a few days.

Not only, it seems to me, does it make my point in terms of the willingness of the Senate to carry on the great national debate that ought to take place on important issues of war and peace, but this is a matter of most fundamental importance.

I ask the Senator. It seems to me it would require the kind of attention and debate that is warranted by an issue of that magnitude.

Mr. BYRD. Mr. President, the distinguished Senator is indubitably correct. There can be no more solemn, no more serious, no more far-reaching a decision than the one which the Senate is approaching.

All of the talk about how many hours or how many days we spent on some previous resolution or subject is entirely aside the point; entirely aside the point.

What I am saying here—and every Senator here knows it—is tomorrow morning at 10:15, we will follow the rules of the Senate. We are going to vote on cloture on the Lieberman resolution, as modified. It has been modified. I don't know how many Senators know that. This resolution has been modified. I only learned about it today. It has been modified in such a way that there is no longer a preamble, or what is considered a preamble. The words ''whereas''—I would like to discuss each of these whereas clauses. The whereas clauses have all been changed to ''since,'' which means the preamble is now a part and parcel of the resolution. There is no separate preamble here.

So the wheels have been greased. The wheels of legislative action of debate have been greased.

So here we are now faced with a vote tomorrow morning at 10:15. How many of us are going to be here beyond 6:00 today? It is only 5 minutes to 3 now. How many of us will be here beyond 6:00 today? Then tomorrow, what time are we coming in? 9:00, 10:00?

So we see how little time this Senate is going to be able to focus its full attention on this far-reaching resolution which carries within its pages the fate, the possible fate of this Nation; the fate of hundreds or thousands, or tens of thousands, or hundreds of thousands of servicemen and our National Guardsmen throughout this country. We are holding their fate in our hands.

I say that the rules of the Senate in this instance are being utilized so strictly they are made more demanding.

Why do we have to rush these cloture motions on a matter of this great moment? Why couldn't we have waited and debated this? What is all the hurry?

I say to Senators, and I appeal to the people out there who are watching through those lenses, I appeal to the people in the 50 States and the territory and possessions of this country to rise up and to let themselves be heard. Don't vote for cloture. Let us put off this cloture vote. That is not asking too much. That is not asking too much.

I hope Senators will consider this seriously. Let's not vote on this tomorrow morning at 10:15.

Mrs. BOXER. Mr. President, will the Senator yield?

Mr. BYRD. Yes. I yield for a question.

Mrs. BOXER. I thank the Senator for putting this debate in the proper context and for pointing out what the solemn duty really is in the Senate.

I want to ask my friend a couple of questions.

Has my friend heard, as I have, the President himself and many of his representatives, including Colin Powell, Condoleezza Rice, and Ari Fleischer, repeat over and over again that the President has not yet made a decision to go to war? Has my friend heard that?

Mr. BYRD. There is no question. No farther back than August 21, I read in the newspapers that the President was concerned about the agitation, about all of the commotion—these are my words—that is taking place here concerning his—the President's—plan. Secretary Rumsfeld on that occasion referred to this agitation as a ''frenzy''. That is my recollection. Go back and check; no farther than August 23.

Here we were being told there were no such plans. As we approach it, the drive is on. We are being stampeded. They are saying, Oh, the vote will take place this week.

Why all the hurry?

I hope we will have an opportunity to debate this resolution. We haven't had a full opportunity to debate this resolution. It has just been modified overnight. Nobody has really had an opportunity to debate each whereas clause.

There are amendments that are going to be offered. We are not going to have a chance to debate those amendments. The distinguished Senator from Michigan has an important amendment.

Mrs. BOXER. If I might ask just a couple of questions—I wanted to say to my friend that not only did they say in August this was a frenzy, and the press was paying so much attention to it, and chastising the press for talking about Iraq—no. They were in a frenzy. But just two nights ago, our President said he has not made a decision to go to war. Colin Powell said that before the Foreign Relations Committee, on which I proudly serve. Condoleezza Rice repeated it. Ari Fleischer repeated it. I tried to check out the history where the President has not made the decision to go to war—over and over again through his operatives, and he himself said it—yet he is coming to this Congress and quickly wants to have a resolution, not just backing a new United Nations resolution, which I think we all feel is very important, and with tough inspections. In fact, most of us believe there should be enforcement

of inspections, if need be, which is in Carl Levin's amendment, which I look forward to voting on.

But our President is asking us to give him the authority to go to war alone—alone, with no one else. Other Senators will say that is silly, Senator BOXER. We are not going it alone. Read the resolution of Senator MCCAIN. He can go it alone. That is the deal.

Some say we are doing it because we want to force the U.N. to act. I agree with Senator LEVIN. I think it takes the heat off the United Nations.

But the question I ask of my friend is this: In closing, here we are being asked to give the President authority to take this country to war without any help, without any other nation, without any of our allies, before he has made a decision to do so. And I want to ask my friend this because I know he has been here a very long time. He is an Officer of the Senate.

Has my friend been briefed on how many of our military people, men and women, it will take to go to this war?

What will the casualties be? How much will it cost? How long will we have to stay there? What happens afterward? What is the impact in the region? Will Saddam Hussein use his weapons of mass destruction on the battlefield against our people? And what protections do they have?

Those are just a few questions. I want to ask my friend, have those questions been answered? I have asked them. They have not been answered. Perhaps my friend, having so many more years here, might have the privilege of a response to that before we are asked to take our people to war.

Mr. BYRD. Mr. President, there are many questions the American people want answered. There are many questions the American people are entitled to have answers to.

I am only pleading here that the Senate give itself time to explore these questions on behalf of the people whom we serve. Give ourselves time. We haven't had time. We have been rushed through this thing. Now, because of the rules of the Senate, we are going to have to vote tomorrow morning at 10:15 on a question that involves peace or war, a question that involves great sacrifices for this country.

Nobody knows how great those sacrifices may be. And there are many questions that need to be answered. What will we do once Iraq is defeated? What will we do with Iraq? Will our service men and women be required to go there? Will they have to stay there 2 months after the defeat of Iraq? 6 months? 1 year? 2 years? 5 years? 10 years?

Who is going to pay for reviving the economy of Iraq? Where are the moneys coming from to pay the costs of what may be a war of short duration? of what may be a war of long duration? What is the President's plan? What is the administration's plan? Are we going to use the heavy ground option or the heavy air option, or both the heavy ground option and the heavy air option?

Go over to the hospitals surrounding this Capitol and take a look at the emergency rooms. See how many people are in those emergency rooms. See how short on personnel those hospitals are. I know. I have had my wife in a hospital just recently with an appendectomy. Those hospitals are short on beds.

What about the veterans hospitals? What about an upsurge, if it comes, in casualties of Americans? Are we prepared for this? Are we prepared?

What is going to happen on the war here at home, homeland security, the security of our country? Look around us here. Just look at the morning papers. The television is full of it. The people of this area are concerned about their children, about the public schools, and they are being asked not to come to school, not to have recesses.

Here we are talking about war in Iraq, when the focus is being taken off the war here at home. The people's eyes are on home, what is happening around us. Here is a sniper in this area. He has already killed six people at least, and they don't know what he looks like, where he lives, nothing about him, except he is a marksman. He is sure a marksman.

Here we are being told: Tomorrow morning at 10:15 we are going to come to the moment of decision. I say it is not right to the American people that we do that.

Mr. KENNEDY. Will the Senator yield for a question?

Mr. BYRD. I do not intend to hold the floor too much longer. I yield to this Senator, and then I will yield to my friend.

Mr. KENNEDY. Mr. President, I have been listening to the Senator over several days. One of the points he makes so effectively is the fact that even if we have been on the resolution a few days, we were, I was reminded, on the Elementary and Secondary Education Act 21 days, the energy bill 23 days, the trade bill 19 days, and the farm bill 18 days.

But even if we have been on this bill, would the Senator not agree with me that the principal debate has been on the resolutions, not the real impact of the war and what would happen to American troops who would be involved—the numbers of American troops who would be involved—what the impact is going to be on our battle with al-Qaida, what is going to be the impact in terms of the region, in terms of what Saddam may do?

I would be interested in the Senator's comments on that.

Secondly, I would be interested in the Senator's comments on the report this morning in the Washington Post—I am so glad it was declassified—in which the Central Intelligence Agency effectively has agreed that—quoting the paper——

> Unprovoked by a U.S. military campaign, Iraqi President Saddam Hussein is unlikely to initiate a chemical or biological attack against the United States, intelligence agencies concluded in a classified report. . . .

That is the first time we have seen that public. That has been classified. Those of us who have been briefed on it have been unable to use that or to say that. That is a major kind of factor, I think, if we are being asked to vote on a resolution of war: to find out, in our Intelligence Estimate, that the possibility of American troops being affected by the use of chemical warfare increases dramatically—dramatically—when we are putting Saddam Hussein's back against a wall.

This was a question that—I see in the Chamber the chairman of the committee, who was there at the time. I remember very clearly that moment.

But does not the Senator believe that this kind of statement is worth the opportunity for discussion and explanation, that we ought to hear at least what the reality is, that the American people ought to understand, and the parents of those servicemen ought to understand what their children are going to be faced with?

Does the Senator not agree with me that we have been talking about resolutions, and we ought to be talking about the whole issue of terror, the impact it is going to have on our society—whether we go to war—what the impact is going to be on our servicemen, on the region, and on our future?

I welcome the Senator's response to the general question about what this debate, to date, has been about, and then the specific issue that has been raised in the newspapers that has to be of central concern to people in relation to authorizing the President to engage in war and the chances of the use of chemical and biological weapons being increased dramatically if Saddam's back is up against a wall in a conflict.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Massachusetts. He has put his finger on several important points, one of which is this: The American people are just now awakening to the fact that the Senate and the House are about to pass a resolution that turns the power of the people, as measured by their elected representatives in Congress, over to a Commander in Chief—the power to determine when to go to war, the power to declare war. They are just now becoming awake to that fact.

The American people are just now beginning to focus on this. They have not been focused on this. They have not been focused on this. And they are just now beginning to.

Also, the article that the Senator raises, from today's newspaper, indicates there are many things that have a bearing upon this question that are just now coming to the surface. Organizations, persons, people with expertise, scientists, and so on, are just now beginning to focus, and their story is just now beginning to get through.

I think we owe it to ourselves. Why would we want to deny ourselves here

in Congress the opportunity to have more facts, the opportunity to study this matter more seriously, the opportunity to debate it, the opportunity to draw up amendments?

Here we are faced, under rule XXII, with having to offer our amendments by 1 o'clock today, in the first-degree amendments. Now, I had to rush to get two amendments ready. I have many other matters that are demanding my time. And other Senators are in the same situation, or even worse situations.

So I plead with the Nation's representatives here in the Senate, with the leadership in the Senate, with the leadership in the other body. I plead with Senators to make every effort to try to get a unanimous consent request to waive this cloture vote on tomorrow.

We are shortchanging the American people. We are shortchanging ourselves as representatives of the American people. We are shutting ourselves out of the opportunity. And it is no fault of any particular Senator. It is the rule that we are up against here, and only by unanimous consent can we waive it.

But I plead in the name of the people of this country, in the name of the young men and women whose lives may be put on the line by the decision that this Senate will make tomorrow morning at 10:15. It is too weighty. It is too far-reaching. It is only fair to the people of America, who are going to be asked to give, in some instances, everything they have, if a war ensues. I tell you my friends, I don't want that on my conscience, not I. I apologize to Senators who have been standing here waiting.

I yield to the Senator from South Carolina.

Mr. HELMS. Will the Senator yield for no more than 5 minutes?

Mr. LEVIN. Will the Senator yield for a question?

Mr. BYRD. Of course, I am entitled to yield for a question, but I would like to yield to the Senator from South Carolina. He has been on his feet.

Mr. LEVIN. Is the Senator yielding his right to the floor? If so, I would ask that before he does that, he open himself to a question.

Mr. BYRD. I have no intention of holding the floor. I do intend to offer an amendment, however, before I yield the floor.

Mr. LEVIN. If the Senator intends to yield the floor before Senator HELMS speaks, would the Senator yield for a question first?

Mr. BYRD. Mr. President, I yield for a question.

Mr. LEVIN. My question is this: In addition to the fact that cloture, if invoked, will close off debate and have the effect which has been described here, it has another effect, does it not, which is that amendments following cloture must be strictly germane?

In preparation for the answer to that question, I want to say the following: The alternative amendment which I intend to offer is an amendment which says we should seek the U.N. to authorize force-to-force inspections, to authorize member states to use force-to-force inspections—in other words, to go multilaterally with force—but does not at this time authorize a go-it-alone approach. That is my alternative.

My alternative also specifically provides—this is the question——

Mr. HELMS. Will the Senator yield, please? Can there be an understanding, when you have completed, that I be recognized for 5 minutes? I won't take that long. Would that be agreeable with the Senator?

The PRESIDING OFFICER (Mr. CARPER). Is there objection to the unanimous consent request?

Mr. KERRY. Reserving the right to object, I would simply request that after the Senator from North Carolina has spoken, I be recognized.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEVIN. The rest of my question is this——

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from North Carolina?

Without objection, it is so ordered.

Mr. LEVIN. The alternative resolution which I intend to offer has a provision in it which will be prohibited from being included if cloture is invoked because even though it is obviously relevant to this debate, it is not strictly germane under our rules. I want to ask the Senator about this.

Part of my alternative resolution says: Let us go to the U.N. Let us go together. Let us go multilaterally. Let's have the strength of the world community behind us because it avoids a lot of negative consequences and gives us great strength in proceeding against Saddam to go with the world. But part of my resolution is that Congress would not adjourn sine die so that the Congress could resume session, if necessary, to promptly consider proposals relative to Iraq if, in the judgment of the President, the U.N. Security Council does not promptly act on a resolution to enforce inspections. That is an important part of the resolution that I intend to offer.

But is it not true, I ask my good friend from West Virginia, if that part of the resolution is ruled not strictly germane, although it is obviously relevant, that means I would not be able to offer the resolution in that form? And is that also not a very negative result of cloture being invoked? Does that not deny us an opportunity to vote on something which is so important to this debate?

Mr. BYRD. It is, indeed, most unfortunate.

Mr. LEVIN. I will be offering the resolution in two forms: One that contains this important language which would fall if cloture is invoked; one that does not contain it, which it seems to me would then be denying the Senate an opportunity to consider, debate, deliberate a full alternative to the President's go-it-alone approach.

Mr. BYRD. That is one of the penalties this Chamber will pay, that the Senator will pay, that the American people will pay as a result of a rule, a rule which I support and have supported. But here we are, caught in a situation where without adequate debate, we have been pushed to a cloture vote in the drive—and I don't mean to criticize any person, it is a stampede—in the drive to have this decision made before the Members of Congress go home for the November elections.

Mr. WARNER. Could I reply to the Senator from Michigan?

Mr. BYRD. That is less than 4 weeks away. It is most unfortunate.

Mr. WARNER. May I ask the Senator from Michigan a simple question?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. WARNER. Could I just ask the Senator from Michigan a simple question? Did you not have the right to offer an amendment on Friday, Monday, Tuesday? That question has been open to the Senator.

Mr. BYRD. I am going to give up the floor very shortly.

The PRESIDING OFFICER. Under the unanimous consent request earlier, the Senator from North Carolina is recognized for 5 minutes, once the Senator from West Virginia has concluded.

Mr. LEVIN. I believe there was only debate on Friday and Monday, no amendments. I am informed, debate only.

Mr. MCCAIN. I would ask my colleagues, please, let's observe the rules of the Senate.

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

AMENDMENT NO. 4868 TO AMENDMENT NO. 4856, AS MODIFIED

Mr. BYRD. Before I yield the floor, I call up amendment No. 4868 and ask that it be stated by the clerk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 4868 to amendment No. 4856, as modified:

(Purpose: To provide statutory construction that constitutional authorities remain unaffected and that no additional grant of authority is made to the President not directly related to the existing threat posed by Iraq)

At the appropriate place, insert the following:

SEC. 5. STATUTORY CONSTRUCTION.

Nothing in this joint resolution—

(1) is intended to alter the constitutional authorities of the Congress to declare war, grant letters of Marque and Reprisal, or other authorities invested in Congress by Section 8, Article I of the Constitution; or

(2) shall be construed as granting any authority to the President to use the United States Armed Forces for any purpose not directly related to a clear threat of imminent, sudden, and direct attack upon the United States, its possessions or territories, or the Armed Forces of the United States, unless the Congress of the United States otherwise authorizes.

Mr. BYRD. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. KERRY. Mr. President, point of inquiry?

The PRESIDING OFFICER. Will the Senator from North Carolina yield?

Mr. HELMS. I yield for that purpose.

Mr. KERRY. I ask unanimous consent that after the Senator from North Carolina, I be recognized, following the——

Mr. MCCAIN. I object. I will seek and obtain recognition after the Senator from North Carolina.

The PRESIDING OFFICER. Objection is heard.

Mr. KERRY. I ask unanimous consent that the Senator from Arizona be recognized, after which I be recognized following the Senator from Nebraska, and I think the Senator from Connecticut.

Mr. REID. Mr. President, I would like to know what the request is. What is the request?

Mr. HELMS. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from North Carolina has the floor and he yielded to the Senator from Massachusetts for an inquiry.

Mr. HELMS. Mr. President, I used to be a sports writer. I know what freezing the ball is doing.

I ask that it be in order for me to make my short statement seated at my desk.

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

Mr. HELMS. Mr. President, the most fundamental and painful of decisions—whether to authorize the President to send U.S. military personnel to war—is being confronted by the Senate today, previous days, and maybe more days. I believe the decision is in good hands.

I have had the privilege of serving in this body for nearly 30 years. The men and women in this chamber are the respected servants of the American people. I have faith in my fellow Senators.

For 3 days in August and 2 days in September, the Foreign Relations Committee heard testimony on the possibility of American military action against Iraq. We heard 23 witnesses, including current and former Secretaries of State, former National Security Advisors, a number of experts on Iraq from academia and from prominent research institutes, an important defector from Iraq's nuclear weapons program, retired senior level military officers, and former members of U.N. inspections teams in Iraq.

The chairman of the committee, Senator BIDEN, deserves our thanks for conducting these hearings in a fair and comprehensive manner.

The hearings established some fundamental points that deserve repeating here on the floor.

First, the threat posed by the Iraqi regime to American national security is serious and growing. Former Secretary of State Madeleine Albright testified that after U.N. inspectors were banished by Iraq in 1998, ''. . . the risk that Saddam Hussein will succeed in reconstituting deliverable weapons of mass destruction has increased. It is in the interest not only of the United States but also of the entire international community to act.''

Former U.S. Ambassador to the United Nationals Richard Holbrooke similarly stated: ''in my view, Saddam is even more dangerous than [former Serbian leader Slobodan] Milosevic, given his continuing quest for weapons of mass destruction. Left alone, he will only seek to become stronger.''

Now, neither of these two eminent individuals share all of President Bush's foreign policy priorities. But both concede that the threat is real, and growing.

Second, three former high-ranking members of the U.N. Special Commission agreed that inspections will fail to stop Iraq's development of weapons of mass destruction. Charles Deulfer stated that, in his opinion, inspections ''are only a short term palliative and do not address the fundamental problem. Saddam knows this.''

Ambassador Robert Gallucci noted that ''We can assume that any regime that appeared as though it would be effective in blocking Iraqi WMD acquisition would also be resisted by Iraq. Therefore, the only way to impose such a regime short of war would be to pose to Iraq the credible alternative of a prompt invasion and regime change if the inspection regime change if the inspection regime resisted.''

Lastly, Ambassador Richard Butler, the former head of the inspections team, warned that inspections were doomed to fail if Saddam succeeds once again in what Butler calls the ''shell game—phony inspections, more deceit, more concealment.'' ''That would,'' he concluded, ''be deeply dangerous, providing an illusion of security.''

Third, a variety of witnesses, including Secretary Powell, agreed that containment of the Iraq threat, our policy since the end of Operation Desert Storm, is no longer suitable.

Secretary Powell told the committee that the box that contains Saddam Hussein's murderous ambitions cannot last much longer. Secretary Powell, said, ''[Saddam] continues to bounce against the walls of that box. And one of these days he'll have a box cutter and he'll be out. And we don't want to wait and see that day.''

Ambassador Butler also suggested that containment no longer works. He told the committee, ''we also need a specific solution to the specific problems posed by this particular and, I suggest, unique outlaw.'' Former Secretary of Defense Caspar Weinberger, National Security Advisor Robert McFarlane, and Dr. Khidir Hamza, former Iraqi nuclear weapons designer, all noted Saddam's absolute commitment to the development of weapons of mass destruction, especially nuclear weapons.

Secretary Weinberger also noted that Saddam's ability to smuggle goods in and out of Iraq, despite U.N. sanctions, earns him billions of dollars per year—money that goes to develop weapons of mass destruction.

In hearings before other committees, our able Secretary of Defense, Donald Rumsfeld, has pointed out that the problem is not inspections but disarmament. Saddam has succeeded in circumventing sanctions and containment to the point where we no longer have the luxury of waiting idly by while he continues to develop the means to threaten us and our allies.

The President's policy is the only way to deal with Iraq today, and we are obliged to give him maximum flexibility to carry it out. Even as the President develops a coalition, we cannot yield to a few countries like China or Russia that would allow Saddam to evade full disarmament.

We can no longer countenance Saddam's delays and obfuscations. The President, in his speech to the Nation Monday night, articulated a series of options to deal with the Iraqi regime of Saddam Hussein. He displayed the essence of leadership, moving forward in the face of evil. Diplomacy absent demonstrated resolve—which was our policy too often in the past—will continue to prove absolutely ineffectual.

I do hope Senators will stand with the President today. He has shown the leadership necessary to rid the world of Saddam Hussein. We should demonstrate that same leadership and authorize the President to do what is now so clearly necessary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, we are trying to set up a couple of speakers on that side, and we are not going to go any more in advance of that. We should tell everybody that, after cloture is invoked, people still will have an opportunity to speak. It is not as if this is the last train out of the station. If people feel inclined to speak, they can do so.

The leader will stay in session as long as people want to speak tonight. I ask unanimous consent that Senator MCCAIN be recognized for 20 minutes; Senator KERRY, up to 45 minutes—he said he may not use all of that time—Senator HAGEL, for 25 minutes; Senator DODD, for 20 minutes.

Mr. WARNER. Mr. President, could we entertain the desire of the Senator from Kansas to speak?

Mr. REID. The Democrats have used 20 minutes more during this time than the Republicans, so how long would Senator ROBERTS speak?

Mr. ROBERTS. About 20 minutes.

Mr. REID. I ask unanimous consent that Senator ROBERTS may speak after Senator DODD for 20 minutes.

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

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, a lot of ground was covered in the time between the last vote and the time that I have been recognized, not necessarily in a structured fashion. I want to respond to some of the questions and comments that were made.

First of all, very importantly, the Senator from West Virginia made an impassioned plea that we not vote for cloture, not move forward with the disposition of this resolution supporting the President of the United States of America to take action, if necessary, to bring about an elimination of the threat to the U.S. national security.

I think it is worthy of a couple of observations, Mr. President. One is, in the recent past the Foreign Relations Committee has held numerous hearings and the Armed Services Committee has held numerous hearings. In reality, though, this issue has been with us for 11 years, and it is not possible to turn on your television set without seeing a discussion and debate over this issue. The night before last, the President of the United States spoke to the people of this country on this issue. Debate is taking place in the U.N. There are discussions in the U.N. Security Council as we speak. This issue, more than any other today, is known to the American people. As we, their representatives, debate and discuss it, it is to further inform them; but they are clearly aware of the major aspects of this issue.

Since the year 1992, we have begun to be aware that Saddam Hussein would not be overthrown.

We became even more aware over time that he was not going to comply with the cease-fire agreements he entered into and the Security Council resolutions requiring him to allow intrusive and comprehensive weapons inspections throughout his country.

His obfuscation, his delay, his outright refusal to allow these inspections culminated in 1998 in ejecting those inspectors, and that resulted in the passage of legislation on August 14, 1998, which President Clinton signed into law, S.J. Res. 54, which declared that the Government of Iraq was in material and unacceptable breach of its international obligations, and urged the President:

> to take appropriate action in accordance with the Constitution and relative laws of the United States to bring Iraq into compliance with its international obligations.

On October 31, 1998, then-President Clinton signed into law the Iraq Liberation Act, which stated:

> It should be the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq and to promote the emergence of a domestic government to replace that regime.

That was October 31, 1998, the Iraq Liberation Act, signed into law by the President of the United States.

I have to say allegations or assertions that somehow the American people are not aware of this issue just do not ring true. Anyone who believes this issue is not being debated around kitchen tables and in restaurants and other social gathering places throughout America is simply not aware of what is going on in America.

Yes, they pay attention to this debate, but the issue is well known, and there is no reason why we should not invoke cloture.

It was interesting to me that my colleague from Virginia mentioned we really only spent 2 days of formal debate on the floor of the Senate in 1991. The Senator from Connecticut and I were heavily involved in that debate. But the fact is, that issue was debated far and wide. By the time that vote was taken, the American people and the Members of this body were very well aware—very well aware—as to what was at stake and what, at that time, was a far more controversial issue than this one is, if you accept our predictions of an overwhelming vote.

The Senator from Massachusetts asked the Senator from West Virginia if he knew about the stories carried in this morning's papers about Saddam Hussein being likely to use weapons of mass destruction if he is attacked.

Mr. President, I ask unanimous consent that a statement by George Tenet be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY DCI GEORGE TENET

> There is no inconsistency between our view of Saddam's growing threat and the view as expressed by the President in his speech. Although we think the chances of Saddam initiating a WMD attack at this moment are low—in part because it would constitute an admission that the possesses WMD—there is no question that the likelihood of Saddam using WMD against the United States or our allies in the region for blackmail, deterrence, or otherwise grows as his arsenal continues to build. His past use of WMD against civilian and military targets shows that he produces those weapons to use not just to deter.

Mr. MCCAIN. Mr. President, I do not want to go through the whole debate again, but here is the point. Saddam Hussein continues to acquire, amass, and improve on his arsenal of weapons of mass destruction. He continues to attempt to acquire a nuclear weapon. These are all well-known facts. So if you believe that Saddam Hussein, after we go through this expression of approval, national debate, Security Council resolutions, is not going to abandon his request for his weapons, then the longer we wait, the more dangerous he becomes. In other words, if we attack Iraq tomorrow—and that is not clear yet; we have Security Council resolutions to go through—perhaps Saddam Hussein in his desperation may want to use a weapon of mass destruction, but if Saddam Hussein does not comply and continues the clear record of violations he has amassed over the last 11 years, then if we have to remove these weapons of mass destruction, each day that goes by he becomes more dangerous, his capabilities become better, and, in the case of nuclear weapons, it is not a question of whether, it is a question of when.

Experts will debate whether it is 2 years when he acquires these weapons, whether it is 5 years, 7 years, 10 years, but there is no doubt over time he will acquire a nuclear weapon.

Why do I mention a nuclear weapon? We have equipment that can protect our men and women in the military against biological and chemical attack. It is tough to fight, it is bulky equipment, but we do have that equipment. We have not invented any equipment yet that can protect our troops from a nuclear weapon.

Mr. LIEBERMAN. Mr. President, will the Senator yield for a question?

Mr. MCCAIN. I will be glad to yield to the Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I appreciate the comments the Senator has made. I think they are right on target. Is there any reason from history or evidence to believe Saddam Hussein is developing these weapons of mass destruction for defensive purposes? Isn't the thought he might use them against someone else if attacked indication he would use them offensively as soon as he feels the opportunity to do so?

Mr. MCCAIN. I say to my friend, it is very clear he is not developing these weapons for defensive purposes. He has used them twice—once against his own people, once against troops of a neighboring country in a conflict.

The fundamental point that seems to be lost in this debate sometimes is at any time in the last 11 years, Saddam Hussein could have avoided any threat to Saddam Hussein's illegitimate, terrible regime. It is a terrible and odious regime, but there are lots of bad guys around the world. He could have eliminated any threat if he had just come clean, taken out these weapons of mass destruction, taken out the laboratories, stopped, allowed the inspectors in, so he must have some other agenda. The longer we delay when he is in noncompliance, the more dangerous that threat becomes.

There was no contradiction, in my view, of the comments of the Director of the CIA that were widely quoted in the media this morning. I can understand, by the way, without knowledge of Saddam Hussein, without the background we have of his record, without the knowledge of what he has tried to do over the last 11 years, why those comments might be misconstrued. But taken in the context of the history of this despot, I think it is very clear that if he fails to comply—and we are going to the United Nations and there will be a Security Council resolution or resolutions—then obviously the longer we delay, if he continues on this reckless path, the more dangerous it becomes and, frankly, the more casualties accrue, in response to the Senator from West Virginia.

I wish to make another comment about this debate. There is no Member of this body who has any priority or

any franchise on the lives of American young men and women. All of us place that as our highest priority. All of us recognize the sacred obligation we have when we vote to send young men and women into harm's way, and no one's motives should be or will be impugned in this debate.

I think it is important for the Senator from West Virginia to appreciate that I and others will object to any unanimous consent agreement that would delay a cloture vote tomorrow morning. We believe the American people have been informed, and the Members of this body have been informed.

As the Senator from Virginia said, Friday we had debate, and we will, according to the majority leader, stay as late or as long as anybody in this body wants to talk or debate or discuss.

With all due respect to the Senator from West Virginia, we will object.

Mr. President, we are trying to dispose of 13 amendments. Obviously, people want to speak. I respect that, but I do feel compelled to comment on the amendment of the Senator from West Virginia briefly.

Mr. WARNER. Mr. President, could I ask a brief question before the Senator proceeds to the amendment?

Mr. MCCAIN. I will be glad to yield to the Senator.

Mr. WARNER. Our colleague from Connecticut raises a very valuable question: Is he manufacturing these weapons of mass destruction for the defense of his sovereign nation? The clearest evidence this Senator finds to show that he is not doing that is the excessive amounts.

During the inspection regime, while it was somewhat functional in the early 1990s, they discovered records of clearly documented biological and chemical weaponry that had been made. To this day, it has never been unearthed, never been discovered, never been acknowledged by Saddam Hussein.

So the question is important, and the Senator from Arizona answered it very carefully. I suggest that those who have any doubt address the excess quantities of all of these weapons. And for what reason would he need a nuclear weapon? That is a question to which none of us have an answer.

Mr. MCCAIN. I thank my friend from Virginia.

Mr. President, now I will make a few brief comments about the amendment of the Senator from West Virginia.

The amendment is to provide constitutional authorities to the President of the United States. In the heart of the amendment, it says the President of the United States cannot use the Armed Forces for any purposes not directly related to a clear threat of imminent, sudden, and direct attack upon the United States, its possessions or territories.

If this were 100 years ago, at the time of my hero, Theodore Roosevelt, who was ready to send the Great White Fleet around the world, I would vote for this amendment in a New York minute because 100 years ago we had two oceans to protect us. One hundred years ago, we did not have in this world weapons of mass destruction that could strike continents away, travel thousands of miles and strike with incredible accuracy. We did not have a threat from a group of people who are yet somewhat unknown to us, who want to destroy our culture, who want to destroy our values, and indeed everything about Western civilization. They travel sometimes in secret without us being able to detect them, in the case of September 11, until too late.

One hundred years ago, we had two oceans to protect us. We knew who our enemies might be, either real or potential, and we could afford to wait until there was an imminent, sudden, or direct attack upon the United States, its possessions or territories. Then I would have supported this amendment.

The fact is, we all know if we wait until there is a direct attack on the United States of America, we pay a very heavy price. I hope the Senator from West Virginia, who I am sorry is not in the Chamber, would have appreciated that lesson from September 11; that we cannot wait until there is a direct, imminent, or sudden attack upon the United States of America. That is why if this amendment were to pass, it would completely prevent the President of the United States of America from addressing a clear and present danger to the United States of America in the form of Saddam Hussein's inventory of weapons of mass destruction.

Mr. LIEBERMAN. Will the Senator yield for a question?

Mr. MCCAIN. I will be glad to yield to the Senator from Connecticut.

Mr. LIEBERMAN. The Senator makes a good series of points about the pending amendment introduced by the Senator from West Virginia.

We have language in our resolution that authorizes the President to take action to protect the national security of the United States against the continuing threat from Iraq. I must say that in my opinion, and I ask the Senator for his reaction, the terms that the Senator from West Virginia has stated are literally being met now for this reason: As my friend from Arizona well knows, the Armed Forces of the United States are under direct attack from Iraq as they fly along with their British colleagues to enforce the no-fly zone.

Approximately 7,500 American men and women in uniform are dispatched there, costing the American taxpayer a billion or more dollars a year. This year alone, there have been more than 400 occasions on which Iraqi forces have fired at the Armed Forces of the United States.

Of course, I am opposed to this amendment, but I ask the Senator from Arizona if he would agree with me that there is a direct attack by Iraq going on right now, not on the United States or its possessions or territories but on the Armed Forces of our country?

Mr. MCCAIN. I respond to my friend and say that, yes, if this amendment said a clear threat of imminent, sudden, or direct attack upon the Armed Forces of the United States, clearly that is the case. We saw it in the USS *Cole*. We saw it in the attacks on our embassies. We have seen it in many places.

If there has to be a clear threat of imminent, sudden, and direct attack upon the United States, its possessions, or territories, in all due respect, I think Saddam Hussein would be very pleased if we passed this kind of resolution because that would allow him to continue to build up his inventory, to build his weapons of mass destruction, perhaps acquire a missile with sufficient range to reach the United States, and only then could we respond. That is not what I think our responsibilities and duties are to the American people.

I am enjoying this debate. I think it is a good one. I look forward to hearing the next two speakers because both of them have played a very important and informative role, not only on the floor of the Senate but on talk shows and great programs throughout America, both written and in public.

In fact, some of them have been accused of what I have been accused of from time to time, and that is seeking a camera, which is, of course, never true of me or my two colleagues.

I certainly look forward to listening to their arguments. I think these next two speakers will contribute enormously to the debate. I think the American people, as well as our colleagues, will be better informed at the completion of their remarks.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for up to 45 minutes.

Mr. KERRY. Mr. President, I thank my good friend from Arizona for his introduction and for his generous comments about the role that Senator HAGEL and I have played.

My colleague, Senator HAGEL, and I share seats on the Foreign Relations Committee. We have both followed this issue for a long period of time.

Obviously, with respect to an issue that might take Americans to war, we deserve time, and there is no more important debate to be had on the floor of the Senate. It is in the greatest traditions of this institution, and I am proud to take part in that debate now.

This is a debate that should be conducted without regard to parties, to politics, to labels. It is a debate that has to come from the gut of each and every Member, and I am confident that it does. I know for Senator HAGEL, Senator MCCAIN, and myself, when we pick up the newspapers and read about the residuals of the Vietnam war, there is a particular sensitivity because I do not think any of us feel a residual with respect to the choices we are making now.

I know for myself back in that period of time, even as I protested the war, I wrote that if my Nation was again threatened and Americans made the decision we needed to defend ourselves, I would be among the first to put on a uniform again and go and do that.

We are facing a very different world today than we have ever faced before. September 11 changed a lot, but other things have changed: Globalization, technology, a smaller planet, the difficulties of radical fundamentalism, the crosscurrents of religion and politics. We are living in an age where the dangers are different and they require a different response, different thinking, and different approaches than we have applied in the past.

Most importantly, it is a time when international institutions must rise to the occasion and seek new authority and a new measure of respect.

In approaching the question of this resolution, I wish the timing were different. I wish for the sake of the country we were not here now at this moment. There are legitimate questions about that timing. But none of the underlying realities of the threat, none of the underlying realities of the choices we face are altered because they are, in fact, the same as they were in 1991 when we discovered those weapons when the teams went in, and in 1998 when the teams were kicked out.

With respect to Saddam Hussein and the threat he presents, we must ask ourselves a simple question: Why? Why is Saddam Hussein pursuing weapons that most nations have agreed to limit or give up? Why is Saddam Hussein guilty of breaking his own cease-fire agreement with the international community? Why is Saddam Hussein attempting to develop nuclear weapons when most nations don't even try, and responsible nations that have them attempt to limit their potential for disaster? Why did Saddam Hussein threaten and provoke? Why does he develop missiles that exceed allowable limits? Why did Saddam Hussein lie and deceive the inspection teams previously? Why did Saddam Hussein not account for all of the weapons of mass destruction which UNSCOM identified? Why is he seeking to develop unmanned airborne vehicles for delivery of biological agents?

Does he do all of these things because he wants to live by international standards of behavior? Because he respects international law? Because he is a nice guy underneath it all and the world should trust him?

It would be naive to the point of grave danger not to believe that, left to his own devices, Saddam Hussein will provoke, misjudge, or stumble into a future, more dangerous confrontation with the civilized world. He has as much as promised it. He has already created a stunning track record of miscalculation. He miscalculated an 8-year war with Iran. He miscalculated the invasion of Kuwait. He miscalculated America's responses to it. He miscalculated the result of setting oil rigs on fire. He miscalculated the impact of sending Scuds into Israel. He miscalculated his own military might. He miscalculated the Arab world's response to his plight. He miscalculated in attempting an assassination of a former President of the United States. And he is miscalculating now America's judgments about his miscalculations.

All those miscalculations are compounded by the rest of history. A brutal, oppressive dictator, guilty of personally murdering and condoning murder and torture, grotesque violence against women, execution of political opponents, a war criminal who used chemical weapons against another nation and, of course, as we know, against his own people, the Kurds. He has diverted funds from the Oil-for-Food program, intended by the international community to go to his own people. He has supported and harbored terrorist groups, particularly radical Palestinian groups such as Abu Nidal, and he has given money to families of suicide murderers in Israel.

I mention these not because they are a cause to go to war in and of themselves, as the President previously suggested, but because they tell a lot about the threat of the weapons of mass destruction and the nature of this man. We should not go to war because these things are in his past, but we should be prepared to go to war because of what they tell us about the future. It is the total of all of these acts that provided the foundation for the world's determination in 1991 at the end of the gulf war that Saddam Hussein must:

> . . . unconditionally accept the destruction, removal, or rendering harmless under international supervision of his chemical and biological weapons and ballistic missile delivery systems . . . [and] unconditionally agree not to acquire or develop nuclear weapons or nuclear weapon-usable material.

Saddam Hussein signed that agreement. Saddam Hussein is in office today because of that agreement. It is the only reason he survived in 1991. In 1991, the world collectively made a judgment that this man should not have weapons of mass destruction. And we are here today in the year 2002 with an uninspected 4-year interval during which time we know through intelligence he not only has kept them, but he continues to grow them.

I believe the record of Saddam Hussein's ruthless, reckless breach of international values and standards of behavior which is at the core of the cease-fire agreement, with no reach, no stretch, is cause enough for the world community to hold him accountable by use of force, if necessary. The threat of Saddam Hussein with weapons of mass destruction is real, but as I said, it is not new. It has been with us since the end of that war, and particularly in the last 4 years we know after Operation Desert Fox failed to force him to reaccept them, that he has continued to build those weapons.

He has had a free hand for 4 years to reconstitute these weapons, allowing the world, during the interval, to lose the focus we had on weapons of mass destruction and the issue of proliferation.

The Senate worked to urge action in early 1998. I joined with Senator MCCAIN, Senator HAGEL, and other Senators, in a resolution urging the President to ''take all necessary and appropriate actions to respond to the threat posed by Iraq's refusal to end his weapons of mass destruction program.'' That was 1998 that we thought we needed a more serious response.

Later in the year, Congress enacted legislation declaring Iraq in material, unacceptable breach of its disarmament obligations and urging the President to take appropriate action to bring Iraq into compliance. In fact, had we done so, President Bush could well have taken his office, backed by our sense of urgency about holding Saddam Hussein accountable and, with an international United Nations, backed a multilateral stamp of approval record on a clear demand for the disarmament of Saddam Hussein's Iraq. We could have had that and we would not be here debating this today. But the administration missed an opportunity 2 years ago and particularly a year ago after September 11. They regrettably, and even clumsily, complicated their own case. The events of September 11 created new understanding of the terrorist threat and the degree to which every nation is vulnerable.

That understanding enabled the administration to form a broad and impressive coalition against terrorism. Had the administration tried then to capitalize on this unity of spirit to build a coalition to disarm Iraq, we would not be here in the pressing days before an election, late in this year, debating this now. The administration's decision to engage on this issue now, rather than a year ago or earlier, and the manner in which it has engaged, has politicized and complicated the national debate and raised questions about the credibility of their case.

By beginning its public discourse with talk of invasion and regime change, the administration raised doubts about their bona fides on the most legitimate justification for war—that in the post-September 11 world the unrestrained threat of weapons of mass destruction in the hands of Saddam Hussein is unacceptable, and his refusal to allow U.N. inspectors to return was in blatant violation of the 1991 cease-fire agreement that left him in power. By casting about in an unfocused, undisciplined, overly public, internal debate for a rationale for war, the administration complicated their case, confused the American public, and compromised America's credibility in the eyes of the world community. By engaging in hasty war talk rather than focusing on the central issue of Iraq's weapons of mass destruction, the administration placed doubts in the

minds of potential allies, particularly in the Middle East, where managing the Arab street is difficult at best.

Against this disarray, it is not surprising that tough questions began to be asked and critics began to emerge.

Indeed over the course of the last 6 weeks some of the strongest and most thoughtful questioning of our Nation's Iraq policy has come from what some observers would say are unlikely sources: Senators like CHUCK HAGEL and DICK LUGAR, former Bush Administration national security experts including Brent Scowcroft and James Baker, and distinguished military voices including General Shalikashvili. They are asking the tough questions which must be answered before—and not after—you commit a nation to a course that may well lead to war. They know from their years of experience, whether on the battlefield as soldiers, in the Senate, or at the highest levels of public diplomacy, that you build the consent of the American people to sustain military confrontation by asking questions, not avoiding them. Criticism and questions do not reflect a lack of patriotism—they demonstrate the strength and core values of our American democracy.

It is love of country, and it is defined by defense of those policies that protect and defend our country.

Writing in the New York Times in early September, I argued that the American people would never accept the legitimacy of this war or give their consent to it unless the administration first presented detailed evidence of the threat of Iraq's weapons of mass destruction and proved that it had exhausted all other options to protect our national security. I laid out a series of steps that the administration must take for the legitimacy of our cause and our ultimate success in Iraq—seek the advice and approval of Congress after laying out the evidence and making the case, and work with our allies to seek full enforcement of the existing cease-fire agreement while simultaneously offering Iraq a clear ultimatum: accept rigorous inspections without negotiation or compromise and without condition.

Those of us who have offered questions and criticisms—and there are many in this body and beyond—can take heart in the fact that those questions and those criticisms have had an impact on the debate. They have changed how we may or may not deal with Iraq. The Bush administration began talking about Iraq by suggesting that congressional consultation and authorization for the use of force were not needed. Now they are consulting with Congress and seeking our authorization. The administration began this process walking down a path of unilateralism. Today they acknowledge that while we reserve the right to act alone, it is better to act with allies. The administration which once seemed entirely disengaged from the United Nations ultimately went to the United Nations and began building international consensus to hold Saddam Hussein accountable. The administration began this process suggesting that the United States might well go to war over Saddam Hussein's failure to return Kuwaiti property. Last week the Secretary of State and on Monday night the President made clear we would go to war only to disarm Iraq.

The administration began discussion of Iraq by almost belittling the importance of arms inspections. Today the administration has refocused their aim and made clear we are not in an arbitrary conflict with one of the world's many dictators, but a conflict with a dictator whom the international community left in power only because he agreed not to pursue weapons of mass destruction. That is why arms inspections—and I believe ultimately Saddam's unwillingness to submit to fail-safe inspections—is absolutely critical in building international support for our case to the world.

That is the way in which you make it clear to the world that we are contemplating war not for war's sake, and not to accomplish goals that don't meet international standards or muster with respect to national security, but because weapons inspections may be the ultimate enforcement mechanism, and that may be the way in which we ultimately protect ourselves.

I am pleased that the Bush administration has recognized the wisdom of shifting its approach on Iraq. That shift has made it possible, in my judgment, for the Senate to move forward with greater unity, having asked and begun to answer the questions that best defend our troops and protect our national security. The Senate can now make a determination about this resolution and, in this historic vote, help put our country and the world on a course to begin to answer one fundamental question—not whether to hold Saddam Hussein accountable, but how.

I have said publicly for years that weapons of mass destruction in the hands of Saddam Hussein pose a real and grave threat to our security and that of our allies in the Persian Gulf region. Saddam Hussein's record bears this out.

I have talked about that record. Iraq never fully accounted for the major gaps and inconsistencies in declarations provided to the inspectors of the pre-Gulf war weapons of mass destruction program, nor did the Iraq regime provide credible proof that it had completely destroyed its weapons and production infrastructure.

He has continually failed to meet the obligations imposed by the international community on Iraq at the end of the Persian Gulf the Iraqi regime provide credible proof war to declare and destroy its weapons of mass destruction and delivery systems and to forego the development of nuclear weapons. during the 7 years of weapons inspections, the Iraqi regime repeatedly frustrated the work of the UNSCOM—Special Commission—inspectors, culminating in 1998 in their ouster. Even during the period of inspections, Iraq never fully accounted for major gaps and inconsistencies in declarations provided to the inspectors of its pre-gulf war WMD programs, nor did the Iraqi regime provide credible proof that it had completely destroyed its weapons stockpiles and production infrastructure.

It is clear that in the 4 years since the UNSCOM inspectors were forced out, Saddam Hussein has continued his quest for weapons of mass destruction. According to intelligence, Iraq has chemical and biological weapons as well as missiles with ranges in excess of the 150 kilometer restriction imposed by the United Nations in the ceasefire resolution. Although Iraq's chemical weapons capability was reduced during the UNSCOM inspections, Iraq has maintained its chemical weapons effort over the last 4 years. Evidence suggests that it has begun renewed production of chemical warfare agents, probably including mustard gas, sarin, cyclosarin, and VX. Intelligence reports show that Iraq has invested more heavily in its biological weapons programs over the 4 years, with the result that all key aspects of this program—R&D, production and weaponization—are active. Most elements of the program are larger and more advanced than they were before the gulf war. Iraq has some lethal and incapacitating agents and is capable of quickly producing and weaponizing a variety of such agents, including anthrax, for delivery on a range of vehicles such as bombs, missiles, aerial sprayers, and covert operatives which could bring them to the United States homeland. Since inspectors left, the Iraqi regime has energized its missile program, probably now consisting of a few dozen Scud-type missiles with ranges of 650 to 900 kilometers that could hit Israel, Saudi Arabia and other U.S. allies in the region. In addition, Iraq is developing unmanned aerial vehicles UAVs, capable of delivering chemical and biological warfare agents, which could threaten Iraq's neighbors as well as American forces in the Persian Gulf.

Prior to the gulf war, Iraq had an advance nuclear weapons development program. Although UNSCOM and IAEA International Atomic Energy Agency inspectors learned much about Iraq's efforts in this area, Iraq has failed to provide complete information on all aspects of its program. Iraq has maintained its nuclear scientists and technicians as well as sufficient dual-use manufacturing capability to support a reconstituted nuclear weapons program. Iraqi defectors who once worked for Iraq's nuclear weapons establishment have reportedly told American officials that acquiring nuclear weapons is a top priority for Saddam Hussein's regime.

According to the CIA's report, all U.S. intelligence experts agree that Iraq is seeking nuclear weapons. There

is little question that Saddam Hussein wants to develop nuclear weapons. The more difficult question to answer is when Iraq could actually achieve this goal. That depends on is its ability to acquire weapons-grade fissile material. If Iraq could acquire this material from abroad, the CIA estimates that it could have a nuclear weapon within 1 year.

Absent a foreign supplier, it might be longer. There is no question that Saddam Hussein represents a threat. I have heard even my colleagues who oppose the President's resolution say we have to hold Saddam Hussein accountable. They also say we have to force the inspections. And to force the inspections, you have to be prepared to use force.

So the issue is not over the question of whether or not the threat is real, or whether or not people agree there is a threat. It is over what means we will take, and when, in order to try to eliminate it.

The reason for going to war, if we must fight, is not because Saddam Hussein has failed to deliver gulf war prisoners or Kuwaiti property. As much as we decry the way he has treated his people, regime change alone is not a sufficient reason for going to war, as desirable as it is to change the regime.

Regime change has been an American policy under the Clinton administration, and it is the current policy. I support the policy. But regime change in and of itself is not sufficient justification for going to war—particularly unilaterally—unless regime change is the only way to disarm Iraq of the weapons of mass destruction pursuant to the United Nations resolution.

As bad as he is, Saddam Hussein, the dictator, is not the cause of war. Saddam Hussein sitting in Baghdad with an arsenal of weapons of mass destruction is a different matter.

In the wake of September 11, who among us can say, with any certainty, to anybody, that those weapons might not be used against our troops or against allies in the region? Who can say that this master of miscalculation will not develop a weapon of mass destruction even greater—a nuclear weapon—then reinvade Kuwait, push the Kurds out, attack Israel, any number of scenarios to try to further his ambitions to be the pan-Arab leader or simply to confront in the region, and once again miscalculate the response, to believe he is stronger because he has those weapons?

And while the administration has failed to provide any direct link between Iraq and the events of September 11, can we afford to ignore the possibility that Saddam Hussein might accidentally, as well as purposely, allow those weapons to slide off to one group or other in a region where weapons are the currency of trade? How do we leave that to chance?

That is why the enforcement mechanism through the United Nations and the reality of the potential of the use of force is so critical to achieve the protection of long-term interests, not just of the United States but of the world, to understand that the dynamic has changed, that we are living in a different status today, that we cannot sit by and be as complacent or even negligent about weapons of mass destruction and proliferation as we have been in the past.

The Iraqi regime's record over the decade leaves little doubt that Saddam Hussein wants to retain his arsenal of weapons of mass destruction and, obviously, as we have said, grow it. These weapons represent an unacceptable threat.

I want to underscore that this administration began this debate with a resolution that granted exceedingly broad authority to the President to use force. I regret that some in the Congress rushed so quickly to support it. I would have opposed it. It gave the President the authority to use force not only to enforce all of the U.N. resolutions as a cause of war, but also to produce regime change in Iraq, and to restore international peace and security in the Persian Gulf region. It made no mention of the President's efforts at the United Nations or the need to build multilateral support for whatever course of action we ultimately would take.

I am pleased that our pressure, and the questions we have asked, and the criticisms that have been raised publicly, the debate in our democracy has pushed this administration to adopt important changes, both in language as well as in the promises that they make.

The revised White House text, which we will vote on, limits the grant of authority to the President to the use of force only with respect to Iraq. It does not empower him to use force throughout the Persian Gulf region. It authorizes the President to use Armed Forces to defend the ''national security'' of the United States—a power most of us believe he already has under the Constitution as Commander in Chief. And it empowers him to enforce all ''relevant'' Security Council resolutions related to Iraq. None of those resolutions or, for that matter, any of the other Security Council resolutions demanding Iraqi compliance with its international obligations, calls for a regime change.

In recent days, the administration has gone further. They are defining what ''relevant'' U.N. Security Council resolutions mean. When Secretary Powell testified before our committee, the Foreign Relations Committee, on September 26, he was asked what specific U.N. Security Council resolutions the United States would go to war to enforce. His response was clear: the resolutions dealing with weapons of mass destruction and the disarmament of Iraq. In fact, when asked about compliance with other U.N. resolutions which do not deal with weapons of mass destruction, the Secretary said:

> The President has not linked authority to go to war to any of those elements.

When asked why the resolution sent by the President to Congress requested authority to enforce all the resolutions with which Iraq had not complied, the Secretary told the committee:

> That's the way the resolution is currently worded, but we all know, I think, that the major problem, the offense, what the President is focused on and the danger to us and to the world are the weapons of mass destruction.

In his speech on Monday night, President Bush confirmed what Secretary Powell told the committee. In the clearest presentation to date, the President laid out a strong, comprehensive, and compelling argument why Iraq's weapons of mass destruction programs are a threat to the United States and the international community. The President said:

> Saddam Hussein must disarm himself, or, for the sake of peace, we will lead a coalition to disarm him.

This statement left no doubt that the casus belli for the United States will be Iraq's failure to rid itself of weapons of mass destruction.

I would have preferred that the President agree to the approach drafted by Senators BIDEN and LUGAR because that resolution would authorize the use of force for the explicit purpose of disarming Iraq and countering the threat posed by Iraq's weapons of mass destruction.

The Biden-Lugar resolution also acknowledges the importance of the President's efforts at the United Nations. It would require the President, before exercising the authority granted in the resolution, to send a determination to Congress that the United States tried to seek a new Security Council resolution or that the threat posed by Iraq's WMD is so great he must act absent a new resolution—a power, incidentally, that the President of the United States always has.

I believe this approach would have provided greater clarity to the American people about the reason for going to war and the specific grant of authority. I think it would have been a better way to do this. But it does not change the bottom line of what we are voting for.

The administration, unwisely, in my view, rejected the Biden-Lugar approach. But, perhaps as a nod to the sponsors, it did agree to a determination requirement on the status of its efforts at the United Nations. That is now embodied in the White House text.

The President has challenged the United Nations, as he should, and as all of us in the Senate should, to enforce its own resolutions vis-a-vis Iraq. And his administration is now working aggressively with the Perm 5 members on the Security Council to reach a consensus. As he told the American people Monday night:

> America wants the U.N. to be an effective organization that helps keep the peace. And that is why we are urging the Security Council to adopt a new resolution setting out tough, immediate requirements.

Because of my concerns, and because of the need to understand, with clarity, what this resolution meant, I traveled to New York a week ago. I met with members of the Security Council and came away with a conviction that they will indeed move to enforce, that they understand the need to enforce, if Saddam Hussein does not fulfill his obligation to disarm.

And I believe they made it clear that if the United States operates through the U.N., and through the Security Council, they—all of them—will also bear responsibility for the aftermath of rebuilding Iraq and for the joint efforts to do what we need to do as a consequence of that enforcement.

I talked to Secretary General Kofi Annan at the end of last week and again felt a reiteration of the seriousness with which the United Nations takes this and that they will respond.

If the President arbitrarily walks away from this course of action—without good cause or reason—the legitimacy of any subsequent action by the United States against Iraq will be challenged by the American people and the international community. And I would vigorously oppose the President doing so.

When I vote to give the President of the United States the authority to use force, if necessary, to disarm Saddam Hussein, it is because I believe that a deadly arsenal of weapons of mass destruction in his hands is a threat, and a grave threat, to our security and that of our allies in the Persian Gulf region. I will vote yes because I believe it is the best way to hold Saddam Hussein accountable. And the administration, I believe, is now committed to a recognition that war must be the last option to address this threat, not the first, and that we must act in concert with allies around the globe to make the world's case against Saddam Hussein.

As the President made clear earlier this week, ''Approving this resolution does not mean that military action is imminent or unavoidable.'' It means ''America speaks with one voice.''

Let me be clear, the vote I will give to the President is for one reason and one reason only: To disarm Iraq of weapons of mass destruction, if we cannot accomplish that objective through new, tough weapons inspections in joint concert with our allies.

In giving the President this authority, I expect him to fulfill the commitments he has made to the American people in recent days—to work with the United Nations Security Council to adopt a new resolution setting out tough and immediate inspection requirements, and to act with our allies at our side if we have to disarm Saddam Hussein by force. If he fails to do so, I will be among the first to speak out.

If we do wind up going to war with Iraq, it is imperative that we do so with others in the international community, unless there is a showing of a grave, imminent—and I emphasize ''imminent''—threat to this country which requires the President to respond in a way that protects our immediate national security needs.

Prime Minister Tony Blair has recognized a similar need to distinguish how we approach this. He has said that he believes we should move in concert with allies, and he has promised his own party that he will not do so otherwise. The administration may not be in the habit of building coalitions, but that is what they need to do. And it is what can be done. If we go it alone without reason, we risk inflaming an entire region, breeding a new generation of terrorists, a new cadre of anti-American zealots, and we will be less secure, not more secure, at the end of the day, even with Saddam Hussein disarmed.

Let there be no doubt or confusion about where we stand on this. I will support a multilateral effort to disarm him by force, if we ever exhaust those other options, as the President has promised, but I will not support a unilateral U.S. war against Iraq unless that threat is imminent and the multilateral effort has not proven possible under any circumstances.

In voting to grant the President the authority, I am not giving him carte blanche to run roughshod over every country that poses or may pose some kind of potential threat to the United States. Every nation has the right to act preemptively, if it faces an imminent and grave threat, for its self-defense under the standards of law. The threat we face today with Iraq does not meet that test yet. I emphasize ''yet.'' Yes, it is grave because of the deadliness of Saddam Hussein's arsenal and the very high probability that he might use these weapons one day if not disarmed. But it is not imminent, and no one in the CIA, no intelligence briefing we have had suggests it is imminent. None of our intelligence reports suggest that he is about to launch an attack.

The argument for going to war against Iraq is rooted in enforcement of the international community's demand that he disarm. It is not rooted in the doctrine of preemption. Nor is the grant of authority in this resolution an acknowledgment that Congress accepts or agrees with the President's new strategic doctrine of preemption. Just the opposite. This resolution clearly limits the authority given to the President to use force in Iraq, and Iraq only, and for the specific purpose of defending the United States against the threat posed by Iraq and enforcing relevant Security Council resolutions.

The definition of purpose circumscribes the authority given to the President to the use of force to disarm Iraq because only Iraq's weapons of mass destruction meet the two criteria laid out in this resolution.

Congressional action on this resolution is not the end of our national debate on how best to disarm Iraq. Nor does it mean we have exhausted all of our peaceful options to achieve this goal. There is much more to be done. The administration must continue its efforts to build support at the United Nations for a new, unfettered, unconditional weapons inspection regime. If we can eliminate the threat posed by Iraq's weapons of mass destruction through inspections, whenever, wherever, and however we want them, including in palaces—and I am highly skeptical, given the full record, given their past practices, that we can necessarily achieve that—then we have an obligation to try that as the first course of action before we expend American lives in any further effort.

American success in the Persian Gulf war was enhanced by the creation of an international coalition. Our coalition partners picked up the overwhelming burden of the cost of that war. It is imperative that the administration continue to work to multilateralize the current effort against Iraq. If the administration's initiatives at the United Nations are real and sincere, other nations are more likely to invest, to stand behind our efforts to force Iraq to disarm, be it through a new, rigorous, no-nonsense program of inspection, or if necessary, through the use of force. That is the best way to proceed.

The United States, without question, has the military power to enter this conflict unilaterally. But we do need friends. We need logistical support such as bases, command and control centers, overflight rights from allies in the region. And most importantly, we need to be able to successfully wage the war on terror simultaneously. That war on terror depends more than anything else on the sharing of intelligence. That sharing of intelligence depends more than anything else on the cooperation of countries in the region. If we disrupt that, we could disrupt the possibilities of the capacity of that war to be most effectively waged.

I believe the support from the region will come only if they are convinced of the credibility of our arguments and the legitimacy of our mission. The United Nations never has veto power over any measure the United States needs to take to protect our national security. But it is in our interest to try to act with our allies, if at all possible. And that should be because the burden of eliminating the threat posed by weapons of mass destruction should not be ours alone. It should not be the American people's alone.

If in the end these efforts fail, and if in the end we are at war, we will have an obligation, ultimately, to the Iraqi people with whom we are not at war. This is a war against a regime, mostly one man. So other nations in the region and all of us will need to help create an Iraq that is a place and a force for stability and openness in the region. That effort is going to be long term, costly, and not without difficulty, given Iraq's ethnic and religious divisions and history of domestic turbulence. In Afghanistan, the administration has given more lipservice

than resources to the rebuilding effort. We cannot allow that to happen in Iraq, and we must be prepared to stay the course over however many years it takes to do it right.

The challenge is great: An administration which made nation building a dirty word needs to develop a comprehensive, Marshall-type plan, if it will meet the challenge. The President needs to give the American people a fairer and fuller, clearer understanding of the magnitude and long-term financial cost of that effort.

The international community's support will be critical because we will not be able to rebuild Iraq singlehandedly. We will lack the credibility and the expertise and the capacity.

It is clear the Senate is about to give the President the authority he has requested sometime in the next days. Whether the President will have to use that authority depends ultimately on Saddam Hussein. Saddam Hussein has a choice: He can continue to defy the international community, or he can fulfill his longstanding obligations to disarm. He is the person who has brought the world to this brink of confrontation. He is the dictator who can end the stalemate simply by following the terms of the agreement which left him in power.

By standing with the President, Congress would demonstrate our Nation is united in its determination to take away that arsenal, and we are affirming the President's right and responsibility to keep the American people safe. One of the lessons I learned from fighting in a very different war, at a different time, is we need the consent of the American people for our mission to be legitimate and sustainable. I do know what it means, as does Senator HAGEL, to fight in a war where that consent is lost, where allies are in short supply, where conditions are hostile, and the mission is ill-defined.

That is why I believe so strongly before one American soldier steps foot on Iraqi soil, the American people must understand completely its urgency. They need to know we put our country in the position of ultimate strength and that we have no options, short of war, to eliminate a threat we could not tolerate.

I believe the work we have begun in this Senate, by offering questions, and not blind acquiescence, has helped put our Nation on a responsible course. It has succeeded, certainly, in putting Saddam Hussein on notice that he will be held accountable; but it also has put the administration on notice we will hold them accountable for the means by which we do this.

It is through constant questioning we will stay the course, and that is a course that will ultimately defend our troops and protect our national security.

President Kennedy faced a similar difficult challenge in the days of the Cuban missile crisis. He decided not to proceed, I might add, preemptively. He decided to show the evidence and proceeded through the international institutions. He said at the time:

> The path we have chosen is full of hazards, as all paths are . . . The cost of freedom is always high, but Americans have always paid it. And one path we shall never choose, and that is the path of surrender, or submission.

So I believe the Senate will make it clear, and the country will make it clear, that we will not be blackmailed or extorted by these weapons, and we will not permit the United Nations—an institution we have worked hard to nurture and create—to simply be ignored by this dictator.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). Under the previous order, the Senator from Nebraska is recognized.

Mr. HAGEL. Madam President, the Senate is, by design, a deliberative institution. Over this past week, we have witnessed thoughtful debate and commentary on how to meet the challenge of Saddam Hussein's Iraq. Ours is not an academic exercise; debate informs our decision whether to authorize the President to use force if necessary to enforce U.N. Security Council resolutions dealing with Iraqi disarmament.

There are no easy answers in Iraq. The decision to commit our troops to war is the most difficult decision Members of Congress make. Each course of action we consider in Iraq leads us into imperfect, dangerous, and unknown situations. But we cannot avoid decision on Iraq. The President cannot avoid decision on Iraq. The risks of inaction are too high. We are elected to solve problems, not just debate them. The time has come to chart a new course in Iraq and in the Middle East.

History informs our debate and our decisions. We know tyranny cannot be appeased. We also know our power and influence are enhanced by both a nobility of purpose and the support of allies and institutions that reinforce an international commitment to peace and prosperity. We know war has its own dynamic, that it favors neither ideology, nor democracy, nor tyranny, that men and women die, and that nations and individuals who know war are never again the same.

President Bush has rightly brought the case against Iraq back before the United Nations. Our problems with Iraq, as well as terrorism and the worldwide proliferation of weapons of mass destruction, are not America's alone. Israel, Iran, Turkey, Saudi Arabia, Kuwait, Iraq's own Kurdish population, and other nations and peoples are on the front lines of Saddam Hussein's ambitions for weapons of mass death.

The United Nations, with American leadership, must act decisively to end Saddam Hussein's decade-long violations of U.N. Security Council resolutions.

America's best case for the possible use of force against Iraq rests with the American and international commitment to enforcing Iraq's disarmament. The diplomatic process is not easy, and we face the competing interests and demands of Russia, France, China, and others, whose interests in Iraq may not always be the same as ours. A regional and international coalition is essential for creating the political environment that will be required for any action we take in Iraq, and especially for how we sustain a democratic transition in a post-Saddam Iraq. We cannot do it alone.

America—including the Congress—and the world, must speak with one voice about Iraqi disarmament, as it must continue to do so in the war on terrorism.

Because the stakes are so high, America must be careful with her rhetoric and mindful of how others perceive her intentions. Actions in Iraq must come in the context of an American-led, multilateral approach to disarmament, not as the first case for a new American doctrine involving the preemptive use of force. America's challenge in this new century will be to strengthen its relationships around the world while leading the world in our war on terrorism, for it is the success of the first challenge that will determine the success of the second. We should not mistake our foreign policy priorities for ideology in a rush to proclaim a new doctrine in world affairs. America must understand it cannot alone win a war against terrorism. It will require allies, friends, and partners.

American leadership in the world will be further defined by our actions in Iraq and the Middle East. What begins in Iraq will not end in Iraq. There will be other ''Iraqs.'' There will be continued acts of terrorism, proliferating powers, and regional conflicts. If we do it right and lead through the U.N., in concert with our allies, we can set a new standard for American leadership and international cooperation. The perception of American power is power, and how our power is perceived can either magnify or diminish our influence in the world. The Senate has a constitutional responsibility and an institutional obligation in this effort.

Federalist Paper No. 63 specifically notes the responsibilities of the Senate in foreign affairs as follows:

> An attention to the judgment of other nations is important to every government for two reasons: The one is that independently of the merits of any particular plan or measure, it is desirable, on various accounts, that it should appear to other nations as the offspring of a wise and honorable policy; the second is that, in doubtful cases, particularly where the national councils may be warped by some strong passion or momentary interest, the presumed or known opinion of the impartial world may be the best guide that can always be followed. What has not America lost by her want of character with foreign nations and how many errors and follies would she not have avoided, if the justice and propriety of her measures had, in every instance, been previously tried by the light in which they would probably appear to the unbiased part of mankind?

Remarkable words. The resolution before us today should be tried in that same light as the Federalist Papers points out. The original resolution proposed by the Bush administration, S.J. Res. 45, would have been a setback for this institution. It did not reflect the best democratic traditions of either Congressional-Executive relations, or the conduct of American foreign policy.

S.J. Res. 46, sponsored by Senators LIEBERMAN, WARNER, MCCAIN, and BAYH, is a far more responsible and accountable document than the one we started with 3 weeks ago. I congratulate my colleagues, especially Senators LUGAR, BIDEN, and DASCHLE, and the four sponsors of this resolution, for their efforts and leadership in getting it to this point.

S.J. Res. 46 narrows the authorization for the use of force to all relevant U.N. resolutions regarding Iraq, and to defending our national interests against the threats posed by Iraq. It includes support for U.S. diplomatic efforts at the U.N.; a requirement that, before taking action, the President formally determines that diplomatic or other peaceful means will not be adequate in meeting our objectives; reference to the war powers resolution requirements; and periodic reports to Congress that include those actions described in the section of the Iraq Liberation Act of 1998 regarding assistance and support for Iraq upon replacement of Saddam Hussein. This resolution recognizes Congress as a coequal partner in dealing with the threat from Saddam Hussein's Iraq.

If disarmament in Iraq requires the use of force, we need to consider carefully the implications and consequences of our actions. The future of Iraq after Saddam Hussein is also an open question. Some of my colleagues and some American analysts now speak authoritatively of Sunnis, Shiites, and Kurds in Iraq, and how Iraq can be a test case for democracy in the Arab world.

How many of us really know and understand much about Iraq, the country, the history, the people, the role in the Arab world? I approach the issue of post-Saddam Iraq and the future of democracy and stability in the Middle East with more caution, realism, and a bit more humility. While the people of the Arab world need no education from America about Saddam's record of deceit, aggression, and brutality, and while many of them may respect and desire the freedoms the American model offers, imposing democracy through force in Iraq is a roll of the dice. A democratic effort cannot be maintained without building durable Iraqi political institutions and developing a regional and international commitment to Iraq's reconstruction. No small task.

To succeed, our commitment must extend beyond the day after to the months and years after Saddam is gone. The American people must be told of this long-term commitment, risk, and costs of this undertaking.

We should not be seduced by the expectations of ''dancing in the streets'' after Saddam's regime has fallen, the kites, the candy, and cheering crowds we expect to greet our troops, but instead, focus on the great challenges ahead, the commitment and resources that will be needed to ensure a democratic transition in Iraq and a more stable and peaceful Middle East. ÷We should spend more time debating the cost and extent of this commitment, the risks we may face in military engagement with Iraq, the implications of the precedent of United States military action for regime change, and the likely character and challenges of a post-Saddam Iraq. We have heard precious little from the President, his team, as well as from this Congress, with a few notable exceptions, about these most difficult and critical questions.

We need only look to Afghanistan where the Afghan people joyously welcomed our liberation force but, months later, a fragile transition government grapples with rebuilding a fractured political culture, economy, and country.

However, Iraq, because of its resources, geography, capabilities, history, and people, offers even more complications and greater peril and, yes, greater opportunities and greater promise. This is the vast unknown, the heavy burden that lies ahead.

The Senate should not cast a vote in the hopes of putting Iraq behind us so we can get back to our campaigns or move on to other issues next year. The decision to possibly commit a nation to war cannot and should not ever be considered in the context of either party loyalty or campaign politics. I regret that this vote will take place under the cloud and pressure of elections next month. Some are already using the Iraq issue to gain advantage in political campaigns. It might have been better for our vote to have been delayed until after the elections, as it was in 1990. Authorizing the use of force against Iraq or any country for any purpose should always be weighed on its own merits, not with an eye on the politics of the vote or campaign TV spots. War is too serious, the human price too high, and the implications unforeseen.

While I cannot predict the future, I believe that what we decide in this Chamber this week will influence America's security and role in the world for the coming decades. It will serve as the framework, both intentionally and unintentionally, for the future. It will set in motion a series of actions and events that we cannot now understand or control.

In authorizing the use of force against Iraq, we are at the beginning of a road that has no clear end. The votes in Congress this week are votes for an intensification of engagement with Iraq and the Middle East, a world of which we know very little and whose destiny will now be directly tied to ours.

America cannot trade a new focus on Iraq for a lesser effort in the Israeli-Palestinian conflict. The bloodshed between Israel and the Palestinians continues, and the danger mounts. Stability in Afghanistan is not assured. We must carry through with our commitment. Stability in this region depends on it. America's credibility is at stake, and long-term stability in central and South Asia hangs in the balance.

We must also continue to pay close attention to North Korea where there is no guesswork about nuclear weapons. There on the Korean peninsula reside nuclear weapons, ballistic missiles, and 37,000 American troops. Despite setting the right course for disarmament in Iraq, the administration has yet to define an end game in Iraq or explain the extent of the American commitment if regime change is required, or describe how our actions in Iraq might affect our other many interests and commitments around the world.

I share the hope of a better world without Saddam Hussein, but we do not really know if our intervention in Iraq will lead to democracy in either Iraq or elsewhere in the Arab world. America has continued to take on large, complicated, and expensive responsibilities that will place heavy burdens on all of us over the next generation. It may well be necessary, but Americans should understand the extent of this burden and what may be required to pay for it and support it in both American blood and trade.

As the Congress votes on this resolution, we must understand that we have not put Iraqi issues behind us. This is just the beginning. The risks should not be understated, miscast, or misunderstood. Ours is a path of both peril and opportunity with many detours and no shortcuts.

We in the Congress are men and women of many parts. For me, it is the present-day Senator, the former soldier, or concerned father who guides my judgment and ultimate vote? It is pieces of all, for I am pieces of all. The responsibilities of each lead me to support the Lieberman-McCain-Warner-Bayh resolution, for which I will vote.

In the end, each of us who has the high honor of holding public office has the burden and privilege of decision and responsibilities. It is a sacred trust we share with the public. We will be held accountable for our actions, as it must be.

Madam President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized for 20 minutes.

Mr. DODD. Madam President, before he departs the floor, I commend my colleague from Nebraska. I regret—it is late in the day, and I am sure there is

going to be more speechifying tomorrow on this subject matter—but I regret there were not more Members present to hear his comments.

Senator HAGEL is one of the most thoughtful Members of this body. When he talks about the sum of all our parts and talks about being a father and a soldier, it is always in our interest to listen to those who have worn the military uniform into combat when we debate the issues of war and peace because they know more than just intellectually and theoretically what the price can be.

I believe I should give my remarks because I have written these things out, but I can associate myself with the comments of my friend from Nebraska. He pretty much couches a lot of my thinking on how this has evolved, where we are, what we have come to this evening, the pace at which we are moving, the regrets I feel about how I wish this debate were being conducted under circumstances other than on the eve of an election in this country where already the campaign spots are running wildly one way or the other in terms of where people are. So I commend the Senator for his comments this afternoon on this subject matter.

I come this afternoon to speak about the subject which is on the minds not only of all of us but I think millions of our constituents across the country, the possibility of going to war against Iraq.

On Monday night, President Bush, I think, spoke for all of us. I know of no one who really disagrees at all. He described Saddam Hussein as a homicidal dictator who is addicted to weapons of mass destruction. It is that addiction that demands a strong response. We all agree on that. There is no question that Iraq possesses biological and chemical weapons and that he seeks to acquire additional weapons of mass destruction, including nuclear weapons. That is not in debate. I also agree with President Bush that Saddam Hussein is a threat to peace and must be disarmed, to quote President Bush directly. I suspect virtually every Member of this Chamber would not vary too much with those conclusions.

How imminent that threat is, unfortunately, has been extremely difficult to assess. This is because of a troubling new trend by the intelligence agencies to not just give us information and objective analysis but, in my opinion, too often to insert themselves into policymaking. That is not their job. It is not the job of the intelligence agencies to make policy. It is their job to provide others in the executive branch and the Congress with neutral information, with facts on which we will ultimately base our policy judgments.

This is a very troubling trend, in my view, which I believe ought to stop. If we are to go to war, it is even more important that we trust the information given by the intelligence agencies.

Nevertheless, this week we are debating because there are profound disagreements over how, when, and with whom we should act to deal with the threat posed by Iraq.

To have a different answer to these questions than the President should not be considered unpatriotic or partisan. Unfortunately, that is the kind of rhetoric we are hearing too often today.

Let's be honest. We are less than 30 days out from a national congressional election in this country. That is never an easy time for the Congress and the executive branch to come together on much of anything, let alone the question of war and peace.

Some in this Chamber have said the eve of an election is in fact the best time for Members of Congress to make decisions such as these. I could not disagree more. As my good friend and colleague, Senator BYRD, has passionately reminded us every day this week, forcing a vote on this issue so close to an election will, whether we like it or not, embroil the issue in politics more than usual.

The campaign ads running across this country speak for themselves. Forcing Congress's hand on this important matter does a disservice, I believe, to the American public and to this most profound and serious debate. But now we have no choice but to consider the matter and to vote on the issues of this utmost gravity, the issues of war and peace and of life and death, for those who will engage in it.

The President has asked Congress to grant him the authority to use force against Iraq, if he deems it necessary, and Congress will provide the President with the authority to respond effectively to the threat posed by Iraq. But we will do so only after careful consideration of all of the stakes involved.

My colleagues, Senator BYRD, Senator KENNEDY, Senator LEVIN, and others, have done an outstanding job of highlighting their questions and concerns, reflecting the questions and concerns raised by millions of Americans across political and economic lines, across geographic lines in this country; questions and concerns regarding the use of force and the resolution the President originally sent to Congress, a number of these concerns which I think many of us share.

Many of us believe the language of the President's original request was too far reaching, empowering the President to use all means necessary that he would determine appropriate, including force, to restore peace and stability to the region. That was an open invitation for an American military involvement in the broad context of the Middle East. And the language was far too unilateral. It did not even mention a role for the United Nations or our allies.

Thanks to the efforts of our congressional leaders—and I commend specifically Senator DASCHLE and others—we now have a compromise resolution, a modified resolution, correcting many of the evident flaws in the initial resolution that was sent to us.

The resolution now before us is limited to Iraq, and it contemplates the possibility of resolving this threat peacefully through the use of diplomacy. It also acknowledges the importance of maintaining our focus on our continuing war on terrorism as we consider what action to take in Iraq.

Despite these changes, of course, questions do remain. First and foremost, will the President use the authority granted by Congress to go it alone? Or will he take the time to build the international coalition that the overwhelming majority of Americans believe is the better course of action to follow?

If he chooses to go it alone, I believe that will be a terrible mistake, and I think millions of others in this country do as well. Given the geography and the politics of the region in the Middle East, I do not see how the United States could engage Iraq militarily, without the help of others, without seriously undermining our chances of success. And it would be terribly destabilizing to the entire region.

There are many reasons for acting with international support.

I have already commended the President for his decision to look first to the United Nations to answer these questions. On September 12, speaking before the United Nations General Assembly, President Bush enumerated Iraq's repeated failures to meet its international obligations.

The U.N. has been a valued body for the last one-half of the 20th century. It has not always done what we wanted. It has not always acted deliberately. It has not always acted with the kind of force and direction that many of us wish it would have. But think what the world would have looked like over the last 50 years had there not been a United Nations to have a forum where the world gathers to try to resolve the many conflicts that confront us.

It has not served our interests well to have national leadership ridicule this institution. We are the founders, in many ways, of the U.N. system. It was the great leaders in the post-World War II period who insisted we try to frame an international body where we might resolve disputes other than going through what we did throughout World War II. My hope would be that as dark as these clouds may seem as we debate and consider the issue of Iraq, that this may be an opportunity for the institution of the United Nations to mature into the 21st century role it must if we are going to succeed in the efforts against terrorism, the efforts against Iraq or other problems that will emerge, without any question, in the coming years.

My hope will be that this U.N. will look at what we are doing, listen to what we are saying as one nation, and consider how important its role must be in the coming weeks and months. If there ever were a set of circumstances that justified U.N. action, I believe it is now on Iraq, without any question.

If the framework of international law, developed at the U.N. over the last 50 years to protect peace and security, is to stand, then the U.N. must act with leadership. It is my sincere hope that the President has the patience and staying power to make the U.N. work in support of our interests.

There is also no question that the President's speech, in which he called for a more engaged U.N., got Saddam Hussein's attention. Iraq quickly announced its willingness to permit weapons inspections beginning as early as the middle of October.

At the end of the day, I suspect Iraq will accept whatever terms are ultimately contained in a final version of the U.N. resolution now under consideration. To be credible, however, that resolution must have teeth. It must be enforceable, by military means, if necessary, should Iraq fail to comply with any new disarmament regime.

I also have questions about the ultimate goal of U.S. strategy, what it is and what it ought to be. Is it the destruction of Iraqi weapons of mass destruction or the Iraqi regime itself? Secretary of State Colin Powell was definitive before the Senate Foreign Relations Committee in saying—and I quote him—regime change for its own sake was not the administration's goal.

Specifically, he stated:

> If Iraq was to disarm as a result of an inspection regime that gave us and the Security Council confidence that it had been disarmed, I think it unlikely that we would find a casus belli.

Many Members are still very concerned that President Bush has regime change on his mind. If anything, Monday night's speech clarified this position when he said that ''regime change in Iraq is the only certain means of removing a great danger to our Nation.''

I hope the President will heed the advice of his Secretary of State and keep our eye on the ball. Iraq's weapons of mass destruction should be our immediate threat or seen as our immediate threat, not some two-bit dictator that Saddam Hussein is. It is the weapons of mass destruction; but for those we would not be here debating or discussing the matter we are this evening.

Finally, I still have concerns about how the President intends to manage the war on terrorism if we confront Iraq militarily. September 11 revealed Saddam Hussein is not the only or perhaps even the greatest threat to our national security. Those who hold no allegiance to any state, who have no name or return address, are a far greater threat to America and the American way of life. As recent arrests in Buffalo, NY, and Portland, OR, remind us, these threats are not always in some distant land. The United States acting without global support could divert our military intelligence assets away from our global effort to combat terrorism and to uproot terrorist organizations. It could also weaken the multilateral coalition forged over the last 12 months to combat this international scourge.

I state for the record I do not hold some ironclad view that the United States should never use force or act alone. And I believe that the President of the United States already has the authority as Commander in Chief to deploy military force to protect America against all imminent threats. The pending resolution recognizes this reality. The fact is, unless force is a real option, our resolution will not have the credibility needed to, once and for all, get Saddam Hussein's full attention on this matter.

As I said earlier, I accept the proposition that we must deal with the Iraqi threat. I stand prepared, as almost all of our colleagues do, to support the unilateral use of force against Iraq but only if U.N. or other multinational efforts prove ineffective, or if Saddam Hussein is using them as a guise to rebuild his offensive weapons capabilities.

We still have time to do this right.

Mr. WARNER. At the appropriate time, could I pose a question on the United Nations to my colleague?

Mr. DODD. After I complete my remarks.

We still have time to do this right. We should have an opportunity to debate and vote on all meaningful alternatives to the pending resolution, regardless of parliamentary technicalities. For that reason, I join with my colleague, Senator BYRD, in opposing cloture when we vote on this issue tomorrow. I am not persuaded that the situation is so dire that a few more days or an additional week of deliberations at the U.N. will be harmful to our interests.

I have been in this body 22 years. The unique role of the Senate is the role of debate, unlimited debate. It is what makes us fundamentally different from the Chamber down the hall. If there are Members of this body who wish to be heard and wish to offer meaningful ideas to something as critical as this, then asking this body to take a few more days to weigh and discuss those matters ought not to be denied. We are invoking cloture too often. I know people are interested in efficiency, but if efficiency was the only goal of the Founding Fathers, they never would have created this body to begin with. They understood the importance of debate and discussion when a matter of this magnitude and this significance is before the American public.

I don't know how many others intend to support my colleague from West Virginia, but I do, not because I necessarily agree with him in his final conclusion, but I stand to defend his right to be heard and to see to it that he has the opportunity to exhaust his ideas, to share them not only with Senators but with the American people. I hope cloture will not necessarily be invoked prematurely.

Our own CIA Director states the likelihood of Iraq using weapons of mass destruction against the United States or passing them off to terrorists to do so is currently long. The real risk emerges should Saddam Hussein believe an attack by the United States is imminent. That is according to press accounts today.

I hope the President does not see the passage of a resolution in the Congress as a termination state for his efforts at the United Nations but rather as a sign of unity and support of continued effort by the United States to elicit further action by the United Nations.

Senators BIDEN, LUGAR, Senator HAGEL and others crafted an approach to this issue that I found extremely constructive. I regret the administration did not endorse their ideas. This week's debate would be far less contentious had they done so. Their idea was, of course, to focus on the weapons of mass destruction, a multilateral force, unilateral action if the U.N. efforts or multilateral efforts failed and serious thoughts about what you do to win the peace after the conflict is over. That idea will not be offered as an alternative. I regret that is the case. It is an idea that I found potentially rather attractive.

Some very important elements of the Biden-Lugar draft resolution have been incorporated in the White House compromise language. I commend the White House, those that have been involved in crafting this resolution for including this language.

First in this resolution there is an acknowledgment of U.S. efforts within the United Nations Security Council to forge international agreement on a prompt and decisive strategy to compel Iraqi compliance and the explicit congressional endorsement of such evidence.

Second, the requirement that the President make several important determinations before exercising any military option; namely, ''that further diplomatic or other peaceful means alone will not adequately protect the national security of the United States.'' And that our efforts to fight international terrorism will not be undermined by military action against Iraq. Those determinations are going to be extremely important.

Third, and most importantly, the narrowing of the President's authority to use force to specifically defend the national security of the United States against a threat posed by Iraq's possession of weapons of mass destruction. As I noted earlier, Secretary Colin Powell made it clear in testimony before the Senate and in remarks elsewhere, that it is Iraq's weapons of mass destruction that is the threat to our national security. If Iraq disarms or is disarmed, then the immediate threat to our security would evaporate and force would not be necessary. The benefits of that outcome should be obvious to all.

Finally, the new language recognizes the need to have in place an effective exit strategy should military force prove unavoidable. These changes in the original text of the resolution are extremely important. Without them, I

would not be able to consider support of this legislation.

Let me sum up where this Senator stands on this. I support Senator BYRD's motion because more time is needed. It is not a burden on this body to consider questions and to listen to Members. We should not be cut off in debate in being heard on a matter of this importance and significance. I regret Senators BIDEN and LUGAR and others have not moved forward with their proposal. It was the most comprehensive approach, in my view, to dealing with the questions of weapons of mass destruction, U.N. involvement in the aftermath of the conflict.

Third, I think every effort ought to be made to resolve this threat as peacefully as possible.

Fourth, that if military force becomes necessary, every effort must be made to do it multilaterally either through the U.N. or multilateral coalitions.

Fifth, I believe the more immediate threat is international terrorism, and that such a threat can only be contained through collective action.

Sixth, if we must act unilaterally, then the threat must be clear, grave, and imminent.

Last, in cases of preemptive action, we must be even more sure the threat is immediate and grave for the obvious reasons of setting precedent that other nations may model in conflicts that threat everyone around the globe.

The context within which I deliberated over the difficult decision on how I would vote on this imperfect resolution has been hard, always being mindful of the dangers that could result from granting authority contained in this resolution. Ultimately, my main reason for supporting the resolution is that I believe the chances of avoiding war with Iraq are enhanced substantially if this country is united as a nation.

I know members of the United Nations Security Council are listening to this debate very intently and are going to watch this vote very carefully. American unity will strengthen, I believe, the President's hand in convincing members of the Security Council that the civilized world must act and must unite in its action.

Today, in joining with many of my colleagues in support of this resolution, I do so in the fervent hope that this show of unity in authorizing the President to use force will reduce the likelihood that force will ultimately be necessary.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Nevada is recognized.

Mr. WARNER. Mr. President, I see the distinguished assistant leader. I apologize to the Chair. I understand he has a unanimous consent request.

Mr. REID. Yes. Thank you. I know the Senator from Kansas is to be recognized next.

Mr. President, I ask unanimous consent that following the statement of the Senator from Kansas, Mr. ROBERTS, that Senator DAYTON be recognized for 15 minutes; following that, Senator FRIST be recognized for 15 minutes; following Senator FRIST, Senator DOMENICI be recognized for 20 minutes; and, following that, Senator LEVIN be recognized for 30 minutes.

Mr. WARNER. Mr. President, there is no objection.

While the leader is in the Chamber—I had the opportunity to speak with the leader just a minute ago—the pending amendment is by the distinguished Senator from West Virginia, Mr. BYRD. I hope, in order to keep the momentum going on this bill, that we can move forward towards debate on that amendment and its terms such that, should there be those on our side who wish to table or otherwise move along—we have 13 amendments here, and a number of them have been determined by the Parliamentarian to be germane. Given cloture tomorrow, of which the assistant leader is familiar, I am just suggesting strongly that the Byrd amendment be the pending amendment.

Is there a possibility in the assistant leader's mind that we might address that amendment tonight by way of a vote?

Mr. REID. I will be speaking to Senator BYRD momentarily.

I also say—to make sure everyone understands—that the majority leader, after the last vote, announced that we are going to finish this legislation tomorrow. Tomorrow takes us into Friday morning. But he has indicated we are going to finish this. There is a lot of work to do. But it can be done—it will be done. There is no question but that we are going to do it. If any Senators are waiting around until next week to give their speech, there will be no next week.

Mr. WARNER. Mr. President, it is obvious to the leader, but the amendments, I respectfully say, are on his side of the aisle. Therefore, his assistance is vital in helping us move these amendments along so that they can be given a proper amount of consideration, and before they are acted upon by a vote, for those that require a vote.

Mr. REID. The reason we have two Republicans is in order to balance out the time. The Senator from Massachusetts spoke for longer than others have spoken.

Mr. WARNER. Mr. President, the distinguished Senator from Nevada, the assistant leader, has been eminently fair in working with Senator MCCAIN and myself in the management of this, as well as Senator LIEBERMAN who also has taken quite an active role in the management. I think we have had a good debate. The pending amendment laid down by the distinguished Senator from West Virginia is a matter that I think should be addressed as early as we can possibly arrange, and possibly dispose of it tonight, one way or the other, so that we can move on with this volume of some 13 amendments, many of which are germane.

Mr. REID. I will speak to Senator BYRD. Senator LIEBERMAN has an amendment on which he has talked for about a week or more. We will have to get consent to set Senator BYRD's amendment aside, or dispose of Senator BYRD's amendment prior to that time.

Mr. WARNER. Mr. President, I will work in consultation with leadership on that side.

Does the Senator think there is an option by which Senator LEVIN's amendment can be disposed of?

Mr. REID. Yes. He follows Senator DOMENICI.

Mr. WARNER. Just a rough calculation—would that be at approximately 8 o'clock?

Mr. REID. No. That will be approximately an hour from now, or an hour and twenty minutes from now. It would be about a quarter to 7.

Mr. WARNER. Give or take an hour here or there. Nevertheless, what the leader is indicating is that there is a possibility that amendment could be acted upon tonight by vote.

Mr. REID. Senator LEVIN has indicated he would like to dispose of that tonight.

Mr. WARNER. Once again, I think Senator LEVIN has several amendments. Do we know which one that might be in this batch of 13?

Mr. REID. It is the amendment he has spoken about for several days. I don't know how to identify it more than that. But it is the alternative—I think is a good way to put it—to the Lieberman amendment.

Mr. WARNER. Fine. Perhaps Senator LEVIN, through his staff or others, could indicate at the earliest possible time which of the several amendments it is so we can be prepared to reciprocate in an active debate and perhaps reach a conclusion.

Mr. President, I was going to direct a question to my colleague from Connecticut.

Mr. REID. Was the unanimous consent request agreed to?

The PRESIDING OFFICER. Without objection, the previous unanimous consent request is agreed to.

Mr. WARNER. Mr. President, I thank the leader for his assistance.

My respect for my colleague from Connecticut is predicated on many—

The PRESIDING OFFICER. The Chair reminds the distinguished Senator from Virginia that Senator ROBERTS is to speak next.

Mr. WARNER. That is right. We are trying to encourage some colloquy and questioning. I will not take a long time.

Mr. DODD. I will be brief in my answer.

Mr. WARNER. I thank the Senator. That will be a salutary moment. We will get quickly to it.

I read to my friend a quote by President John F. Kennedy in connection with the Cuban missile crisis of 1962:

> This Nation is prepared to present its case against the Soviet threat to peace and our own proposal for a peaceful world, at any

time, in any forum, in the Organization of American States, in the United Nations, or in any other meeting that could be useful without limiting our freedom of action.

In looking at the amendments, certainly one of them proposed by the distinguished Senator from Michigan says very clearly that authorization for the use of armed forces is predicated on action by the United Nations. To me, that contravenes what President Kennedy laid down as a form of this.

Does the Senator think there is any basis for subordinating the right of our President to use the Armed Forces, if he deems it necessary, to action by the United Nations?

Mr. DODD. I do not know if my colleague was listening to my remarks.

Mr. WARNER. I listened very carefully.

Mr. DODD. I made the point. Certainly my point is that we should try to resolve this matter without conflict, if possible.

There was some confusion about that, when I listened to the Secretary of State and the President, as to whether it is regime change or weapons of mass destruction. There is a lot of confusion in the American public about that as well.

Let us assume they are going to come together and try to resolve that without any conflict. It ought to be done. I think the President's father did it well and right back in 1991 with a coalition. It worked better than imagined. It certainly set a precedent for how we are going to deal or should deal with matters in the future.

I have said the reason I am supporting the resolution is that I believe it will strengthen our hand at the United Nations to get them to act with some assertiveness. But I also have said, at the end of the day, if the security interests of the United States are in jeopardy and there is nothing else to be done in the United Nations, or if other coalitions would not support us, we will never leave the security of this country, this Nation, vulnerable and solely dependent upon the willingness of the international organizations to support us.

Mr. WARNER. I thank my colleague. I share that view. I say to my good friend that acting on it now and not further delaying, with this Chamber and that of the House of Representatives, hopefully, acting on identical language, can in a strong voice say to the United Nations that we stand foursquare behind our President in his remarks and his request that the United Nations take strong action.

Mr. DODD. Let me respond very quickly on that.

I understand the management of bills here. I spent 9 days on election reform with 46 amendments; 100 were offered. I think election reform is a pretty important issue. But I don't think it is more important than the issue we are discussing today.

My point simply was to say, on matters such as this, that the role of the Senate is so critically important and the Founders intended it to be such that if Members of this body, elected to this body, feel strongly and passionately about being heard on this matter and have ideas they wish to contribute to the debate, we ought to be most reluctant to deprive a Member of this body of the opportunity to be heard.

I understand the significance of moving quickly. But it is dangerous indeed on a matter of this gravity to curtail debate to merely try to get a resolution adopted quickly. I want to hear what my colleagues have to say. I know we are going to come to a conclusion on this fairly quickly. But to cut off debate prematurely I think would be a mistake.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I share that sentiment. But I remind my colleague, this Senator was privileged to be on the floor last Friday for 5 hours. You were present. You recall that debate. Senator KENNEDY was present. And Senator BYRD was most active. And again there was debate another 5 or 6 hours on Monday and Tuesday. So there has been adequate opportunity. And there remains opportunity for Senators to be heard. I hope we do not cut off any Senator from the opportunity to speak to this important matter.

I thank the Chair and yield the floor. I know another Senator is about to speak.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my colleagues for their very learned colloquy to make sure all Senators have an opportunity to speak on this extremely important issue.

As we debate whether to authorize the President, basically, to use military force to remove Saddam Hussein from power and to neutralize his emerging weapons of mass destruction capability, I would like to offer several observations.

The first is that the United Nations, as an institution, has completely and unequivocally failed to disarm Iraq consistent with its own resolutions—the resolutions agreed to also by Saddam Hussein—following the Persian Gulf war of 1991. The key word here is to ''disarm.''

During debate on this very crucial issue, I think we have concentrated too much on the concept of ''inspections'' and the possibility of trying to really somehow initiate a new inspections regime. As a matter of fact, if you read all of the newspaper accounts on this issue, and if you pay attention to the television, the radio, and the debate, it seems to me ''inspections'' becomes the key word. I don't think that is the case. The key issue is not inspections. The key issue is disarmament.

Again, both Iraq, under the heavy hand of Saddam Hussein, and the United Nations, have failed in the agreed-upon mandate to follow or take action consistent with resolutions following the Persian Gulf war over a decade ago. And we are talking about actual, transparent, real—real—disarmament.

The second observation I would like to make is that one of the crucial reasons both Houses of Congress should support the Warner and the Lieberman resolution, on behalf of the President, as opposed to, I guess, 13 amendments we are going to be considering—and I do not challenge or wish to impugn any intent on the part of any Member who has an amendment on this important issue—but basically one of the crucial reasons we should really do our business and support this resolution is that it will, I think, strengthen the hand of Secretary of State Powell—he told that to us as of this week, both sides of the body—in his efforts to convince the U.N. Security Council to adopt new resolutions, resolutions whose goal would be to produce tangible—again, not inspections—but inspections that would lead to disarmament. There is always that hope, and, obviously, that would be the preferred outcome as opposed to military action.

So it seems to me that is the goal of the resolution we are now considering.

In that regard, let me stress that we should act prior—prior—to the U.N. deliberations. We should act first. We should act in concert. To tie the hands of this President, or any future President with regard to matters of vital national security interests where war or peace hang in the balance, to subject him to U.N. approval or action, will constrain the freedom of action on the part of the United States by the very countries that are now responsible for a decade of U.N.—U.N.—inaction and almost irrelevance.

Let us be realistic. Let us be realistic. Saddam Hussein has demonstrated ad nauseam over the last 10 years that he will never permit the removal or destruction of his weapons of mass destruction capability. Here is my personal view on this. He cannot, and he will not. Now, why?

They are the very source of his authority in Iraq as well as the Persian Gulf. All of his ambitions—I perceive that he perceives himself as perhaps the heir apparent or maybe even the reincarnation of King Nebbuchadnezzar, Pan-Arabia. He has demonstrated a willingness to use weapons of mass destruction both against his own countrymen and against other nations. He is a student and protege and follows the example of Stalin. And he rules by fear.

So wishful thinking aside—and I have wishful thinking—but wishful thinking aside, I do not believe he is ever going to give up and disarm—ever.

Third, any notion that the United States itself is off limits to a massive attack by groups that are cooperating with or supported by Baghdad should now be gone. It is called sanctuary for further terrorist attacks against our homeland. We are not off limits. We

are now terrorist targets, as proved by 9/11 and previous attacks.

Fourth, any notion that we have time left to coast along as governments in Iraq, Iran, or elsewhere continue to pursue their weapons of mass destruction programs with the possibility, if not intent, to distribute these technologies to fundamentalist terrorist cells should be gone as well.

I know, while ''hard evidence'' of an Iraqi role in the attacks of 9/11 may be hard to prove—the so-called smoking gun—I do not think we can afford to be naive. Particularly in the Middle East, terror groups and states work together when and where their interests are common. And their intent is the destruction of the United States, the murder of our citizens, and the elimination of our influence, real and perceived.

Just yesterday, in the continuing investigation of the September 11 attack, in an unclassified—let me stress, unclassified—and public hearing, I asked the panel of witnesses—the expert witnesses—what, after 9/11, still kept them up at night. And I asked them what policy drum they could or would beat to bring about a change in policy to safeguard our own country.

The answer was to take away the terrorists' sanctuary; that we mistakenly think that if we can only bring bin Laden to justice, render the al-Qaida harmless, then we can somehow go back to business as usual.

That simply is not the case. I think an error is being made in the debate on this most important topic when we say, now, on one hand, if we do not take action in regard to Iraq we can then continue the war against terrorism. The action against Iraq is to prevent further sanctuary for terrorism. It is inseparable.

The stark fact of the matter is that danger of another terrorist attack on this country is still not a matter of if, it is a matter of when. The distinguished then-chairman of the Armed Services Committee, Senator WARNER, remembers full well creating a subcommittee called the Subcommittee on Emerging Threats. Three years ago we predicted this would happen, citing past attacks. It is not a matter of if, but when. That condition still exists today. It is transnational in terms of the threat. It involves many terrorist organizations and cells. And, yes, it is ongoing.

Yesterday, under the heading of lessons learned from past terrorist attacks, the Intelligence Committee once again heard from experts citing a common thread of transnational, interconnected terrorism. At our peril, difficult connect-the-dots intelligence analyses did not meet the threshold of a threat warning and were ignored. We were risk averse. The terrorists who conducted past attacks attacked again. There were warnings. They were not heeded. They did not meet the criterion of a threshold of a threat warning, and we suffered the consequences. They attacked at the 1993 World Trade Center, Khobar Towers, our embassies, the thwarted—thank goodness—attack in regard to the Millennium, and, finally, the U.S.S. *Cole*. The attacks are a microcosm of the challenge we face.

If Iraq and, indeed, other regimes are left unchallenged, my colleagues, it is only a matter of time before they transfer the capability for weapons of mass destruction to a terrorist cell that will use that capability against the United States.

Now, remember, the criminal justice model of gathering evidence and presenting a case does not apply here. By the time you have evidence, it is too late. We will not lose buildings and thousands of people when that happens. We will lose whole cities and hundreds of thousands of people.

Iraq is absolutely a component in the war against terrorism. Let me try to make that point. In light of the events of September 11, 2001, I believe this body has more reason to support action against Iraq than it had in the winter of 1991. That is a pretty strong statement. Because preventing weapons of mass destruction from being acquired by terrorist cells should be the No. 1 policy priority of this Federal Government. This means neutralizing regimes that possess or seek such weapons and are predisposed to harboring, assisting, sympathizing with the bin Ladens of the world. That is a real priority for us.

Yes, there is more than one fundamentalist maniac with a significant and diverse following.

I support the resolution endorsed by the White House and sponsored by Senators LIEBERMAN and WARNER because I think our President realizes—most Senators realize—what leaders like Abraham Lincoln and Harry Truman realized: No matter what the short-term consequences would be in regards to politics, American survival must be assured. It is a first priority. It is our highest agenda.

There is reasonable concern about downside risk. You bet there is. I have those concerns. I share those concerns. I have been listening to these concerns during the debate on this subject. We have had several days of very good debate. The President and his national security team know that. All Members of the House and Senate and all thinking Americans know that. Yes, there is real concern.

I am a member of the Armed Services Committee and the Select Committee on Intelligence. I have asked question after question after question in the ''what if'' category. What if Saddam Hussein uses his weapons of mass destruction—of course, that means he has reconstituted his weapons of mass destruction capability, posing an ever-increasing threat—what if he uses those reconstituted weapons of mass destruction against our troops, against Gulf State partners that will support us, against Israel, or against his own people? He has done that before. Will Israel, if attacked, simply remain on the sidelines? Will we see prolonged combat? Will there be a violent upheaval in the Mideast, in the Arab nations?

What happens if we win? There has been a lot of discussion about that. How long will we have to stay? What kind of infrastructure improvements will we have to pay for if, in fact, that is the case? What do we win? How do you win a war against a tyrant who may well destroy his own country and kill his own people, blame us, or who would launch or sponsor a terrorist attack in the United States as a result of our involvement, all in the name of self-preservation?

Those are tough questions. Those are very real concerns. The distinguished Senator from West Virginia indicated we need more time to answer these concerns. How many casualties if, in fact, we go into military action against Iraq? Mrs. BOXER, the distinguished Senator from California, asked the question, how much will it cost? Maybe it was reversed. Maybe Senator BYRD asked that question, and Senator BOXER asked about casualties. What about military tactics? I must say that is probably the last thing I hope the Pentagon would share with the Congress, for obvious reasons. What about the sacrifices in regards to the American people? How much will it cost?

All of these concerns and all of these dangers are real. But, my colleagues, there are no specific and easy answers to these questions. As much as we would like otherwise, the intelligence community and the President and the administration, our military cannot provide absolute, specific answers. They can try to be specific, but absolute answers? I am sorry. They do provide estimates, based upon the best collection and analysis that is possible.

This debate and the issues at hand demand candor. President Bush has been candid. As the President said, the hope is we don't have to take military action. But if that becomes necessary, it will be difficult. Time after time in history, and in repeated testimony from those within our intelligence community, we see the greatest risk is to do nothing. We are not free unless we are free from fear. Americans have known fear—be it during the Cuban missile crisis or in the aftermath of Pearl Harbor or the attacks on the World Trade Center and Pentagon. We must not, however, accept fear as our destiny. We must be proactive in regards to national security.

We must be preemptive. Yes, preemptive, that new doctrine that is causing a rethink of our foreign policy, our military strategy, our politics, our foreign relations. It is a brand new world. It is an asymmetrical world. It is a world that was written about by Samuel P. Huntington when he wrote the book ''The Clash of Civilizations and the Remaking of the World Order,'' the preemption doctrine. Here we are and we are debating it.

Make no mistake, this has nothing to do with partisan rivalry. This is about our future, both immediate and long term. This is the state of affairs we leave for our children and our grandchildren.

Senator WARNER just made a statement on the floor I am going to quote again, almost 40 years ago to this date, when President John F. Kennedy addressed the Nation in regard to the Cuban missile crisis. He said:

This nation is prepared to present its case against the Soviet threat to peace, and our own proposals for a peaceful world, at any time and in any forum—in the Organization of American States, in the United Nations, or in any other meeting that could be useful—

Here is the key phrase:

. . . without limiting our freedom of action.

In that regard, I hope we follow President Kennedy's advice. I urge my colleagues to support the resolution introduced by Senators WARNER and LIEBERMAN and to oppose the various 13 amendments that would weaken the resolution and our resolve.

I ask unanimous consent that an article entitled ''A Chronology of Defiance'' by Michael Kelly; an article called ''The Myth of U.N. Support'' by Charles Krauthammer; and an article, ''The Weight of American Empire,'' which talks in detail about the new policy of preemption, by John Keegan, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 18, 2002]

A CHRONOLOGY OF DEFIANCE

(By Michael Kelly)

''U.N. Inspectors Can Return Unconditionally, Iraq Says,'' the headline reads. This, to put it mildly, and in the words of an old and apt phrase, shall not stand.

Consider the following darkly comic tale, mostly taken from the Congressional Research Service:

On March 3, 1991, the coalition forces of the Persian Gulf War signed the Safwan accords, ending hostilities in the insane conflict Iraq had forced. On April 3, the United Nations passed Security Council Resolution 687 requiring Iraq to end its weapons-of-mass-destruction programs, recognize Kuwait, account for missing Kuwaitis, return Kuwaiti property and end support for international terrorism. Iraq immediately began a decade-long pattern of defiance, alternating with stalling, tactical capitulation and more defiance. This was particularly so concerning what remains the central issue: the demand that it destroy its weapons of mass destruction and stop developing new ones.

To enforce and conduct inspections, the United Nations created a special commission, UNSCOM, which went to work in April 1991. Almost immediately, Iraq began impeding the inspections. The United Nations responded by passing its first resolution-to-enforce-the-resolution, Resolution 707, on Aug. 15, which ordered Iraq to comply with unfettered inspections of all sites and to make full disclosure of all of its suppliers to its program for weapons of mass destruction. On Oct. 11, the United Nations also passed Resolution 715, which established a long-term monitoring program.

Some success ensued, but Iraq resumed impeding inspections in March 1996. The Security Council responded with Resolution 1060, on June 12, 1996, demanding, again, Iraqi cooperation, which was not forthcoming. So, on June 21, 1997, the august body duly passed Resolution 1115, which threatened non-cooperating Iraqi government officials with travel restrictions. This was followed on Oct. 23, 1997, by Resolution 1134, which threatened travel restrictions—again—and which banned consideration of lifting the U.N. sanctions against Iraq until April 1998.

On Oct. 29, Iraq barred American inspectors assigned to UNSCOM from conducting any inspections. So, on Nov. 12, 1997, the United Nations went right darned ahead and imposed those mean old travel restrictions. The next day, Iraq expelled all the American inspectors. The U.S. House of Representatives passed a resolution authorizing the use of unilateral U.S. military action if necessary. But the measure died in the Senate, of inattention.

In November 1997, Russia brokered a compromise that allowed UNSCOM to resume some temporary and sharply limited inspections. In February 1998, U.N. Secretary General Kofi Annan put together a second compromise, by which Iraq agreed to allow inspections with the proviso that it be allowed to protect ''presidential sites'' from undue indignity. Iraq designated eight large tracts of land (containing more than 1,000 buildings) as ''presidential sites.'' Inspectors could visit these sites only after announcing the visit in advance and informing the Iraqis of the composition of the visiting team—nuclear, chemical or biological inspectors. In appreciation of this joke, the Clinton administration supported lifting the travel ban on Iraq and resuming sanction reviews.

In August 1998, Iraq barred UNSCOM from inspecting any new facilities. The Senate and House passed a resolution, signed on Aug. 14, declaring Iraq to be in ''material breach'' of the cease-fire. On Sept. 9, the Security Council adopted Resolution 1194, suspending sanction reviews. On Oct. 30, the council offered Iraq yet another chance to have the sanctions lifted if it complied with inspections, but Iraq spurned the offer and announced the cessation of all cooperation with UNSCOM. A very angry Security Council passed the very fierce Resolution 1205, which called Iraq's action a ''flagrant violation'' of the February 1998 agreement. A very, very angry President Clinton very, very fiercely threatened airstrikes. On Nov. 14, Iraq agreed to cooperate. President Clinton promptly canceled the airstrikes.

On Dec. 15, 1998, UNSCOM announced that Iraq had refused to hand over key weapons-program documents and was, again, impeding inspections. UNSCOM inspectors withdrew from the country and the United States and Britain bombed Iraqi military and security targets for several days. UNSCOM never went back into Iraq. On Dec. 17, 1999, the Security Council passed Resolution 1284 establishing a new inspection body, UNMOVIC, and offering Iraq the suspension of most sanctions in exchange for a resumption of inspections. In February 2001, Iraq entered into talks with the U.N. secretary general on this basis, ''but the talks made little progress.''

I'd say the current Iraqi offer can be dispensed with, oh, now.

[From the Washington Post, Oct. 4, 2002]

THE MYTH OF U.N. SUPPORT

(By Charles Krauthammer)

''This nation is prepared to present its case against the Soviet threat to peace, and our own proposals for a peaceful world, at any time and in any forum—in the Organization of American States, in the United Nations, or in any other meeting that could be useful—without limiting our freedom of action.''—President John F. Kennedy, Cuban missile crisis, address to the nation, Oct. 22, 1962

''I'm waiting for the final recommendation of the Security Council before I'm going to say how I'm going to vote.''—Sen. Edward M. Kennedy, Iraq crisis, address to the Johns Hopkins School of Advanced International Studies, Sept. 27, 2002

How far the Democrats have come. Forty years ago to the month, President Kennedy asserts his willingness to present his case to the United Nations, but also his determination not to allow the United Nations to constrain America's freedom of action. Today his brother, a leader of the same party, awaits the guidance of the United Nations before he will declare himself on how America should respond to another nation threatening the United States with weapons of mass destruction.

Ted Kennedy is not alone. Much of the leadership of the Democratic Party is in the thrall of the United Nations. War and peace hang in the balance. The world waits to see what the American people, in Congress assembled, will say. These Democrats say: Wait, we must find out what the United Nations say first.

The chairman of the Senate Armed Services Committee, Carl Levin, would enshrine such lunacy in legislation, no less. He would not even authorize the use of force without prior U.N. approval. Why? What exactly does U.N. approval mean?

It cannot mean the U.N. General Assembly, which is an empty debating society. It means the Security Council, Now, the Security Council has five permanent members and 10 rotating members. Among the rotating members is Syria. How can any senator stand up and tell the American people that before deciding whether America goes to war against a rogue state such as Iraq, it needs to hear the ''final recommendation'' of Syria, a regime on the State Department's official terrorist list?

Or maybe these senators are awaiting the wisdom of some of the other nonpermanent members. Cameroon? Mauritius? Guinea? Certainly Kennedy and Levin cannot be saying that we must not decide whether to go to war until we have heard the considered opinion of countries that none of their colleagues can find on a map.

Okay. So we are not talking about these dots on the map. We must be talking about the five permanent members. The United States is one. Another is Britain, which support us. That leaves three. So when you hear senators grandly demand the support of the ''international community,'' this is what they mean: France, Russia and China.

As I recently asked in this space, by what logic does the blessing of these countries bestow moral legitimacy on American action? China's leaders are the butchers of Tiananmen Square. France and Russia will decide the Iraq question based on the coldest calculation of their own national interest, meaning money and oil.

Everyone in the Senate wants a new and tough inspection regime in Iraq: anytime, anywhere, unannounced. Yet these three countries, whose approval the Democrats crave, are responsible for the hopelessly diluted and useless inspection regime that now exists.

They spent the 1990s doing everything they could to dismantle the Gulf War mandate to disarm Saddam Hussein. The Clinton administration helplessly acquiesced, finally approving a new Security Council resolution in 1999 that gave us the current toothless inspections regime. France, Russia and China, mind you, refused to support even that resolution; they all abstained because it did not make yet more concessions to Saddam Hussein.

After a decade of acting as Saddam Hussein's lawyers on the Security Council, these countries are now to be the arbiters of America's new and deadly serious effort to ensure Iraqi disarmament.

So insist leading Democrats. Why? It has no moral logic. It has no strategic logic. Forty years ago, we had a Democratic president who declared that he would not allow the United Nations or any others to tell the United States how it would defend itself. Would that JFK's party had an ounce of his confidence in the wisdom and judgment of America, deciding its own fate by its own lights, regardless of the wishes of France.

Or Cameroon.

[From the Washington Post, Oct. 6, 2002]

THE WEIGHT OF AMERICAN EMPIRE

(By John Keegan)

WARMINSTER, ENGLAND.—The statement of principles that will guide the national security strategy of the United States during the war on terrorism, and against states that acquire weapons of mass destruction for nefarious purposes, is presented in the language of American statecraft at its most traditional. The allusions from the past proliferate—allusions to the Four Freedoms, to the Atlantic Charter, even to President Woodrow Wilson's Fourteen Points. The values that President Bush promises to defend with all the power at his disposal are central to the American way—democratic self-government, free association, freedom of expression, equal rights for individuals. It is a very American, and very old-fashioned, document.

At the same time, it makes commitments that are unprecedented in the language of American national policy. To put it bluntly, the president makes threats. He warns terrorists that they will be opposed by every weapon and every means at America's disposal. That might be expected and is no more than terrorists deserve.

But he also warns that states that harbor terrorists—or are compromised by terrorism—will be held to account, by which he means military account. He goes on to say that enemies of the United States who are preparing weapons of mass destruction (enemies unspecified but by implication already identified by the Pentagon and State Department) will find themselves targets of U.S. action, even if—and this is a particularly menacing note—such preparations are not complete and the threats to American and its allies are not fully formed.

No doubt it is America's readiness to make threats that contributes to the anti-Americanism now rampant in Europe. Fifty years of peace have skewed the European outlook on the world. Apart from some minor Balkan troubles, Europeans have not known war since 1945, and they have fallen into the habit of viewing war as an alien activity to which they have found a superior alternative—the building of pan-European institutions, free trade and the convening of tedious international conferences. They conveniently forget the threat posed until 1990 by the vanished Soviet Union and they show no appreciation at all of the effort and expense undertaken by the United States in acting as the leading military member of NATO during the Cold War.

There can be no doubt that the American approach to the future is far more realistic than the European and would have been so, if stated, even before the Sept. 11 attacks. Indeed, the logic of President Bush's statement depends less on the emergence of terrorism as a serious threat to civilized states, or even on Saddam Hussein's specific defiance of U.N. resolutions requiring him to admit weapons inspectors, than it does on factors already apparent as the Cold War was drawing to its close.

Students of the Cold War perceived that it imposed, for all the rhetoric of nuclear threat and counter-threat, an artificial stability in international relations. The existence of two superpowers, and the confrontation between them, obliged almost all states to choose sides—and, having chosen, to accept a consequent restraint on their foreign military power. The superpowers offered protection to their clients. But they also expected and got a measure of obedience.

In no respect was that more true than in the acquisition of weapons of mass destruction, particularly nuclear weapons. On whatever else they did not agree, the United States and Soviet Union—as the world's only fully equipped nuclear powers—concurred that possession of nuclear weapons should be confined to the smallest possible number of states. From their points of view, the ideal number would have been two. But failing America's ability to constrain its wartime nuclear partner, Britain (which had acquired most of the necessary expertise to build bombs), and then France (which could not bear the indignity of nuclear inferiority to its ancient enemy), the United States reluctantly accepted a troika of Western nuclear powers. The Soviet Union would have preferred to remain the only communist nuclear power, but China's size and strength prevented Moscow from constraining Beijing.

Thus the nuclear balance of the Cold War years was established on a basis of five powers; and, as each was a stable state, experienced in the ways of the world, the tacit agreement between the superpowers to maintain world order worked. Indeed, it survived even unilateral superpower efforts to win local wars at the boundary between the spheres of influence—Vietnam, Afghanistan, Angola.

The more farsighted observers perceived, however, that, should the Cold War ever come to and end, so would the stability it had imposed. While most states, particularly the richer and longer-established ones, would choose to go on as before, a minority of others, those with grievances against their neighbors or with their standing in the world order, would rebel. They would try to become local superpowers and they would challenge the right of the United States and Russia, the Soviet Union's successor, to maintain the old Cold War order.

So it has turned out. The emergence of India and Pakistan as nuclear powers, though undesirable, was predictable and is containable. They deter each other. The dissidences of Iraq and of Chechnya are of a different order. Chechnya, traditionally disruptive of Russia's efforts to maintain order in its borderlands, is a menace and Moscow deserves Washington's support in its effort to bring the Chechens under control. Iraq is a far more serious problem, since it is a comparatively advanced state and potentially very rich. Under a regime that would cooperate with the international community, it would be nothing but a force for good in the Middle East. Its society is not Islamic and its population is well educated. But because power in Iraq has, lamentably, passed to a megalomaniac and his hometown clique, it has become exactly what students of post-Cold War politics feared the future might bring at its worst.

Unspoken in Bush's national security document is the idea that small, unstable, self-seeking states under dictatorial control must not be allowed to acquire nuclear weapons. Iraq happens merely to be the first in that category to appear. Its pretensions to nuclear power must be quashed. But—and this is the real import of the president's statement—so must similar pretensions, if and when they appear, forever. The president has committed his country to a fearsome duty. It will never go away.

Mr. ROBERTS. I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the time that Senator DAYTON had under the order that had been entered be given to the chairman of the Foreign Relations Committee, Senator BIDEN.

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

Mr. BIDEN. Mr. President, I have time tomorrow to speak, too. I will make a much longer speech on my views on this subject.

There used to be a trial lawyer I practiced law under. I used to sit in the counsel chair next to him and watch how he tried cases. He used to say to the jury, when he started the case, his opening statement, he would say: I want you to keep your eye on the ball. I want you to focus on the issue at hand.

He would turn to his client, who sometimes was not the most admirable of people, who may have been innocent but not admirable. And he would say: I want you to take a look at my client. You wouldn't invite my client home for dinner. You wouldn't want your daughter going out with my client. As a matter of fact, I wouldn't even go have a cup of coffee with him after this. The question is not whether or not he is a homely guy or a bad guy, or whether or not he is a guy who you would like to have as a friend.

The question is, did he kill Cock Robin? Keep your eye on the ball. What is going to happen here is you are going to have the State coming in saying this is a bad guy. He is an ugly guy. Look at him, he doesn't dress very well. Look at him, he is not very amiable. Keep your eye on the ball.

Just listening to my friend from Kansas and others today, I think we are kind of taking our eye off the ball. Tomorrow I will go into this in great detail. But let's remind ourselves why are we here right now. Why are we here, notwithstanding the fact Senator LIEBERMAN and Congressman GEPHARDT went down and stood with the President of the United States and said they adopted a resolution? That is not why we are here today. We are not here because of that. We are here because of what the President told us. Everybody remember, keep your eye on the ball.

The President said he has not decided whether or not we are going to go to war. He said it is his hope that we not go to war. It is his hope it can be avoided. Yet, for the first time in the history of the United States of America, in my judgment, the President of the United States is asking for the Congress to give him the equivalent of a declaration of war—to go to war—before the President has made up his mind. He has not made up his mind.

Keep your eye on the ball. Follow the bouncing ball like in the old Lawrence Welk days. A, the President has not decided whether or not to go to war; B, the President says give me the authority to go to war; C, we say on what

basis do you want to go to war, Mr. President?

The details matter. If, for example, we leave here, setting a precedent, suggesting the reason we might go to war is because of this new doctrine of preemption, which no one has explained—no one has explained it. I sat at the White House, I say to my friend from Virginia, with Dr. Rice for hours. Dr. Rice said it is no different than what has always been the policy of the U.S.

Well, if that is the case, then I don't have any problem. The President always has the right to act preemptively if we are in imminent danger. If they are coming up over the hill, he can respond; if troops are coming out of Tijuana, heading north, we can respond; if they are coming down from Toronto, we can respond; if missiles are on their way, we can respond. But that is not the way I hear it being used here. We are talking about preemption, as if we are adopting a policy. As Dr. Kissinger said before our committee, that will undo an agreement the Western World made in the early 1640s at the end of the religious wars in Europe, which said no country has a right to preemptively move against another country because they think they are going to be bad guys.

So this is a pretty big deal. Words matter. And so I say to my friends, let's go back. Why did the President ask us for a resolution when he sent up the draft resolution? Why? He stated forthrightly why. He said: Because I need to demonstrate that I have support in order not to go to war. That is what he said. He said: You, the Congress, give me overwhelming support. Then the U.N. will know I mean it. Then the Security Council will say if we don't, he will, so we better. That is the reason why we are here. That is the reason, I remind my colleague from Connecticut and my friend from Virginia, why we are here. Otherwise, it is ridiculous—a President saying I don't know whether I want to go to war yet, but declare it.

So I hope people don't start confusing things on this floor. I may not be around here after November—I hope I am; I am up for reelection, but I don't want to be on this floor 6 years from now and have someone stand up and inaccurately say, by the way, back in the year 2002, in October, we adopted a policy of preemption. Therefore, even though we are in no imminent danger, even though there is no violation of any international rule, we think the country of Xanadu are bad guys and we are invading. That would be a serious mistake. Let me tell you why—not because as an American and as President, if I were President, or as a Senator, or as a Congressman, I would like to have that ability. But, guess what, I don't want Beijing waking up one morning and saying, you know, we have a right to preemptively attack Taiwan. I don't want India waking up one morning and saying, by the way, we have a right preemptively to attack Pakistan. In case you are all wondering—and I know my colleagues are not, because they know the score and they are thinking about both of those things—both of those countries could conceivably reach that conclusion. It's not an impossibility, if the most powerful Nation in the world establishes an unnecessary doctrine. So let's keep our eye on the ball.

Why are we being asked to do this—to give the President the kind of momentum he needs to allow the Secretary of State to convince the Security Council to do what they should do in the first place?

The second point I would like to make is this: We are, right now, talking about preemption, when there is no need for any doctrine of preemption to justify us going against Iraq with others, or alone, if need be. Let's get the facts straight. There is a guy named Saddam Hussein who, in the early 1990s, broke international law, invaded another country, violating every rule of international law. The world, under the leadership of a President named Bush, united and expelled him from that country. Upon expulsion, he said a condition for your being able to remain in power, Saddam Hussein, is you sue for peace and you agree to the following terms of surrender. Those terms of surrender, unlike with the Treaty of Versailles and other treaties where surrender comes about, were in the form of concessions to the U.N., to the world. So he signed onto a number of resolutions.

If the world decides it must use force for his failure to abide by the terms of surrender, then it is not preempting, it is enforcing. It is enforcing, it is finishing a war he reignited, because the only reason the war stopped is he sued for peace.

So, for Lord's sake, anybody who decides to vote for this resolution, please do not rest it on this cockamamie notion of preemption. You will rue the day. If that is the precedent we establish for our own safety's sake, you will rue the day.

The third point I want to make about keeping your eye on the ball here is—the fact of the matter is the President of the United States has not yet, A, made the decision about going to war and, B, if he decides to go to war, he has not made the case to the American people.

Let me explain what I mean by that before my colleagues jump all over it. He made a clear case to the U.N. that by the standards of the United Nations, this man, Saddam Hussein, has flouted the rules of the U.N.—absolutely an overwhelming case. Then he came along on Monday and he made a clear case, in the minds of many, to the American people that Saddam Hussein is a danger to the United States.

But there is one more case he has to make. Those of us out of the generation of Vietnam, and those who were in power during the generation of Vietnam, know that no matter how well articulated, no matter how well formulated a foreign policy is, it cannot be sustained without the informed consent of the American people. What is being asked of them? The American people do not know what is going to be asked of them yet.

I am fully confident if the President decides, in concert with others, war is necessary, he will have to inform them before he launches it. I say that because he personally told me that. I asked him. My friend from Virginia may have been at the leadership meeting 3 weeks ago in the cabinet room when the President turned to me after others had spoken and said, ''Mr. Chairman, will you be with me?'' I said, ''Mr. President, I will be with you on the condition that you do two things: One, you make every effort possible to do this under the auspices of the U.N. or the coalition, like we did in Kosovo; and you inform the American people that it is going to require substantial American forces and substantial American money to stay in Iraq after Saddam Hussein is down.'' He looked at me in the presence of everybody and said, ''I will do that.'' So I take him at his word.

I lay you 8 to 5, if you go home and ask your constituents who say they are for war—ask them the following question: How long do you think we are going to have to keep American forces in Iraq? I will lay you 8 to 5 that 90 percent will look at you with a blank stare and ask: What do you mean, stay in Iraq? What are you talking about, stay in Iraq? They have no notion. Senator DODD, Senator SARBANES, and I, and the Foreign Relations Committee held several very good hearings. At one hearing, we had the fellow who headed up the office in the Pentagon as to what we do after we win the war—planning. We had two other military experts.

Do my colleagues know what they told us? They probably told you the same thing in Armed Services Committee. It is probable we will have to keep at least 75,000 American forces in Iraq for at least 1 year at a cost of $19 billion. Maybe it will not be 75,000. Maybe it will be 25,000; maybe 105,000. I do not know. But we have an obligation to tell our constituents.

As I said to my good friend, Mr. BROWNBACK, who is on our committee, in one of our hearings: Everything may go smoothly. And I think there is a possibility it could happen. If we have to go to war, everything may go smoothly, and once he is down and does not use chemical weapons, the army surrenders and the Republican Guard crumbles, and he is assassinated on the way out of town, and we get our hands on the weapons of mass destruction quickly, we identify where they are, we destroy them, and the rest of the world comes in to help us with the burden of keeping Iraq from splitting into at least three separate pieces—that could all happen. That is possible.

What happens if it does not? Big nations cannot bluff. We should tell the

American people straight up, and I am prepared to do it and support it: If, in fact, we are forced to go into Iraq with other nations, for his failure to comply, say goodbye for a while to the new permanent tax cut; say goodbye for a while to significant increases in health care funding; say goodbye for a while to a whole lot of issues for those who vote for this.

This is the time for a little honesty in advertising. This is the time the American people are strong, they are bright, and they are willing to take this on. The one thing I believe they will not stand for is being sold a bill of goods. We are not stopping 400 miles short of Baghdad this time if we go. We are not. The Senator from West Virginia has said repeatedly, this is a considerable undertaking.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BIDEN. As I said, I will tomorrow go into much greater detail. Again, keep your eye on the ball and level with the American people as we go through this process because I think if Saddam Hussein is around 5 years from now, we are in deep trouble as a country—we are in deep trouble.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is to be recognized.

Mr. SARBANES. Mr. President, can I inquire what the parliamentary situation is?

The PRESIDING OFFICER. The Senator from Tennessee is to speak for 15 minutes, followed by the senior Senator from New Mexico for 20 minutes, and the senior Senator from Michigan for 30 minutes.

Mr. SARBANES. For what?

The PRESIDING OFFICER. The senior Senator from Michigan for 30 minutes.

Mr. SARBANES. Is this all being done through unanimous consent requests?

The PRESIDING OFFICER. It is.

Mr. SARBANES. I ask unanimous consent that I be permitted to speak after the senior Senator from Michigan.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Mr. President, I have to object at this time. I have been in consultation with the senior Senator from West Virginia who had expressed some interest in taking that slot. Without losing my right to the floor, does the senior Senator from West Virginia wish to speak to his desires? He has the pending amendment, and I think it is very important that the Senate have the opportunity tonight to vote on your amendment. Of course, the Senator will desire to speak for a period of time prior to, I anticipate, a motion to table.

I have the floor, but I yield for a question.

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. WARNER. Beg your pardon?

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. SARBANES. I am happy to yield to the Senator from Virginia for a comment or an observation he wants to make, but I do not yield the floor.

Mr. WARNER. I reserved the right to object to the Senator's unanimous consent request.

Mr. SARBANES. But that does not give the Senator the floor.

Mr. WARNER. No, I reserved the right to object.

The PRESIDING OFFICER. The Senator from Maryland is correct.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

Mr. BYRD. He did not yield for that purpose.

The PRESIDING OFFICER. The Senator does not have the floor and cannot make that request.

Mr. BYRD. May I respond now?

Mr. REID. Mr. President, it is my understanding, under the order, the Senator from Tennessee is to be recognized.

The PRESIDING OFFICER. That is correct, under the unanimous consent agreement. The Senator from Maryland proposed a unanimous consent request. Is there an objection?

Mr. WARNER. Objection.

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. Objection is heard. The Senator from Tennessee has the floor and is recognized.

Mr. BYRD. Mr. President, will the Senator from Tennessee yield, without losing his right to the floor?

Mr. FRIST. I will be happy to yield.

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

Mr. BYRD. Mr. President, I had indicated to the distinguished Senator from Virginia that I would like to be recognized after Mr. LEVIN. I believe he is last on the list. I have no problem with the Senator—if the Senator will agree to allow him—Mr. SARBANES to follow Mr. LEVIN and then I would like to be recognized at that time.

Mr. REID. If I can ask a question of the Senator from West Virginia, who proposed a unanimous consent request.

Mr. BYRD. Yes.

Mr. REID. If people have a question as to the position we are in today, yesterday we tried lining up speakers, and that did not work. Today we lined up two speakers on each side so people do not come to the Chamber and have to wait. That is what we did. That is the position we are in now. Both cloakrooms received requests from people who wanted to speak. That is what we have done.

There is a question as to who is going to be the next speaker. I will only say there is no requirement to do so. We have been going back and forth: Senator LEVIN and then I assume we will go to a Republican. After Senator LEVIN, anybody could get the floor.

Mr. SARBANES. Can I inquire who follows Senator FRIST?

Mr. REID. After Senator FRIST is Senator DOMENICI.

Mr. SARBANES. That does not strike me as going back and forth.

Mr. REID. We had Senator KERRY, who spoke for 45 minutes. These two Senators are speaking for a total of 35 minutes. That is the amount of time Senator KERRY had.

Mr. MCCAIN. Will the Senator from Nevada yield? I ask unanimous consent to speak with the Senator from Nevada.

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

Mr. MCCAIN. Without interfering with the Senator from Tennessee, is it his predilection to continue this debate tonight until all speakers are finished, or is the desire of the majority leader and the majority whip to have a vote on the Byrd amendment, or put it off until tomorrow? We have 13 amendments pending.

Mr. REID. Mr. President, as we all know, I say to my friend, anyone who has the floor can move to table the amendment of the Senator from West Virginia.

Mr. MCCAIN. Yes.

Mr. REID. I assume that because of the respect people have for Senator BYRD, before that happens someone will give him the opportunity to speak. I am sure that will happen.

Mr. MCCAIN. If the Senator will yield further, it is not our desire to propose a motion to table until the Senator from West Virginia has had ample time to discuss his amendment. I do not think that would be appropriate. But at some point, I hope we can reach a point where we can have a motion to table or an up-or-down vote on the amendment. For the benefit of all Senators, perhaps we can try to ascertain that.

Mr. REID. The answer to your question, from my perspective, the best thing to do for an orderly process is to dispose of the Byrd amendment and then move to the Levin amendment for which we have been waiting a long time.

Before we dispose of the Byrd amendment, I am sure, as I indicated—whether it is Domenici, whoever it is—will give the Senator from West Virginia ample opportunity to discuss his amendment.

The Senator from Arizona asked me if that should happen. That is what should happen.

Mr. MCCAIN. If I can finish. So we will dispose of the Byrd amendment tonight, if it is agreeable with the Senator from West Virginia.

Mr. REID. I will put it another way. Senator BYRD's amendment, as he knows, being the mother of all parliamentarians, can be disposed of at any time.

Mr. MCCAIN. Yes.

Mr. REID. I think we would like to move this along. I hope Senator BYRD's amendment will be disposed of before we move to the Levin amendment. That is not a necessity, but it would make it a little more orderly.

Mr. MCCAIN. Finally, could I ask Senator BYRD's predilections on this issue?

Mr. BYRD. Mr. President, I thank the distinguished Senator from Arizona for his question. I say to the Senator, he has amendments, and he has already submitted his amendments. I would like to have a chance to vote on these amendments before the cloture vote. I hope we will get the cloture vote delayed at least a few hours tomorrow until Senators, such as Mr. LEVIN, who have amendments will have a fair shot at explaining their amendments and have a vote on them before cloture. I do not know whether the Senate will be disposed to do that or not.

Let me see if I can answer the distinguished Senator from Arizona. I have another amendment I would like to get voted on, too. I would like to offer it to the amendment that is pending. I say to the distinguished Senator from Arizona—and he is a very distinguished Senator—the other amendment would be to provide a sunset provision.

So if the Senate is going to waive its constitutional powers to the extent that I think would be required if the Lieberman amendment were to be agreed upon, I would like at least for the Senate to have a sunset provision so there would be a time limit when the Lieberman amendment would run its course. If the Congress wanted to renew that, Congress could do it, of course, but at least my amendment would say 12 months, and the President could extend that for 12 months.

That is a rough explanation of my amendment. So that would be 12 months for the President under my amendment, providing for the President on his own to extend that for an additional 12 months, but at the end of that time it is over unless the Congress renews or extends it. I would like to have that amendment also voted upon.

I am very willing to enter into some kind of an agreement, say, to vote up or down on both amendments. There would be a vote on the Lieberman amendment and then a vote on cloture tomorrow at some point.

Mr. WARNER. Mr. President, we have been endeavoring to accommodate the pending amendment with the time agreement such that it could be brought up as soon as possible.

The Senator from West Virginia and I have had no discussion about a second amendment, and I urge that we allow the Senator from Tennessee to speak, and in the interim let's gather and see whether or not we can reconcile honest differences and motives.

Mr. REID. If I could just suggest one thing, maybe we could have all of this taken care of by not having a cloture vote. Cloture is going to be invoked by a large margin. Maybe we would not need a cloture vote.

Mr. WARNER. There are Senators on this side who wish to leave intact this present procedure, which is working well. It has produced 13 amendments, 7 of which have been ruled germane thus far by the Parliamentarian. This debate is well underway, well structured, and can proceed.

At the moment, we have a pending amendment, and I urge that we allow the Senator from Tennessee——

Mr. REID. I ask unanimous consent that the 15 minutes allocated to the Senator from Tennessee be given in its entirety. We have taken most of that time. Then during that time, we will confer as to how we can proceed.

Mr. WARNER. I thank the Senator.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from Tennessee has the floor.

Mr. FRIST. Mr. President, the Members of this body will soon vote on authorizing the President to use the military might of this Nation against Saddam Hussein. This decision has weighed heavily on me, as it has on us all. No one takes lightly the prospect of young Americans risking their lives on the battlefield of war, but we and they swear an oath to defend our rights and freedoms against all enemies. And so our duty we must now do.

Saddam Hussein is a direct and deadly threat to the American people and to the people of the world. He holds the power to murder not just hundreds or thousands or tens of thousands, but millions. He defies all international efforts to restrain that power and keep world peace, and he disdains the value of human life, even the lives of his own people. This is an evil, lawless, and murderous man.

The resolution before the Senate is carefully constructed to encourage the widest possible international support for unified action against Saddam Hussein. The nations of the world need to show him they will no longer tolerate his arrogant contempt for United Nations resolutions, requiring him to give up his weapons of mass destruction and cease the gross human rights violations he has committed on his own people. I support the President's intensive efforts to build such a coalition, and I pray for his success.

No one wants to avoid a war more than I do. I am a physician. I have devoted my life to a profession that is centered on saving lives. Only when we have exhausted all reasonable efforts at keeping peace should we consider waging war. The President shares a firm commitment to this principle. I consider this resolution a strong statement of support for peace and, if the Nation must, for war as well. For if the safety of our people, the security of our Nation, and the stability of the world remain so threatened, we must risk war for peace. To do anything less would leave a grave and growing danger looming over the lives of millions.

This evening I will talk about Saddam Hussein's past, his present, and what I consider his greatest danger, a robust biological weapons program. More than chemical and nuclear weapons, Saddam's biological weapons pose a unique and immediate threat. Unlike other conventional weapons, they are easily made. They can be readily concealed and are beyond the reach of inspectors and can readily be delivered across borders and, yes, even across oceans. In the hands of a madman, biological weapons literally threaten us all.

I refer to the words on this chart concerning Iraq's weapons of mass destruction, excerpts from an October 2002 unclassified CIA report, which reads:

> Iraq has some lethal and incapacitating BW—
>
> Biological weapon—
>
> agents and is capable of quickly producing and weaponizing a variety of such agents, including anthrax, for delivery by bombs, missiles, aerial sprayers and covert operatives, including potentially against the U.S. homeland.

Indeed, these biological weapons literally threaten us all—''potentially against the U.S. homeland.''

Saddam Hussein has pursued the most deadly weapons known to man, with brutal determination. His arsenal has included tens of thousands of tons of chemical agents and biological agents. He has come within months of acquiring nuclear weapons, and he has developed many means, both in number and type, to deliver his desired destruction.

History shows that dictators do not amass such weapons without the intent to use them. Indeed, Saddam Hussein has accumulated chemical weapons and used them to attack his neighbors and even murder his own people. During the Iran-Iraq war, which lasted from 1980 to 1988, Saddam Hussein inflicted 20,000 casualties by striking with chemicals—mustard gas, sarin, and tabun. He also used mustard and nerve agents to murder as many as 5,000 Iraqi Kurds and inflict the misery of chemical warfare on another 10,000.

I show this chart briefly to demonstrate the impact of these chemicals. Saddam Hussein used the chemicals on his own people. We can see the effects of this tragedy among the victims, who are women and children in this picture.

Saddam Hussein was fully prepared to use biological weapons during the gulf war. In 1995, Iraq admitted it had produced 19,000 liters of botulinum toxin, 8,500 liters of anthrax, and 2,200 liters of aflatoxin. That is enough botulinum toxin—remember, that is the most potent poison known to man—to kill every man, woman and child on Earth.

Iraq also admitted it had loaded thousands of liters of agents into bombs, into munitions, into dozens of warheads and aircraft spray tanks, just as American and allied forces prepared to liberate Kuwait. Before the gulf war, intelligence experts believed Saddam Hussein was at least 8 to 10 years from having a nuclear weapon. That estimate was way off. Iraq had already assembled many of the pieces needed to build a nuclear weapon. What it lacked was fissile material that makes up the explosive core of a nuclear device. If Saddam Hussein had been able to obtain that material, either by making it or buying it, he would likely have had a nuclear bomb by no later than 1993.

Indeed, Iraq has gone to great lengths to acquire weapons of mass destruction. Its efforts to hide the weapons have been equally ambitious. Saddam Hussein has defied the international community almost from the moment he came to power in 1979. His rule has been a constant threat to peace among the Iraqi people, in the Middle East, and throughout the world.

Saddam Hussein has twice invaded sovereign nations. In 1980, he launched the Iran-Iraq war solely for territorial gain. Eight years, one million casualties and hundreds of billions of dollars later, the war ended with Iraq gaining nothing. In 1990, Saddam Hussein started the gulf war by invading Kuwait. His objective? Seize control of his neighbor's oil fields. We expelled him. As we did, he fired dozens of Scud missiles into Israel and into Saudi Arabia and the waters off Qatar.

Iraq has shown as much contempt for the international community as it has shown aggression toward its neighbors. Since 1990, Iraq has violated 16 United Nations Security Council resolutions. Inspectors charged with enforcing those resolutions have been deceived, they have been obstructed, they have been intimidated by Saddam Hussein and his henchmen.

Saddam Hussein has funneled as much as $9 billion from the United Nations Oil-for-Food program into his weapons of mass destruction program and other illegal activities, starving his people and strangling the economy.

To Saddam Hussein international treaties are worth less than the paper on which they are written. Iraq is the only nation publicly cited for violating the Geneva Convention ban on using chemical weapons. Its biological weapons program has directly violated the Biological and Toxin Weapons Convention. And Iraq has utterly ignored the Nuclear Non-Proliferation Treaty, which has been signed by 187 countries since its inception in 1968.

Saddam Hussein said in a recent speech, ''The present of any nation or people cannot be isolated from its past . . .'' Indeed. What Saddam has done in the past is reckless, lawless and appalling. But what he is doing now should frighten us all and compel the world to action. Not only does he continue to develop and produce weapons of mass destruction, but he's more likely to use them than ever before. I am particularly concerned about the unique and immediate threat Saddam's biological weapons program presents.

Iraq has lethal and incapacitating biological weapons agents potentially to use against the United States homeland.

Iraq likely produced two to four times more biological agents than it publicly admitted in 1995. United Nations inspection teams could not account for biological culture growth media that would have easily tripled Saddam's stocks of anthrax—a bacteria that can be rapidly and easily produced as a weapon of mass destruction. Mr. President, 30,000 munitions designed solely for chemical and biological agents were also unaccounted for. Missing biological agents, missing biological munitions and Iraq's pattern of deception lead to only one conclusion: Saddam Hussein today retains a large arsenal of deadly living microorganisms available as weapons of mass destruction.

That arsenal likely contains stocks of live viruses and bacteria produced not only before the Gulf War, but also after, especially since weapons inspectors left Iraq in 1998. Saddam has expanded so-called ''dual-use'' facilities—laboratories, research centers and manufacturing plants that have civilian or commercial uses, but are likely used to build his arsenal of microbiological terror, as well.

Iraq has rebuilt known biological weapons facilities that were destroyed during the Gulf War, by our military, or after, by weapons inspectors. Also, Saddam retains the equipment and, even more crucial, the human expertise to continue building his biological weapons capability. Unlike nuclear weapons, which take years and massive resources to make, biological weapons are inexpensive, can be made easily, within weeks, in a small room, with minimal equipment and manpower. That is what makes biological weapons so unique and capable of causing such death and destruction.

To that end, our intelligence community believes Iraq has built mobile germ warfare production laboratories. Iraq has learned a lot about weapons inspections since the Gulf War. Saddam hid his biological weapons program from inspectors for 4 years. Mobile biological labs are the ideal weapon of deception. They can be quickly moved in inconspicuous trailers and hidden in very small spaces, including, for example, in a single room in one of Saddam Hussein's presidential palaces. Such laboratories would be almost invisible to the outside world.

There is also evidence that Iraq may be developing and producing a new generation of more virulent biological agents. Defectors allege that Iraq is developing an agent called ''Blue Nile''—which may be a code name for the ebola virus. Ebola is a deadly virus for which there is no treatment and there is no vaccine. And many experts believe Saddam Hussein may have stocks of the smallpox virus. One of the last naturally occurring smallpox outbreaks occurred on Iraqi soil in the early 1970s, which is precisely when Iraq launched its weapons of mass destruction program.

Though U.S. defenses against smallpox are now much stronger, a 2001 study by Johns Hopkins University found that a smallpox attack launched at three locations in the United States could kill in a worst case scenario one million and infect another two million Americans within two months.

Saddam has invested not only in developing and producing new viruses and bacteria, but also new means to deliver those agents. Iraq has experimented with a variety of unmanned aerial vehicles as part of its longstanding weapons of mass destruction program. But intelligence experts believe Iraq has vastly improved its designs and now has a drone aircraft that can carry and spray up to 80 gallons of anthrax. Such an airplane would be the most effective way to deliver biological weapons over a vast area and would represent a dire threat to the Iraqi people, its neighbors and the international community.

The danger of germ weapons is not merely that Saddam Hussein has them, but that he would use them . . . even against the United States. Biological agents are ideal terrorist weapons. Unlikely other weapons of mass destruction, one cannot hear them or taste them or smell them. They can be invisible to the human eye.

They can be transported long distances without detection in, for example, a terrorist's pocket. They can take hours and even days to take effect, allowing a terrorist to be long gone—to escape.

Thus, Saddam's robust biological weapons program, combined with the support of terrorism, is a deadly force capable of exceeding the death and destruction of even a nuclear bomb.

Saddam does support terrorism. Iraq harbors several terrorist groups that have targeted and murdered American citizens. The Iraqi regime has been in contact with al-Qaida for at least a decade and, as recently as this year, allowed a senior leader to receive medical treatment in Baghdad.

I am hopeful that inspectors will return to Iraq with totally unfettered access to all suspected biological weapons sites. But, remember, such a site can be an 8-by-12-foot room deep in the basement of a huge Presidential palace.

I am hopeful that Saddam Hussein will disarm and destroy his ability to develop and produce such weapons in the future. But I am not optimistic. Saddam Hussein knows his chemical and biological stocks are the source of his power at home and in his region and can be a tool of blackmail. Weapons of mass destruction are as much a part of Saddam Hussein as freedom and democracy are of America.

The test of our resolve in the war on terror was Afghanistan. There we fought the terrorist group and its supporting regimes that murdered more than 3,000 of our own citizens. We were attacked, and, as any capable nation would do, we responded.

Now we face a second test. Saddam Hussein has not yet struck, and we hope he doesn't. We hope he disarms his weapons of mass destruction and chooses peace over war. It is his choice. But should he force us to war, we will fight for a noble and a just cause—to prevent a future and far worse attack than that of September 11, 2001. America will be victorious in this next phase of the war on terror, for the worst of a

dictator cannot defeat the will of a free people.

Saddam Hussein will fight to preserve his grip on power and protect weapons that murder millions. But if we must fight, we will do so for love of country, for respect of humanity, and for the rights and freedoms that all people deserve to enjoy, including the Iraqi people.

The PRESIDING OFFICER. The Senator from New Mexico, under the previous order, is to be recognized.

The Chair wants to say that it is his view that the subject matter is of enormous gravity, and the subject matter and statement of the Senator is most compelling. So anyone who does not share that view will leave the Chamber. And that will be pursued by those officers. And the Sergeants at Arms in the galleries are requested to ensure the gallery follows the same.

The Chair recognizes the Senator from New Mexico.

Mr. DOMENICI. Mr. President, before I proceed, I would like to congratulate the distinguished Senator from Tennessee. When he writes his name uses the title ''Senator'' followed by ''M.D.'' I think you will always be a doctor even if you are not always a Senator. I am happy to know you in both capacities—as a member of the medical profession—and among our ranks as senators. We in the Senate are very fortunate that a few years ago at the peak of your profession you decided to come here, and your people there in Tennessee sent you. I have been here 30 years—roughly five times, I think, that you have been here. I have gotten to know you very well. I consider you among one of my very best friends—not only here but in the world. I am very proud of what you had to say here tonight.

I am not going to speak about the technical matters. If anybody wants proof about the quantity and the tremendous damage that the weapons which Saddam probably possesses can cause humankind, they can read Senator BILL FRIST's statement just ahead of mine.

I have difficulty when speaking on a subject such as this to disengage from being a full-blooded American and try to see the issue from a global perspective. It is very hard for me to see the world and see this issue in any way other than from the eyes of an American who grew up here and has lived here for the years I have been on this Earth. I am prejudiced by my great confidence in America being the right country to see that the Middle East stops being a tinderbox. I think we are the right country, and probably the only country that can keep Saddam Hussein from using those weapons of mass destruction. We are the only country that will see to it that he brings minimal damage to this world.

I have concluded, after much study, that we must give our President this authority—not because he is going to use it, but quite to the contrary: to raise hopes he won't have to use it.

I am voting aye on giving the President this authority because I am convinced that the one and only way to prevent Saddam Hussein from doing tremendous damage to humankind and to the Earth is to say to our President, You have the full strength of the American military to keep him from doing anything of great harm.

That sounds like a terribly simple proposition, but I don't think it is. I think if one wanted to write a 30- or 40-page speech about what I just said, one could devote 5 pages just to the history of the United States. They could about how our country started and what our first wars were all about. They could talk about the First World War and the horror of chemical weapons used in that conflict.

Do you know I had an uncle in the First World War in 1919? I wondered when I was growing up how come an aunt of mine used to get a little check in the mail—$19.80, or something. Finally, I said to my mother: What does my auntie do with that money? She said: She gets it for all of the life of her husband—she then told me in Italian—because your uncle, mio zio, was gassed by the Kaiser in the First World War with mustard gas.

You see, how many years ago was that?—80 or 90?

The PRESIDING OFFICER. The Senators on the floor will kindly take their conversations off the floor so the Senator from New Mexico may have the full attention of the Senate.

The Senator from New Mexico.

Mr. DOMENICI. Thank you very much.

So one could write at length about the parallels in our country's history and how it relates to today. Then follow every war we have been in, and then ask, What country is the most just throughout its history? Would there be any question? It would be the United States. Yet, we have people saying we shouldn't get involved in this, as if we are some big bamboozling country wrought on doing damage. History will tell us and tell the world that that is not why America would get involved in this situation. Isn't that right? Historically, the United States has only used military force when we can do some good. We stand for some principle or concept that we really think is tremendous—in this case, democracy versus dictatorship, democracy and freedom versus the kind of despicable character about whom our President has been speaking to us for a long time. The world is seeing a new kind of war that started with the destruction of our towers and our Pentagon.

This war has its origins right there in that Middle East where, if action is not taken, humankind is going to have some big problems. And I concluded that if we want to make sure our military personnel are safe, we would have to get them out of the Middle East, bring them all home. But guess what? If we did that there would be a war in the Middle East without question. It would not take Saddam Hussein very long before he would attack Israel. And if he wasn't successful, who else might join to help him? Perhaps two or three other nations who would be willing to take up arms against Israel. So I believe there is a real reason for us to work through the United Nations to try to bring peace to that area.

So I do not intend to go into all the details about the threat Iraq poses, rather, I just want to talk about the conclusions I tried to draw about dealing with that threat. One that I just talked to Senator FRIST about, is that we are probably as good a nation as any in the world to decide that action needs to be taken. I have also concluded that to be successful, we had better give our President the authority he needs to act. In this way can better negotiate so as to maintain the peace.

I guess I am going to stop for a minute and ask, is something going on I should know about? I have 20 minutes to speak. If people are not waiting, I am going to speak for 20 minutes.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Parliamentary inquiry, Mr. President: The Senator from New Mexico has the floor; is that right?

The PRESIDING OFFICER. That is correct.

Mr. BIDEN. How much time does the Senator have left?

The PRESIDING OFFICER. The Senator has 12 minutes remaining, and he is followed by the Senator from Michigan for 30 minutes.

Mr. BIDEN. I thank the Chair.

Mr. DOMENICI. Mr. President, I think we are 32 minutes away from someone on that side being recognized.

The PRESIDING OFFICER. The Senator from New Mexico has the floor.

Mr. DOMENICI. Mr. President, I say to the Senator from Tennessee, I am delighted to have found you on the floor just before my remarks. As always, you eloquently in describing what terrible things this man can wrought on this world and how we need to be careful. If we are going to get involved, we ought to be prepared. And what I added tonight, is that if we are going to do anything about it, we have to give our President the authority he needs. And he may well need our Army, our military to do it.

So, Mr. President, I rise today in support of the Lieberman-Warner-Bayh-McCain amendment because I am convinced that without clear authority to act decisively, it is not possible for the President of the United States to effectively confront the growing threat in Iraq.

As I just said in talking with my friend from Tennessee, I do not think it is going to be very effective for us to say: Mr. President, stay involved, go to the U.N., talk to everybody about the despicable character who is now the head of Iraq.

I don't think that is going to do anything if the President is not backed up

with real authority to take military action. I don't want our President to engage in an effort that, from the onset, will not allow him to achieve intervention by the U.N. with a resolution of consequence.

What I want for the American people is for our President to be able to effectively work with the U.N. to the maximum extent, as this resolution allows.

This resolution makes certain that if the United States is involved, our President, after trying negotiations—and the words are voluminous on how hard he must try to resolve this matter peacefully and to keep Congress informed, he must give us reports—that he has the strength of the U.S. military if that does not work. And, frankly, I repeat, I think that is more apt to preserve peace than if we do not give the President the power.

I am concerned that the world is already set up for a major war in the Middle East. And the only way to prevent it is to give our President the authority he needs to negotiate effectively, to go to the U.N., to go to our friends, to use diplomacy, but to be ready to say: The people of the United States, through our Congress, gave me authority to do more than that. They gave me authority to intervene and use the full power of the United States.

The PRESIDING OFFICER. The Senator will please suspend.

Will Senators kindly take their conversations off the floor.

I thank the Senator from New Mexico.

Mr. DOMENICI. Maybe while they are gone, and the only one here is Senator BYRD, I could ask unanimous consent that I have an additional hour.

I am just joking, so you don't have to object.

In any event, it is clear to me that in the absence of this authority, Saddam Hussein will continue to assume that America's warnings are not serious. He will continue with all manner of delay and defiance, and he will continue to buy time for further development of weapons of mass destruction. And that is what we are talking about.

Mr. President, while I will associate myself with the technical remarks of my friend, the doctor from Tennessee, I know a little bit about nuclear weapons. It is my subcommittee on appropriations that funds them, and has for the last 6½ years. So I know a little bit about that.

But I also remember when we went and talked to groups about weapons of mass destruction, and we described gas and biological weapons of mass destruction by holding up a jar. It was not like this glass I hold in my hand, but what we actually used was a mayonnaise jar, the size jar that most people associate with a jar of mayonnaise that you would have in a refrigerator.

And we held that up and said: If you know how to make real poisonous gas, and real biological killers, you can put them in a bottle this small. The chemistry needed to produce these poisons could be accomplished in a little room about the size of a kitchen. And the destruction that could be caused is beyond perception.

So we will find that it is not as easy as to deter these weapons as were nuclear weapons for all the years we were standing head to head and toe to toe with the Soviet Union. We knew everything about their nuclear weapons; they knew everything about ours. But this batch of terrorists, who are bent on mass destruction, have us much more over a barrel than the Soviet Union did with nuclear weapons when we faced mutual assured destruction, sometimes called MAD, as the premise that would prevent war.

So it is clear that weapons of mass destruction are going to continue, under the auspices and direction of the scientists who have been brought into Iraq, and be shipped around the world by Iraqi leaders, to put these terrible kinds of things in the hands of others, who are the ''minutemen'' of Saddam around the world.

So I say again, by enacting the resolution that is before us, we emphasize our resolve to act in the event that Saddam impedes the work of U.N. weapons inspections. We will emphasize by this our resolve to act. So let's be clear. Saddam Hussein only understands the language of force. This resolution provides unambiguous authority for the President to use force. It is this authority, and Congress's support, that gives us the best hope of avoiding confrontation in pursuit of Iraq's disarmament.

So it is the expectation of New Mexicans and all Americans that wherever their President considers sending U.S. troops to battle, that he does so in full consultation with the Congress and our allies in the war on terrorism. The American people also expect that the President will commit U.S. forces only after diplomatic avenues have been exhausted. And this resolution says that.

This resolution underscores those concerns by imposing unambiguous responsibilities on our President.

I am sure that resolution has been read to the American people and those watching us more than once.

But let me just state a couple of them. Prior to using force or within 48 hours after exercising the authority, the President is required to certify to Congress that diplomatic and other peaceful means cannot protect our national security against the threat posed by Iraq. Also, he must certify that such means are not likely to bring Iraq into compliance with all relevant U.N. resolutions.

Second, only in the event that diplomatic efforts fail and Iraq continues to breach its international obligations and the inspectors are given every opportunity for unimpeded access, then our President can use the military. He doesn't have to come back to us under those circumstances.

Believe me, Saddam Hussein and his military and his scientists will immediately understand what it means if we give our President the authority to use force. There is no longer the delay in communications. Iraq will know we are serious, and we can be more effective in our diplomacy. If it doesn't work, we leave it in the hands of our President.

Some observers think this resolution gives the President too much authority. In fact, the resolution gives the President no more authority than he already has as Commander in Chief to provide for the national security for the United States. What the resolution does is to recognize the clear and present danger of Saddam Hussein with weapons of mass destruction. It says he is a weapon of mass destruction. It calls the President to exercise this authority as a last resort, and only in the event that all negotiations are fruitless, and with the added condition that he explain his actions to the Congress.

I believe the best way to prevent the Middle East, in this moment of history, from exploding into a war is for us to recognize how important we are to achieving peace, how important it is that we ask our President to be our instrument of peace in this very troubled part of the world.

Even a person as culpable and as lacking in human decency as Saddam Hussein will understand that our President, once given the proper authority, will take all necessary action to ensure the security of America and humankind against the destruction of weapons of mass destruction. I believe he is far less likely to unleash weapons of mass destruction when he knows that the American military, with the full support of Congress, is poised to stand in his way.

We have just today approved the biggest Defense bill ever in the history of America. We have given the President most of what he asked for in that bill. I believe it could not be worse news for Saddam Hussein than to learn that the U.S. Congress has approved the money needed to bolster our military and then, to learn shortly thereafter, that it has approved a resolution giving our President the real authority he needs to use military force to disarm Iraq. I believe this is the best way to secure peace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

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

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

Mr. REID. Mr. President, let me just say we have spent a lot of time, and we have a plan. It is not one that is going to finish quickly. We have a lot of work to do tonight. But this is a tremendous step forward. I ask everybody to listen.

We have worked with a number of Senators for some time. I will just say I also have permission from the minority to allow Senator SARBANES to speak for up to 30 minutes following the statement of the Senator from Michigan, Senator LEVIN. I ask unanimous consent that that be the case.

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

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that immediately after the pledge tomorrow morning, following the 9:15 a.m. convening of the Senate, Senator BYRD be recognized to offer an amendment No. 4869; that there be a time limitation of 20 minutes, with the opposition controlling 5 minutes and Senator BYRD controlling 15 minutes; that following the use or yielding back of that time, the Senate vote on the amendment; that following the disposition of that amendment, there be 30 minutes of debate equally divided between the leaders, with Senator LOTT controlling the first 15 minutes and Senator DASCHLE controlling the final 15 minutes, and upon completion of that time, the Senate vote on Senator LIEBERMAN's amendment, and that will be cloture on the Lieberman amendment; that following that vote, there be a time limitation of 45 minutes on Senator BYRD's amendment No. 4868, with Senator BYRD controlling 30 minutes, Senator LIEBERMAN, or his designee—the only change would be Senator BIDEN would control the 15 minutes in opposition. Upon the use or yielding back of that time, the Senate vote on Senator BYRD's amendment; further, that no second-degree amendments be in order to either of the above-listed amendments.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, reserving the right to object. I am perfectly agreeable to everything that has been said with reference to my amendments. I wonder if we can get a little more time for debate on the motion to invoke cloture. We have nothing but 15 minutes for Mr. LOTT and 15 minutes for Mr. DASCHLE. I would like to have a few minutes to express opposition to cloture. I know it will be futile, but can we work out an additional 30 minutes? The two leaders can close, but this agreement only gives the two leaders a chance to talk on cloture. That is a key vote. I would like to have a few minutes on that, and perhaps other Senators would like time on either side.

Mr. REID. The question is, prior to the cloture vote, would the minority have objection—or would anybody object to Senator BYRD having more time? How about 10 minutes, because the leaders only get 15?

Mr. BYRD. Is the time so short?

Mr. REID. Senator BYRD, I say respectfully the two leaders have indicated they are going to finish this tomorrow. Each minute we stall means that much later we have to go.

Mr. BYRD. I am not stalling.

Mr. REID. No one said the Senator is stalling. Each minute that we do not move forward means it will be that much later. Will the Senator agree to 10 minutes?

Mr. BYRD. This is a question of life or death. Can I not get more than 10 minutes?

Mr. SARBANES. If the Senator will yield, does each leader get 15 minutes?

Mr. REID. That's right.

Mr. SARBANES. Why don't we give Senator BYRD 15 minutes?

Mr. WARNER. Senator MCCAIN is going to handle the Byrd amendment—

Mr. REID. This is on cloture. Prior to cloture. Why don't we do that.

Mr. WARNER. Our leader will speak prior to cloture.

Mr. REID. I modify the request to that effect.

Mr. WARNER. Mr. President, I ask the distinguished Senator to recast what he is now seeking to achieve.

Mr. REID. Yes. In the morning, at 9:15, we are going to come in. Senator BYRD would be recognized to offer amendment No. 4869, and there will be 20 minutes. He has 15 minutes and the opposition has 5 minutes.

Mr. WARNER. Could Mr. MCCAIN's name be put next to that?

Mr. REID. Yes, 5 minutes to Senator MCCAIN. And then following that, there would be a vote on that amendment. Then there will be a vote on cloture. Prior to vote on cloture, Senator DASCHLE would have the last 15 minutes, Senator LOTT would be the middle speaker, and Senator BYRD would be recognized for the first 15 minutes prior to the cloture vote. After that, Senator BYRD's other amendment would be brought up, with the time as indicated.

Mr. WARNER. Will the Senator repeat the time.

Mr. REID. There will be 45 minutes for Senator BYRD and 15 minutes for Senator MCCAIN.

Mr. WARNER. Make that McCain-Warner.

Mr. REID. Senator DAYTON wants to speak for 15 minutes on the Byrd amendment after cloture.

Mr. WARNER. How about the Senator from Michigan?

Mr. REID. We are going to work that out further. Please don't go any further.

Mr. WARNER. I say to the leader that the Senator from Michigan is a vital part of the UC.

Mr. REID. We are going to work on him, Senator DURBIN and Senator BOXER.

Mr. WARNER. That would be along the lines we agreed to in our conference.

Mr. REID. Yes.

Mr. WARNER. I have no objection to the Senator's request.

Mr. LEVIN. Reserving the right to object, and I will not object. Pursuant, then, to this unanimous consent agreement, I understand it would then be in order for me to proceed and to lay down my amendment tonight.

Mr. REID. The amendment we have spoken about, that's right. The Senator is next in order, anyway.

Mr. LEVIN. The Byrd amendment has not been disposed of.

Mr. REID. There is a gentlemen's agreement that will be set aside for you to offer your amendment because there is a time—I guess you would say a gentlemen's and ladies' agreement.

Mr. BYRD. Reserving the right to object. I have no intention of objecting. Following the cloture vote, if cloture is invoked, what—

Mr. REID. We go immediately to your amendment. You have 45 minutes on that, and there are 15 minutes in opposition.

Mr. BYRD. On that amendment. And then—

Mr. REID. Then we are going to work things out after that. We have talked to Senator LEVIN and we will talk to Senators BOXER and DURBIN. I think we can work something out per the conversation we all had in the cloakroom.

Mr. BYRD. Assuming cloture is invoked on this serious question—which it will be—there will be 30 hours for debate.

Mr. REID. Yes. As I indicated, we will work with the Senator tomorrow on the time the Senator can have.

Mr. BYRD. I beg the Senator's pardon.

Mr. REID. We will work with the Senator on time so he can have some time yielded to him.

Mr. BYRD. I hope so.

Mr. REID. I indicated I will work on that.

Mr. BYRD. The Senator is an honorable man and I thank him for all of his good work. I hope I am not limited tomorrow to 3 hours and 4 hours. I hope whatever Senators want to yield time to me may be allowed to do so.

Mr. REID. I respectfully say to my friend, I would love to get over this hurdle, and we will worry about that tomorrow. I will do my best.

Mr. BYRD. I know about getting over the hurdles. I was always afraid something would crawl out of the woodwork before I would get the Chair to put the question. I have nothing further.

Mr. SARBANES. Will the Senator yield for a question.

Mr. REID. Yes.

Mr. SARBANES. Upon the disposition of the second Byrd amendment, which would be after cloture—

Mr. REID. We are working on that now, what will happen on that.

Mr. SARBANES. How about the Levin amendment?

Mr. REID. We tentatively have that worked out. I need to get off the floor and we can work that out. I am certain we have an agreement.

Mr. SARBANES. I understand that now the Byrd amendment will be laid aside so that the Levin amendment can be called up.

Mr. REID. Following his statement, the Senator from Maryland would be recognized.

Mr. WARNER. Did the Chair enter the order? I don't know if the Chair entered the order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from Michigan is recognized for a period of 30 minutes. The Senator from Michigan.

AMENDMENT NO. 4862 TO AMENDMENT NO. 4856, AS MODIFIED

Mr. LEVIN. Mr. President, on behalf of myself, Senator REED, Senator BINGAMAN, Senator BOXER, Senator MIKULSKI, and Senator STABENOW, I call up amendment No. 4862, which is at the desk.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

Mr. BYRD. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself, Mr. REED, Mr. BINGAMAN, Mrs. BOXER, Ms. MIKULSKI, and Ms. STABENOW, proposes an amendment numbered 4862 to amendment No. 4856, as modified.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize the use of the United States Armed Forces, pursuant to a new resolution of the United Nations Security Council, to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, long-range ballistic missiles, and related facilities, and for other purposes)

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In accordance with United Nations Security Council Resolution 687 (1991), Iraq made a commitment—

(A) to destroy, remove, or render harmless all chemical and biological weapons and stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities related thereto;

(B) to destroy, remove, or render harmless all ballistic missiles with a range greater than 150 kilometers, and related major parts and production facilities;

(C) not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities; and

(D) to permit immediate on-site inspection of Iraq's biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance.

(2) The regime of Saddam Hussein consistently refused to cooperate with United Nations Special Commission weapons inspectors in Iraq between 1991 and 1998 by denying them access to crucial people, sites, and documents.

(3) On October 31, 1998, Iraq banned the United Nations weapons inspectors despite its agreement and obligation to comply with United Nations Security Council Resolution 687 (1991).

(4) Iraq continues to develop weapons of mass destruction, in violation of its commitments under United Nations Security Council Resolution 687 (1991) and subsequent resolutions, and the regime of Saddam Hussein has used weapons of mass destruction against its own people and other nations.

(5) The development of weapons of mass destruction by Iraq is a threat to the United States, to the friends and allies of the United States in the Middle East, and to international peace and security.

SEC. 3. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that—

(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply;

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense; and

(4) will not adjourn sine die this year and will return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if in the judgment of the President the United Nations Security Council fails to adopt or enforce the resolution described in paragraph (2).

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 3(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 3(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 5. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 3(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

Mr. LEVIN. Mr. President, this amendment will provide an alternative to the Lieberman amendment. This amendment will authorize the President to use military force supporting the U.N. resolution that he seeks, but then provides that if he seeks to go it alone, if he wants authority to proceed unilaterally, he would then call us back into session.

This amendment provides that if the President then seeks authority to unilaterally go it alone without the authority of the United Nations, not in support of a U.N. resolution, he would then call us back into session and seek that authority from the Congress.

This is an alternative to the unilateral approach which is in the White House-supported resolution. This gives the same authority to the President to use military force of the United States in support of the U.N. resolution that he seeks, but does not at this time address the issue of going it alone and authorizing unilateral action or saving that for a later time should the United Nations not act.

President Bush described in Cincinnati in detail the threat that Saddam Hussein's regime poses.

Mr. WARNER. Mr. President, I wonder if my friend will yield for a moment. I just discovered in the haste of activities that the distinguished chairman of the Armed Services Committee has 30 minutes to present his amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. And then there is no time reserved for the Senator from Virginia to do any rebuttal following that amendment, but there is now time given to the Senator from Maryland, Mr. SARBANES, immediately following the Senator from Michigan; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. How much time is that?

The PRESIDING OFFICER (Mr. NELSON of Florida). Thirty minutes.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, President Bush described in Cincinnati in detail the threat that the Saddam Hussein regime poses. I have relatively few differences with that description, and I believe if Saddam Hussein continues to refuse to meet his obligation to destroy his weapons of mass destruction and his prohibited missile delivery systems, that the United Nations should authorize member states to use military force to destroy those weapons and systems and that the United States Armed Forces should participate in and lead a United Nations authorized force. That is what my amendment provides.

The issue that is in dispute is whether unilateral force should be authorized by Congress at this time in case the United Nations does not act—whether we should authorize the President now to go it alone without U.N. authorization if the United Nations does not act. How we answer that question could have a profound and lasting effect on the safety of our children and grandchildren for decades to come because the difference between attacking a nation with the support of the world community or attacking it without such support is fundamental.

The President answers the question by seeking a resolution from Congress that gives him the authority to use force under the auspices of the United Nations or to go it alone if the United Nations fails to act. He seeks this unilateral authority even though he does not condition its use on the threat to the United States by Saddam as being imminent.

Indeed, the President stated in the national security strategy that was released by the White House last month that preemptive attacks to forestall or prevent hostile acts by our adversaries can now be undertaken although a threat is not imminent.

The new strategy the President has adopted explicitly states:

> We just adapt the concept of imminent threat to the capabilities and objectives of today's adversaries. Rogue states and terrorists do not seek to attack us using conventional means.

The President's Iraq resolution and the national security strategy, therefore, both take the position that an imminent threat is no longer required as a basis for our military action in self-defense. The President is explicitly seeking to modify the traditional concept of preemption by deleting the need for ''imminent'' and substituting that of ''sufficient threat'' in the strategy document and ''continuing threat'' in the proposed resolution—dropping the requirement for ''imminent''—that the threat be imminent—and substituting something far less—''sufficient'' or ''continuing.''

That the President is seeking authorization for a unilateral preemptive attack without U.N. authorization or requirement of imminent threat is at the heart of the Senate debate that is presently taking place.

Under the traditional international law concept of preemption in self-defense, the United States would be justified in acting alone in the case of a serious threat to our Nation that is imminent. In a case where a threat is not imminent, military action would also be justified if it were carried out pursuant to the authorization for the use of force by member states of the United Nations.

The choice facing the Senate is whether Congress should now, at this time, give the President the authority to go it alone, to act unilaterally against Iraq if the United Nations fails to act.

Congress is being presented with this issue at the very same time our Secretary of State is trying to get the United Nations to back a tough new resolution authorizing member states to use military force to enforce Iraqi compliance with inspections and disarmament.

On Monday, the President said:

> I have asked Congress to authorize use of America's military if it proves necessary to enforce U.N. Security Council demands.

That sounds like my alternative, but in fact the White House resolution asks for much more.

The resolution the White House seeks is not limited to the use of force if the United Nations authorizes it. On the contrary, it specifically authorizes now the use of force on a unilateral, go-it-alone basis, that is, without Security Council authorization. The President's rhetoric does not match the resolution before us.

The White House approach also authorizes the use of force beyond dealing with Iraq's weapons of mass destruction and their means of delivery, which is also a difference from my resolution.

The resolution which I offer on behalf of those cosponsors and myself is consistent with how I think most Americans want us to proceed. It emphasizes the importance of dealing with Iraq on a multilateral basis, and it withholds judgment at this time on the question of whether the United States should go it alone, that is, whether we should act unilaterally against Iraq if the United Nations fails to act.

This resolution I am offering does the following: First, it urges the United Nations Security Council to adopt a resolution promptly that demands unconditional access for U.N. inspectors so Iraq's weapons of mass destruction and prohibited ballistic missiles may be located and destroyed, and within that same U.N. resolution authorizes the use of necessary and appropriate force by U.N. member states as a means of enforcement in the event that Iraq refuses to comply.

Our resolution also specifically authorizes use of United States Armed Forces pursuant to that U.N. Security Council resolution if Iraq fails to comply with its terms and the President informs the Congress of his determination that the United States has used appropriate diplomatic and other peaceful means to obtain Iraqi compliance with such a U.N. resolution. Our resolution affirms that under international law and under the U.N. charter, especially article 51, the United States has at all times the inherent right to use military force in self-defense. This affirms the fact that there is no U.N. veto over U.S. military action.

I repeat that because some of our colleagues have suggested otherwise about our resolution. The resolution we are offering explicitly affirms the fact there is no U.N. veto over U.S. military action because we state explicitly the United States has at all times an inherent right to use military force in self-defense. Our resolution also provides Congress will not adjourn sine die so that Congress can return to session, if necessary, and promptly consider proposals relative to Iraq if, in the judgment of the President, the U.N. Security Council does not promptly act on the resolution I have described above.

Our resolution therefore supports the President's appeal to the United Nations and it approves now the use of our Armed Forces to support the action of the United Nations to force compliance by Saddam Hussein with inspections and disarmament. However, it does not authorize now, before we know whether or not we have the world community on our side, U.S. Armed Forces going alone. Should we need to consider that possibility at a future time, the resolution provides for the immediate recall of Congress to do so.

Our resolution does not, on the matter of war and peace, life and death, exceed the grant of authority needed by the President at this time.

If Congress instead endorses the White House approach, allowing the unilateral use of force at this time, even in the absence of a U.N. authorization, we will be sending an inconsistent message. We will be telling the United Nations that if they do not act, we will, at the same time we are urging them to act. We would be taking the U.N. off the hook if we adopt the go-it-alone resolution. We would be telling the United Nations they are not particularly relevant at the same time we are urging them to be very relevant. If we want the United Nations to be relevant and credible, if we want the United Nations to succeed, if we want the United Nations not to be limited to humanitarian and disaster relief and other tasks that are mighty useful but not essential—and I think most of us do—then we have to focus our efforts there and give those efforts a chance to succeed.

If we act wisely, authorizing the use of our forces pursuant to a U.N. resolution authorizing member States to use

force, we will not only unite the Congress, ultimately we will unite the world community on a course of action that will seek the elimination of Saddam Hussein's ability to threaten the world with weapons of mass destruction. That is where our focus should be, uniting the world, not dividing it. Moreover, a going-alone approach, in which we attack Iraq without the support and participation of the world community, entails serious risks and could have serious consequences for us in the Middle East and around the world. It makes a difference, when deciding to use force, whether that use of force has the support of the world community. It makes a difference for us in the current situation involving a possible attack on Iraq. If we go it alone, will we be able to use air bases, ports, supply bases, overflight rights in the region? Those rights and capabilities are important to the success of a military operation against Saddam.

The Saudis have said publicly that without the U.N. authorization, we will not have access to important bases, and that is just one country. Others have said something very similar. If we go it alone, will there be a reduction in the broad international support for the war on terrorism, including the law enforcement, financial and intelligence cooperation that is so essential? If we go it alone, will that destabilize an already volatile region and undermine governments such as Jordan and Pakistan? Could we possibly end up with a radical regime in Pakistan, a country which has nuclear weapons? If we go it alone, will Saddam Hussein or his military commanders be more likely to use weapons of mass destruction against other nations in the region and against our military forces in response to our attack? That would be the case if he faced a U.N.-authorized coalition, particularly if that coalition included Muslim nations as the coalition did during the gulf war.

If we go it alone, will we be undercutting efforts to get other countries to help us with the expensive and lengthy task of stabilizing Iraq after Saddam is removed? Beyond the current situation relative to using force in Iraq, going it alone without U.N. authorization, based on a modified concept of preemption that no longer requires the threat to be imminent, will lead to a serious risk to international peace and security. If we act unilaterally, without U.N. authority or an imminent threat, that will create a dangerous situation for international peace and stability in the long term. We will be inviting other nations to forego an important rule of international law requiring a serious and imminent threat before one nation can attack another nation in the name of self-defense.

India and Pakistan have a continuing threat, in their view, from each other. Even Greece and Turkey at times view each other as a continuing threat. If that becomes the test, and if we set the precedent in this resolution to authorize that kind of attack, in the absence of an imminent threat, we will be setting the world on a very different course, and we must consider a long time before doing that. That is what we should be called back into session to consider if the U.N. does not authorize force.

By seeking a U.N. resolution that will authorize U.N. member States to use force if Iraq does not comply with its terms, we are not giving the United Nations a veto over the conduct of our foreign policy. What we are doing is getting from the United Nations strength and international support should military force be necessary. We should be seeking to unite the world against Saddam Hussein, not dividing it. Our immediate objective should be to get the United Nations to act, locate, and destroy Iraq's weapons of mass destruction and the means of delivering them. The threat Saddam presents is real and we should deal with it. But authorization for preemptive, unilateral U.S. action in Iraq does not need to, and should not be granted at this time. If the U.N. does not act, Congress can be called back promptly to consider a request to authorize force unilaterally and to consider the serious and different risks involved in pursuing the unilateral course.

Last Monday's Washington Post carried a story in which a senior European official's response to the U.S. going it alone was:

> A lot of Europeans would feel they had been put in an intolerable position.

For those who would agree to participate militarily:

> . . . it would be less a coalition of the willing than of the dragooned.

Javier Solana, former NATO Secretary-General, currently the EU's top foreign policy official, in an address at NATO headquarters last week stated:

> Ad hoc coalitions of docile followers to be chosen or discarded at will is neither attractive nor sustainable.

Just last week, after hearing from Prime Minister Blair and Foreign Minister Straw, the ruling Labor Party's conference in Britain issued a formal position on Iraq that included the following:

> The conference believes that the authority of the U.N. will be undermined unless it is enforced, and recognizes that in the last resort this could involve military action but considers that this should be taken within the context of international law and with the authority of the U.N.

Just last Friday, Turkey's Presidential spokesman said his nation would participate in a campaign against Iraq only if the world body blessed them, stating ''an operation not based on international law cannot be accepted.''

The best chance of having Saddam Hussein comply with U.N. Security Council resolutions is to make sure when he looks down the barrel of a gun that he sees the world at the other end, not just the United States. I believe he will not open up to inspections without looking down the barrel of a gun. I think only the credible threat of force will, indeed, disarm Saddam Hussein. But the question remains whether or not we want that force to be the world's authorized, supported force, or whether or not we at this time want to say, well, if they don't, we will. We will go it alone. When we do not need to address that issue at this time when the President is going to the United Nations, when it undermines our argument at the United Nations that we want them and need them to adopt a strong resolution, to enforce it, to authorize member states to use military force to enforce it. That is the direction we should be going, that is the focus we should have, and it should be strong and undiluted, the question of whether we authorize at this time a go-it-alone approach, when that is not what is needed at this time.

Congress should give the President what he said in Cincinnati he was asking for: The authority to use U.S. military force to enforce U.S. Security Council demands; not what the resolution that is supported by the White House provides, which is going-it-alone authority. Our focus then would be where it belongs, securing a United Nations resolution that can unite the world; that has the best chance of forcing compliance and avoiding war; that reduces the risk to our forces and to our interests throughout the world; that avoids to the maximum extent possible the negative consequences if force is required, including the loss of cooperation on the war on terrorism. That is the best chance of isolating Saddam Hussein, rather than isolating the United States.

I wonder how much time I have remaining?

Ms. STABENOW. Will the Senator yield?

The PRESIDING OFFICER. The Senator has 10 minutes.

Mr. LEVIN. I am happy to yield 4 minutes to my colleague from Michigan.

Ms. STABENOW. Mr. President, I thank my colleague and friend from Michigan for his thoughtful approach. I believe what Senator LEVIN has put forward is the right approach. It minimizes the risk to our country, to our troops, and maximizes the ability for the world community, including the United States, to come together, to make sure that Saddam Hussein does not have the opportunity to use weapons of mass destruction against us or against anyone else in the world.

I would, just to support Senator LEVIN, quote again as I did last week on the floor of the Senate in my own statement, Brent Scowcroft, former National Security Adviser to President Bush, who wrote in the Wall Street Journal: An attack on Iraq at this time would seriously jeopardize, if not destroy, the global counterterrorism campaign we have undertaken. Ignoring that clear world sentiment against an attack would result in a serious degradation in international cooperation

with us against terrorism. And make no mistake, we simply cannot win that war without enthusiastic international cooperation, especially on intelligence.

I believe Senator LEVIN's approach guarantees we keep our focus on the coalition that has come together to fight terrorism in the world and at the same time gives us the opportunity to build that same coalition to turn attention to the threats of Saddam Hussein. We can do both. We can do it correctly. And we can minimize the risk that I believe will be there if we, in fact, rush to act alone.

I thank Senator LEVIN, again, certainly as Chair of the Armed Services Committee, for his continual service to our country and his understanding of what it takes to make sure we are able to keep our focus on terrorism and take the time and the opportunity to build that same coalition to address the threats of Saddam Hussein's weapons of mass destruction.

I urge my colleagues to support the Levin approach. I believe this is the approach that will allow us to make sure we do this right. I urge its adoption.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan has 6 minutes remaining.

Mr. BYRD. Mr. President, I ask unanimous consent to modify my amendment No. 4868 to remove paragraph 2, and further I ask consent to modify my amendment No. 4869 to change the references to Sec. 3(a) to 4(a).

Mr. REID. Reserving the right to object, could the Senator from West Virginia tell us what these changes mean?

Mr. BYRD. Yes. The second one is just a technical change in paragraphs, from 3(a) to 4(a). It makes no change in the substance of the amendment.

The other change, I asked unanimous consent to modify my amendment No. 4868 to remove paragraph 2. This amendment is not affected by germaneness, no matter what happens. As submitted to the desk earlier, paragraph 2 is as follows—I want to take this out. Here is what I am moving to do. I can best clarify it by reading the entire amendment, and then I will state to the Senate where I want it cut off.

My amendment would be Sec. 5. Statutory Construction.

Nothing in this Joint Resolution—

(1) is intended to alter the constitutional authorities of the Congress to declare war, grant letters of Marque and Reprisal, or other authorities invested in Congress by Section 8, article I of the Constitution; or that is straightforward.

Now, the part I wanted to take out says:

Or, (2) shall be construed as granting any authority to the President to use the United States Armed Forces for any purpose not directly related to a clear threat of imminent, sudden, and direct attack upon the United States, its possessions or territories, or the Armed Forces of the United States, unless the Congress of the United States otherwise authorizes.

I am asking to lop off that second paragraph. I had some concerns expressed by several of my colleagues on this side with respect to that part.

Mr. WARNER. Mr. President, respectfully and regrettably, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to both requests?

Mr. WARNER. The Chair is correct, to both requests.

The PRESIDING OFFICER. Objection is heard.

Mr. BYRD. Mr. President, I hope the Senator will reconsider that.

I withdraw my request for the moment.

Mr. REID. Mr. President, it is my understanding the time of the Senator from West Virginia has not been off the time of the Senator from Michigan.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. The Senator from Michigan now has 6 minutes. Is that right?

The PRESIDING OFFICER. That is correct.

Mr. LEVIN. I understand my friends have some questions which I would be happy to try to answer on my 6 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. WARNER. Mr. President, I thank my distinguished colleague for permitting my colleague from Connecticut and myself to ask questions. I think the Senator from Connecticut can go first with his question.

Mr. LIEBERMAN. I thank my friend from Michigan.

Let me ask this question. The Senator's amendment provides the Senate not adjourn this year and return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if, in the judgment of the President, the United Nations Security Council fails to adopt or enforce the resolution described in paragraph 2.

My question to the Senator from Michigan is whether he has decided under those circumstances whether he would support a resolution authorizing the President to use force and the Armed Forces of the United States to enforce the United Nations resolutions.

Mr. LEVIN. I think the circumstances would determine the answer to that question that exists at the time. But the risks of going it alone are so much greater than going multilateral support. It seems to me we should consider those risks before reaching a decision. Tonight I have laid out some of those risks which I believe are serious risks of going it alone. That is what I think we would all need to consider at great length before authorizing going-it-alone authority.

Mr. WARNER. Mr. President, I say to my good friend, regrettably we have to very forcefully object to your amendment before the vote. But I say that our President, at the urging of everybody who said go to the United Nations, went to the United Nations. He gave a brilliant speech. The Secretary of State met with us yesterday. I met with him personally. The Secretary of State is doing everything possible to avoid a two-step process. I say regrettably to my good friend, were we to adopt this amendment, it would completely dislodge the efforts ongoing at this time in the United Nations to get, if possible, one single No. 17 resolution and put it in place.

Mr. LEVIN. I turn that into a question, whether or not I agree. It seems to me the opposite is true. We are asking the United Nations to take action. We want them to do it with one step. My resolution urges one step—impose the obligation on Saddam Hussein, and authorize force to enforce that mandate. It is one step in my resolution.

If we go to the U.N., as we are now doing, and say we really need you, it is really important we have United Nations support, that is what we are saying, the President said we want you to be credible, it is totally inconsistent at the same time in your resolution to say, by the way, if you do not do it, we will. It just takes the United Nations off the hook. It sends the opposite message to the U.N. from what we should be saying to the United Nations and I thought the President was saying to the United Nations: We want you to be credible. We need the world to come together for Saddam Hussein.

The resolution that the Senator from Virginia and the Senator from Connecticut supports is basically to say, if you do not do it, we will go it alone.

That is the wrong message to the world for many reasons.

Mr. LIEBERMAN. Will the Senator yield?

Mr. LEVIN. I would be happy to do that.

Mr. LIEBERMAN. I thank the Senator.

My friend from Michigan knows one of the reasons I cosponsored the resolution underlying it is I believe the best way for us to get the United Nations to act to enforce its own resolutions is if we make clear we are prepared to do so ourselves, although that is not our preference.

Here is my question: In section 3(3) of the Senator's amendment, you do affirm under international law the U.S. has at all times the inherent right to use military force itself. You argued tonight that is an indication that those who have said your amendment gives a veto to U.N. over U.S. actions are not correct. But isn't it true the section just below, section 4(a) of your amendment, says the President is authorized to use the Armed Forces of the U.S. to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons material, ballistic missiles, et cetera, only pursuant to a resolution of the United Nations Security Council as described above?

So while you recognize the inherent right of the U.S. to defend itself, to take military action in self-defense, isn't it true your amendment does give

the United Nations a veto over the authority of the United States to take action to enforce the resolutions of the United Nations?

Mr. LEVIN. It is quite the opposite. The good Senator from Connecticut read the language which makes it clear there is no veto. We can always have the inherent right to use military force in self-defense, period. We never will yield that to the United Nations or to anyone else.

My good friend from Connecticut was the author of a resolution back in 1991. He led the way on this authorization in the gulf war. The Senator was correct in his analysis, that we should move in the gulf war, and my good friend from Virginia was as well. That resolution the Senator from Connecticut offered to support military action in the gulf war said the following: The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678.

The Senator from Connecticut and the Senator from Virginia in the gulf war resolution had language which was adopted by a close majority, but nonetheless adopted, which said the President is authorized to use United States Armed Forces pursuant to the United Nations Security Council resolution. Nobody suggested then that the Senator from Connecticut was giving the United Nations a veto over U.S. military force. That was a grant of authority to enforce a United Nations resolution. That is the same language we are using.

Mr. LIEBERMAN. The Senator from Michigan is quite correct. The difference, I want to respectfully suggest, is in the context—in the historical context. There was an invasion by Iraq of Kuwait. There had already been a United Nations Security Council resolution. That is why the authority was as described.

Here, this resolution by Senators WARNER, MCCAIN, BAYH, and I have introduced is based on a record now of 11 years in which everything else has been tried to get Iraq to comply with those resolutions, and they haven't.

I think the difference here—I ask the Senator if he would react—is that the Senator has acknowledged the obvious inherent right of the United States to act in self-defense. That is a higher standard than the question of acting to enforce United Nations Security Council resolutions. In other words, it may be I might argue that is not in self-defense because I believe if we do not disarm Saddam Hussein, he will eventually strike us and our allies. But, in any case, in affirming a right of self-defense, the Senator has set a standard that is not carried out in a later section which makes our ability to enforce those resolutions pursuant to United Nations authorization.

So to that extent, your amendment would give the United Nations a veto over whether the President of the United States could take action against Iraq to enforce outstanding U.N. resolutions.

Mr. LEVIN. I will put that in the form of a question.

I vehemently disagree. I urge the Senator from Connecticut to read the language, which flat out says: We affirm ''the United States has at all times the inherent right to use military force in self-defense. . . .'' We affirm that.

The Senator from Connecticut, in the resolution in 1991, did not even affirm that. It just simply authorized the President to use military force pursuant to the United Nations Security Council resolution. No one suggested then that anyone was ceding the power to use our force to the United Nations. Yet in our resolution, the alternative resolution, the multilateral resolution, for some reason, the folks who are supporting the go-it-alone resolution are suggesting we are ceding something to the U.N. when we explicitly reaffirm our right to self-defense.

Mr. LIEBERMAN. I do not think we will ever go it alone because we are going to the United Nations. But how then does the Senator read section 4(a) of his amendment, which says clearly that the President can only use the Armed Forces of the United States to destroy, disarm Iraq's weapons of mass destruction if there is U.N. permission?

Mr. LEVIN. Where does the word ''only'' appear in that resolution?

Mr. LIEBERMAN. I will read it:

> Pursuant to a resolution of the United Nations Security Council described in section 3(2) that is adopted after the enactment of this joint resolution . . . the President is authorized to use the Armed Forces of the United States. . . .

Mr. LEVIN. Where does the word ''only'' appear in this resolution? That is my question to my dear friend from Connecticut. The Senator added a word that is not in the resolution and ignores a paragraph, saying we have an inherent right of self-defense, that is in the resolution.

Mr. LIEBERMAN. Now we have joined the issue.

Then I ask the Senator this final question: Would it be the Senator's opinion that enforcement of outstanding U.N. Security Council resolutions would amount to an act of self-defense and, therefore, the President of the United States could do that without an authorizing resolution from the United Nations?

Mr. LEVIN. We have an inherent right to use military force in self-defense, and that means, under law which is well established, that if there is an imminent threat to the United States, we do not have to wait for that threat to be implemented. We can act against any imminent threat whether or not there is a U.N. resolution covering that threat. If it is an imminent threat, we may act in self-defense.

Mr. LIEBERMAN. In that case, is it not true the Senator from Michigan is adding a word, which is the word ''imminent''?

Mr. LEVIN. No. You have asked me to interpret the words ''inherent right of self-defense.'' What I am saying is, under international law, self-defense requires that a threat be imminent.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LIEBERMAN. I thank the Senator.

Mr. LEVIN. I thank my friend from Connecticut.

Mr. SARBANES. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. SARBANES. What is the parliamentary situation?

The PRESIDING OFFICER. Under the previous order, the Senator from Maryland is to be recognized for up to 30 minutes.

Mr. SARBANES. I thank the Chair.

Mr. REID. Mr. President, if the Senator will yield, I ask unanimous consent that the time not run against the Senator from Maryland for a unanimous consent request that we would like to have adopted.

Mr. SARBANES. Mr. President, I yield to the Senator for the purposes of his unanimous consent request, with the understanding I not lose my right to the floor.

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

Mr. REID. I would also say we have a number of people who want to speak. It is a little bit difficult because we have Senator LEVIN and Senator SARBANES for an hour. So I know that some of my colleagues on this side have been waiting a long time. But we have also had people over here waiting a long time.

So this would be my suggestion as to the time: That following the statement of Senator SARBANES, Senator HUTCHINSON be recognized for 25 minutes; following that, Senator THOMPSON be recognized for 20 minutes; following that, Senator MURRAY be recognized for 20 minutes; Senator ENZI for 20 minutes; Senator REED for 40 minutes; Senator CHAFEE for 7 minutes; and then Senator DURBIN for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Now, if my friend from Maryland would withhold, we have a unanimous consent request that I gave to be copied, and it has not shown up. Here it comes. I would really like to get that done.

Mr. SARBANES. Mr. President, I understand, under the unanimous consent agreement, this time is not being charged against my time.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I suggest the absence of a quorum. As soon as the quorum call is called off, I will do the unanimous consent request and give the time to the Senator that he is entitled to anyway.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, let me, just as a background, indicate that Senators LEVIN, BOXER, and DURBIN have been most cooperative. They have amendments that have been filed in the appropriate form. They have indicated they will offer each amendment tomorrow. Senator LEVIN's is pending tonight. We will dispose of these amendments, and they will offer no other amendments tomorrow.

Senator BOXER's is going to be disposed of at some length. She is always very deliberate in what she does. She recognizes this amendment is good, recognizes that the best way to handle this, though, is to have a colloquy tomorrow. I have spoken to the minority manager on this matter. He has agreed to enter into a colloquy with her. We have discussed what that would be.

Mr. WARNER. That is correct. Senator MCCAIN and I will engage in a colloquy.

Mr. REID. I therefore ask unanimous consent that following the disposition of Senator BYRD's amendment No. 4868, the Senate resume consideration of Senator LEVIN's amendment No. 4862; that the amendment be in order notwithstanding the provisions of rule XXII; that there be 50 minutes under the control of Senator LEVIN and 45 minutes in opposition divided as follows: 15 minutes for Senator BIDEN, 15 minutes for Senator WARNER, and 15 minutes for Senator MCCAIN—this would be in opposition to the Levin amendment—that upon the use or yielding back of that time, the Senate vote without any intervening action on, or in relation to, Senator LEVIN's amendment; that upon disposition of his amendment, Senator DURBIN be recognized to call up amendment No. 4865; that Senator DURBIN control 40 minutes for debate and 10 minutes for Senator BIDEN and 15 minutes for Senators WARNER and MCCAIN in opposition, a total of 35 minutes, plus the 10 minutes for Senator BIDEN—it would be 10 minutes for Senator BIDEN, 15 minutes combined for Senators WARNER and MCCAIN—that upon the use or yielding back of that time, the Senate vote without any intervening action on or in relation to Senator DURBIN's amendment; that no second-degree amendments be in order to either of these above-listed amendments.

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

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

Mr. REID. The only change I would make in the request I just made is that Senator DURBIN have an up-or-down vote on his amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, having done that, I really appreciate very much Senator SARBANES yielding. I would ask that after Senator SARBANES finishes his statement, Senator CHAFEE, who has agreed to speak for only 7 minutes—rather than his waiting at the bottom of the list, I wonder if we could get him up at the top of the list to speak, and hopefully maybe Senators HUTCHINSON or THOMPSON may not use all their time. That may work out OK anyway.

My question is, Does anyone object to Senator CHAFEE speaking first?

Mr. MCCAIN. Reserving the right to object—I won't object—I wanted to take a second to thank Senator REID for arranging the disposition of this very difficult issue in an equitable fashion to all. I thank him for a masterful job that a few hours ago did not seem likely.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. May I join Senator MCCAIN. Also, there is reference in here to time allocated to Senator MCCAIN and myself. We will assure our distinguished Senator from Connecticut that that time will be given to him as allotted between Senator MCCAIN and myself.

Lastly, Mr. President, we still have a number of Members who have been attempting to make statements relative to the underlying bill. I assure Senators DEWINE, COLLINS, SPECTER, and others that we will be working with them with regard to scheduling tomorrow.

Mr. REID. I would also say, I appreciate very much the cooperation of everyone. But before we start doing too much back slapping here, tomorrow is going to be a really difficult day. We have to be prepared for that.

Mr. WARNER. Mr. President, we recognize that.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Reserving the right to object, would the Senator clarify the list of speakers following Senator SARBANES with the change regarding Senator CHAFEE?

Mr. REID. Senators CHAFEE, HUTCHINSON, and THOMPSON would be before you, and Senator CHAFEE has 7 minutes. Senator HUTCHINSON has 25, and Senator THOMPSON has 20. I would say to my friend from Washington, you have been here for at least 4 hours that I know of. But the point is, we are using up a lot of time with Senator LEVIN and Senator SARBANES. They are really entitled to that time only from an equitable standpoint, not from the fact that anyone could object to it.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Reserving right to object——

Mr. REID. You are already in the queue.

Mr. REED. You did agree to the list?

Mr. REID. Following Senator THOMPSON, Senator REED is recognized for 40 minutes, Senator ENZI, 20 minutes, and then Senator DURBIN for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland is recognized under the previous order.

Mr. LEVIN. Will the Senator yield for a unanimous consent request?

Mr. SARBANES. I yield to the Senator.

Mr. LEVIN. I ask unanimous consent that Senator AKAKA be added as a cosponsor of our amendment.

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

The Senator from Maryland.

Mr. SARBANES. Mr. President, I first want to commend, in the very strongest terms, the very able Senator from Michigan, chairman of the Armed Services Committee, for the powerful statement he just made and for the analysis he has brought to this critically important issue.

In my judgment, he has drawn the essential lines of distinction and differentiation. They are reflected in the amendment that is now before us, which I hope will be adopted tomorrow when it is offered as a substitute to the pending Lieberman proposal.

At the end of World War II, the United States stood astride the world like a colossus. We were preeminently the most powerful nation—in some respects, more powerful even than we are today, although we are once again certainly the most powerful nation. At the end of World War II, the United States had an overwhelming military capacity and overwhelming economic strength, but at that time we chose to act multilaterally, to make our way in the world on the basis of cooperation, to help found the United Nations. The United States played a leading role in creating the U.N. framework and has exercised extraordinary influence within it ever since.

The question of how we are to exercise our power is a critically important question. We need to recognize that, for it is at issue here. We face a real dividing line: are we going to seek to exercise our power in cooperation, in coordination with others, which in the current context means working through the United Nations; or are we going to move down the path of asserting a unilateral preemptive prerogative, in effect, asserting our right to do what we want anywhere, anytime, to anyone. The comprehensive strategic doctrine that the administration issued only a short while ago would take us down that unilateral path.

It goes without saying, as the able Senator from Michigan pointed out, that the United States has an inherent right of self-defense; this right is recognized in his amendment. In fact, international law and the United Nations Charter both recognize that inherent right to use military force in self-defense.

But as the Senator very carefully pointed out in his most thoughtful statement, under international law that inherent right to use military force in self-defense is justified in response to an imminent threat. Now we have an effort to change that standard. I think such a change is fraught with danger both for our position in the world and for our leadership status.

We have to re-affirm the long-standing principle that the most effective way to accomplish our goals is to work in concert with others. No one is proposing to give away our ultimate authority to act. The President can always come back to us to seek such an authorization. In fact, if the Senator from Michigan will yield for a question——

Mr. LEVIN. Yes.

Mr. SARBANES. As I read the amendment, the Senator provides that the President could come back to Congress to seek authority if he decided it was necessary to proceed on the unilateral path; is that correct?

Mr. LEVIN. The Senator is correct.

Mr. SARBANES. On the other hand, his amendment provides an authority to act in support of multilateral action, as reflected in the adoption of a U.N. resolution, which would seek to deal with the threat Saddam Hussein presents to the region and to the world; is that correct?

Mr. LEVIN. The Senator is absolutely correct.

Mr. SARBANES. Mr. President, this is an extremely important point. It is not enough to be strong; you have to be smart as well. You have to be both strong and smart. If we insist on acting alone, the potential consequences are obviously very great.

First of all—although it has been asserted by some to the contrary—many believe it will impede and adversely affect the war against terrorism. Why do they believe that? Because the war against terrorism, as Brent Scowcroft has pointed out in a number of articles, requires the cooperation of other nations, the broadest possible coalition of nations. We need the contributions of their intelligence services. We need their cooperation in tracing and cutting off money that is going to fund terrorist activities. We need other nations to help us monitor and control the movement of people across frontiers and borders. If the United States says to the rest of the world that we are just going to go our own way, we will be hard put to turn around and expect a high degree of cooperation and participation when we need it badly. We have to work with others. There is no question about that.

Efforts are underway at the U.N. now to develop a very strong resolution as the basis for sending the inspectors back into Iraq. I support that effort. I don't understand those who seem to just dismiss the possibility of what the inspectors might accomplish. Others have said that the inspection system was futile, that Saddam played games with the inspectors and made it impossible for them to see the total picture. I don't differ with that. But I want to emphasize that the inspectors did a very good job. They discovered and destroyed a lot of weaponry, and they very substantially reduced Saddam's capabilities.

I fail to understand why, if we have the opportunity to send them back under terms that will enable them to do their job, we would not pursue that option before resorting to military force. Why would we not do that? Why would we not explore to the limit the possibility of resolving the situation without having to resort to war?

Think of the experience of the past fifty-plus years. International cooperation has worked brilliantly for the United States for over half a century. President Truman, President Eisenhower, and their successors, faced grave provocations at critical turning points but refrained from taking unilateral military action. There were some who argued at the end of World War II that the United States should attack the Soviet Union, at a time when the United States had a nuclear capability and the Soviet Union did not. That argument was rejected, rightly, by President Truman.

We had the foresight and the wisdom at the time to see the importance of cooperative international relationships to protecting our security broadly defined. Our security is not one-dimensional: it encompasses military matters, of course, but also economic and political matters. The United States must work in a world environment in which we seek to maximize cooperation. We run great dangers if we proceed unilaterally.

This amendment says, in effect, that at the present time the Congress is not going to provide an authority for unilateral action. It also says that if the President concludes that such action is necessary, he can come back to the Congress and request the necessary authority. This is an effort to support a multilateral effort.

Does anyone seriously contest the proposition that if we act in concert with other nations, if the U.S. action has the support of the international community, then the possibility of turbulence in other countries in the region, with which we have had important longstanding relationships, will be much less, and the support that will come from elsewhere in the world will be much greater?

Furthermore, consider for a moment the precedent we are setting if we adopt this model of unilateral preemptive action.

We have worked very hard to try to develop international law in the United Nations institutions which can check the danger that countries will seek to attack others, but if we assert our right to undertake preemptive action on a unilateral basis, act can do a unilateral preemption, what will keep other countries from doing the same, and using our action as their justification?

A very tense situation exists between India and Pakistan, and in other parts of the world. What message do we send by acting unilaterally? This is a very important question for us, especially as we are now so powerful.

Interestingly enough, the more powerful you are, the more urgent this question becomes. Stanley Hoffmann has made this point in a very thoughtful and provocative article, and I ask unanimous consent the article be printed in the RECORD at the end of my remarks——

The PRESIDING OFFICER (Mr SCHUMER). Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. Stanley Hoffmann has pointed out it is precisely the most powerful state that has the greatest interest in links of reciprocity, international law, and mutual restraint; that a superpower must take special care not to provoke the united resistance of lesser powers. The challenge, and it is a challenge, is to work cooperatively, through the international institutions. In doing so we join with others to register a judgment of the entire international community, and we can then use our strength to carry out this judgment of the international community, again in cooperation with others. Failure to do that, I think, is fraught with dangers for our continued leadership position in the world.

It seems to me the distinction made in this amendment is a critical one. It reserves to the United States the power to act in self-defense. It provides authority to back a U.N. action and it leaves open, of course, the possibility of the President's coming back to the Congress to request an authority to act unilaterally, which would then enable us to assess the circumstances and the consequences under those circumstances of granting such an action.

We have an opportunity here to achieve our ends—the destruction of this program of weapons of mass destruction, assuming that is our end—without resorting to unilateral military action, and I think that is the option we should pursue at this time.

As a matter of fact, the authority contained in the underlying resolution cites Iraq's violation of all previous U.N. resolutions as a basis for acting. Some of those previous resolutions did not deal with the issue of weapons of mass destruction at all. One dealt with violations of the oil embargo. Another dealt with accounting for missing prisoners of war. Is it intended that we authorize the use of military force to achieve the objectives of these and other resolutions not directed to the issue of weapons of mass destruction? I would hope not. But in fact that is precisely what the underlying resolution, the Warner-Lieberman resolution, provides, and what the administration supports.

I am not going to address the very broad resolution that the President

originally sent here. I find it difficult to understand the administration's reasoning in sending such a proposal to the Congress, given the thinking it represented about the role of the Congress in making a decision with respect to the use of military force. On a matter as grave and momentous as this, it is a matter of great concern.

That resolution was apparently written in the White House counsel's office. It was not written at the State Department. It was not written by those who have had to deal with these difficult and complex issues. It created such concern when it was first sent to the Hill that efforts were subsequently made to modify it somewhat. But the basic difficulty remains: like its predecessor, the revised resolution posits unilateral and not multilateral action.

I think the United States at this point needs to focus all its energies on acting in concert with the international community to send a very strong message to Saddam Hussein. That message will be much stronger for having the support of the international community and representing the judgement of the international community. To those who say, Suppose they don't act? I would respond that we will consider the matter in the light of that circumstance. But the chances are better, I think, that the international community will act through the United Nations if the U.S. makes its case and calls upon other nations to join in the effort.

To those who say that by seeking multilateral, U.N. action we are giving the U.N. a veto over the right of the U.S. to use its military power to defend itself, I say that is absolutely not the case. Under international law the inherent right to self-defense is precisely defined and recognized. We seek a U.N. resolution to reflect the judgement of the international community, and through that resolution we seek to accomplish our objectives.

Congressman HOUGHTON of New York had an interesting statement on the floor of the House last night. He said: The right decision at the wrong time is the wrong decision. I think we should keep that in mind as we think about how the United States ought to proceed.

Mr. President, I strongly urge my colleagues to think through very carefully the implications of a go-it-alone strategy. We need to work with others. We ought to join in a common effort. Other nations can be supportive in numerous ways. Anyone who talks about the situation knows that if force is eventually used against Iraq, there will have to be major reconstruction afterwards. Everyone acknowledges this. Who will do it? Will the U.S. do it alone? We can hardly draw much comfort from what we are doing in Afghanistan. We had an amazing, very successful military action, and yet we now run the risk of having success turn into failure. Afghanistan is in the very earliest stages of reconstruction: its entire infrastructure needs to be rebuilt; the central government has no effective control of the country and barely of the capital. Its elected President Hamid Karzai is a man of great courage. He has asked for continuing international support. He said over the weekend:

> I believe the presence of the international forces here should be for as long as the Afghan people need them. The essential thing here is to help Afghanistan stand back on its feet to defend itself and defend against terrorism and radicalism.
>
> And then the rest of the world can go and we will be able to manage on our own.''

International forces are in Afghanistan, and the world has registered a judgment there. I frankly think the United States could and should be doing more than it currently is to assure the progress of the Afghan reconstruction. We have an important stake there, much too important to relegate to a back seat. On the contrary, we must remain focused, to make sure that it is carried through to success.

Mr. LIEBERMAN. Will the Senator yield for a question?

Mr. SARBANES. How much time do I have?

The PRESIDING OFFICER. The Senator from Maryland has 6 minutes and 56 seconds.

Mr. SARBANES. I will yield briefly.

Mr. LIEBERMAN. First, I want to say I agree with the Senator totally concerning his comments about Afghanistan, and I hope if the time comes, as I hope and pray it will, that there is a post-Saddam Iraq, we will learn from the mistakes that were made in post-Taliban Afghanistan and devote ourselves to broad peacekeeping which will be necessary in the economic and political redevelopment of the country internationally. But my question——

Mr. SARBANES. Let us keep the focus on the situation in Afghanistan. That chapter is far from finished. We have an opportunity to correct at least some of the mistakes we have made in Afghanistan, but unfortunately we are not doing so. The administration is very resistant.

Mr. LIEBERMAN. In Afghanistan?

Mr. SARBANES. In Afghanistan, absolutely.

Mr. LIEBERMAN. I agree with the Senator from Maryland. And, of course, I agree with his——

Mr. SARBANES. If we do not meet our commitments in Afghanistan, what lessons will we draw with respect to our obligations in Iraq?

Mr. LIEBERMAN. That we must do it in Iraq.

Mr. SARBANES. By ourselves? Is it your view that we do not need the efforts of the international community alongside our own?

Mr. LIEBERMAN. We do, and that is the question. I view the underlying resolution I have introduced with Senators Warner, McCain, and Bayh as an international resolution. It is all about enforcing the resolutions of the United Nations. It acknowledges, appreciates, encourages the President to go forward at the United Nations, but it is based on the premise that if we indicate a willingness to lead, even in leading an international coalition, to enforce U.N. resolutions if someone exercises a veto against doing that at the Security Council, that others will follow. I think the strength in our underlying resolution is the best way to guarantee that either through the U.N. or after——

Mr. SARBANES. My perception of the underlying resolution is that it says to the world the following: we are here, we want to get this resolution, we want to work together, but if you will not do it our way, then we are going to do it unilaterally, and in any event we assert the right to act unilaterally. It is part and parcel of the new strategic doctrine that has just been announced.

For the life of me I do not understand why the administration chose this particular moment to proclaim this doctrine, which obviously raises ll sorts of additional red flags about what their intentions with respect to the U.S. role around the world.

There is no question that the United States is the most powerful country in the world. I do not recall the precise figure, but the American military budget is more than the sum of I do not know how many countries that follow along behind us. Yes, we have incredible military resources and power. We can go around the world and whack anybody we choose. We can brush almost anyone aside.

But is that what we want for our nation? Is that the way we choose to conduct ourselves? Why would we make such a choice when we have an opportunity, if we are smart and skillful and have the underlying military strength, to work in a way that brings the rest of the international community into concert with us?

We have an opportunity to help formulate the judgement of the international community against someone who has clearly violated international norms and standards, and to have that judgement carried out. Why would we not seek to do so?

That is the path the Levin proposal lays out. It avoids the downside of having the United States asserting a unilateral right as the basis for its action. We should not throw away the opportunity to work through the United Nations and in concert with others to accomplish our objectives with respect to disarming Iraq, and also to set very important precedents and standards for the international community in dealing with problems of this kind. It is frustrating to think that we might not avail ourselves of this opportunity.

What will we say when some other country decides to engage in preemptive action on a unilateral basis? If we condemn the action, arguing that it aggravates tensions and creates chaos in the international world, the response will be that we have no basis for criticism—if we did it, why should

other countries be kept from doing it? What message will our actions send to countries in other parts of the world where tensions run very high?

I close with a plea to my colleagues to recognize the fundamental distinction between unilateral and multilateral action. I ask my colleagues to consider how important it is for our future, in so many ways—not just in military and security terms, but also for our economic and political and indeed the whole range of our interests—that we seek to work with others and not set out on a path of unilateral action. That the U.S. has such great military resources at its command makes the decision that much more urgent. It may seem paradoxical, as Stanley Hoffman has observed, so powerful a nation should choose to work in concert with other nations rather than through willful imposition of its power on others. But that principle has served our national interests well, and that is where our long-term interests lie.

I yield the floor.

EXHIBIT 1

[From the American Prospect, Sept. 23, 2002]

AMERICA ALONE IN THE WORLD

(By Stanley Hoffmann)

The horrors of September 11 confronted the United States with an extraordinary challenge and an extraordinary opportunity. The challenge was to increase our ''homeland security'' by measures that might have averted disaster, had they been implemented before the attacks, and that would minimize the risk of similar assaults in the future. The opportunity was to build on the sympathy and shock of other nations in order to construct a broad coalition against the sort of terrorism the United States had suffered.

Alas, it cannot be said that the year was well used. As the great Oxford and Yale historian of war Sir Michael Howard predicted, the notion of a ''war'' on terrorism proved a pernicious one. The very word ''war'' suggests military measures and, of course, victory—rather than the difficult, slow and partly clandestine operations that fighting terrorism entails. So, too, does war allow for suspending or violating citizens' liberties, holding foreigners without due process and resorting to other arbitrary new forms of justice.

Moreover, by defining the fight as one against global terrorism—including the supposed axis of evil—President George W. Bush was able to endow his controversial and highly partisan agenda with a heroic dimension. Using his new popularity and his global war, he sought to silence or enlist the opposition. It's not exactly the newest trick in politics. The problem, however, was twofold. Conceptually, global terrorism is the sum of many individual terrorist acts (most of them local) with very different inspirations, dynamics and scopes. One size does not fit all. Indeed, some of our allies against al-Qaeda had been terrorists or had encouraged terrorists in the past—or even the present. Useful as it was against the Taliban, the idea of taking action against not only terrorists but also the states that harbored them posed insoluble political problems with some allies (such as Pakistan and Saudi Arabia) that had supported terrorism. It also posed problems with democratic countries that had tolerated terrorists on their soil (Germany, Spain and the United States itself).

The strategy posed yet another set of problems with nations that used the American war and its rhetoric as a pretext for getting dangerously tougher with their own enemies. These enemies were charged (often correctly) with terrorism, but their circumstances were radically different from those under which Osama bin Laden deployed his rabid theological and anti-Western global network. In the case of Kashmir, the cynical exploitation of the antiterrorist cause put the United States in an embarrassing position, especially given Pakistani President Gen. Pervez Musharraf's indispensable role in the assault on Afghanistan. In the case of the Palestinian intifada, the logic of antiterrorism pushed Bush into supporting Ariel Sharon—a stance that shored up Israeli repression and helped justify Sharon's clever policy of destroying the Palestinian Authority while accusing it at once of impotence and of encouraging extremists.

By the end of the Clinton era, Palestinian and Israeli negotiators in Taba, Egypt, had been very close to an agreement on all important issues. Indeed, the Israel-Palestine conflicts is one that cannot be resolved without strong American input and pressure. Washington's post-9–11 tilt toward Sharon, however, has rendered the United States ineffectual on this crucial issue—one that many friendly Muslims regard as a test of American goodwill. The ability to resolve the Palestinian issue was one casualty of the relentless anti-terrorism priority. But there were at least two others that Harvard professor and journalist Michael Ignatieff has noted. An administration that had already declared its distaste for ''nation building'' and for humanitarian interventions (except on narrow calculations of national interest) has become even more indifferent toward humanitarian considerations. To be sure, the administration spouts pro-democracy rhetoric. But it views humanitarian concerns as mere distractions from the war on terrorism. Similarly, the concern for human rights that has occasionally animated U.S. foreign policy would have embarrassed or annoyed many of our allies in the war, including Pakistan, Saudi Arabia, Syria and Egypt. A foreign policy that took human rights seriously might have helped, in the long run, to limit the appeal of terrorism; but human rights are no longer even an ornament of U.S. diplomacy.

The coherence and consistency that the war was supposed to lend U.S. foreign policy have not materialized. The attempts to link Saddam Hussein's regime to 9–11 and other terrorist plots have failed; a rational for attacking him and had to be sought elsewhere. The administration is still looking for a convincing one.

Iraq's quest for weapons of mass destruction is not unique. But the new doctrine of preventive action against countries that work on acquiring such weapons and are hostile to the United States is very different from other breaches of state sovereignty as sanctioned by modern international law. In the past, collective efforts to curb excessive aggression on the part of sovereign powers have been pursued with the benediction of the United Nations. In the current instance, we risk acting on our own and creating a dangerous moral and political precedent.

Deterrence worked well against the Soviet Union, a much more potent and, at one point, malevolent adversary. If applied consistently, energetically and with the support of allies, deterrence could still work against Iraq. Replacing deterrence and collective humanitarian efforts with unilateral, preemptive intervention is a license for chaos. Henry Kissinger's acrobatics in his Washington Post article of Aug. 12, which attempts to reconcile a U.S. doctrine of preventive attack with the notion of world order, can only be described as pitiful.

This brings us to the most distressing aspect of the year since 9–11: America's growing isolation in the world. The war against terrorist networks that threaten the United States, its allies and even non-allies such as Russia, cannot be won by the United States alone. For one thing, we need the cooperation of other governments in arresting, trying or delivering to use suspects and possible plotters. And if military action becomes necessary, as it did last year in Afghanistan, we need the participation and endorsement of as many countries as possible. Bush Senior succeeded in obtaining that kind of cooperation in the Gulf War. A coalition is both a help and a constructive source of restraint. For a short while immediately after 9–11, the current Bush administration seemed to understand that it unilateralism was an obstacle. This did not last.

Instead, the administration has alienated allies and inflamed adversaries repeatedly over the last year. The multiple, half-baked rationales for action against Iraq have confused and disturbed even old allies such as Germany and Britain. The notion that the United States retains a prerogative to act alone in its own purported interests or those of the whole ''world community'' is clearly incompatible with the UN charter and international law. The self-perception of a unique and benevolent American empire charged with maintaining order in the world irritates allies and adversaries alike. And the oft-expressed contempt for international institutions except those controlled by the United States—the view that only weak powers should be constrained by them or could benefit from them—has alienated and exasperated many of our best friends.

The fact is that the United States took the lead in creating these institutions of collective security after 1945, precisely when it was the strongest superpower. That generation understood that it is the hegemonic state, paradoxically, that has the greatest interest in links of reciprocity, international law and mutual restraint.

Imperial hubris on issues such as the Anti-Ballistic Missile Treaty, the Kyoto Protocol and the International Criminal Court have further isolated the United States just when it needs allies most. The administration's case against the court is based on an offensive assumption that a UN institution will necessarily be unfair to the United States—and on an interpretation of the U.S. Constitution that places it above international law. Worse, we have bullied other countries to prevent them from signing or applying the protocol establishing the court.

This ''we don't need you'' posture is very risky for the United States, insulting to others and mistakenly based on the premise that others can never really proceed without us. A superpower must take special care not to provoke the united resistance of lesser powers. But the Bush administration fails to appreciate the importance of what Harvard professor Joseph Nye calls America's ''soft power''—a power that emanates from the deep sympathies and vast hopes American society has inspired abroad.

The shift from beacon to bully is rife with potential disaster. Because a hegemon cannot rule by force alone, it is vital for the United States to take an interest in other societies and cultures. Since 9–11, that interest has grown only with regard to Islam and terrorism. But an American foreign policy guided exclusively by narrow self-interest is not one our allies find terribly reassuring; and it is downright offensive to assert that the United States alone can decide what is good for others.

Particularly frightening to outside observers is the impression that U.S. foreign policy has been captured by a small group of hawks

who, frustrated in 1991, are now ideologically committed to changing ''evil'' regimes—even in countries that have no past experience of democracy and where repressive regimes face no experienced or cohesive opposition. There were comparable fears after the election of Ronald Reagan, but divisions within his administration preserved a kind of balance. Today's pragmatists are singularly weak and seem to lack the president's ear.

Bush continually describes himself as a patient man who will consult and listen. Let us hope that he means what he says and isn't just trying to prevent a real debate until all the important decisions have been made. Because one year after 9–11, three things are clear: First, the war against terrorism cannot be the alpha and omega of a foreign policy; second, it cannot be waged by military means alone; and finally, even a state endowed with overwhelming superiority in all the ingredients of ''hard'' force cannot substitute that for eyes, ears and brains. Decisions based on dubious assumptions, overconfidence and intelligence reports risk ending in imprudence and fiasco.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 7 minutes.

Mr. CHAFEE. Mr. President, the American people need and deserve a thorough, reasoned discussion on the question of going to war against Iraq. I appreciate the opportunity to share with my colleagues my thoughts during this momentous debate.

A great deal of the justification for a United States military intervention in Iraq centers on the threat posed by Saddam Hussein. I recognize that there are international criminals capable of unspeakable horrors and Saddam Hussein is one of those. President Bush has urged us to believe the threat from Saddam Hussein is urgent and immediate, and thus this impending vote. I have listened carefully to every shred of evidence presented by the administration.

And I have also listened carefully to other world leaders. Of particular concern to me is the position of those nations that share a border with Iraq—Turkey, Syria, Jordan, Saudi Arabia, Kuwait, and Iran.

The Turkish Prime Minister said, ''We're trying to dissuade the American Administration from a military operation.''

King Abdullah of Jordan said, ''In all the years I have been in the international community, everybody is saying this is a bad idea. Our concern is . . . that a miscalculation in Iraq would throw the whole area into turmoil.''

The Kuwaiti Defense Minister said, ''Kuwait will participate in the military campaign to remove the Iraqi regime only if the military action came in compliance with a United Nations' resolution.'' This in Kuwait, a country that suffered greatly under the hands of the Iraqi dictator. These nations share a border with Iraq. Their leaders know their neighborhood and they have expressed their opposition to our intervention at this time.

I would also like to quote President Mubarak of Egypt who said, ''If you strike Iraq . . . not one Arab leader will be able to control the angry outburst of the masses.'' And President Mussharaf of Pakistan said, ''this will have very negative repercussions around the Islamic world.'' I believe it is wise to heed the concerns of our friends. And our friends are telling us that we are ratcheting up the hatred.

In two nations' recent elections the defining issues seemingly revolved around American arrogance. The fact that the two countries are our friends, Germany and Brazil, is alarming.

What Congress does this week and next will have very serious implications throughout the world.

Demagogues in the Middle East and elsewhere are surely ready and willing to exploit a U.S. invasion of Iraq. And today the CIA is warning Americans of the connection between a rise in terrorism and military activity in Iraq. Certainly it is preferable to address the threat posed by any international criminal in concert with our allies and within the confines of the United Nations. This is the preference outlined in the amendment offered by Senator LEVIN—an amendment I support.

We need to provide people susceptible to anti-Americanism with a positive message that respects international cooperation and friendship. The LEVIN substitute upholds the values I have heard in discussions with the people of Rhode Island; it recognizes the benefit of an international coalition in taking on the tremendous challenge of disarming the Iraqi regime. It authorizes military force against Iraq only as part of a new UN-approved resolution, and failing that, allows Congress to return to session to consider an alternative approach.

As a nation, we are united in opposing the tyranny and repression of Saddam Hussein. But there are real disagreements both here at home and abroad as to how best to ensure that this man cannot threaten world peace. Adoption of the LEVIN amendment would not give Saddam Hussein a chance to further obstruct and delay—it is the prudent idea most consistent with the values that have made the United States a great nation. I urge all of my colleagues to support the LEVIN amendment.

The PRESIDING OFFICER. Under the previous order, the Senator from Arkansas is recognized for 25 minutes.

Mr. HUTCHINSON. Mr. President, I am pleased this evening to rise in strong support of the underlying resolution. I am pleased this bipartisan resolution Senators LIEBERMAN and MCCAIN and Senator WARNER have introduced is before the Senate. I am pleased to be able to cosponsor that. I believe after a full debate, the Senate will pass this resolution in its current version, and I urge it to do that.

The decision to authorize the use of force is a very serious, grave decision. I will further acknowledge that some Members of Congress, men and women of good conscience, have very significant concerns about this resolution. They have been articulated well. They have been argued well. I also acknowledge that when we take a vote on anything that deals with war and peace and life and death, that it must be done in the most sober and serious manner. I have had a number of moms and dads who have come to me concerned about what this might mean for their children, their young men and women who may face war. I see the tears in their eyes. I have heard their anxieties and worries. I approach this with a great deal of serious contemplation and prayer.

However, I believe this resolution is not only warranted but necessary in order to protect our Nation. We are rapidly reaching a point at which the risk of utilizing military force is far outweighed by the danger that Saddam Hussein poses to the American people. I have heard that we are setting a dangerous precedent. There are concerns about what this new strategic policy might mean, and how other nations might interpret it.

I respond, with all respect, the case of Saddam Hussein, the case of Iraq, is in every way unique. It is unique in law because here is a man and here is a nation that has stood now for a decade in defiance of the world community; that is in violation and defiance of resolution after resolution from the United Nations. They are, as they have rightly been called this evening, an international outlaw. How is it that enforcing the resolutions of the United Nations, and in doing so defend our Nation, set a dangerous precedent?

Not only is Iraq in violation of resolutions, and in defiance of the civilized world, but Iraq is also unique in the threat it poses to the civilized world in amassing weapons of mass destruction.

It is not at all that the United States is some kind of international bully wanting to throw its weight around the world. It is, rather, we are the one Nation in the world that is capable of doing something about this threat to the civilized world. Not only do we have the ability to do it, but we have the will to do it.

The President has come to Congress as he was asked. He believed, I believe, that he had the legal authority already from previous resolutions from this Congress to have acted without coming to us. But Congress said: We want to be involved in this, we want to be consulted. So he came to Congress and laid out his case.

Administration officials have appeared before the Senate Armed Services Committee and the Senate Foreign Affairs Committee. Briefings have been provided for all Senators. Certainly, this issue has been a matter of public discourse now for months.

It is time now for this distinguished body to act. As we continue debate on this resolution, we must remember this debate is not about arms inspectors, it is not primarily about United Nations resolutions, and it is not about assuaging the international community. History has not looked well upon those

who fail to act for fear of provoking a tyrant.

What this debate is about is the protection of the American people, the protection of our national security. The best way for the Senate to do that is to provide the President with the authority he has requested.

It is helpful to recount what has brought us to this point, to the brink of being forced to use military force. For over a decade, the United States has pursued diplomatic and economic avenues to deal with the threat that Saddam Hussein poses.

We have tried to contain, we have tried to deter. But in truth, we have been in a virtually unbroken state of conflict with Iraq since the beginning of the gulf war in 1991. After the American military along with coalition allies routed the Iraqi military, the international community pledged to ensure that Saddam Hussein would never have the capability to threaten the region again.

Toward that end, the United Nations Security Council passed Resolution 687. This resolution, which Iraq accepted as part of the cease-fire, required Iraq to end its pursuit of weapons of mass destruction, destroy its stockpile of chemical and biological weapons, and end its support of terrorism.

As we convene this evening, more than a decade later, Saddam Hussein stands in violation of this agreement in virtually every point. To ensure that Iraq was complying with its commitments, the United Nations established a weapons inspection program. In recent times, there has been a great deal of discussion about the inspectors. Forgotten in the debate is the original purpose of the inspectors. Inspections were only supposed to confirm that Iraq was living up to its commitment to cease the development of weapons of mass destruction. Inspectors were not sent in to play a cat-and-mouse game. Saddam Hussein used every means at his disposal to thwart the inspections.

In the past decade, Iraq has stood in violation of 16 different resolutions. The world community has spoken strongly and frequently against Saddam Hussein. Saddam's response has been continual deception and defiance. Saddam Hussein has made every attempt to accelerate his development of weapons, biological and nuclear weapons.

Based on intelligence we have a very frightening picture of Iraq's capabilities. We have had the briefings. I had the most recent briefing this afternoon. We have solid information, public information, that Iraq currently has a large stockpile of chemical weapons. In the initial aftermath of the gulf war, the U.N. inspectors were able to ensure that some chemical weapons were destroyed. A disturbing amount were not uncovered. In fact, 31,600 chemical munitions, 550 mustard gas bombs, and 4,000 tons of chemical precursors were unaccounted for by the U.N. inspectors. Even more disturbing is the likelihood that Iraq retained the means to produce chemical weapons. The U.N. has stated Iraq has imported enough raw materials to produce 200 tons of the VX gas.

Since inspectors were ejected from Iraq in 1998, there is a substantial body of evidence that Saddam Hussein has reconstituted his ability to produce VX and other chemical weapons. People question whether there is an imminent threat? People question the currency of the threat that faces us? They think we have time to burn? Time to delay? Perhaps even more terrifying, Iraq continued virtually unabated to produce biological weapons. Senator FRIST spoke of this earlier today. In fact, the Iraqi Government has admitted in the past to the weaponization of anthrax, botulism, and aflatoxin on Scuds and on aircraft.

United Nations inspectors never accounted for at least 4 tons of raw material that can be used to produce biological weapons. Recent reports are that the Iraqis are testing unmanned vehicles that could be used to deliver these weapons over wide territories.

I am told these unmanned vehicles would be almost impossible to be detected or to be shot down.

We also have reason to believe that Saddam Hussein has developed mobile biological weapon laboratories that would be virtually impossible for inspectors, were they to get back in, to detect, to locate, and to destroy.

In this debate, it is important that we have an appreciation for the terrible power of these kinds of weapons. VX nerve gas is one of the most dangerous chemicals known to man. It operates by cutting off a person's nervous system, making it impossible for them to breath. Exposure to only a few drops can kill in minutes.

The danger of anthrax was made shockingly clear during last year's attacks. Over 20 Americans were infected, and 7 were killed, and it could have been much, much worse. The letter that was sent to Senator LEAHY's office contained enough spores to kill tens of thousands of people, in one single envelop. There is every indication that Saddam Hussein has enough anthrax to kill millions of Americans.

Iraq has accelerated work on its missile development program. In fact, some of his chemical and biological weapons are deployable with 45 minutes warning.

According to the dossier recently released by the British Government, Iraq currently has ballistic missiles capable of reaching Israel, Turkey, and Saudi Arabia. He is actively working to extend the range of his armaments, with the ambition of being able to strike as far as Europe in the coming years.

Even with his success in developing chemical and biological weapons, Saddam Hussein continues to pursue the ultimate weapon of mass destruction . . . a nuclear bomb.

He has scoured the world attempting to procure enriched uranium to finalize his development of a nuclear weapon. Estimates are that, should Iraq be successful in getting this material, a nuclear weapon would take no longer than a few months to produce. We can't be sure he hasn't succeeded already.

It is evident that Saddam Hussein has the capabilities to inflict great devastation. His intentions are even clearer.

His hatred of the United States is only matched by his hunger for power. The Iraqi Government has repressed its own people, committed acts of aggression against its neighbors, and been an active supporter of international terrorism. In a very unstable region, Saddam Hussein has taken every opportunity to add to the turmoil in the Middle East.

He has plotted to assassinate a former U.S. President. In 1993, the Iraqi Government plotted to kill former President George Bush during his trip to Kuwait.

American pilots are taking fire from the Iraqi military virtually every day during patrols of the no-fly zones. Unprovoked? Hardly. It does not set a dangerous precedent to act in a preemptive way in light of his violations of international law and his continual firing upon American aircraft.

So far this year, American and British aircraft have been fired on over 406 times. In the past 2 weeks alone they have been fired on over 60 times.

Until his recent death, Iraq harbored Abu Nidal, who masterminded terrorist attacks in 20 countries, resulting in the deaths of 900 people.

There are credible reports that members of al-Qaida have found sanctuary in Iraq. It is becoming increasingly clear that Iraq has provided training to al-Qaida, including instruction on the use of chemical weapons.

Earlier this year, Saddam Hussein offered $25,000 to each of the families of Palestinian suicide bombers. The only condition is that the bomber has a full belt of explosives when he blows himself up. This despicable offer essentially provides a bounty for the deaths of innocent Israelis and establishes a perverse incentive program for terror.

His invasion of Kuwait is well-documented. However, I would like to take a moment to discuss the atrocities he has committed against his own people. I believe that it will shed further light on the horrors of which Saddam is capable.

The U.N. Commission on Human Rights and the U.N. General Assembly has issued a report criticizing ''systematic, widespread, and extremely grave violations of human rights,'' and cited ''all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror.''

That is the diplomatic language of the U.N. Commission on Human Rights.

In ''The Threatening Storm,'' Kenneth Pollack puts it a little plainer. He said:

This is a regime that will gouge out the eyes of children to force confessions from

their parents and grandparents. This is a regime that will crush all of the bones in the feet of a two-year-old girl to force her mother to divulge her father's whereabouts. This is a regime that will hold a nursing baby at arm's length from his mother and allow the child to starve to death to force the mother to confess. This is a regime that will burn a person's limbs off to force him to confess or comply. This is a regime that will slowly lower its victim into huge vats of acid either to break their will or simply as a means of execution. This is a regime that applies electric shocks to the body of the victims, particularly their genitals, with great creativity. This is a regime that in 2000 decreed that the crime of criticizing the regime, which can be as harmless as suggesting Saddam's clothing would not be matched, would be punished by cutting off the offender's tongue.

And on and on it goes.

I ask unanimous consent that this citation from ''The Threatening Storm'' by Kenneth Pollack be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

This is a regime that will gouge out the eyes of children to force confessions from their parents and grandparents. This is a regime that will crush all of the bones in the feet of a two-year-old girl to force her mother to divulge her father's whereabouts. This is a regime that will hold a nursing baby at arm's length from its mother and allow the child to starve to death to force the mother to confess. This is a regime that will burn a person's limbs off to force him to confess or comply. This is a regime that will slowly lower its victims into huge vats of acid, either to break their will or simply as a means of execution. This is a regime that applies electric shocks to the bodies of its victims, particularly their genitals, with great creativity. This is a regime that in 2000 decreed that the crime of criticizing the regime (which can be as harmless as suggesting that Saddam's clothing does not match) would be punished by cutting out the offenders tongue. This is a regime that practices systematic rape against its female victims. This is a regime that will drag a man's wife, daughter, or other female relative and repeatedly rape her in front of him. This is a regime that will force a white-hot metal rod into a person's anus or other orifices. This is a regime that employs thalium poisoning, widely considered one of the most excruciating ways to die. This is a regime that will behead a young mother in the street in front of her house and children because her husband was suspected of opposing the regime. This is a regime that used chemical warfare on its own Kurdish citizens—not just on the fifteen thousand killed and maimed at Halabja but on scores of other villages all across Kurdistan. This is a regime that tested chemical and biological warfare agents on Iranian prisoners of war, using the POWs in controlled experiments to determine the best ways to disperse the agents to inflict the greatest damage.

Mr. HUTCHINSON. Mr. President, freedom of speech does not exist in Iraq, and summary executions are commonplace.

Torture is seen as a legitimate tool of control, and violence against women is not just condoned but perpetrated by the Iraqi government.

Political opponents of Saddam Hussein are subject to unimaginable cruelty. They are jailed without cause. Amnesty International reports ''Detainees have been threatened with bringing in a female relative, especially the wife or the mother, and raping her in front of the detainee. Some of these threats have been carried out.''

In 1997, the UN reported that Iraq executed more than 1,500 people for political reasons. There are even reports that the victims families are forced to pay the cost of the execution.

Saddam stays in power through fear. It is terror—sheer terror—that sustains his evil regime.

Saddam Hussein has never been called to account for the Kuwaitis that are still missing from the Gulf War. There are still 609 cases of missing Gulf War POW/MIAs.

Included in that number is one American Navy Pilot. The Iraqi government continues to refuse to provide full information about his fate.

The passage of this resolution will provide the President with authority he requires in order to address the grave threat posed by Iraq.

I fully support his efforts to rally the international community, and believe that a strong vote on this resolution will strengthen his case before the United Nations.

It is the hope of all of us that military action will not be necessary. However, after a full decade of effort, we have almost completely exhausted diplomacy.

There are some who believe that preemptive military action against Iraq represents a break from our nation's traditions.

My colleagues, unfortunately, we are facing untraditional threats. We have tried containment. It was built upon the idea of inspection and sanction. The inspectors were thrown out, and the sanctions have been broken.

Again, from Kenneth Pollack and from ''The Threatening Storm,'' he says:

Unfortunately, it is difficult to know exactly what is going into Iraq. This is the main problem; if the United States and United Nations knew, they might be able to stop it. As it is, we know only that between the smuggling and the surcharges Saddam is making $2 billion to $3 billion per year that he can spend as he likes. In addition, we have been able to intercept some shipments and get intelligence on others that give at least a sense of what Saddam is using his illegal revenues to import. For instance, in June 2002, the Indian government brought charges against the executives of an Indian company for selling atomized aluminum powder and titanium engine parts to Iraq in such quantity and of such quality that India's Defense and Research Development Organization concluded they could only have been intended for chemical warfare and ballistic missile production.

We tried inspections. The sanctions have been eroded, and deterrence only works with a rational person. It assumes rationality. And the fact that he can transmit weapons of mass destruction to terrorists who could inflict enormous damage upon the United States with no fingerprints—with Saddam's fingerprints not even being on it—is evidence that the idea of containment to no longer be a workable approach.

The attacks of 9/11 tore our hearts and left us with a grief that will never be forgotten. At the same time, those acts of evil have brought forth a new resolve and a new commitment.

It is the responsibility of the U.S. Government, and it is the responsibility of this Senate to ensure that the heartbreak of September 11 is not repeated.

Our enemies have grown more cunning and their methods more sinister. We must move swiftly and decisively to deny them the opportunity to attack us. When the threat is real, preemption is not just tactically critical, but, I believe, it is a moral imperative.

In Saddam Hussein we are facing a menace that has long expressed hatred of the United States, established links to international terrorists, and has amassed large stockpiles of weapons of mass destruction. He has been accorded every opportunity to cooperate with the international community, and he has refused.

Every day that goes by, the threat grows. He continues to amass his stockpile and strengthens his ties to terrorists. We cannot—we must not—stand by and allow this to continue. And we must not delay. There have been many people quoted in this debate, so let me add one more to the record. Winston Churchill said:

There is no merit in putting off a war for a year if, when it comes, it is a far worse war or one much harder to win.

The world is watching us. And freedom-loving people across the globe are waiting to see if America will answer the challenge that history has put before us. They are waiting to see if our Nation will assume the mantle of leadership in dealing with a tyrant with maniacal ambitions.

Our enemies are hoping we falter. They hope we will continue to be mired in the web of deception spun by Saddam Hussein. They need to be shown that our resolve to protect the American people has never been stronger.

While my greatest hope is that military action will not be necessary, it may be unavoidable. Others have come to this floor to talk about the cost of such an operation. They rightly cite estimates ranging in the tens of billions of dollars. Some may discuss the damage that might be done to our relationships with other nations. More gravely, some have spoken about the cost of human life that any military action would entail. These risks are real, but these risks must be weighed against the very real risks of delay.

The price of inaction is far too high. Mr. President, 9/11 taught us that. We will never know the complete economic damage of the terrorist attacks of last year. Some have estimated it at more than $600 billion, but the true cost can only be seen by looking in the eyes of

those who lost loved ones. The true impact is only realized with the understanding that over 3,000 families are still grieving.

Saddam Hussein has the capacity to wreak even more destruction than that which we saw last year. He has weapons that could kill millions, and he consorts with terrorists who would unflinchingly do so if they had the means.

So again, I remind you, opponents say this resolution sets a dangerous precedent of preemption. I remind my colleagues of sixteen U.N. resolutions defied, rejected, ignored by Saddam Hussein. The dangerous action would be to do nothing. The dangerous precedent would be to back down in the face of a tyrant who dares us.

The resolution put forth by Senator LIEBERMAN, and endorsed by our President, is a statement by this body that the risk posed by Iraq is unacceptable. It is a statement that we will not allow international outlaws to threaten our Nation. It is a statement that we will not sit back in the face of the growing danger that our country faces.

Thus, I call on my colleagues for their support of S.J. Res. 46.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. REED). The Senator from Tennessee is recognized under the previous order for 20 minutes.

Mr. THOMPSON. Mr. President, I congratulate my friend, the Senator from Arkansas, for an excellent presentation covering all the points. And if I had not been persuaded before I listened to him tonight, I would have been persuaded tonight.

This Nation has spent many dollars and many lives in defense of others around the world. Tonight, we are considering a resolution that has to do with the defense of ourselves.

People say that because our country does not go against another country without provocation that we should make the case of the need to take action, and that is true. We need to make that case before the world and before the American people.

I believe that case has been made. It is a case that has been made upon, basically, facts we have known for a long time and have chosen to ignore and sweep under the rug. It is based on a shared history that we have had together now for many years. And looking back on it, we must ask ourselves, How were we able to ignore what is so obvious and pending for so long?

We know Saddam's willingness to attack sovereign nations. We know Saddam's willingness to murder innocent individuals. We know he is in possession of weapons of mass destruction. We know he is developing missile capability that is beyond what is allowable by the United Nations resolutions and will rapidly be able to reach further and further. The only thing we do not know is how soon it is going to take him to develop nuclear weapons.

I think that is essentially, from a factual standpoint, what this entire debate is about, because if, in fact, it is true that he, in the foreseeable future, will have nuclear weapons, do any of these other points that we have been discussing really stand?

I think I have listened to many valid points and valid arguments of problems connected with moving against Saddam Hussein. I think the points that were made that the aftermath is going to be very difficult are very valid. I think the point that he might lash back against us in some way is a very valid concern. I think the point that in some places in the world they will be taking to the streets against us is a valid considerations.

But if, in fact, it is true that in the foreseeable future he might or probably will develop nuclear weapons of mass destruction, do any of these other considerations really stand up or do they together stand up to that consideration? Can we afford not to defend ourselves against that consideration?

What is the evidence pertaining to that? We are debating, again, not over whether or not he is going to have it, but how soon he is going to have it.

Unfortunately, when we have made estimates in times past with regard to Saddam's nuclear capability in the early 1990s, with regard to missile capabilities of rogue nations, when we have gone back and thoroughly examined the situation—where, in Saddam's case, we have gotten inspectors in there because of defectors' information—we have found that we have grossly underestimated the capability of our adversaries, time and time again.

Yet we are told by the entire world, those who have looked at this, that it is just a matter of time, a few years, if he has to develop his own fissile material, and perhaps as early as a few months or a year if he can buy it on the open market.

I was privileged to listen to some of the weapons inspectors who went down to Iraq. I listened to some of the experiences they had. It caused me great concern to hear their lament about the way they were thwarted before and how hopeless their mission turned out to be because of what Saddam was doing, and how inspections in the future really will not work unless you actually get active cooperation from the people you are inspecting. I am talking about a country, what, the size of California, with an ability to hide anything almost anywhere.

And they talked about the fact that when they went in before, they did not think Saddam had much in the way of nuclear. And they even were almost to the point of being able to certify that when a defector gave them some information. They went back. They found that not only had Saddam developed nuclear infrastructure, but he had a virtual ''Manhattan Project'' is the way they put it, a virtual ''Nuclear Manhattan Project'' when they went in there before.

They said they had a facility there that was based on the facility down in Tennessee in Oak Ridge in terms of enriching uranium.

This is what was there before. We do not know what he has now because he has made the decision to keep out inspectors. And we know from the CIA—a letter has been introduced in this RECORD—that the likelihood of Saddam using weapons of mass destruction for blackmail, deterrence, or otherwise grows as his arsenal builds.

Now he has been down there for 4 years. We know he has the science. We know he has the know-how. We know he has the scientists. We know he has the desire. We know he has a history of knowing how to build facilities that will ultimately produce results for him. And we are standing here debating as to whether or not we should do something about that because we might have a little more time and we don't have eyewitness testimony as to precisely where he is at precisely this particular time.

Those are things that have been on the record along with his violation of U.N. demands for many years. We have taken them for granted. We have taken for granted that hundreds of times our airmen have been shot at in the no-fly zone during all of this time. I have always wondered what the parents of someone shot down under those circumstances must feel like, being that far away, defending the interests of your country. Nobody knows about it. Nobody talks about it. Nobody seemingly cares that much about it. That has been going on continually ever since we left the gulf.

These are things that are on the public record. They have been on the public record for a long time. We now have some additional facts that have not been on the public record that long, such as the fact he is busily trying to obtain dual-use equipment that can be used for uranium enrichment.

We know more about his relationship with al-Qaida than we knew in times past.

Again, according to the CIA director:

> We have solid reporting of senior level contacts between Iraq and al-Qaida going back a decade.

He says:

> Credible information indicates that Iraq and al-Qaida have discussed safe havens and reciprocal nonaggression.

He says:

> Since Operation Enduring Freedom, we have solid evidence of the presence in Iraq of al-Qaida members, including some that have been in Baghdad.

He goes further and says:

> We have credible reporting that al-Qaida leaders sought contacts in Iraq who could help them acquire [weapons of mass destruction] capabilities. The reporting also stated that Iraq has provided training to al-Qaida members in the areas of poison and gases and making conventional bombs.

These are recent things that are not as well known, have not been known over the years. Put all of that information together and you have a consensus on many things. As usual, we are

spending a lot of time arguing over the things we disagree on. They are important. But I think we all agree the leader of Iraq is dangerous; that he is a threat; that that threat is growing, not diminishing; and that he is in violation of international law.

The real issue is whether or not it is going to be easier to deal with this situation once he gets stronger than he is today. The question answers itself.

The other question is whether or not we will show a reluctance to defend our own interests. We are rightfully concerned about acting precipitously. But did we act precipitously after the first World Trade Center bombing? Did we act precipitously after our men and women were killed in the Khobar Towers bombing? What was the message we sent after our two embassies were bombed and hundreds of people were killed? Were we acting precipitously after that? What did we do to avenge that or to set an example? What did we do after the *Cole* incident? Were we acting precipitously there? Or have we announced to the world, basically, or led Osama bin Laden to believe that we can be attacked that the response will not be commensurate with the attack? That is Osama bin Laden. We are talking about Saddam Hussein here, but the lesson is the same for tyrants throughout the world who pose a threat to this country. It has been a bad lesson that we have given for well over a decade now.

Some say we should wait until there is an imminent danger; that we should calibrate carefully as to when that danger we know is growing becomes imminent; that we should tell Saddam Hussein on the front end we will not attack him until we know he poses not only a danger but an imminent threat. That, of course, is basically consistent with the United Nations charter. It has been the law of nations for a long time. We have to recognize that. The Treaty of Westphalia was mentioned, back in the 1600s, where the sovereign nations got together and decided that sovereign nations would not be attacked. We have perfected that somewhat.

We have talked about imminent danger because traditionally we lived in a world where armies amassed on a border and that was the imminent danger. September 11 changed all that. That is not the kind of world we live in anymore. The imminent danger facing this country now does not amass itself on the border and give everybody time to debate and make up their minds as to what they are going to do. The threats we face today hide their activities. The threats we face today are not always apparent.

Let there be no mistake about it, the United States is the target. It is the primary target. No one likes the sound of the word unilateralism. But is there anyone who disagrees with the action the Israelis took in 1981, when they took out the Osiraq nuclear plant in Iraq? I am really curious. There is a case of unilateralism if there ever was one. Was there any imminent threat? I don't even know if the plant was finished yet. But either way, there was no imminent threat that I know of that they were getting ready to produce material out of there to put in a bomb to attack Israel.

They took it out. The United Nations condemned them. We condemned them. But is there anyone today who is really regretful the Israelis took that action?

I would think under that theory, if we had to wait for imminent danger, we would have to ask ourselves, imminent with regard to our allies, would that count? With regard to our troops in the area, would that count? With regard to the homeland only? Those would be questions we would have to ask.

We would have to ask ourselves: Does that not mean, under the philosophy of waiting for the imminent threat, we would have to wait not only until we had ironclad proof Saddam had nuclear capability and the means to deliver it, but that he was planning on actually hitting us with it? I don't think we have thought that fully through. Surely that is not what we are suggesting, that we almost have to have a missile in the air before we could act.

It is somewhat of a precedent. It would be, if it comes to that. But we are in a position no other country has ever been in, as the Senator from Arkansas pointed out. We are living in a world no one has ever lived in before, where a handful of people can take modern technology and create a mortal threat to millions of people on the other side of the world. We simply have to address the fact that is the world we live in.

Some say we should wait on the United Nations. That essentially goes to the heart of the amendment we are considering. I respectfully suggest if we pass this amendment, it would be a guarantee the United Nations would never act, because they would know they didn't have to. And so many who would rather avoid this because the United States is the target, and for other reasons, would never, ever face up to it, if they knew they didn't have to. Then I would ask: Where would we be? Some say, come back to the Senate in that weakened condition.

Would we be in better shape having been turned down by the U.N. if we then went ahead in contravention of what they said or would it be better to stand tall on the front end, with the assurance that many countries in the United Nations are going to support us in our effort?

The President has gone there and he has made the case. He has talked to our allies. The Secretary of State has been busy around the world. When people say we are going it alone, do not the British count? Does not Spain count? Does not Italy count? Do not the Arab nations I read about today in the paper, who are reluctantly coming along, count?

I think we should go back and look at where former President Bush was at this stage of the proceedings. I think the first thing that happened there was he said this will not stand. Then he went internationally, and then the British came first, and then there was a period of time before very many people came forward after the British.

Speaking of the British, I think it is ironic that the head of that government, in many respects, sees things more clearly than many of us do.

The problem—as difficult as it is to acknowledge, but it is the plain truth—is we have lost the coalition we had before. We would like to go right back and say: Remember how we were together before, and remember how we made such progress, military progress, and there for a while we had Saddam Hussein on the ropes and we laid down all these requirements. In order for us to go home, he had to make all these agreements, and he did make those agreements. Remember how we were together then before he violated each and every one of them, and gradually, year by year, we not only allowed that to happen, but one ally after another started doing business with him. We are now asked to go before a Security Council containing the country of China, which is now furnishing fiberoptics communications systems to Saddam to help shoot our airplanes down. Are they the ones we are supposed to ask permission to defend our self-interests?

We are looking at a Security Council with our friends, the Russians and the French, who want to do business with Saddam, and Saddam owes them money and they want that money back. Sure, the Arabs are kind of reluctant right now. And we are dealing with our now German friends who are led by an individual who will demagog his way to reelection on the backs of our country and, presumably, international relations.

It is not an easy thing to say, but it is a true thing to say. We want our friends, our allies, and especially our NATO partners; but as they continue to let their defense budgets slide and the American taxpayer continues to have to foot the bill for the free world, essentially, should they be given a veto when our interests are so directly involved? I think not.

I think we have to learn the lessons of the past, as difficult as it is. My friend from Arkansas mentioned Churchill. They didn't listen to Churchill after World War I. The result of their not listening to him was called World War II. Back when Hitler was on the move everything he did was not sufficient in and of itself to act. The allies thought they could always act later, and other countries should do other things—excuse after excuse.

That is not the message we want to send this time, Mr. President. I think it is clear that strength is the only hope we have for peace, and if we cannot have peace, we must do what is in the vital interest of this country.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I rise this evening to address the President's request for authority for military action in Iraq. I have spent weeks thinking about this issue and listening. I have sat across the table from Defense Secretary Rumsfeld, National Security Advisor Rice, Governor Ridge, CIA Director Tenet, FBI Director Mueller, Secretary of State Colin Powell, and Vice President CHENEY. I have listened closely to the President's speeches and I have listened openly to the many questions my constituents have raised over the past few weeks.

Mr. President, I understand the consequences of war and I don't shrink from them. My father was among the first to land on Okinawa as a GI. Growing up, we always knew that our country may need to project force to defend our freedoms. I know we have high obligations to the men and women of our Armed Forces who undertake the hard work of securing our freedom. In college, I volunteered at the Seattle Veterans Hospital. Most of the patients were young men, my age, who had returned from Vietnam. I carry that experience with me as the first woman on the Senate Veterans Affairs Committee.

When I look at decisions like this one, I take the time to consider all sides, with the full knowledge this decision will have serious consequences for our country, our world, and our future.

This evening, I want to share with my colleagues and my constituents my thoughts and my decision on this difficult issue. But most of all, I want to share my reasoning because I want everyone to know how I arrived at this conclusion. First, I looked to the threat posed by Saddam Hussein. Then I looked at the many questions that must be considered before our country begins military action. Then I looked at the President's case, the role of the U.N. and our allies, the impact war could have on the Middle East, and the impact it would have on the war on terrorism. Finally, I looked at the context in which we are being asked to make this decision, including our economy and the political climate.

Mr. President, let me first address the threat. There is no doubt Saddam Hussein poses a serious threat to our interests, to his own people, and to the world. Under his rule, Iraq has been an aggressor nation. It has started conflict with its neighbors and it has sought to stockpile conventional weapons and weapons of mass destruction.

Over the years, Iraq has worked to develop nuclear, chemical, and biological weapons. During 1991 through 1994, despite Iraq's denials, U.N. inspectors discovered and dismantled a large network of facilities Iraq was using to develop nuclear weapons. Various reports indicate Iraq is still actively pursuing nuclear weapons capability. There is no reason to think otherwise.

Beyond nuclear weapons, Iraq has actively pursued biological and chemical weapons. U.N. inspectors have said Iraq's claims about biological weapons is neither credible nor verifiable. In 1986, Iraq used chemical weapons against Iran and later against its own Kurdish population.

While weapons inspections have been successful in the past, there have been no inspections since the end of 1998. There can be no doubt Iraq has continued to pursue its goal of obtaining weapons of mass destruction.

Mr. President, we know from history and experience that Iraq poses a danger to the region, to our interests, and perhaps to ourselves. It will continue its aggression and its pursuit of weapons of mass destruction.

This leads us to a second set of questions. What should we do about this threat? The President has now asked Congress to authorize him to make war on Iraq. The goals of military action have shifted from regime change one day to disarmament, to enforcing any number of U.N. resolutions. The list of crimes to which the administration says Iraq must be held accountable varies widely. They include: attempting to assassinate a former President; holding prisoners of war after the gulf war, including one American; firing on aircraft enforcing the no-fly zone; seeking weapons of mass destruction; and violating U.N. resolutions.

All of these are serious crimes; not all of them deserve the same response; not all of them call for war.

Without a clear objective, victory cannot be measured. Indeed, it appears the administration established a solution—going to war—before it defined the problem or the goal.

Our most important goal is disarmament. Given Iraq's history and Saddam's madness, there can be no doubt the world will be safer if we dismantle Iraq's ability to produce and use weapons of mass destruction. On this goal, the President receives complete support from the American people, the Congress, and the world community.

Disarmament of Iraq is unquestionably the right thing to do. The means of achieving this goal are what is up for debate.

In the past few weeks, the Bush administration unveiled its new preemption doctrine. This marks a shift from our longstanding national policy, and so far we have not been told how it applies to the world beyond Iraq. Obviously, if troops or tanks are amassing at the border, we have the right to defend ourselves, but to strike on the basis of suspicion alone is another matter. It is something this Congress and the American people need to fully explore and debate before we endorse the preemption doctrine.

The United States is not alone in facing the threat of Saddam Hussein, but unfortunately our Government is acting that way. I am very concerned that a unilateral race to make war on Iraq will weaken the support we need worldwide to win the war on terrorism.

In the aftermath of September 11, the international community helped us heal and supported our efforts to respond. Their support has provided critical intelligence keys to disrupting international terrorist networks. But today our allies are as confused about America's objectives in Iraq as the American people are. Like the American public, our allies woke up one day to find that the administration was making plans for war. Like the Congress, they were not consulted. Like the American people, they had nothing explained to them. They saw, as did the rest of us, that a course of action had apparently been determined before the reasons were clear.

Recently, the administration has done a better job working with our allies. Secretary of State Powell is to be commended for his work, but we still have a long way to go. It would greatly benefit the Congress and the American people to know where our allies stand and what they are willing to do before we take action.

While we welcome the support of our allies and the United Nations, we do not hand them or anyone else the ultimate power to decide America's security demands. Only the United States can determine our interests and what steps are required to defend them.

That said, before we jump into a fight, we should know who is with us and what we are getting into, and today we do not.

Another key part of the international response to the Iraqi threat is the United Nations. Efforts at the U.N. have been met with both success and failure. To date, our greatest failure has been the ending of weapons inspections in 1998 and the U.N.'s failure to hold Iraq responsible for its obligations.

Today, the United States is working with our ally Britain to pass through the U.N. Security Council a new, tough resolution regarding Iraqi weapons inspections. I believe we need a new, strong U.N. resolution that provides for complete transparency of Iraq's weapons of mass destruction programs. This new resolution must allow inspectors to search all sites without roadblocks. Iraq should know that the U.N. and the international community are serious about enforcing this resolution even with force, if necessary.

One of the reasons U.N. support is critical is that it shapes how other nations will look upon our action in Iraq. There is a difference between going it alone and having the support of a broad coalition. We have a stated goal of working to achieve peace in the Israeli-Palestinian conflict. We have strong ties to other states in the region—Jordan, Egypt, Saudi Arabia, and other gulf states. What action we take and how we take it will have a direct impact on our other stated foreign policy goals of achieving peace in the Middle East, maintaining friendly relations

with our allies in the region, and contributing to the stability of the region.

In addition to the impact of war on the Middle East, we must understand how action in Iraq will affect the war on terrorism.

On September 11 last year, we were reminded again of the dangerous world in which we live. After bombing our embassies in Kenya and Tanzania and attacking the U.S.S. *Cole* in Yemen, al-Qaida has pulled off the most horrific crime our Nation has ever known.

In the aftermath of these tragic events, the President declared war on terrorism. We dispatched our troops to Afghanistan and its neighbors. We worked closely with our allies. We even got help from some unexpected quarters. Most of the world joined our effort, but there are places where we do not have relations where terrorists hide, and to reach those dark corners we rely on intermediaries. Today, those intermediaries are providing us with intelligence information to help our efforts.

We have to ask: Will unilateral action in Iraq undermine the support we need from other countries in the war on terrorism? The answer to that question should help inform us on our decision on military action in Iraq.

If we do take action in Iraq, there is no doubt that our Armed Forces will prevail. We will win a war with Iraq decisively, and, God willing, will win it quickly. But what happens after the war? That will have just as big an impact on our future peace and our security. Will we be obligated to rebuild Iraq, and, if so, how? Our economy at home is reeling, our budget is in deficit, and we have no estimate of the cost of rebuilding. And with whom?

As New York Times columnist Tom Friedman points out, there is a retail store mentality that suggests to some: If you break it, you buy it.

How will the Iraqis get back on their feet? Iraq's leadership has led its people through two decades of misery. The people of Iraq have paid a terrible price for Saddam Hussein's military campaigns. What promises is the international community prepared to make to help restore the health of the Iraqi people? What promise is implicit in a unilateral attack?

If we must disarm Iraq by force, we will, but we cannot achieve peace through occupation alone. It costs money and energy and time, and like building anything else, it is better as a shared responsibility than a solo effort.

Again, the answers to these questions should not be the only factors in play as we make decisions on how to protect our security interests, but they are not insignificant and they have not been answered.

We do not have a clear policy. We do not have a clear path to implementing that policy. We do not yet know what level of assistance we are going to get from our allies and the broader international community. We have not factored in all of the implications this may have on our other foreign policy objectives. We have not factored in all the implications this may have on our own economy.

Not having a well-defined policy or proper preparations for contingencies that may result from whatever action we take is a dangerous situation on the eve of the war this administration says we must have.

With all of these unanswered questions, how do we get here today? The administration has said it wants a vote on this resolution ''before the election.'' In this debate, many in Congress and many of our citizens are asking: What is special about November 5 in deciding this question?

The question of war should not be placed in the context of trying to influence the outcome of an election, and surely that cannot be the case today. The question is too grave for that to be the motivation, even for that to be a motivation. The question of war should be placed squarely in the context of what is the right policy to achieve our Nation's security goals.

With all of these questions in mind, I look to the resolution that is before us. Does this resolution address the question this Nation must answer in order to succeed? Does it clearly articulate a policy objective? What course of action does it sanction in our Nation's pursuit of that goal?

While this resolution is a marked improvement over the President's original proposal, S.J. Res. 46 does not provide the information—and the objectives—needed at this time.

It is overly broad in defining the objectives of military action.

After considering the threat, the cost, and the unanswered questions, I have reached a decision. I will vote against the underlying resolution; I will vote against going to war at this time.

I am committed to fighting and winning the war on terrorism, including eliminating Saddam Hussein's weapons of mass destruction.

I support wholeheartedly our men and women in uniform. I admire their heroism. And I will continue to do all I can to provide them with the resources they need for whatever mission they are asked to carry out on our behalf.

Today we are being told we have no choice; that we have to grant the President war-making authority immediately, without knowing the ultimate goal or the ultimate cost, and without knowing whether we are going it alone.

It may well be that someday our country needs to take military action in Iraq, but the decision right now to give the President this broad authority, without focusing it narrowly on weapons of mass destruction, without the support of our allies, without defining the costs to our country today and tomorrow, is not something I can support given what we know today.

The constituents I hear from want to know:

Why are we racing to take this action right now, alone, with so many questions unanswered?

The administration could answer those questions with clear, compelling facts and goals, but so far we have not heard them.

We are being asked to endorse a policy that has not been thought out, and one that could have dramatic consequences for our citizens and our future.

While we may need to take action in Iraq down the road, today I cannot support sending our men and women into harm's way on an ill-defined, solo mission with so many critical questions unanswered.

If, in the coming weeks or months, we learn that Saddam's capabilities are more advanced than we now realize, or if Saddam defies U.N. resolutions, we will certainly have the right to take appropriate action.

Looking back over the past year, it is clear that we can respond to September 11 several ways.

We can act out of fear, casting aside our principles, and taking action without sufficient planning. Or we can stick to our principles and draw strength from them in tough times. That is the course I advocate today.

In closing, let me be clear. Despite my reservations today, I will always stand with and support those who serve our country, wherever and whenever their Commander in Chief sends them.

If American troops are called to fight in Iraq, I will stand with the President and I will support our troops not only during the conflict, but afterward.

The international community, and those who would do us harm, need to know without exception that while we may have our disagreements before military action, once our troops are on the ground, we are all on the same side.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I want to answer some of these questions about why we are now considering a resolution and what proof we have about Iraq. Senator SARBANES and I are the two delegates to the United Nations this year for the House and Senate. I was on the floor of the United Nations General Assembly when the President made his speech and presented his case to the General Assembly. I have to say I was so proud of him.

Before he even gave the speech, there had been a lot of hype in the papers that was unfavorable to him. When he was introduced, the tension in the crowd could be felt, and there was no applause. I did learn later that there is seldom applause when a head of state is introduced.

When he gave his speech the body language could be seen on the other delegates. At the end of the speech—also untypical—they gave him applause.

I also want to tell my colleagues what happened after that. As we wandered about and met other delegates,

we heard lots of positive comments about what the President said. Not only that, virtually every head of state who followed him had the same message for the U.N.: Be useful or be done. That is the message that the President delivered.

Why now? Right now because we are trying to strengthen the resolve of the United Nations. Discussions are going on right now in the Senate and throughout the nation about what should be done with Iraq. We are the ones who provide the leadership in this country. We are the ones who set the tone. We are the ones who have to approve what the President is doing.

What proof do we have? I hope everyone is attending the classified briefings that are available. The things that are not classified are enough to scare us. The reports of Iraq that gave to the United Nations show many chemical weapons they had left at the end of the war—their report, their numbers, their chemicals, their weapons of bioterrorism. Subtract out the numbers that they destroyed, and we wind up with a huge supply of chemical and biological weapons. Weapons that could be used against us now.

One of the things the other countries of this world appreciate is the patience our President had after September 11. Bombs were going off in Afghanistan that very night, and the press covering it said: The United States is retaliating. But it was not us. The President was busy sending envoys to nations all over the world, setting up a coalition—the same kind of coalition we are being asked about now. Some have asked: Shouldn't we see if there is a coalition first? No. First we should show our resolve, and then we can build coalitions.

This is the President who built coalitions. This is the President who went into Afghanistan with war plans, with a method, with cooperation, and he did in 1 month what Russia was not able to do in 7 years. It is a President who knows what he is doing. It is a President with patience. Now he is asking us to pass a resolution.

How strange and unheard of is this request to pass a resolution? In 1998, a Republican-controlled Senate for a Democrat President recognized that this was not Democrat versus Republican. We then said that it was very important to bring up a resolution that would show our resolve. That is exactly what a resolution does—show resolve. We passed a resolution in 1 day. We passed a resolution with no amendments. The President asked us. We did it. We showed unity. We showed the country we were behind the President and we were ready to do whatever was necessary for the same despot we are talking about now.

Do we think he has gotten better? No. He has gotten worse. Do we think he has gotten less prepared? No. He has gotten more prepared. It is time we did something about it, and time we did it through the right channels—that is exactly what the President is doing. Part of that process is to ask us, ask Congress, to help.

In 1998, we did it with no questions. We did it with no amendments. We did it with no filibuster. What do we have in the Senate today? We have a filibuster. We have amendments. We have people giving all kinds of excuses so they can vote against an amendment that is necessary to get the resolve of the Security Council. That way the United Nations will have the backbone to say to this despot, this tyrant, this killer of babies, that it is time he straightened out, got rid of his chemical weapons, got rid of his biological weapons, and let us in to make sure there were not any nuclear weapons. It is time he becomes part of the community of nations or gets out of office. It is that simple.

If we could do pass a resolution for Bill Clinton, we ought to be able to do it for President Bush. Again, I want to remind my colleagues of the patience and resolve we had going into Afghanistan. I think parts of this discussion came up from the fact that somebody heard that we had plans for attacking Iraq. Well, we better have. We have a Defense Department that we pay a lot of money to plan for events so that they never happen. They have a plan on Iraq, and they have a plan on another dozen countries.

Every once in awhile, we even have exercises or war games so our Defense Department can see how to move people and have the right equipment in the right place at the right time. That way we know that the training is good for the people we have in the armed services. Anybody who commits to the service of this country must be assured that we are also committed to providing them with the training and everything under the Sun we can give them to keep them safe. Keep them safe so they can do their job and to com home alive. That is absolutely essential.

Today we have half a dozen amendments, we have substitutes amendments to substitute amendment. We do have a resolution, a resolution the President asked us to pass. It is one that is considerably more detailed and one that has more hoops to jump through than the one we approved in 1998. This is the resolution we need to pass. We must give President Bush the authority we gave President Clinton in 1998 without limiting authority or amendments.

In July of 1998, as I mentioned, we considered a resolution urging the President to take appropriate action to bring Iraq in compliance with international obligations. The Senate debated that for one day, without amendments. We approved the resolution by unanimous consent. That means no one objected and no one wanted to add an amendment. We just said yes. The House debated that one for day, had no amendments, and approved it by a vote of 407 to 6.

In October of 1998, we considered legislation that, in addition to authorizing the President to provide assistance to the Iraqi democratic opposition, declared it should be the policies of the United States to seek the removal of Saddam Hussein's regime and replace it with a democratic government. What did we do on that? The Senate debated that legislation for one day without amendments and we approved it by unanimous consent. Once again, no one wanted to amend it, no one disagreed. We gave President Clinton the authority. The House debated that legislation for one day and approved it by a vote of 360 to 38. One day in each Chamber—one day in each Republican-controlled Chamber giving authority to a Democratic president. One day in 1998. How many days will it take in 2002? We are already days into debate. How many days are needed by my colleagues to undermine the ability of the United States to address a security threat?

The President has been criticized for asking for a Congressional resolution prior to achieving a United Nations Security Council resolution. I believe the United Nations does have an important role in the future of Iraq. If the UN does its job, and member states do what is right, we can address the threat within the realm of the United Nations, which I am sure would be everyone's preference. As an independent nation, however, the United States cannot sit idly by while the Security Council debates the validity of pledges made by a known liar. If the General Assembly and Security Council are not prepared to defend the security of the world and the legitimacy of this organization, the United States must be prepared to act. A strong resolution with strong support is the best effort to prevent a war later. Afghanistan made the U.S. credible. It proved our patience and capability. Those traits go a long way to moving Saddam—as long as Congress shows resolve and then the UN shows resolve.

It is also important to note that the passage of a Congressional Resolution would not prevent the Administration from continuing its work at the United Nations. Rather, I believe it will help the President gain support for an appropriate Security Council resolution. As Congress, our actions must show a united front with the strong resolve of the American people. We will not wait to be attacked. We will not wait for inaction and discord. We will not tolerate an Iraqi President who flouts the authority of an organization only to cower under its umbrella when convenient.

Saddam Hussein is not crazy or an idiot. He is dangerous because he is cunning and very calculated. Repeatedly, he pushes the international community to the brink point and then backs down and says—sure, let the weapons inspectors come back. How many times are we going to let him play this game? Do we wait for him to attack with nuclear, chemical, or biological weapons? Do we wait for yet another international inspector team to

be denied access to weapons stockpiles? Do we wait for another attack on the United States? Iraq has a despot leader, chemical and biological weapons, and a proven willingness to use anything. Iraq is the only country in the world with all three components. We must have changes immediately or regret it soon.

Many have asked why now, and I must ask why have we not acted sooner? We have considered action in Iraq before. We decided in 1991 that we should defend Kuwait. We sent in planes and bombs in 1998 and brought the inspectors home, but we have been silent since then. It is worthwhile to look at a few of the 16 Security Council resolutions that Saddam has chosen to ignore:

Resolution 687, adopted April 3, 1991, called for Iraq to accept the destruction, removal or rendering harmless of all chemical and biological weapons and unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons useable material;

Resolution 707, adopted August 15, 1991, condemned Iraq's violation of Resolution 687, adopted only four months before;

Resolution 1051, adopted March 27, 1996, called for Iraq to comply with weapons inspectors;

Resolution 1115, adopted June 21, 1997, condemned the repeated refusal of Iraqi authorities to allow access to UN inspectors; and

Resolution 1194, adopted September 9, 1998, condemned the decision by Iraq to suspend cooperation with inspectors and oppose its obligations under Security Council resolutions.

In 1991, we knew Saddam Hussein was producing weapons of mass destruction. We knew it in 1995. We knew it in 1998. We know now—he has these weapons today. There is no reason he would stop producing them—no one has been there to stop him. The United States and Great Britain have been enforcing the no-fly zones, but no one has been enforcing Saddam's commitments to disarm. No one can believe he would simply stop producing these evil weapons out of the goodness of his heart.

When and if we do use our armed forces, we must show one of the vast differences between the US and Saddam: a value for human life. To him, soldiers are expendable. To us, each and every life has value and worth. Any military action inherently puts the lives of our brave soldiers at risk, and the American people know this far too well, but we must explore all possibilities and attempt to act with as little American and even Iraqi lives lost as possible.

When Congress approved authorization for forays into Iraq in 1998, in one days debate, no amendments, former President Clinton, said, ''Let there be no doubt, we are prepared to act.'' This is the same message we are again debating today. We must allow this President—President George Bush—to stand up and say ''We are prepared to act.'' He must be able to state that to our allies with the authority and Congressional support, without limitation, that we gave in 1998.

When we act with our allies or through the United Nations, we should go into Iraq with a plan—actually, several plans: a plan for how to disarm Saddam and his guard; a plan for how to remove Saddam from power; a plan for when and how American troops should leave Iraq. The United States, however, should not have a plan for installation of a hand-picked successor. The Iraqi people must ultimately choose their leader. The United States and the international community must work with the people of Iraq just as we worked with the people of Afghanistan. If we choose a leader for Iraq, we will not be allowing the Iraqis to form an independent and democratic nation. The United States should have a plan for encouraging the various factions to work together, but we cannot choose a future leader before the battle begins.

The President and Congress have both been accused of trying to politicize the issue of Iraq. This is not a political issue. It wasn't in 1998 and should not be now. It is an issue of national security and international stability. The truth is respected individuals from both parties have expressed support for taking action and, more importantly, support having a plan for action. On September 12 this year, former Senator Bob Kerry, a Democrat from Nebraska, wrote in the Wall Street Journal, ''The real choice is between sustaining a military effort designed to contain Saddam Hussein and a military effort designed to replace him.'' He also pointed out that the United States has spent more than a billion dollars in the last 11 years on simply containing Saddam. What return have the American people received from that investment? Saddam is still in power, the Iraqi people are still oppressed, and the security and stability of the region are still threatened.

This is the choice we have today. Do we keep the status quo and continue to spend money without any change in Iraq or do we authorize the President to take action and make some changes? I support change. Without any serious action by either the United States or the international community, we are telling Saddam that his game can go on. He stays where he is and continues his shell game. We lose again. Saddam is more than willing to keep the game going as long as the United States and the world are willing to lose.

The people of Iraq, the people of the United States, and the people of the world have not need for the leadership of Saddam Hussein—we can all agree on that. If he cannot abide by his international obligations and if he will not disarm then, simply put, he needs to go. We need to be rid of him and the President needs the authority to use armed forces to remove Saddam if necessary.

I firmly believe that firm resolve under this resolution—this resolution that does give some pretty broad powers—will keep us from having to go to war.

Without it, I think we may have to go to war.

I hope my colleagues will join me in supporting the language included in the Lieberman-Warner substitute without any amendments—just as we did for President Clinton in 1998—with the same resolve, with the same unity, and with the same straightforwardness we had then.

We can't quite do that, though, can we? We have already debated a couple of days. We have already had amendments put in. But we can still have the kind of unity we need to show our resolve so we can get the U.N. to do something which will keep us from going to war.

I yield the floor.

The PRESIDING OFFICER (Mr. CORZINE). The Senator from Rhode Island is recognized for 40 minutes.

Mr. REED. Mr. President, The Senate is engaged in a momentous and historic debate. The President seeks the authority to use force in our on-going confrontation with Iraq.

The Constitution entrusts the Congress with the exclusive power to ''declare War.'' It is our Constitutional obligation to consider the President's request carefully and conscientiously, to review the evidence thoroughly, to weigh the costs and the consequences. We are called upon by the Constitution to make an independent judgment, not an automatic acquiescence.

I begin this debate acknowledging several unassailable conclusions.

First, we are already in a confrontation with Iraq. Since the Persian Gulf War, we have maintained military forces in support of international sanctions against the regime of Saddam Hussein. Our pilots are routinely fired upon as they enforce the ''No Fly'' Zones. Thus, the question is not whether we should confront Iraq. The question is how best to thwart this outlaw regime and for what ultimate purpose.

Second, Saddam Hussein is a despicable person who oppresses his people as he threatens his neighbors. Despite his military defeat in the Persian Gulf War and the imposition of sanctions, Saddam continues to defy United Nations resolutions and, of most concern, continues to develop and attempts to acquire weapons of mass destruction. But, our judgment cannot rest simply on his unalloyed evil. We must consider our actions more broadly. Will we enhance the stability and security of the region? Will we strengthen our security not just for the moment, but for the future as well? What kind of precedent will we establish?

Third, we will decisively defeat Iraqi military forces in any conflict. The skill and courage of our forces, aided by superb technology, will overwhelm Iraqi resistance. The military outcome is certain, but the costs and the consequences are uncertain and could be quite grave.

As I consider the proper course of action, as I weigh the uncertainties as well as recognize what is apparent, I return again and again to one further conclusion. Whatever we do will be better done with others. Thus, it is imperative that we commit all of our energies to encourage the United Nations to live up to its founding principles: to be more than just an international forum for discussion; indeed, to be a force for collective action in the face of common dangers. President Bush said it very well when he addressed the United Nations' General Assembly:

> We created a United Nations Security Council so that, unlike the League of Nations, our deliberations would be more than talk, our resolutions would be more than wishes. After generations of deceitful dictators and broken treaties and squandered lives, we've dedicated ourselves to standards of human dignity shared by all and to a system of security defended by all.

Acting alone will increase the risk to our forces and to our allies in the region. Acting alone will increase the burden that we must bear to restore stability in the region. Acting alone will invite the criticism and animosity of many throughout the world who will mistakenly dismiss our efforts as entirely self-serving. Acting alone could seriously undermine the structure of collective security that the United States has labored for decades to make effective. Acting alone today against the palpable evil of Saddam may set us on a course, charted by the newly announced doctrine of preemption, that will carry us beyond the limits of our power and our wisdom.

For these reasons, I will vote against the Lieberman-Warner resolution granting the President the permission to take unilateral military action against Iraq regardless of the immediacy of the threat. And I will support the resolution proposed by Senator LEVIN.

The Levin resolution recognizes the inherent right of the President to use our military forces to defend the United States. This resolution supports the President's demands that the United Nations promulgate a tough, new framework of inspections to disarm Iraq, and this resolution gives the President the right to use American military forces to enforce the resolve of the United Nations. The Levin resolution recognizes Congress' responsibility to promptly consider the President's request to unilaterally employ American forces if the United Nations fails to take effective action.

On Monday in Cincinnati, President Bush said, ''Later this week the United States Congress will vote on this matter. I have asked the Congress to authorize the use of America's military, if it proves necessary, to enforce U.N. Security Council demands.'' That is what the Levin resolution provides.

Those who advocate unilateral action assume that time has run out in dealing with Iraq. They see an immediate threat that will yield only to immediate military action. Thus, it is important to assess the Iraqi threat as best we can.

Iraqi conventional forces have been seriously degraded since the Gulf War. Saddam does have a cadre of Republican Guards that are capable and fought with determination in the Gulf War. One cannot totally discount Iraq's conventional forces, but they are not capable of defeating United States forces. The most dangerous aspect of Saddam's military power is the possession of chemical and biological weapons and his aspiration to develop or acquire nuclear weapons.

Today, Iraq has the capability to use chemical and biological weapons within the region to augment conventional forces that have been seriously degraded since the Gulf War. These capabilities, however, must be viewed in terms of intentions in order to fully evaluate the threat

An assessment of Iraq intentions reveals areas of consensus and areas of disagreement. It seems clear that Saddam is intent on rebuilding his military and acquiring weapons of mass destruction including nuclear devices. His expulsion of U.N. inspectors certainly supports this view. Moreover, it may suggest that the inspectors posed a very difficult obstacle to his plans and their future utility cannot be summarily dismissed. Saddam continues to aspire to be a regional power. Unchecked, Saddam would threaten his neighbors and endeavor to claim the mantel of leadership in the Gulf and, perhaps, in the greater Muslim world.

There is, however, a lack of consensus on two significant points. Will Saddam risk the survival of his regime by threatening or conducting attacks on his neighbors? Will Saddam provide weapons of mass destruction to terrorist groups who can or will use them against the United States or any other nation?

At the heart of discussions of Saddam's possible plans is the general question of whether deterrence and containment will work against Iraq as it did in the Cold War. Saddam certainly has a lot to lose in any conflict with the United States. Both his life and his lifestyle would be in great jeopardy. Saddam also seems to be devoid of any ideology other than self-preservation and self-aggrandizement. Saddam is a secular thug, not a messianic leader. There is evidence that he will not put his regime at risk. During the Gulf war, the United States clearly signaled that any use of Iraq of chemical or biological weapons against Coalition forces would result in his destruction. Saddam accepted a humiliating defeat rather than risk losing power.

Of course, there are many who accurately point out that Saddam has already attacked his neighbors, Iran and Kuwait. He has used chemical weapons against the Iranians and the Kurds. Still, one is left with the question whether even this despicable behavior is a product of calculation rather than delusion.

And complicating the record of his actions against Iran is mounting evidence of our covert support both before and after he had begun to employ chemical weapons.

The second issues involves Saddam's willingness and ability to cooperate with terrorists. After September 11, this issue takes on a new and powerful emphasis. Despite extraordinary and justifiable efforts to establish a connection between the Iraqi regime and the attacks on New York City and the Pentagon and the downed aircraft in Pennsylvania, no such links have been established. Indeed, if credible links exist, the President, in my view, could employ unilateral force under the terms of the congressional resolution passed on September 14, 2001.

Recently, however, administration officials are publicly, but cryptically, trying to make the case that there is a definite connection between the Iraqi regime and al-Qaida. Secretary Rumsfeld and Condolezza Rice have asserted at various times that Iraq is harboring al-Qaida fighters in Iraq, that information from detainees indicates that Iraq provided chem-bio weapons training to al-Qaida, and that senior-level contacts between the Iraq regime and al-Qaida have increased since 1998. They have offered few details beyond Secretary Rumsfeld's claims that the information is ''factual,'' extremely accurate'' and ''bulletproof.''

But according to the Philadelphia Inquirer, these claims are disputed by ''a growing number of military officers, intelligence professionals and diplomats.'' The article quotes an unnamed official declaring:

> analysts at the working level in the intelligence community are feeling very strong pressure from the Pentagon to cook the intelligence books.

The Inquirer article examined some of these administration claims and found that ''the facts are much less conclusive.''

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Oct. 8, 2002]

OFFICIALS' PRIVATE DOUBTS ON IRAQ WAR

(By Warren P. Strobel, Jonathan S. Landay and John Walcott)

WASHINGTON.—While President Bush marshals congressional and international support for invading Iraq, a growing number of military officers, intelligence professionals and diplomats in his own government privately have deep misgivings about the administration's double-time march toward war.

These officials say administration hawks have exaggerated evidence of the threat that Iraqi leader Saddam Hussein poses, including distorting his links to the al-Qaeda terrorist network; have overstated the amount of international support for attacking Iraq; and have downplayed the potential repercussions of a new war in the Middle East.

They say that the administration squelches dissenting views and that intelligence analysts are under intense pressure to produce

reports supporting the White House's argument that Hussein poses such an immediate threat to the United States that preemptive military action is necessary.

''Analysts at the working level in the intelligence community are feeling very strong pressure from the Pentagon to cook the intelligence books,'' said one official, speaking on condition of anonymity.

A dozen other officials echoed his views in interviews with the Inquirer Washington Bureau. No one who was interviewed disagreed.

They cited recent suggestions by Defense Secretary Donald H. Rumsfeld and National Security Adviser Condoleezza Rice that Hussein and Osama bin Laden's al-Qaeda network working together.

Rumsfeld said Sept. 26 that the U.S. government had ''bulletproof'' confirmation of links between Iraq and al-Qaeda members, including ''solid evidence'' that members of the terrorist network maintained a presence in Iraq.

The facts are much less conclusive. Officials said Rumsfeld's statement was based in part on intercepted telephone calls in which an al-Qaeda member who apparently was passing through Baghdad was overheard calling friends or relatives, intelligence officials said. the intercepts provide no evidence that the suspected terrorist was working with the Iraqi regime or that he was working on a terrorist operation while he was in Iraq, they said.

Rumsfeld also suggested that the Iraqi regime had offered safe haven to bin Laden and Taliban leader Mullah Mohammed Omar.

While technically true, that, too, is misleading. Intelligence reports said the Iraqi ambassador to Turkey, a longtime Iraqi intelligence officer, made the offer during a visit to Afghanistan in late 1998, after the United States attacked al-Qaeda training camps with cruise missiles to retaliate for the bombings of the U.S. embassies in Kenya and Tanzania. But officials said the same intelligence reports said bin Laden rejected the offer because he did not want Hussein to control his group.

In fact, the officials said, there is no ironclad evidence that the Iraqi regime and the terrorist network are working together, or that Hussein has ever contemplated giving chemical or biological weapons to al-Qaeda, with whom he has deep ideological differences.

None of the dissenting officials, who work in a number of different agencies, would agree to speak publicly, out of fear of retribution. Many of them have long experience in the Middle East and South Asia, and all spoke in similar terms about their unease with the way that U.S. political leaders were dealing with Iraq.

All agreed that Hussein was a threat who eventually must be dealt with, and none flatly opposed military action. But, they say, that U.S. government has no dramatic new knowledge about the Iraqi leader that justifies Bush's urgent call to arms.

Some lawmakers have voiced similar concerns after receiving CIA briefings. Sen. RICHARD J. DURBIN (D., Ill.) said some information he had seen did not support Bush's portrayal of the Iraqi threat. ''It's troubling to have classified information that contradicts statements made by the administration,'' DURBIN said. ''There's more they should share with the public.''

Several administration and intelligence officials defended CIA Director George Tenet, saying Tenet was not pressuring his analysts but was quietly working to include dissenting opinions in intelligence estimates and congressional briefings.

In one case, a senior administration official said, Tenet made sure that a State Department official told Congress that the Energy and State Departments disagreed with an intelligence assessment that said hundreds of aluminum tubes Iraq tried to purchase were intended for Baghdad's secret nuclear-weapons program. Analysts in both departments concluded that the Iraqis probably wanted the tubes to make conventional artillery pieces.

Other examples of questionable statements include: Vice President Cheney said in late August that Iraq might have nuclear weapons ''fairly soon.'' A CIA report released Friday said it could take Iraq until the last half of the decade to produce a nuclear weapon, unless it could acquire bomb-grade uranium or plutonium on the black market.

Also in August, Rumsfeld suggested that al-Qaeda operatives fleeing Afghanistan were taking refuge in Iraq with Hussein's assistance. ''In a vicious, repressive dictatorship that exercises near-total control over its population, it's very hard to imagine that the government is not aware of what's taking place in the country,'' he said. Rumsfeld apparently was referring to about 150 members of the militant Islamic group Ansar al Islam (''Supporters of Islam'') who have taken refuge in Kurdish areas of northern Iraq. However, one of America's would-be Kurdish allies controls that part of this country, not Hussein.

Mr. REED. In addition, a full assessment of the assertions of Secretary Rumsfeld and National Security Advisor Rice is hampered by the failure of the Central Intelligence Agency to provide an updated National Intelligence Estimate of the current situation in Iraq.

Given the subjective nature and inherent difficulty of evaluating the intentions of such an opaque structure as the Iraqi regime, much more weight must be given to their capabilities. Saddam does not deserve the benefit of the doubt. But looking at Iraqi capabilities alone, the threat is not immediate. If unchecked, the threat is inevitable and dangerous. But, at time have the opportunity to pursue a collective solution to Iraq. This is an approach that offers a greater chance of success and a greater chance of long-term stability.

Whatever course of action that we choose, we cannot absolutely ignore or disregard the views and opinions of other countries. With the exception of Great Britain, there are few nations that are supportive of unilateral action.

The nations that surround Iraq are critical to the success of any military operation and to the long-term success of our policy. And, regional support for unilateral American military operations is equivocal at best.

Turkey seems likely to allow use of its airbases but without great enthusiasm and with great concern about the Kurds. Saudi Arabia opposes toppling Saddam and has stated it will allow the use of its bases only if the operation is authorized by the United Nations. The potential loss of Saudi bases and overflight rights will limit our flexibility. King Abdullah of Jordan has described a military confrontation with Iraq as a ''catastrophe'' for the region. His reluctant support is based on our commitment not to seek permission to introduce American forces into Jordan.

The Iranians have declared their intentions to remain aloof from the conflict. Iran is a bitter foe of Iraq, but its government is no friend to America. The gulf states seem resigned to the possibility of war. Mubarak of Egypt has repeatedly spoken out against a unilateral attack, and it is unclear whether Egypt will allow the use of its airfields.

As the New York Times pointed out with regard to the Gulf Region and the Middle East:

> The support for the United States is not enthusiastic, and is based on any American military action having the backing of a United Nations resolution.

As we debate, the Iraqis are preparing their responses to our diplomatic and military initiatives. Their options are shaped by their capabilities and, I believe, the lessons learned in their disastrous defeat in the gulf war and their study of the success of American military forces in Bosnia, Kosovo, and Afghanistan.

Their first option is the one that they are currently pursuing; the admission of U.N. weapon inspectors under the most lenient conditions possible. The Iraqis are not unmindful that inspectors in Baghdad are the best insurance that they can have against a military attack by the United States. Even if this Congress authorized the President to use military force against Iraq at his sole discretion without regard to the United Nations, it is difficult to conceive of the President ordering an attack with U.N. inspectors in Iraq carrying out a U.N. resolution and presumably telling CNN that their mission is proceeding.

The State Department is engaged in difficult negotiations to broker a new resolution while at the same time delaying the entry of inspectors into Iraq. If these negotiations fail, the United States would find itself in a precarious position. Not only will we be deprived of a new and strengthened enforcement mechanism, we likely will be exerting all our formal and informal influence to prevent the reintroduction of inspectors. Blocking the reentry of inspectors would further isolate us in the world. If we succeed in brokering a new and more effective inspection scheme, there is a significant probability that Iraq, despite it repeated defiance and rejection of tougher standards, will initially comply. Saddam has consistently practiced the politics of survival. Accepting inspectors, even inspectors with unconditional and unconstrained access, will buy time. If Saddam refuses to accept inspectors in accord with a more robust U.N. resolution, he seals his fate.

The recognition by the administration that Iraq may capitulate in the face of a strong Security Council resolution might tempt them to halfhearted pursuit of United Nations authority. They should resist those temptations. It is clearly preferable to operate with a U.N. authorization whether it is contained in one resolution that

promulgates a new inspection scheme backed by the explicit authorization of force or a two-staged process that introduces inspectors with enhanced powers but defers the question of enforcement until Iraqi non-compliance is established.

If inspectors are not reintroduced into Iraq and Iraq is convinced of a pending American-led attack, then the possibility of terrorist attacks by Iraq within the United States must be considered. In a letter read before a hearing of the Senate and House Intelligence Committees, CIA Director, George Tenet, stated that:

> Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or chemical or biological weapons.

But, Tenet went on to warn:

> Should Saddam conclude that a U.S.-led attack against his country could not be deterred ''he probably would become much less constrained in adopting terrorist action.''

And, if Iraq is contemplating terror in America, then Iraqis are more than likely to be considering preemptive strikes on our forces as we build up prior to an attack. One of the most compelling lessons of the gulf war and subsequent American military operations is that letting the United States build up its military forces is tantamount to victory for the United States. If we can assemble in sufficient numbers the best warfighters in the world with the best military technology in the world, we will win the military battle every time and certainly in the case of Iraq.

If Hussein's goal is to kill U.S. soldiers and slow down an invasion, he might strike in the early days of a campaign at regional ports or airfields when those facilities are filled to capacity with U.S. forces gathering for the fight. In 1997, a Pentagon team of 18 generals and admirals projected different ways such an attack could take place. In one scenario, small teams of Iraqi infiltrators unleashed mustard gas from an old bread truck outfitted with agricultural sprayers. In the projected scenario, the truck was mistakenly let on base by troops who thought it was delivering food. In another scenario, a helicopter took off from a barge floating about 15 miles from the Indian Ocean island of Diego Garcia and sprayed cholera into the air, infecting thousands of U.S. Marines preparing to board ships. The Marines didn't fall ill until they were at sea. Finally, the generals envisioned speedboats, loaded with chemical and biological weapons, ramming into docks near key U.S. ports in Bahrain and Kuwait. Added to these scenarios is the possibility of a missile attack similar to the one launched against our rear areas during the gulf war.

A chemical or biological attack on our forces as they assemble would disrupt our operations but not ultimately defeat them. It would increase our casualties and costs. It also has the potential to sow panic in civilian ranks and make our presence a greater burden on supportive governments.

If Saddam does not choose to launch preemptive attacks on our build-up, there is increasing evidence that he will use chemical and biological weapons against our forces as they commence the attack. Last Tuesday Prime Minister Blair released a report, which stated that Saddam might have already delegated authority to employ chemical and biological weapons to his youngest son, Qusai, who leads the Republican Guard. Reportedly, Saddam had, prior to the start of the 1991 Persian Gulf ground war, issued specific orders for the use of WMD if the allies were winning the ground war and crossed a line 200 miles south of Baghdad.

Once again, Iraqi chemical or biological attacks against United States forces will not halt our attack. American units are trained and equipped to operate in chemical or biological environments. However, such attacks can cause delay, disruption and increased casualties. General Hoar, former CENTCOM Commander, testified before the Armed Services Committee that prior to offensive operations in 1991, he was briefed on a simulation conducted at Quantico that indicated the possibility of 10,000 casualties to the assaulting Coalition forces due principally to the potential use of chemical and biological weapons. We have improved our protective equipment and monitors since the gulf war. We have devoted great effort to developing techniques to target and suppress opposing systems that could deliver chemical and biological weapons. Nevertheless, chemical and biological attacks would pose serious risks to our forces and to the civilian population.

It is important to note that both General John Shalikashvili and General Wesley Clark in testimony before the Armed Services Committee agreed that operating under United Nations authority would tend to raise the threshold for the Iraqis to use weapons of mass destruction. Operating alone, the United States runs the risk of Iraqi gambling that international opinion will not be as critical of Iraq in the employment of these weapons.

If the first lesson of the gulf war is don't let the United States build up its forces, the second lesson is don't fight the United States at long range in open terrain. Our troops, training and technology give us decisive advantages to locate and destroy targets with integrated fires at great range. The deserts of Iraq are ideally suited for our forces and will be the graveyard of the Iraqi army if they chose to fight us there.

Unless the Iraqis learned nothing from their defeat, they will not fight our forces in the open. They likely will conduct a strategic withdrawal to Baghdad.,fighting at choke points like rivers and urban areas. But, they may also conduct a scorched earth policy as they withdraw to slow us down and deny us speedy avenues of approach to Baghdad. Suddam ordered the oil fields of Kuwait destroyed as his army fled. He may do the same as his forces withdraw. Moreover, since our major avenue of approach is through Southern Iraq, the traditional home of Iraqi Shiites, Saddam is unlikely to have any reluctance to inflict damage on a community that he has always suppressed.

If Iraq forces can maintain any coherence in the face of our assault, particularly our air assaults, then they will most likely make their major stand in Baghdad. In the streets and alleys of Baghdad, our technological advantages are reduced. It would become a more difficult battle.

The International Institute of Strategic Studies reports that Iraq's ''wisest course would be to hunker down in cities, distribute and hide its forces, and fight from those places. It cannot be assumed that the Iraqi Army would deploy armour in the open desert, as in 1990–91, firing from static positions and presenting an immobile target for airpower, as the Taliban did. Many Iraqi weapons and command and control centers will be placed near apartments, hospitals, schools, and mosques.''

General Hoar testified at the Armed Services Committee of a ''nightmare scenario'' that needs to be planned for—six Iraqi Republican Guard divisions and six heavy divisions reinforced with several thousand antiaircraft artillery pieces defending the city of Baghdad, resulting in urban warfare with high casualties on both sides, as well as the civilian populace.

We are all mindful that, during the Gulf War, Saddam launched 39 Scud missiles against Israel as a means to provoke the Israelis to retaliate. It was a desperate attempt to change the dynamic of a war that was leading to a humiliating defeat. He hoped that Israel could be drawn into the war and their involvement would cause the Muslim world to abandon the international coalition and rally to Saddam. The Israelis did not take the bait. They endured missile attacks, refrained from retaliation and watched as coalition forces dictated terms to a defeated Iraq.

Given Saddam's history and his options, it is highly probable that he will once again seek to draw Israel into the conflict as a means of rallying the Muslim world to his cause. He has a limited number of missiles to fire at Israel. However, it is likely that Palestinian forces like Hamas and Hezbollah will launch either sympathetic or explicitly coordinated attacks against Israel. This later dimension was not such a formidable factor in 1991. Today, the potential for suicide attacks and widespread violence in the West Bank and elsewhere in Israel is more pronounced.

According to Western and Israeli intelligence sources, Hezbollah militants in southern Lebanon are reported to have amassed thousands of surface-to-surface rockets with ranges sufficient to strike cities in northern Israel.

The administration hopes that the government of Israel will exercise the same restraint that it showed in 1991. That might be a forlorn hope. On September 26, Prime Minister Sharon said, ''If Iraq attacks Israel, but does not hit population centers of cause casualties, our interest will be not to make it hard on the Americans. If on the other hand, harm is doneto Israel, if we suffer casualties or if non-conventional weapons of mass destruction are used against us, then definitely Israel will take the proper action to defend its citizens.'' We all recognize the right of Israel to defend itself. The Prime Minister's first responsibility is to his people.

But we also understand that Israeli retaliation would put great pressure on Muslim countries to either end any support for United States efforts or to actively oppose our efforts. Here again, a strong argument can be made that an operation sanctioned by the United Nations might give these countries sufficient justification to participate with the international community rather than oppose efforts to decisively deal with Saddam.

We are prepared militarily to counter all of these Iraqi threats. Our first priority will be to establish an air defense system to protect our forces as they enter the region. Our ground based air defense batteries and active aerial patrolling will help mitigate any potential Iraqi threat from the air. We have had extensive collaboration with Israel on the development of their Arrow air defense system. This collaboration and other collaborative efforts will be accelerated to help ensure that any potential Iraqi attack on Israel will be frustrated.

In the conduct of offensive operations, we will prepare the battlefield with intensive air strikes. But, one of the factors that must be considered in this air campaign is the inadvertent release of chemical or biological agents as a result of our bombing. Press stories suggest that the Iraqis have placed sensitive installations in urban areas as a way to protect them from the expected air campaign. We could discover that we have unwittingly created a chemical or biological release that would be exploited by the Iraqi government not as confirmation of their treachery but as an attack on our conduct of the operation.

Indeed, the potential use of chemical and biological weapons is one of the great uncertainties of a battle against Iraq. The President and Secretary Rumsfeld are trying to dissuade Iraqi field commanders from deploying these weapons by sternly and correctly warning them that they will be held accountable for war crimes.

It is an open question whether this warning will be effective with individuals who owe their position and lives to Saddam and who would likely face swift and fatal retribution from Saddam before they would be subject to international law.

We are prepared to counter Iraqi responses to our military operations. But, there are certainly no guarantees that we can do so without significant casualties to our forces and to the civilian population. Much of the Iraqi response turns on the willingness of his forces to resist and to follow his supposed orders to employ weapons of mass destruction. It is difficult to predict these dimensions of loyalty and morale. But, this battle seems likely to produce more causalities and costs than the Persian Gulf war for the simple reason that the President has repeatedly associated our use of force with regime change. In a battle to remove Saddam from power, his desperation and the desperation of his loyalists will cast this as a battle to the death. Unfortunately, one of the hallmarks of dictators is that many people suffer and die, many innocent people, before they meet their demise.

We will prevail in any battle against Iraq. But, military victory brings with it a host of other problems. Again, an examination of these issues strongly suggests that our tasks would be immensely aided if we initiated our operations with the broadest possible international coalition vested with the authority of the United Nations.

The Administration's avowed policy of ''regime change'' combined with the discretion to wage a unilateral attack on Iraq will inevitably lead to the indefinite occupation of Iraq by United States forces. Such an occupation will be expensive and will impose significant stress on our military forces that are already ''stabilizing'' Afghanistan, Bosnia, Kosovo, and other areas across the Globe.

Moreover, governing Iraq is not one of the easiest tasks. It is a country with at least three major factions; the Kurds in the North, Sunni Muslims in the Center and Shiite Muslims in the South. The potential for disintegration along ethnic and religious lines is significant.

Our tasks in Iraq will be immensely complicated by the probable damage resulting from the military campaign. Although we will deploy precision missions and will be acutely conscious of minimizing collateral damage, a ''scorched earth'' policy by the Iraqis compounded by the possible release of toxic agents and the possibility of extensive combat in built-up areas may lead to significant damage and significant civilian casualities.

Again, after the battle, we would look for international assistance to rebuild Iraq. That assistance would be more forthcoming if we initiated operations with international support rather than without it.

Even before calculating the costs of postwar reconstruction of Iraq, we must recognize that military operations in Iraq will be expensive in direct costs and could have significant and detrimental effects on our economy.

Estimates of the direct cost of an attack on Iraq range from $50 billion to $200 billion. For perspective, the gulf war cost about $80 billion in direct incremental costs, and our allies paid much of this expense.

Indirect effects on our economy are hard to estimate, but there is great concern that military operations in Iraq will further complicate a fragile economy.

One of the most potentially volatile economic aspects of a war in Iraq will be its effect on the price of oil. According to the Congressional Research Service, ''the effect of a sudden and sustained increase in the price of oil could deepen an existing recession or push an already weak economy into recession.''

Our occupation of Iraq will place us in control of the world's second largest oil reserves. Directly or indirectly, we will become a major force in the international politics of oil. That fact will not be lost on other producing nations and the world at large. There is a real danger that our motivation to remove Saddam will be ignored or quickly forgotten, and our attack on Iraq will be seen as old fashion imperialism. Once again, this perception is most likely to develop if we conduct our operations unilaterally.

To date, the administration has not publicly suggested how they intend to deal with Iraqi oil. This is a major issue of international importance touching the economic, diplomatic and security priorities of the world.

A unilateral attack by the United States will engender worldwide criticism as already suggested by the comments of many leaders around the world and reflected in public opinion in many countries. A swift victory without significant casualties or damage will mute this criticism in many quarters, but it will not easily extinguish the resentment of our ''go it alone'' policy. A difficult and costly struggle will accelerate this criticism and create problems that will inhibit diplomatic and economic progress on other fronts.

One of the unintended consequences of a unilateral assault on Iraq may be our efforts on the War on Terror; the unfinished business of completely destroying Al Qaida before they strike us again. Despite all the good faith assurances of military leaders that they will not lose focus on the War on Terrorism, the scale of the proposed operation, the notoriety and the huge risks involved will inevitably draw resources and attention from the War on Terror. Further complicating our efforts on the War of terror is the real possibility that many countries that are now assisting us will greet future requests with studied indifference or denial.

The President asks for the authority to use force unilaterally. This request must be viewed in the context of the newly promulgated National Security Strategy. The core of this new strategy rejects deterrence and embraces preemption.

According to this strategy, the United States has long maintained the

option of preemptive actions to counter a sufficient threat to our national security. The greater the threat, the greater the risk of inaction—and the more compelling the case for taking anticipatory action to defend ourselves, even if uncertainty remains as to the time and place of the enemy's attack. To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively.

There is no argument that the United States, like every nation, retains the right to defend itself from an imminent hostile act. But, this strategy goes much further. It appears to be based not on the immediacy of a hostile act but simply on the ''sufficiency'' of the threat. It fails to make any distinction based on the nature or timing of the threat. As such, it can be applied or misapplied to a wide range of adversaries.

There is no question that the United States must act preemptively against terrorist like al-Qaida. The nature of the threat and the immediacy of the threat leave no other option. Al-Qaida has no significant and identifiable institutions, resources or assets to hold hostage as a means of changing behavior. Al-Qaida has no significant and identifiable institutions, resources or assets to hold hostage as a means of changing behavior. Al-Qaida makes on pretense of attempting to participate in the international system of nation states. Al-Qaida is not motivated by calculated self interest as much as it is motivated by an apocalyptic impulse for the destruction of its enemies and the ritual sacrifice of its adherents. There is no choice but to seek out these terrorists and destroy them before they attack us again.

But al-Qaida is different that many threats that face us. And, extending this notion of preemption and bolstering it in resolutions that give the President authority at his discretion to conduct unilateral military operations starts us down a potentially dangerous path.

We are debating Iraq today, but will we apply this preemptive doctrine to Iran or North Korea tomorrow? How do we prevent others from adopting this same strategy if we have enshrined it as the centerpiece of our policy? For example, how to we counsel the Indians to refrain from preemptively attacking Pakistan or vice versa? From New Delhi or Islamabad, the threat looks ''sufficient'' and striking first is enticing.

In this first test of the President's new National Security Strategy, we should be very careful to define the scope of his authority to avoid being swept up in a doctrine that appears to have few limits.

Our continuing confrontation with Iraq is fraught with danger and challenge. Much is uncertain, but I believe that one point is quite clear. Leading an international coalition to enforce United Nations resolutions, as the President spoke of in Cincinnati, is the surest way to reduce the dangers and ensure the long-term success of our policy. It is for this reason that I support the Levin resolution.

Great events will turn on our deliberations. But, at this moment, my thoughts are not on historic forces. Rather, I think about the young Americans who will carry out our policies. They are prepared to sacrifice everything. We owe them more than we can ever repay. One thing that we certainly owe them is our best judgment. I have tried to give them mine.

I yield the floor.

Mr. President, I yield the floor and 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. CORZINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REED). Without objection, it is so ordered.

Mr. CORZINE. I thank the Chair. I thank the distinguished Senator from Oklahoma for the opportunity to go forward.

I rise tonight to express my views on what has become the overriding issue before the Senate and our Nation as we close out the 107th Congress: the authorization of the use of military force against Iraq and in what context and under what circumstances such an operation might take place.

This issue has been one on which I have given much thought and careful analysis. This decision quite literally has life-and-death implications, not just for our courageous men and women in uniform but for all Americans across our homeland, for your family and mine.

No decision we take can weigh more heavily on our hearts and minds, particularly in light of the exposed vulnerabilities and tragic events of September 11, 2001. This is as important an issue as any of us will ever face. It requires a sober and calculating weight of the costs and benefits to our Nation.

Ultimately, our decision will shape the nature of the U.S. leadership as the first among equals in the post-cold-war world, and our decision sets a precedent for ourselves and for those who take our lead in the 21st century for good or evil.

No one argues that Saddam Hussein's brutal and criminal regime should be tolerated. He and his regime are evil. We all accept that Hussein uses torture and terrorism to advance his political goals. He constructs palaces while his people starve. He stockpiles biological and chemical weapons. At times, these weapons of mass destruction have been unleashed against the Iraqi people and his enemies.

All of us are concerned that the Iraqi regime is seeking to develop nuclear weapons contrary to international law and U.N. resolutions. With deference to these circumstances and probable facts, the United Nations and the world community must act swiftly and decisively in response to the Iraqi threat.

As my colleague Senator KERRY said earlier today: The question is not whether Saddam Hussein should be held accountable to disarm; the question is how. Should disarmament be imposed by the United States alone or with the weight of global public opinion behind it? To answer the question how, one needs to consider the context of the broader role America plays as a single remaining superpower.

As I see it, America should make every effort to build a global coalition to achieve our objective of disarming Iraq. This effort should be considered our first priority in these grave circumstances. Building an international coalition will give moral authority to our challenge, share the sacrifices that will be incurred, and set a positive precedent for the future in foreign relations among nations.

The benefits of working cooperatively with other countries have been a cornerstone of U.S. foreign policy since the end of World War II. That is why the United States worked to create the United Nations in the very first instance.

Strangely, this administration has sometimes appeared to consider multilateral support for a military campaign to be an unnecessary inconvenience. Even in light of our unprecedented international support and cooperation following the tragedy of 9/11—some 90 nations if I am not mistaken—it was only after the President delivered his September 12 speech at the United Nations that he began visible and serious outreach to the global community.

This week, the President in his speech in Cincinnati went further to embrace a multilateral approach. I support what he expressed in that speech. In my view, we must reinforce his recent instincts. We all know at the end of the day the United States always retains the inherent right to act unilaterally in self-defense. With that understanding, I believe strongly we must not stop pursuing, however, the support of the world community before acting alone.

The United States may be the strongest country in the world militarily. We still need allies. We need help with logistics. We need intelligence cooperation and overflight rights to help us succeed. That is in the short run. And after the military campaign is over, we will need help in the long run reconstructing Iraq and rebuilding a civil society. But if the world community is not with us when we take off, it will be hard to ask for their help when we land.

Our Nation has been well served if we share the human and financial sacrifices required to prosecute the war and keep the peace, and we will be well served in the future if we follow that pattern. Unless we have the support of

our allies, it will be difficult to ask them for humanitarian assistance in helping to feed, clothe, and heal the Iraqi people or reestablishing the rule of law.

It will be difficult to ask for assistance for peacekeeping and nationbuilding activities. In the past, the current administration has been somewhat reticent to support these kinds of operations. As a case in point, we relied on the armed forces of other countries, for example, to restore law and order in Afghanistan. Yet if other countries had not been committed from the beginning, they would have been much less likely to participate once the fighting was over.

Unilateralism also brings with us great costs—most importantly, costs in the precious lives of our men and women in uniform, people who serve us bravely.

It also brings us costs as we saw in the gulf war. The United States had relatively low out-of-pocket expenses. The reason was, we had a coalition of nations. Although the Congressional Research Service notes that war cost about $80 billion, much of that was covered by allied contributions.

Without allies, the United States, it is projected, will have to shoulder by itself the $100 billion to $200 billion pricetag suggested by the administration for the current war. I have seen higher estimates. It really depends on how long our participation in the peacekeeping and nationbuilding efforts will go on afterwards.

It should not be lost on the American people that we are still in Korea, 50 some years after our intervention. In other words, unilateralism is expensive and its cost—crowd out other priorities on the Nation's agenda from our first responders to our first graders.

Unfortunately, by authorizing force before a multilateral approach has been devised, the President's resolution provides no assurance that the world community will be actively involved in either the military campaign or, more importantly, the reconstruction efforts.

In the long run, the Bush doctrine of unilateral preemption embedded in the underlying resolution would set an awful example for the world community—a precedent based on the concept of survival of the fittest.

For generations, the United States has decried the aggression of foreign governments across the globe. We fought the patriotic and just fights against the Nazis and Communists who sought world domination. How in the future can we criticize Russia for attacking Georgia or stop India from taking action against Pakistan or believe Taiwan will be safe from China? Many countries may feel threats, continuing or imminent. They, too, could argue preemptive rights. The underlying resolution would codify the Bush preemption doctrine in precedent and could undermine our moral authority and leadership credibility in limiting future conflicts around the globe.

Furthermore, by advancing a policy of unilateral preemption, we could be encouraging state sponsors of terrorism such as Iran and Syria to form unholy alliances with just the kinds of agents of terror that caused the horrific events of September 11. Iran, Iraq's mortal enemy, actually opposes a U.S. invasion of Iraq. Why is that? Perhaps because Iran fears that if the U.S. attacks Iraq today, we might attack Iran tomorrow. Clearly, the thawing of relations between these two U.S. adversaries should give us pause. One can only wonder what Iran's instructions to their agents of terror will be in a world where they feel threatened under a preemption doctrine.

Earlier this week, Senator GRAHAM introduced an amendment which authorized the President to use force against several identified dangerous terrorist groups, including Iranian-linked Hezbollah and Hamas. I supported that amendment because I believe that those foreign terrorist organizations represent an even higher order risk to American security than Iraq.

Like al-Qaida, these organizations have the clear means of delivery. These terrorist groups may already be operating in our homeland. I am concerned that, at some level, Iraq may be a dangerous distraction from America's war on terrorism. While the United States military has certainly disrupted the activities of the al-Qaida network, no one should doubt that al-Qaida and its sympathizers continue to operate. The administration tells the American people this almost every week.

These groups continue to plot ways to undermine the American way of life and our security. As the United States considers its future course of action with respect to Iraq, a potential threat, we must assure the American people that we will not be distracted from the effort to destroy a proven threat, al-Qaida and these other terrorist organizations. That should be our No. 1 priority. It certainly has been in repeated statements by the President. I am also concerned that the resolution we have before us is structured with an overly broad scope. It refers to UN Security Council resolutions that are unrelated to the primary goal of disarming Iraq and eliminating its delivery capacity of weapons of mass destruction.

We must remember that the threat we feel is not from the Iraqi people but from the criminal regime's control of weapons of mass destruction. And second, because the underlying resolution refers to UN Security Council Resolution 678, a resolution that discusses the importance of returning security to the ''area,'' we may inadvertently be permitting military action beyond Iraq. Potentially, some of these structural concerns were addressed by other resolutions that were circulated including one drafted by Senators BIDEN AND LUGAR.

There were attempts to define away some of the broader aspects of the concerns I relate to in the underlying Lieberman-Warner resolution, but I am fearful, as I have suggested, that by their reference to other U.N. resolutions that may not be the case.

I certainly believe we could have done better through the Biden-Lugar approach.

Finally, I am troubled my the fact that Congress is being asked to make a decision on a matter of this gravity without being fully informed with all relevant intelligence. It is an unfortunate fact but many of us, and I can speak for myself, have often learned more by reading the New York Times and the Washington Post than by attending the secret briefings provided to Senators.

Even today, we hear about a conflict between what it is the CIA says is the likely response of the Saddam Hussein regime when they no longer have other options and would be the case as presented by the administration.

In the future, I hope that the administration will be more open earlier with secure briefings in the process so that Members of Congress can make fully informed decisions. I think they should be built upon true intelligence.

It is in this overarching context, that I will cosponsor and strongly support the Levin amendment which authorizes the use of force pursuant to a new UN security council resolution demanding swift council resolution demanding swift, certain, and unconditional inspections and Iraqi disarmament. The Levin amendment in no way comprises the US' inherent right to self-defense or Congress' ability to authorize unilateral actions if the UN fails to act. But it embraces the multilateral approach as a first priority.

This course of action, will bring with it all the benefits I have sought to outline, a multilateral approach, without giving up the right of unilateral approach as a last resort. In my judgment, the Levin amendment embraces the need for the U.S. to lead a dangerous world to disarm Saddam Hussein today with a multilateral approach, while setting a pattern and precedent that provides for greater security to the people of the United States and around the world.

That security will be in today's circumstances but it will equally be true as a guide to the future by its precedent. As a matter of conscience, barring substantive changes, I intend to oppose the underlying Lieberman-Warner resolution.

I yield the floor.

Mr. REED. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I do think our distinguished Senator from New Jersey stressed the sense of urgency that is upon us right now when he said perhaps the greatest decision we will have to make during the terms we are serving is going to be tomorrow. I think that is probably right. Even though I disagree with many of the things he stated, I certainly respect

him for the commitment and belief he has in his interpretation of the facts and the course we should take.

I have been listening for quite a number of hours now, and I quite frankly have to say it has not been all that easy. I believe tomorrow we will give the President of the United States the full support of this body in order to send the right message to Saddam Hussein and to terrorists all over the world, and that message is this: The United States of America will not live in fear.

I have ended every speech I have made since 1995 with one sentence, and I feel compelled to start this speech with that sentence. That sentence is that we today are in the most vulnerable and threatened position we have been in in our Nation's history.

In January 2002, our President gave a magnificent State of the Union address. He said:

> Our enemies send other people's children on missions of suicide and murder. They embrace tyranny and death as a cause and a creed. We stand for a different choice, made long ago, on the day of our founding. We affirm it again today. We choose freedom and the dignity of every life.

The handwringers have already marshaled their special interest groups to delay this body from giving our President the homeland security bill he asked for way back in June. And just like the homeland security bill, they are trying to weaken the President's ability to protect this Nation with a hollow resolution against Iraq.

We are going to have to give the President the flexibility he needs to protect this Nation. Making the potential use of U.S. military force contingent upon the current deliberations of the U.N. Security Council is absurd. Our national security must not be tied to the actions of the ''mother of all handwringers,'' the United Nations.

I keep hearing a grinding noise. It is our forefathers turning over in their graves. Can they really believe this Nation would get into the position where we would have to ask some multinational organization before our President had the right to defend America? I think not. And why are we letting the same groups of individuals that have prevented us from getting a homeland security bill, during a time of war, by the way, from supporting the President of the United States? What is next? Do they want us to go to the United Nations to get a homeland security bill?

The American people have to wonder about this one simple question: Why do those who oppose the President's resolution trust the United Nations more than they trust the President of the United States?

The United Nations did not stop in 1992 the threat of 100 servicemen in Yemen. The United Nations did not stop the 18 rangers from dying in Somalia or their naked bodies from being dragged through the streets of Mogadishu. The United Nations did not stop the World Trade Center, the first bombing in 1993. They did not stop Khobar Towers in 1996. They did not stop the Embassy bombings of Kenya and Tanzania in 1998. They did not stop or prevent the loss of 17 sailors' lives in Yemen in 2000. The United Nations did not stop the airplanes from flying into the World Trade Center, into the Pentagon, and the field in Pennsylvania. The United Nations will not stop Saddam Hussein from giving a nuclear device to a terrorist, putting it on an airplane and flying it into an American city. Of course, this time, instead of 3,000 deaths, there could be hundreds of thousands of deaths.

I often remember the television scenes, the horrible scenes from New York City of the airplanes hitting into the World Trade Center. Then I thought, if that had been the weapon of choice of a terrorist—in other words, a nuclear warhead on a missile—there would be nothing left but a piece of charcoal. We would not be talking about 3,000 lives, we would be talking about 2 or 3 million lives.

Why should the President of the United States delegate his responsibility of protecting this Nation to the United Nations? We made a similar mistake back in 1998. Look where it has gotten us. In 1998, in an attempt to get the Iraqi regime to comply with the U.N. resolutions—doesn't that sound familiar—the administration blessed Secretary Annan's trip to Baghdad, and in doing so let the United Nations negotiate on behalf of the United States, which proved to be a very serious mistake. Part of that particular agreement was the recognition of the eight palaces as special sites. And that compromise continues to haunt us today. The administration should not have let the United Nations negotiate and compromise for the United States in 1998. And the current administration should not do it now and will not do it now.

My distinguished colleague, the chairman of the Armed Services Committee, likes to say: Saddam is looking down the barrel of a gun. He should be looking at the international community at the other end, not the United States.

While I respect my friend and colleague and admire his passion behind his convictions, I could not disagree more. Saddam Hussein has been looking down the gun barrel of the international community for 11 years. The problem is that he knows the gun is full of blanks. The Iraqi regime knows the United States does not shoot blanks, which is why they continue to manipulate and deceive the United Nations.

I know our Secretary of State is working very closely with the members of the Security Council in order to get a U.N. resolution against Iraq that is not full of blanks. I hope he has already expressed to the Security Council this Nation is united, and with the overwhelming support of the American people and this Congress in the form of support of the President's resolution, we choose to exercise our right to defend ourselves. How unreasonable of us.

We have the right under international law to defend ourselves. Article 51 of the United Nations Charter states: Nothing in the present charter shall impair the inherent right of an individual or collective self-defense if an armed attack occurs against a member of the United Nations.

The current Iraqi regime has been harboring and supporting terrorist networks since the early 1990s. We know that, maybe before that. We have been under attack ever since. I challenge any of my colleagues to tell any of our brave soldiers who fly combat planes over Iraq every day that the surface-to-air missiles Iraq has been firing is not a hostile act. Iraq forces have fired on U.S. and British pilots 1,600 times since 2000. Since September 18—remember what happened on September 18 of this year—hours after Saddam Hussein promised to allow the return of U.N. inspectors without conditions, he fired on American and British pilots 67 times. That is 67 times since September 18 when he made the promise. Is anyone home? What message are we sending our brave men and women in uniform if we only consider it a hostile act when one of those missiles hits an aircraft?

The message we must send our military, our allies, the United Nations, and those who support the current Iraqi regime is that the United States of America chooses not to live in fear and we will defend ourselves. That message will be sent with the overwhelming passage of the President's resolution.

The Armed Services Committee recently had a series of hearings with former civilian and military leaders regarding the Iraqi issue. My fellow colleagues on the other side of the aisle have been using some of the testimony of witnesses to make their case that the United States must wait for the United Nations to make a decision. A lot of people do not realize, but there are over 4,000 retired generals floating around the country today. They have only found three who would agree with them. So they went out and found the three who said we have to continue to wait for the United Nations to solve the Iraqi issue.

The fourth member of that panel, not quoted by any of my fellow colleagues, disagreed with the other three generals. Lieutenant General McInerney had the following comments about the suggestion of weakening the President's authority. Members have not heard this from anyone, just the other three generals.

He said: If you water this down—talking about the President's Iraqi resolution—you are going to send a signal to al-Qaida. You may not want to, but you are going to send it to Saddam and say, well, we don't quite trust them. The signal you want to send is this nation is united. You want to send that

to the U.N. because I happen to believe—which is different than General Clark—I happen to believe this strong signal will ensure that we have a better chance of getting it through the United Nations.

That is what General McInerney said at the same time the other three generals said we need to decide what fate the United Nations will give this great country.

Saddam Hussein is an evil man. He butchered his own people. Everyone agrees. He butchered members of his own family, two of his own sons-in-law. He must be stopped. He will be stopped. Each day that goes by he gets stronger. There are those who believe the President has not made a strong enough case. They say: Where is the evidence? Why now? Additional inspections will work, and we do not want another Vietnam.

To them I ask, Are they more concerned about a war that took place over 30 years ago, or the tragic events that took place on September 11?

As I stand here today, is there more likely to be another Vietnam or another September 11?

The President asked a critical question the other night. He said, if we know Saddam has dangerous weapons today, and we do, does it make any sense for the world to wait to confront him as he grows even stronger and develops even more dangerous weapons? I know what the people of Oklahoma are more concerned about. The people of Oklahoma are well aware of what can happen when evil people unleash weapons of terror.

Go back and listen to the speeches the President gave to the U.N. on September 12 and in Cincinnati on October 7. He has made his case. He has made it to the United Nations, the Congress, and most importantly to the people of the United States. The threat is real. And with every day of delay and deceit the menace grows stronger.

The current Iraqi regime will continue to use the United Nations as his tool until he gets what he may be close to having—a nuclear weapon. It may have been the right decision not to go after Saddam Hussein in 1991, just like it may have been the right decision for the previous administration not to go after Osama bin Laden in the 1990s when they had the opportunity to do so. But is it right to go after them both today? I believe it is.

The big question is does he have a nuclear weapon? The scary thing is, no one is able to say that he does not. Does he have a delivery system? Nobody is in a position to say that he doesn't. This Congress is going to do the right thing. This Nation is united. We will defend ourselves. This Congress must once again unite as we did following the tragic events of 9/11.

There is another statement a President made following another tragic event in our history. Some of you may remember. The President was motored from the White House to the Capitol under heavy security. The American people were full of emotions, from apprehension to anger. After being greeted by rounds of loud applause, the President of the United States addressed the Joint Session of Congress. Here is a quote from that speech. You have to listen to this, Mr. President. This is a long quote. This is what the President said:

> The facts . . . speak for themselves. The people of the United States have already formed their opinion and well understand the implications to the very life and safety of our Nation. As Commander in Chief, I have directed that all measures be taken for our defense. Always will we remember the character of the onslaught against us. No matter how long it may take us to overcome this premeditated invasion, the American people in their righteous might will win through to absolute victory. I believe I interpret the will of Congress and of the people when I assert that we will not only defend ourselves to the uttermost but will make very certain that this form of treachery shall never endanger us again. Hostilities exist. There is no blinking at the fact that our people, our territory, and our interests are in danger. With confidence in our armed forces—with the unbounded determination of our people—we will gain the inevitable triumph—so help us God.

The date of that speech was December 8, 1941. President Franklin Roosevelt gave the speech. Pearl Harbor and the war that followed led to the restructuring of our national security structure.

Today, more than 1 year since 9/11, an ongoing war against terror, and a possible conflict with Iraq, we, the Congress, have not given the American people a homeland security bill and some Members of Congress want to put the security of this country in the hands of the United Nations.

I repeat, did our forefathers ever believe we would have to go to a multinational organization in order to defend America?

The President of the United States during a time of war has asked Congress to give him support to show the world that this Nation is united. He has requested the Congress give him the necessary flexibility to protect the homeland, to protect the Nation. Telling the President that he must first bow to the will of the United Nations is the wrong message. Here we are today, just like with the homeland security issue, letting the hand wringers drive the debate in a direction that has nothing to do with the task at hand.

We are going to have to and will give the President an Iraqi resolution that does not tie his hands. The Secretary of Defense has said—and I think this is so important for us to understand today, for all of us, for all Americans to understand. He said:

> If the worst were to happen, not one of us here today will be able to honestly say it was a surprise. Because it will not be a surprise.

Mr. President, I remember so well—I am old enough to remember World War II. I was a very small child. I remember going to a country schoolhouse named Hazel Dell. It was way out in the country. We had eight grades in one room with a pot-bellied stove there and a schoolteacher named Harvey Beam. He was a giant of a man, but I suspect he wasn't quite as big as I thought he was at the time.

I remember studying American history and studying about how we won a war and won the freedom in this country against impossible odds, and how the greatest army on the face of this Earth was coming over from Great Britain and marching toward Lexington and Concord, and here we were, a handful of hunters and trappers with homemade weapons. We fired that shot heard round the world.

A speech was made that I remember so well, in the House of Burgesses, when a tall redhead stood up and said:

> Sir, we are not weak, if we make a proper use of those means which the God of nature has placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations; and who will raise up friends to fight our battles for us.

At that time, we fired the shot heard around the world. We knew we were one nation depending on God to give us the strength to win a battle that now historians say could not have been won. That was the sublime courage we had in this country, and now the hand wringers are back.

In 1996, we had an opportunity to end this whole thing, to get Saddam Hussein. I suggest to you, if George W. Bush had been President in 1996, we would not be here today. It is a no-brainer. It would have been done.

We had the opposition, including about 100,000 troops, well trained, and the Kurds in the north ready to join us, and we implied to them that we would do that and we would together take out Saddam Hussein. What did we do? We turned our backs on them, and we walked away. Several thousand Kurds died as a result of that. Now they are back. They are willing to join us again.

I wonder about this. Why is it that so many of the people I have heard on the floor of this Senate objecting to giving the President the recognition he needs to do what he has to do, what is his constitutional obligation—where were they in 1998, back when we had another President, President Clinton, and he wanted to go after Saddam Hussein? They were in line, saying: That's fine; let's go get him. Our distinguished majority leader Senator DASCHLE said:

> Saddam Hussein must understand that the United States has the resolve to reverse that threat by force if force is required. And I must say it has the will.

Senator BIDEN—I have the utmost respect for him. He came down to the floor, and he is now saying we don't want to move too fast. Then he said we risk sending a dangerous signal to other proliferators if we do not respond decisively to Iraq's intransigence. That

was 1998. What is different now? Nothing, except Saddam Hussein is stronger.

Does he have the weaponry? Does he have the weapons of mass destruction? Does he have a nuclear warhead? We don't know for sure, but we don't know he does not.

Let's go back to the Rumsfeld Commission. This is 1998. The Rumsfeld Commission was made up of, I don't know, 16 or 18 of the very top military experts in this country. They said that U.S. intelligence was shocked by a 1990 Iraqi test of a long-range booster rocket, showing Iraq was involved in an extensive, undetected, covert program to develop nuclear capability ballistic missiles with intercontinental range. That was 1990.

People keep saying: Oh, no, this is not going to happen; they don't have this. I remember in 1998, it was August 24 when our intelligence said that it would be something like 5 to 15 years before North Korea would have a multiple-stage rocket. That was August 24, 1998.

Seven days later, on August 31, North Korea fired one. We know when the weapons inspectors came back in 1998 after Saddam Hussein kicked them out, they came before our committee. I can tell you exactly—I have the transcript over here—what they said. By and large, this was it. For the sake of time, I say in response to our question, in 1998—this is the weapons inspectors who were over there:

> How long would it be until Saddam Hussein has the weapons of mass destruction capability, including nuclear, and a missile with intercontinental range to deliver those?

The answer was he could have it in 6 months. That was 1998. George Tenet at that time said:

> I agree with that testimony.

Unclassified intelligence told us that China was transferring technology of chemical, biological, and nuclear weapons and missiles to Iraq.

On August 24, in the Washington Times, it was revealed the intelligence community warned President Bush that weapons of mass destruction could be on their way in a very short period of time.

Just 2 weeks ago, 3 weeks ago, from a satellite image, we were able to photograph trucks, 60 trucks that were moving around—a biological lab that we knew was a weapons lab. They are up to something. Every day something has happened. The intelligence report to the administration was that Saddam Hussein is preparing to use weapons of mass destruction.

On September 27, Rumsfeld said there is solid evidence that Saddam Hussein is negotiating for weapons of mass destruction with al-Qaida—they are negotiating with each other, I mean.

With all these things that we know are going on today, why is it that we are sitting around, wringing our hands? We don't know that he doesn't already have it, but we do know this. Every day that goes by, every week that goes by, he has a greater opportunity to have these.

So, I look at this and I think that we have to remember what Secretary Rumsfeld said when he talked about the consequences. He said:

> The consequences of making a mistake during the days of conventional warfare meant that we might lose 100, maybe 200 lives. But the consequences of making a mistake now could mean hundreds of thousands of lives.

I think tonight we have the Churchills and the Chamberlains. Tomorrow we are going to have a lot more Churchills than Chamberlains and we are going to stop the hand wringing. It will all stop tomorrow, and we are going to give the President of the United States the resolution that he knows he needs in order to have the full support of Congress and the American people behind him to do what he knows he must do in defending America.

I yield the floor. 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. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORZINE). Without objection, it is so ordered.

MODIFICATION TO SUBMITTED AMENDMENT NO. 4869

Mr. REID. Mr. President, this has been cleared with the minority.

Mr. President, on behalf of Senator BYRD, I ask unanimous consent to modify his amendment No. 4868 to remove paragraph 2, and further I ask consent to modify amendment No. 4869 to change references to section 3(a) to 4(a).

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

The amendment (No. 4869), as modified, is as follows:

> At the appropriate place, insert the following:
>
> **SEC. 5. TERMINATION OF THE AUTHORIZATION FOR THE USE OF THE UNITED STATES ARMED FORCES.**
>
> (a) IN GENERAL.—The authorization in section 3(a) shall terminate 12 months after the date of enactment of this joint resolution, except that the President may extend, for a period or periods of 12 months each, such authorization if—
>
> (1) the President determines and certifies to Congress for each such period, not later that 60 days before the date of termination of the authorization, that the extension is necessary for ongoing or impending military operations against Iraq under section 4(a); and
>
> (2) the Congress does not enact into law, before the extension of the authorization, a joint resolution disapproving the extension of the authorization for the additional 12-month period.
>
> (b) CONGRESSIONAL REVIEW PROCEDURES.—
>
> (1) IN GENERAL.—For purposes of subsection (a)(2), a joint resolution described in paragraph (2) shall be considered in the Senate and the House of Representatives in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473; 98 Stat. 1936–1937), except that—
>
> (A) references in those provisions to the Committee on Appropriations of the House of Representatives shall be deemed to be references to the Committee on International Relations of the House of Representatives; and
>
> (B) references in those provisions to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on Foreign Relations of the Senate.
>
> (2) JOINT RESOLUTION DEFINED.—For purposes of paragraph (1), the term ''joint resolution'' means only a joint resolution introduced after the date on which the certification of the President under subsection (a)(1) is received by Congress, the matter after the resolving clause of which is as follows: ''That, pursuant to section 5 of the Authorization for the Use of Military Force Against Iraq, the Congress disapproves the extension of the authorization under section 4(a) of that joint resolution for the additional 12-month period specified in the certification of the President to the Congress dated ____.'', with the blank filled in with the appropriate date.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 5 minutes each.

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

RELIEF FOR VICTIMS OF SEPTEMBER 11

Mr. KENNEDY. Mr. President, in the USA PATRIOT Act, we provided temporary immigration relief for lawful nonimmigrants who are survivors of the September 11 attacks. This relief ended last month, and it has proved to be too short. A single year is not sufficient time for these families to sort out their affairs before returning to their native lands.

Senator CORZINE has introduced legislation to help these people, most of whom are the spouses and children of H–1B and other highly skilled temporary workers killed in the terrorist attacks. S. 2845 would allow these family members to remain in the United States for an additional year to deal with the very real challenges these families face.

They have been in mourning for a year. Many have not recovered the remains of their loved ones and are waiting for DNA analyses of the samples collected from the attack site. Some families have children enrolled in American schools. Many of these families are still waiting for awards from the Victims' Compensation Fund. Some have homes that must be sold or other financial matters that need to be settled. Many of them are participating in support groups with other September 11 survivors groups that simply do not exist in their native lands.

Consider the case of Tessie Forsythe. Tessie's husband Christopher worked

for Cantor Fitzgerald. He had an H–1B visa, which expired in April. The rest of the family received H–4 visas, so their lawful status in the U.S. was dependent on him.

Christoper left behind two children Jose and Kirsten. Tessie is not Kirsten's mother, but she is seeking to adopt Kirsten because Kirsten's birth mother has had extensive mental health problems and has no contact with Kirsten. The judicial process began in the United States, and if the family leaves the country now, the adoption proceeding could be jeopardized. In addition, shortly after her husband's death, Tessie was mugged and hospitalized for 3 months with extensive injuries.

Christopher's remains have not been recovered, though DNA samples from Kirsten have been submitted and are being analyzed. Like many of the survivors, Tessie has not yet received an award from the Victims' Compensation Fund.

Consider the case of Sonia Gawas. Her husband Ganesh Ladkat was also employed by Cantor Fitzgerald. The couple had been married just 9 months when the terrorist attacks killed Ganesh. Sonia suffers from a condition know as ''delayed grief,'' where the death of a loved one is not accepted until long after the event took place. In this case, without any remains or proof that here husband was dead, Sonia's grieving period did not begin until it became clear to her that Ganesh was in fact a victim of the attack. Acceptance of his death plunged Sonia into a severe depression.

The catastrophic nature of the terrorist attacks had made the recovery process far more difficult. Sonia is receiving counseling and attends support groups that are not available in her native country. This unusually long grieving period has taken a toll on Sonia's ability to make arrangements for her return. She is still waiting to receive compensation from the Victims' Fund.

These brave families should not have to face the specter of deportation while still in the process of grieving for their loved ones and settling their affairs. An additional year will provide an opportunity to attend to their affairs and undertake the sad task of dismantling their lives in the United States. We need to help these deserving families by enacting this legislation as soon as possible, so that these families will not face deportation.

HOLD TO NOMINATION OF GROVER J. REES

Mr. GRASSLEY. Mr. President, I would like to inform my colleagues that I have requested to be notified of any unanimous consent agreement before the Senate proceeds to the consideration of the nomination of Grover J. Rees to be Ambassador to the Democratic Republic of East Timor. I need further time to examine the qualifications of this nominee.

REDUCING AMERICA'S VULNERABILITY TO ECSTASY ACT

Mr. BIDEN. Mr. President, in June I introduced S. 2633, the Reducing America's Vulnerability to Ecstasy Act, also known as the RAVE Act. Since that time there has been a great deal of misinformation circulating about this legislation. I rise today to correct the record. Simply stated, my bill provides technical corrections to an existing statute, one which has been on the books for 16 years and is well established.

Critics of my bill have asserted that if the legislation were to become law ''there would be no way that someone could hold a concert and not be liable'' and that the bill ''holds the owners and the promoters responsible for the actions of the patrons.'' That is simply untrue. We know that there will always be certain people who will bring drugs into musical or other events and use them without the knowledge or permission of the promoter or club owner. This is not the type of activity that my bill would address. The purpose of my legislation is not to prosecute legitimate law-abiding managers of stadiums, arenas, performing arts centers, licensed beverage facilities, and other venues because of incidental drug use at their events. In fact, when crafting this legislation, I took steps to ensure that it did not capture such cases. My bill would help in the prosecution of rogue promoters who not only know that there is drug use at their event but also hold the event for the purpose of illegal drug use or distribution. That is quite a high bar.

I am confident that the overwhelming majority of promoters are decent, law-abiding people who are going to discourage drug use, or any other illegal activity, at their venues. But there are a few promoters out there who are taking steps to profit from drug activity at their events. Some of these folks actually distribute drugs themselves or have their staff distribute drugs, get kickbacks from drug sales at their events, have thinly veiled drug messages on their promotional flyers, tell their security to ignore drug use or sales, or send patients who need medical attention because of a drug overdose to a hospital across town so people won't link emergency room visits with their club. What they are doing is illegal under current law. My bill would not change that fact. Let me be clear. Neither current law nor my bill seeks to punish a promoter for the behavior of their patrons. As I mentioned, the underlying crack house statute has been on the books since 1986, and I am unaware of this statute ever being used to prosecute a legitimate business.

The RAVE Act simply amends the current crack house statute in two minor ways. First, it clarifies that Congress intended for the law to apply not just to ongoing drug distribution operations, but to single-event activities, such as a party where the promoter sponsors the event with the purpose of distributing Ecstasy or other illegal drugs. After all, a drug dealer can be arrested and prosecuted for selling one bag of drugs, and the government need not show that the dealer is selling day after day, or to multiple sellers. Likewise, the bill clarifies that a one-time event where the promoter knowingly distributes Ecstasy over the course of an evening, for example, violates the statute the same as a crack house which is in operation over a period of time. Second, the bill makes the law apply to outdoor as well as indoor venues, such as where a rogue rave promoter uses a field to hold a rave for the purpose of distributing a controlled substance. Those are the only changes the bill makes to the crack house statute. It does not give the Federal Government sweeping new powers as the detractors have asserted.

Critics of the bill have also claimed that it would provide a disincentive for promoters to take steps to protect the public health of their patrons including providing water or air-conditioned rooms, making sure that there is an ambulance on the premises, et cetera. That is not my intention. And to underscore that fact, I plan to remove the findings which is the only place in the bill where these items are mentioned, from the bill. Certainly there are legitimate reasons for selling water, having a room where people can cool down after dancing, or having an ambulance on hand. Clearly, the presence of any of these things is not enough to signify that an event is ''for the purpose of'' drug use.

The reason that I introduced the RAVE Act was not to ban dancing, kill the ''RAVE scene'' or silence electronic music, all things of which I have been accused. Although this legislation grew out of testimony I heard at a number of hearings about the problems identified at raves, the criminal and civil penalties in the bill would also apply to people who promoted any type of event for the purpose of drug use or distribution. If rave promoters and sponsors operate such events as they are so often advertised, as places for people to come dance in a safe, drug-free environment, then they have nothing to fear from this law. In no way is this bill aimed at stifling any type of music or expression—it is only trying to deter illicit drug use and protect kids.

I appreciate the opportunity to correct the record about what my legislation does and does not do. I hope that all of my colleagues will join me in supporting this bill.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current

hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred August 8, 2000 in Providence, RI. Two young gay men were severely beaten by two strangers. The assailants drove by the young men, shouting vulgarities and anti-gay slurs. After making two passes, the perpetrators got out of the car, shouted more anti-gay slurs, and proceeded to punch and kick the victims in the head and body. The attackers fled after witnesses called for help.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now 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.

A HOLD ON EXTENDING CHAPTER 12 BANKRUPTCY

Mr. GRASSLEY. Mr. President, I would like to inform my colleagues that I have requested to be notified of any unanimous consent agreement before the Senate proceeds to the consideration of H.R. 5472 or any other legislation extending chapter 12 bankruptcy. While I am a strong supporter of chapter 12—in fact I was the author of chapter 12—I believe that these changes should be enacted as part of the comprehensive bankruptcy reform conference report, which includes provisions making permanent chapter 12 and extending other important family farmer protections in bankruptcy. Chapter 12 will be in effect until the end of this year, and I expect that the comprehensive bankruptcy reform conference report will be passed by the House and Senate by then. Consequently, an extension is not necessary at this time. So I urge my colleagues in the House and Senate to pass the comprehensive bankruptcy reform conference report as soon as possible to extend these protections to our family farmers.

NOMINATION OF DR. MARK McCLELLAN

Mr. FRIST. Mr. President, just a few moments ago, I joined my colleagues on the Health, Education, Labor, and Pensions Committee in unanimously approving the nomination of Mark McClellan to be Commissioner of the Food and Drug Administration. I rise now to strongly urge the Senate to immediately act on the nomination.

Dr. McClellan is not a stranger to the Senate. During his service on the Council of Economic Advisors, many of us have benefitted from his expertise, clear-headed analysis, and sound advice concerning health policy matters. Dr. McClellan has served the President well and I know that he will continue to serve the Nation well as the next Commissioner of the Food and Drug Administration.

Mark McClellan is an excellent choice to lead the FDA. He is a talented academician and economist who has helped challenge conventional thinking about important health policy matters through groundbreaking research. He is a gifted health policy analyst who has worked to improve the Nation's health care system for all Americans. Perhaps most importantly, he is also a physician who has cared for patients and knows first hand that there are few greater callings than helping to heal one's fellow man.

Mark McClellan is uniquely qualified to lead this important agency at this critical time.

The challenges confronting the next Commissioner of the FDA are great, perhaps greater than at any other time in our Nation's recent history.

Of course, the FDA has an important, ongoing role to play in ensuring the safety and efficacy of drugs, biologics, food, cosmetics, blood products, and devices, goods and products accounting for nearly one-quarter of all consumer spending in the United States. But the FDA Commissioner must be more than simply the head of a large, regulatory Government agency. He must also provide strong leadership on a broad range of critical health policy issues that directly affect the lives and well-being of every American.

I would like to highlight some of the issues on which it is critical that the FDA Commissioner provide leadership at this time. The most significant issue we have faced over the past year is terrorism. On September 11 we endured the most horrendous attack on American soil since Pearl Harbor. This week, we mark the 1-year anniversary of the worst attack of biological terrorism in this country. We cannot know when, where, or in what form the next attack will happen, but we must be prepared. This includes speeding the review and approval of rapid assays, vaccines, and other necessary bioterrorism countermeasures. Numerous scientists and research facilities are working to meet the call of the President and Congress to protect our homeland from outside threats. The FDA must help fashion an environment in which these discussions are encouraged and translated to medical practice.

At the same time, we cannot ignore naturally emerging threats to the safety and sustainability of our blood, tissue and organ supply. Last week, it was reported that 40 people were exposed to hepatitis C from a single organ and tissue donor and salmonella was transmitted through blood transfusions. This is in addition to the growing body of knowledge we are amassing on West Nile virus. Considered together with the existing shortage of blood, tissue and organ donors, the need to speed the development of new screening and purification products is clearly illustrated.

Finally, I would like to highlight the importance of promoting a regulatory environment that values innovations to improve patient care and consumer safety, while at the same time safeguarding the public health. But this must be done without contributing unnecessarily to overall rising health care costs or allowing basic medical treatments to be forgotten. We presently face just this situation with our Nation's vaccine supply. Currently, only four manufacturers produce vaccines and they face the multiple challenges of a growing litigation crisis and changes in the FDA's regulatory oversight. While most of the recent childhood vaccine shortages have been alleviated, our system remains vulnerable to future shortages if we fail to act.

Mark has my full support, the full support of the HELP Committee, and I believe the full support of the Senate. It is in not only in our best interest to see that his nomination is acted on quickly, but it is in the best interest of the entire Nation for the Senate to confirm him as the next Commissioner of the Food and Drug Administration. We cannot wait or allow the nomination to be delayed.

THE ACCOUNTABILITY OF TAX DOLLARS ACT OF 2002

Mr. FITZGERALD. Mr. President, I rise today to urge my colleagues to support S. 2644, the Accountability of Tax Dollars Act, which was approved today by unanimous vote by the Governmental Affairs Committee. Earlier this week, the House of Representatives approved by voice vote the companion measure, H.R. 468, sponsored by Congressman TOOMEY of Pennsylvania.

I thank Chairman, LIEBERMAN and Ranking Member THOMPSON for their support of this legislation, and Congressman TOOMEY for his leadership in the House on this significant issue.

This important legislation will increase the effectiveness of the Chief financial Officers' Act by expanding to all executive agencies the requirement that Federal agencies conduct independent financial audits. This bill will also subject agencies audited records to review by Congress and the administration.

As my colleagues well know, fiscal mismanagement by Federal agencies costs taxpayers billions of dollars each year. The total amount of taxpayer losses is probably much greater than we know, however, because many agencies do not subject their budget reviews to the scrutiny of outside accountants. By requiring independent audits of all executive agencies, this bill will help make our Government more accountable to the taxpayers. The agencies covered by this bill have a combined annual budget of tens of billions of dollars—budgets that represent taxpayer dollars that should be accounted for more rigorously.

I was dismayed to learn that under current law, only the 24 largest departments and agencies—and a few others specified by Congress—are required to

submit their books to outside auditors. The Accountability of Tax Dollars Act of 2002 would require all executive agencies to prepare audited financial statements and subject those statements to an independent audit.

I was especially surprised to learn that current Federal law does not require the Securities and Exchange Commission—the entity with which publicly held companies are required to file their audited financial statements—to subject its own books to the scrutiny of outside auditors. Other Government agencies, including the Federal Trade Commission, the Consumer Product Safety Administration, the Federal Election Commission, the National Endowments for the Arts and Humanities, the National Labor Relations Board, and the Federal Communications Commission—agencies that spend billions of taxpayer dollars every year—have also been exempt from this legal requirement.

I, along with many of my colleagues, have been very critical of the alleged accounting abuses by some of this Nation's largest corporations that have recently been brought to light. Particularly in light of these recent revelations, it is incumbent on Congress to ensure that the Federal Government, at the very least, meets the same standards that we set for the private sector.

It is my hope that subjecting Federal agencies to congressional and executive oversight will provide an incentive for agencies to improve their financial performance or risk possible elimination. Independent audit opinions should contribute to increased Government efficiency by providing information that can be used to strengthen integral accountability, better monitor assets and liabilities, enhance cost controls, identify inefficiencies and weaknesses, and curb Government waste.

S. 2644, the Accountability of Tax Dollars Act of 2002, would extend the Chief Financial Officers' Act requirements currently imposed on the major agencies to all executive branch agencies.

The act gives the Office of Management and Budget the authority to waive the audit requirement for smaller agencies that have annual budgets of less than $25 million. In order to allow agencies some additional time to meet this new standard of accountability, the bill allows the OMB Director discretion during the first 2 years of the act's implementation to waive the application of the new requirements to any agency.

This bill has bipartisan support as well as the support of the Government Accounting Office and the administration.

Again, I urge my colleagues to support this important good Government legislation.

NOMINATION OF MAURA HARTY

Mr. GRASSLEY. Mr. President, I rise today to place a hold on the nomination of Ms. Maura Harty to be Director of the Office of Consular Affairs within the Department of State. Ms. Harty was voted out of the Committee on Foreign Relations today by voice vote. My reason for placing a hold on this nomination is to hear from Ms. Harty regarding a number of controversial cases that were under her jurisdiction as an employee of the Office of Consular Affairs.

First, I am seeking to know more about cases of international child abductions, which have left many parents frustrated with our Government. Many parents do not believe that Ms. Harty, in her capacity as the Managing Director of the Office of Overseas Citizens Services, vigorously pursued the interest of American abducted children.

Second, I wish to convey my concerns about personal appearance waiver programs, such as Visa Express. I am seeking assurance from the nominee that visa issuing procedures will be improved, and future recommendations from the inspector general will be seriously considered by the Office of Consular Affairs.

Finally, I intend to question the nominee on allegations that she fired an employee for blowing the whistle on a Foreign Service national who committed visa fraud. I have been a longtime champion for protecting the rights of those who shed light on the problems in our Government, so I take these allegations very seriously and look forward to hearing from Ms. Harty regarding this matter.

DECOMMISSIONING OF THE U.S. COAST GUARD CUTTER ''SEDGE''

Mr. MURKOWSKI. Mr. President, I rise today to commemorate the distinguished history of the U.S. Coast Guard Cutter *Sedge* which will be decommissioned November 15, 2002, after serving 50 years in Alaskan waters, and to honor the many men and women who have served aboard her.

The *Sedge*, a 180-foot seagoing buoy tender with a complement of 7 officers and 54 enlisted personnel, was the 35th of the original 39 buoy tenders built for the U.S. Coast Guard. Commissioned on July 5, 1944, the *Sedge* began her long service with an assignment in Hawaii. Shortly after arriving in her new home port of Honolulu, she was called into service to support wartime operations. She served in the Pacific theater from 1944 to 1945, tending navigation aids in Guam, Okinawa, Anguar, Midway, Pearl Harbor, and Shanghai.

On February 26, 1947, the *Sedge* was decommissioned and mothballed. But the old girl's life was not over. She was recommissioned in Seattle, Washington on April 14, 1950, with orders making Boston, MA, her new homeport. However, on May 1, new orders sent the *Sedge* to Kodiak, AK, instead.

After 7 years of service in Kodiak, the *Sedge* was transferred to Cordova, AK on July 15, 1957, serving there for almost 16 years. In the Spring of 1973, the *Sedge* shaped a course for the Coast Guard Yard in Curtis Bay, MD, for major renovation. She came out of the yard with a new lease on life—updated propulsion machinery, a new hydraulic buoy handling system, a bow thruster and improved quarters.

After about a year of work, the *Sedge* was recommissioned and departed for yet another new homeport: Homer, AK. She arrived in Homer on November 8, 1974.

The *Sedge*'s primary duty is to maintain aids to navigation that make maritime travel possible and safe. For the last 28 years, she has maintained 73 shore aids and 19 buoys in and around Alaska's Cook Inlet, and she has done it well. But throughout her history she has also done her duty on other matters: national defense, search and rescue, maritime law enforcement, and environmental protection.

In the early 1950s, radar stations in the Arctic—the DEW Line—needed regular servicing and supplies. Convoys would meet in Nome, AK, for the voyage, and the *Sedge* was there. This included the year she was locked in the ice pack for 3 days, and the year she was called on to rescue an LST that was in severe danger in an Arctic storm.

n 1962, she rescued six people who had been adrift in a life raft for 5 days.

After the gigantic Alaska earthquake of 1964, the *Sedge* helped evacuate people from stricken towns and villages in Prince William Sound. She braved many difficulties including the unpredictable seas and tides after the earthquake, including one unheard of minus 30-foot tide that put her hard aground in Prince William Sound.

In 1989, she was back in the Prince William Sound for another disaster. She was the first Coast Guard cutter to respond to the *Exxon Valdez* oilspill. The *Sedge* helped skim 4,000 barrels of oil off the water soon after the incident. Afterwards, the crew of the *Sedge* constructed a lighted tower on Bligh Reef, the shoal on which the *Exxon Valdez* ran aground.

The history of the *Sedge* contains too many such stories of lives saved and lives touched to relate them all. Suffice it to say that the men and women who have served on board the *Sedge* have earned the many accolades and honors they have received, including the Coast Guard Meritorious Unit Commendation, the World War II Victory Medal, the Navy Occupation Service Medal, the Coast Guard Special Operations Service Ribbon, the Department of Transportation Outstanding Unit Award, the Coast Guard Unit Commendation, the Coast Guard ''E'' Ribbon, the Coast Guard Bicentennial Unit Commendation, the National Defense Service Medal, the Coast Guard Arctic Service Medal, and the Humanitarian Service Medal.

The *Sedge* will work her last aid to navigation on November 5, 2002, before her scheduled decommissioning on November 15, 2002. She will be replaced

next summer by the USCGC *Hickory*, a brand-new seagoing buoy tender, but she will not be forgotten.

I am proud to commemorate the decommissioning of this great ship, the *Sedge*, and to honor the distinguished achievements of the officers and enlisted personnel who have served our Nation so well.

ADDITIONAL STATEMENTS

ON THE WORK OF ANNE AND KIRK DOUGLAS, HONOREES, TREE-PEOPLE'S EVENING UNDER THE HARVEST MOON EVENT

• Mrs. BOXER. Mr. President, I would like to take this moment to reflect on the exceptional work of Anne and Kirk Douglas, who will be honored by TreePeople on October 19 for their extraordinary commitment to children.

In 1997, Anne and Kirk Douglas established the Anne and Kirk Douglas Playground Award to improve Los Angeles school campuses. Collaborating with TreePeople's Campus Forestry Program, community members and organizations, Anne and Kirk have helped fund new playground equipment, tree planting, outdoor classrooms, and other worthy projects throughout Los Angeles County.

Improving schools is a wonderful community service. Because of Anne and Kirk's work, many children can play on safe equipment, enjoy the beauty and shade trees provide, and admire the natural environment. Anne and Kirk have every reason to be proud of their dedication to improving the lives of countless children.

The Anne and Kirk Douglas Playground Award not only makes schools better, but also strengthens the bond among community members. Parents, students, school staff and local businesses work together for the betterment of the community. This is truly a win-win situation for all involved.

I am proud to extend my sincere congratulations to Anne and Kirk on this special honor from TreePeople, and wish them much continued success.•

IN RECOGNITION OF SHEB WOOLEY

• Mr. THOMPSON. Mr. President, today I rise to honor and recognize a fine American treasure. This talented individual has enjoyed a remarkable career in the entertainment industry spanning from the hills of Hollywood to the recording labels of Nashville.

This gentleman's name is Mr. Sheb Wooley. Mr. Wooley is currently in poor health and I would like to take this opportunity to wish him well and reflect upon his many accomplishments.

Sheb Wooley is a genuine American cowboy who throughout his early years earned a living on the rodeo circuit. Born in Erick, OK, in 1921, Sheb, who grew up facing the harsh realities of the Dust Bowl during the 1930s, turned to entertainment after his father traded a shotgun for a guitar.

Sheb's first encounter with the music industry occurred in Nashville in 1945 when he signed a deal with the Bullet record label and WSM. He then ventured west to Fort Worth, TX, for a regular radio spot. While in Texas, upon the advice of a friend at WSM, Sheb decided to try his luck as an actor in California. Soon after his arrival in Hollywood, Sheb appeared in several western films and worked with such film heroes as Errol Flynn and John Wayne. His most notable film was ''High Noon'' in which he played an outlaw gang leader opposite the town sheriff, Gary Cooper. During his movie career he appeared in several more films including ''The War Wagon,'' ''Outlaw Josie Wales,'' ''Rio Bravo,'' ''Seven Brides for Seven Brothers,'' and ''Hoosiers.''

In 1958, Sheb was cast in the role of Pete Nolan on the popular television series ''Rawhide,'' and later made many television appearances including the ''Ed Sullivan Show,'' ''Lone Ranger,'' ''American Bandstand,'' ''Hee Haw,'' and ''Murder She Wrote,'' writing several scripts along the way.

While Sheb was enjoying his time on the screen, he was also working on writing country music. After several attempts, Sheb landed a smash hit with ''Purple People Eater.'' In 1959 this tune climbed the pop charts and eventually became one of MGM's most successful singles of all time.

And then there was Ben Colder, the drunken persona that Sheb created and ultimately played as a cast member on the television series, ''Hee Haw.'' Under the guise of Colder, Sheb performed many hit parodies of the country music artists of the 1960s, including ''Don't Go Near the Eskimos.'' In 1969, Sheb wrote and recorded the theme song for ''Hee Haw.''

The career of Sheb Wooley has been as colorful as the characters he has played on and off the screen. He has won many accolades over the years, including the Western Heritage Award for 9 consecutive years and Songwriter of the Year in 1992. He never strayed far from his roots and always knew how to rope in an audience. I wish him well and pray that his health returns to him soon.•

CONGRATULATIONS TO KEVIN DILLON

• Mr. BUNNING. Mr. President, I rise today to congratulate Kevin Dillon of Prospect, KY, for winning the top honor in a recently held national essay competition sponsored by the American Psychiatric Association. This competition was judged by Members of Congress, authors, and national health reporters.

The American Psychiatric Association accepted up to five essays from each State; 14 States participated in this year's competition. This year's essay topic was ''When not to keep a secret.'' In his essay, Kevin provides his readers with a very real and very frightening scenario. The story describes a scenario in which someone is feeling down and confides in a friend that he plans to commit suicide. Kevin offers two possible endings to his essay. In the first instance, the friend reports the suicide plan to the police, who intervene and save the boy's life. In the other scenario, no one intervenes, the boy kills himself and his friend is left with an enormous amount of guilt and regret.

Mr. President, Kevin Dillon, a sophomore at St. Xavier High School, deserves to be applauded for tackling such a difficult and important issue in such an elegant and stylistic manner. His story depicts the ideal situation when keeping a secret becomes a detrimental and dangerous act for all parties involved. Once again, I congratulate Kevin Dillon for this distinction and urge him to continue to take on the tough issues this Nation faces today.•

IN RECOGNITION OF MR. ALBERT JOHNSON

• Mr. THOMPSON. Mr. President, I rise to recognize the ongoing efforts of my friend and fellow Tennessean, Mr. Albert Wm. Johnson of Nashville. Mr. Johnson is chairman and CEO of Dobson & Johnson Financial, a leading national mortgage banking advisory firm since its founding in 1955.

Let me say that Albert Johnson continues to enjoy a remarkable life. Upon graduation from college, he entered the military service as an aviation cadet en route to a distinguished military career. Mr. Johnson flew 49 missions against German bombing targets in WW II before being shot down in Austria and becoming a prisoner of war, POW, until the end of the conflict. During his World War II service, Al Johnson accumulated numerous decorations, citations, and commendations, including the Distinguished Flying Cross, DFC, with two Oak Leaf Clusters. After the war, Mr. Johnson was a senior instructor assigned to assist the Tennessee Air National Guard until returning to Europe to again serve with notable commendation on the NATO staff responsible for planning Germany's integration into NATO.

Upon leaving active military service, Albert Johnson returned to Nashville and cofounded Dobson & Johnson, thereby embarking on a brilliant business career that has featured the holding of billions of dollars in residential mortgage loans in trust for State mutual saving banks, insurance companies, pension funds, and private investors. His remarkable leadership in the mortgage banking and real estate industry has received well-deserved national acclaim and his firm has been recognized as one of the largest private business enterprises in Nashville.

In 1994, for his ''commitment to free enterprise, limited government, traditional American values and strong National Defense,'' Albert Johnson received the Medal of Freedom from the National Republican Senatorial Campaign Committee thereby joining the ranks of other distinguished recipients of that award, including former President Ronald Reagan, former British Prime Minister Margaret Thatcher and Retired General Norman Schwarzkopf.

Recently, I have been advised that Mr. Johnson has embarked on a new undertaking that features a joint venture whose mission is to build 20,000 private homes in Kabul, Afghanistan, using imported capital, local Afghanistan labor and materials, and fully funded mortgage loans with no down payment and long-term rates to assist that country in developing their infrastructure. This sounds like a daunting task. Nevertheless, Albert Johnson of Nashville has a track record to suggest he is the right man for the job.

There is very little that Mr. Johnson, an embodiment of American values, has not been able to achieve. To the extent that his ongoing efforts foster stability and peace in strife torn Afghanistan, I wish him well.●

RECOGNIZING THE AMERICAN HUMANE ASSOCIATION'S 125th ANNIVERSARY

● Mr. ALLARD. Mr. President, animals and small children do not have an adequate voice to speak for themselves. They often cannot tell a parent or an owner that they don't like what they are doing or let them know that they are unhappy or in pain. That is why organizations that aid such vulnerable members of our society are so important. For this reason, I rise today to recognize the American Humane Association.

Today marks the 125th anniversary of the founding of that organization. I could not be more proud to report that the American Humane Association, a Colorado organization, has made a solid career of furthering the welfare of children and animals.

The American Humane Association is the only organization in the country that is dedicated to the protection and support of both animals and children. They have organized events such as Be Kind to Pets Week and Tag Day, to educate the public about the need to treat animals humanely and the need to be sure that pets can be easily identified if they are lost, to the Front Porch Project, a program to educate the public on how to protect children in their communities from abuse. American Humane also works to educate the public about the link between violence to people and violence to animals.

For 125 years, the American Humane Association has worked, through programs such as these and others, to assure that the interest and well-being of children and animals are fully, effectively, and humanely guaranteed. I, for one, am grateful to the American Humane Association for the work that they do, and have done, and wish them another 125 years of success.●

REPORT ENTITLED ''CONTINUED PRODUCTION OF THE NAVAL PETROLEUM RESERVES BEYOND APRIL 5, 2003''—PM 115

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

In accordance with section 201(3) of the Naval Petroleum Reserves Production Act of 1976 (10 U.S.C. 7422(c)(2)), I am informing you of my decision to extend the period of production of the Naval Petroleum Reserves for a period of 3 years from April 5, 2003, the expiration date of the currently authorized period of production.

Enclosed is a copy of the report investigating the necessity of continued production of the reserves as required by section 201(3)(c)(2)(B) of the Naval Petroleum Reserves Production Act of 1976. In light of the findings contained in the report, I certify that continued production from the Naval Petroleum Reserves is in the national interest.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 9, 2002*.

MESSAGE FROM THE HOUSE

At 1:20 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 3580. An act to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, and for other purposes.

H.R. 5422. An act to prevent child abduction, and for other purposes.

H.R. 5542. An act to consolidate all black lung benefit responsibility under a single official, and for other purposes.

H.R. 5557. An act to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services and Foreign Service in determining the exclusion of gain from the sale of a principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services, and for other purposes.

H.J. Res. 113. A joint resolution recognizing the contributions of Patsy Takemoto Mink.

The message also announced that the House has passed the following bill, with an amendment:

S. 2690. An act to reaffirm the reference to one Nation under God in the Pledge of Allegiance.

MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 5427. An act to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the ''Joe Skeen Federal Building''.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship, without amendment:

H.R. 2666: A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program. (Rept. No. 107–307).

By Mr. KERRY, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 2483: A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes. (Rept. No. 107–308).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LIEBERMAN for the Committee on Governmental Affairs.

*Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for the remainder of the term expiring October 14, 2004.

*Ruth Y. Goldway, of California, to be a Commissioner of the Postal Rate Commission for the term expiring November 22, 2008.

By Mr. KENNEDY for the Committee on Health, Education, Labor, and Pensions.

*Mark B. McClellan, of the District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

By Mr. INOUYE for the Committee on Indian Affairs.

*Quanah Crossland Stamps, of Virginia, to be Commissioner of the Administration for Native Americans, Department of Health and Human Services.

*Philip N. Hogen, of South Dakota, to be Chairman of the National Indian Gaming Commission for the term of three years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FRIST (for himself and Mr. KENNEDY):

S. 3083. A bill to amend the Public Health Service Act to extend the Advisory Council on Graduate Medical Education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRIST:

S. 3084. A bill to provide for the conduct of a study concerning health services research; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 3085. A bill to provide for expansion of Sleeping Bear Dunes National Lakeshore; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself and Mr. BINGAMAN):

S. 3086. A bill to amend title XVIII of the Social Security Act to provide coverage under the medicare program for diabetes laboratory diagnostic tests and other services to screen for diabetes; to the Committee on Finance.

By Mr. JOHNSON (for himself and Mr. DASCHLE):

S. 3087. A bill to make adjustments to the method of determining eligibility for impact aid funds for heavily impacted local educational agencies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU:

S. 3088. A bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BYRD (for himself and Mr. STEVENS):

S. Res. 337. A resolution authorizing the printing with illustrations of a document entitled ''Committee on Appropriations, United States Senate, 135th Anniversary, 1867–2002''; considered and agreed to.

By Mr. HUTCHINSON:

S. Con. Res. 151. A concurrent resolution expressing the sense of Congress that the Federal Government and the States should make it a priority to ensure a stable, quality direct support workforce that provides services and supports for individuals with mental retardation and other developmental disabilities; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 321

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 724

At the request of Mr. BOND, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 724, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 913

At the request of Ms. SNOWE, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 1966

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1966, a bill to educate health professionals concerning substance abuse and addiction.

S. 2122

At the request of Mrs. CARNAHAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2122, a bill to provide for an increase in funding for research on uterine fibroids through the National Institutes of Health, and to provide for a program to provide information and education to the public on such fibroids.

S. 2821

At the request of Mr. FRIST, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2821, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention, and for other purposes.

S. 2903

At the request of Mr. JOHNSON, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2903, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care.

S. 2922

At the request of Ms. LANDRIEU, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from New Hampshire (Mr. SMITH), and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2922, a bill to facilitate the deployment of wireless telecommunications networks in order to further the availability of the Emergency Alert System, and for other purposes.

S. 2968

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 2968, a bill to amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

S. 3009

At the request of Mr. WELLSTONE, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 3009, a bill to provide economic security for America's workers.

S. 3018

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3018, a bill to amend title XVIII of the Social Security Act to enhance beneficiary access to quality health care services under the medicare program, and for other purposes.

S. 3032

At the request of Mr. SARBANES, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3032, a bill to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, and for other purposes.

S. 3054

At the request of Mr. LIEBERMAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3054, a bill to provide for full voting representation in Congress for the citizens of the District of Columbia, and for other purposes.

S. 3070

At the request of Mr. AKAKA, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3070, a bill to authorize appropriations for the Merit Systems Protection Board and the Office of Special Counsel, and for other purposes.

S. 3081

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 3081, a bill to amend the Internal Revenue Code of 1986 to suspend the tax-exempt status of designated terrorist organizations, and for other purposes.

S.J. RES. 46

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S.J. Res. 46, a joint resolution to authorize the use of United States Armed Forces against Iraq.

S.J. RES. 49

At the request of Mr. AKAKA, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S.J. Res. 49, a joint resolution recognizing the contributions of Patsy Takemoto Mink.

S. RES. 266

At the request of Mr. JEFFORDS, his name was added as a cosponsor of S. Res. 266, a resolution designating October 10, 2002, as ''Put the Brakes on Fatalities Day''.

S. RES. 307

At the request of Mr. TORRICELLI, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 307, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 138

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. Con. Res. 138, a concurrent resolution expressing the sense of Congress that the Secretary of Health and Human Services should conduct or support research on certain tests to screen for ovarian cancer, and Federal health care programs and group and individual health plans should cover the tests if demonstrated to be effective, and for other purposes.

S. CON. RES. 148

At the request of Mr. BROWNBACK, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from North Dakota (Mr. DORGAN), the Senator from California (Mrs. FEINSTEIN), the Senator from Missouri (Mr. BOND), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Con. Res. 148, a concurrent resolution recognizing the significance of bread in American history, culture, and daily diet.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRIST (for himself and Mr. KENNEDY):

S. 3083. A bill to amend the Public Health Service Act to extend the Advisory Council on Graduate Medical Education; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, I rise today to introduce legislation with Senator KENNEDY to extend the authorization time for an advisory council for graduate medical education. The Council on Graduate Medical Education, COGME, was created by Congress in 1986 to provide an ongoing assessment of physician workforce trends, training issues and financing policies, and to recommend appropriate Federal and private sector efforts to address identified needs. The legislation calls for COGME to advise and make recommendations to the Secretary of the U.S. Department of Health and Human Services, the Senate Committee on Health, Education, Labor and Pensions, and the House of Representatives Committee on Commerce. In 1998, when we re-autohrized Title 7 programs, we re-authorized the Council through September 30, 2002.

Unfortunately, we have not been able to fully review all of the programs outlined in Title 7, including COGME. To give our Committee the additional time to review this council, I am introducing legislation today with Senator KENNEDY to extend the time period for its authorization until the end of fiscal year 2003.

By Mr. FRIST:

S. 3084. A bill to provide for the conduct of a study concerning health services research; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, I rise today to introduce legislation to authorize an Institute of Medicine study to examine the field of health services research. The health services research is the primary source of information for policy makers, payers, managers, providers and the public concerning the organization, financing and performance of the American health care system. the Agency for Healthcare Research and Quality, AHRQ, is the lead Federal agency in this effort. However, many other federal partners, most institutes at the National Institutes of Health, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, the Centers for Medicare & Medicaid Services, the Department of Veterans Affairs and the Department of Defense, fund and use health services research extensively to advance their mission. The American health care system is facing significant problems with rapidly rising costs, a staggering number of uninsured, racial and ethic disparities, and a compelling need for safer, higher quality care. In the post-September 11 environment, we add the need to assure adequate public health systems and emergency response capacity in hospitals. In this challenging environment, I am increasingly concerned that the information needed from research to address current and future problems in the American health care system may not be available when needed. Therefore, I am introducing legislation today that requests AHRQ to contract with the Institute of Medicine for a report on the adequacy of the organization and financing of the field of health services research for meeting the nation's future information needs. The report should focus on the Federal role in supporting health services research, and in particular, the role of AHRQ in leading the federal effort and coordinating the complementary roles of other Federal agencies, as well as the private foundations and corporations, that conduct and fund health services research.

By Mrs. LINCOLN (for herself and Mr. BINGAMAN):

S. 3086. A bill to amend title XVIII of the Social Security Act to provide coverage under the Medicare program for diabetes laboratory diagnostic tests and other services to screen for diabetes; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I am pleased to introduce the Access to Diabetes Screening Services Act of 2002. My colleague Senator BINGAMAN joins me in introducing this important legislation. This bill will provide Medicare coverage for laboratory diagnostic tests and other services which are used to screen for diabetes.

Diabetes has reached epidemic proportions among adults in the United States. Trend data indicate that by the year 2010 more than 10 percent of all Americans will have diabetes. Even today our Nation is feeling the effects of this disease, diabetes is the Nation's sixth leading cause of death.

My own home State of Arkansas has had first-hand experience with the rising diabetes rates. Arkansas ranks fifth in the Nation for diabetes incidence. According to recent health statistics, diabetes is the seventh leading cause of death for Arkansans. Recent studies show that 6.5 percent of all Arkansas adults have diagnosed diabetes, and over 1 million Arkansans are at risk for undiagnosed diabetes.

These rising rates are especially evident among our aging population. Currently almost 7 million Americans age 65 and older, or 20 percent of seniors, have diabetes. Roughly 20 percent of seniors age 65 and older have a newly identified condition called pre-diabetes. If left untreated, pre-diabetes will develop into diabetes. An additional 40,000 people living with diabetes and end-stage renal disease under the age of 65 participate in the Medicare program.

Even more distressing is the fact that approximately one third of the 7 million seniors with diabetes, or 2.3 million people, are undiagnosed. They simply do not know that they have this very serious condition—a condition whose complications include heart disease, stroke, vision loss and blindness, amputations, and kidney disease.

Those in the medical community and the federal government are only too aware of the rising prevalence and serious nature of diabetes. The Centers for Disease Control, National Institutes of Health, and the Department of Health and Human Services have recently joined together in a national education campaign to inform people about diabetes and encourage people age 45 and older to get screened for diabetes.

Unfortunately, current law does not allow Medicare to reimburse for diabetes testing, even if a patient presents a physician with serious risk factors for diabetes such as obesity, high blood pressure, or high cholesterol. Most shockingly, even if a patient is experiencing early evidence of diabetes complications like blindness and kidney disease, Medicare still cannot reimburse for diabetes testing.

This nonsensical omission of diabetes screening coverage is even more shocking in light of the fact that about 25 percent of the Medicare budget currently is devoted to providing medical care to seniors living with diabetes. In 1999, Arkansas spent $1.6 billion on direct and indirect costs of diabetes. Why would we continue to constantly react to the disease in this manner, instead of proactively providing screening for our Medicare beneficiaries? This screening can identify the disease, even before any symptoms have appeared, and has the potential to save and improve thousands of lives.

The American Association of Clinical Endocrinologists strongly believes that patients with diabetes should be identified as early as possible in their illness. We have the technology to do this through screening.

I cannot overstate the need for this legislation. When faced with the rising prevalence of diabetes, the high percentage of seniors who already have the disease, the alarmingly high number of seniors who have diabetes but do not know it yet, and the high cost associated with its treatment, it is obvious that Medicare should provide coverage for diabetes screening.

The American Diabetes Association has identified Medicare screening coverage as their top legislative priority, and I have worked closely with them to craft this legislation. I urge all of my colleagues to give serious consideration to the Diabetes Screening Act of 2002.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 337—AUTHORIZING THE PRINTING WITH ILLUSTRATIONS OF A DOCUMENT ENTITLED ''COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 135TH ANNIVERSARY, 1867–2002''

Mr. BYRD (for himself and Mr. STEVENS) submitted the following resolution; which was considered and agreed to:

S. RES. 337

Resolved, That there be printed with illustrations as a Senate document a compilation of materials entitled ''Committee on Appropriations, United States Senate, 135th Anniversary, 1867–2002'', and that there be printed two thousand additional copies of such document for the use of the Committee on Appropriations.

SENATE CONCURRENT RESOLUTION 151—EXPRESSING THE SENSE OF CONGRESS THAT THE FEDERAL GOVERNMENT AND THE STATES SHOULD MAKE IT A PRIORITY TO ENSURE A STABLE, QUALITY DIRECT SUPPORT WORKFORCE THAT PROVIDE SERVICES AND SUPPORTS FOR INDIVIDUALS WITH MENTAL RETARDATION AND OTHER DEVELOPMENTAL DISABILITIES

Mr. HUTCHINSON submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 157

Whereas there are more than 8,000,000 Americans who have mental retardation or other developmental disabilities;

Whereas individuals with developmental disabilities include those with mental retardation, autism, cerebral palsy, Down's syndrome, epilepsy, and other related conditions;

Whereas individuals with mental retardation or other developmental disabilities have a continuous need for individually planned and coordinated services due to substantial limitations on their functional capacities, including limitations in at least 2 of the areas of self-care, receptive and expressive language, learning, mobility, self-direction, independent living, and economic self-sufficiency;

Whereas for the past 2 decades individuals with mental retardation or other developmental disabilities and their families have increasingly expressed a desire to live and work in their communities and to join the mainstream of American life;

Whereas the Supreme Court, in *Olmstead* v. *L.C.*, 527 U.S. 581 (1999), affirmed the right of individuals with mental retardation or other developmental disabilities to receive community-based services as an alternative to institutional care;

Whereas the demand for community supports and services is rapidly growing, as States comply with *Olmstead* and continue to move more individuals from institutions into the community;

Whereas the demand for community supports and services will also continue to grow as family caregivers age, waiting lists grow, individuals with mental retardation or other developmental disabilities live longer, and services for such individuals expand;

Whereas our Nation's long-term care delivery system is dependent upon a disparate array of public and private funding sources, and is not a conventional industry, but rather is financed primarily through third-party insurers;

Whereas Medicaid financing of supports and services to individuals with mental retardation or other developmental disabilities varies considerably from State to State, causing significant disparities across geographic regions, among differing groups of consumers, and between community and institutional supports;

Whereas aside from families, private providers that employ direct support professionals deliver the majority of supports and services for individuals with mental retardation or other developmental disabilities in the community;

Whereas direct support professionals provide a wide range of supportive services to individuals with mental retardation or other developmental disabilities on a day-to-day basis, including habilitation, health care, personal care and hygiene, employment, transportation, recreation, housekeeping, and other home management-related supports and services that enable these individuals to live and work in their communities;

Whereas direct support professionals generally assist individuals with mental retardation or other developmental disabilities to lead a self-directed family, community, and social life;

Whereas private providers and the individuals for whom they provide supports and services are in jeopardy as a result of the growing crisis in recruiting and retaining a direct support workforce;

Whereas providers of supports and services to individuals with mental retardation or other developmental disabilities typically draw from a labor market that competes with other entry-level jobs that provide less physically and emotionally demanding work as well as higher pay and other benefits, and therefore these direct support jobs are not currently competitive in today's labor market;

Whereas annual turnover rates of direct support workers range from 40 to 75 percent;

Whereas high rates of employee vacancies and turnover threaten the ability of providers to achieve their core mission, which is the provision of safe and high-quality supports to individuals with mental retardation or other developmental disabilities;

Whereas direct support staff turnover is emotionally difficult for the individuals being served;

Whereas many parents are becoming increasingly afraid that there will be no one available to take care of their sons and daughters with mental retardation or other developmental disabilities who are living in the community; and

Whereas this workforce shortage is the most significant barrier to implementing the *Olmstead* decision, undermines the expansion of community integration as called for by President George W. Bush's New Freedom Initiative, and places the community support infrastructure at risk: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Direct Support Professional Recognition Resolution''.

SEC. 2. SENSE OF CONGRESS REGARDING SERVICES OF DIRECT SUPPORT PROFESSIONALS TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

It is the sense of Congress that the Federal Government and the States should work to advance our Nation's commitment to community integration for individuals with mental retardation or other developmental disabilities and to advance personal security for such individuals and their families by making it a priority to ensure a stable, quality direct support workforce that provides services and supports for such individuals.

AMENDMENTS SUBMITTED & PROPOSED

SA 4858. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table.

SA 4859. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4860. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4861. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4862. Mr. LEVIN (for himself, Mr. REED, Mr. BINGAMAN, Mrs. BOXER, Ms. MIKULSKI, Ms. STABENOW, Mr. AKAKA, and Mr. JEFFORDS) submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, supra.

SA 4863. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4864. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4865. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4866. Mrs. BOXER submitted an amendment intended to be proposed by her to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table.

SA 4867. Mrs. BOXER submitted an amendment intended to be proposed by her to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4868. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, supra.

SA 4869. Mr. BYRD submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4870. Mr. DAYTON submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4858. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Strike the matter proposed to be inserted and insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that would—

(A) demand that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorize the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply; and

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense.

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 2(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 2(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 2(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4859. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Strike the matter proposed to be inserted and insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that would—

(A) demand that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorize the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply;

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense; and

(4) will not adjourn sine die this year and will return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if in the judgment of the President the United Nations Security Council fails to adopt or enforce the resolution described in paragraph (2).

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 2(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 2(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 2(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4860. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Strike the matter proposed to be inserted and insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept

the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that—

(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply;

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense; and

(4) will not adjourn sine die this year and will return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if in the judgment of the President the United Nations Security Council fails to adopt the resolution described in paragraph (2).

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 2(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 2(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 2(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4861. Mr. LEVIN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Strike the matter proposed to be inserted and insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that—

(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply; and

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense.

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 2(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 2(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 2(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4862. Mr. LEVIN (for himself, Mr. REED, Mr. BINGAMAN, Mrs. BOXER, Ms. MIKULSKI, Ms. STABENOW, Mr. AKAKA, and Mr. JEFFORDS) submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; as follows:

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In accordance with United Nations Security Council Resolution 687 (1991), Iraq made a commitment—

(A) to destroy, remove, or render harmless all chemical and biological weapons and stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities related thereto;

(B) to destroy, remove, or render harmless all ballistic missiles with a range greater than 150 kilometers, and related major parts and production facilities;

(C) not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities; and

(D) to permit immediate on-site inspection of Iraq's biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance.

(2) The regime of Saddam Hussein consistently refused to cooperate with United Nations Special Commission weapons inspectors in Iraq between 1991 and 1998 by denying them access to crucial people, sites, and documents.

(3) On October 31, 1998, Iraq banned the United Nations weapons inspectors despite its agreement and obligation to comply with United Nations Security Council Resolution 687 (1991).

(4) Iraq continues to develop weapons of mass destruction, in violation of its commitments under United Nations Security Council Resolution 687 (1991) and subsequent resolutions, and the regime of Saddam Hussein has used weapons of mass destruction against its own people and other nations.

(5) The development of weapons of mass destruction by Iraq is a threat to the United States, to the friends and allies of the United States in the Middle East, and to international peace and security.

SEC. 3. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that—

(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply;

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense; and

(4) will not adjourn sine die this year and will return to session at any time before the next Congress convenes to consider promptly proposals relative to Iraq if in the judgment of the President the United Nations Security Council fails to adopt or enforce the resolution described in paragraph (2).

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 3(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 3(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 5. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 3(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4863. Mr. LEVIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SECTION. 1. SHORT TITLE.

This joint resolution may be cited as the ''Multilateral Use of Force Authorization Act of 2002''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In accordance with United Nations Security Council Resolution 687 (1991), Iraq made a commitment—

(A) to destroy, remove, or render harmless all chemical and biological weapons and stocks of agents and all related subsystems and components and all research, development, support, and manufacturing facilities related thereto;

(B) to destroy, remove, or render harmless all ballistic missiles with a range greater than 150 kilometers, and related major parts and production facilities;

(C) not to acquire or develop any nuclear weapons, nuclear-weapons-usable material, nuclear-related subsystems or components, or nuclear-related research, development, support, or manufacturing facilities; and

(D) to permit immediate on-site inspection of Iraq's biological, chemical, and missile capabilities, and assist the International Atomic Energy Agency in carrying out the destruction, removal, or rendering harmless of all nuclear-related items and in developing a plan for ongoing monitoring and verification of Iraq's compliance.

(2) The regime of Saddam Hussein consistently refused to cooperate with United Nations Special Commission weapons inspectors in Iraq between 1991 and 1998 by denying them access to crucial people, sites, and documents.

(3) On October 31, 1998, Iraq banned the United Nations weapons inspectors despite its agreement and obligation to comply with United Nations Security Council Resolution 687 (1991).

(4) Iraq continues to develop weapons of mass destruction, in violation of its commitments under United Nations Security Council Resolution 687 (1991) and subsequent resolutions, and the regime of Saddam Hussein has used weapons of mass destruction against its own people and other nations.

(5) The development of weapons of mass destruction by Iraq is a threat to the United States, to the friends and allies of the United States in the Middle East, and to international peace and security.

SEC. 3. CONGRESSIONAL POLICY FOR UNITED NATIONS SECURITY COUNCIL ACTION ON IRAQ.

Congress—

(1) supports the President's call for the United Nations to address the threat to international peace and security posed by Saddam Hussein's continued refusal to meet Iraq's obligations under resolutions of the United Nations Security Council to accept the destruction, removal, or rendering harmless of its weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities, and to cease the development, production, or acquisition of such weapons, materials, and missiles;

(2) urges the United Nations Security Council to adopt promptly a resolution that—

(A) demands that Iraq provide immediate, unconditional, and unrestricted access of the United Nations weapons inspectors so that Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range in excess of 150 kilometers, and related facilities are destroyed, removed, or rendered harmless; and

(B) authorizes the use of necessary and appropriate military force by member states of the United Nations to enforce such resolution in the event that the Government of Iraq refuses to comply; and

(3) affirms that, under international law and the United Nations Charter, the United States has at all times the inherent right to use military force in self-defense.

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES PURSUANT TO A NEW UNITED NATIONS SECURITY COUNCIL RESOLUTION.

(a) AUTHORIZATION.—Pursuant to a resolution of the United Nations Security Council described in section 3(2) that is adopted after the enactment of this joint resolution, and subject to subsection (b), the President is authorized to use the Armed Forces of the United States to destroy, remove, or render harmless Iraq's weapons of mass destruction, nuclear weapons-usable material, ballistic missiles with a range greater than 150 kilometers, and related facilities, if Iraq fails to comply with the terms of the Security Council resolution.

(b) REQUIREMENTS.—Before the authority granted in subsection (a) is exercised, the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that the United States has used appropriate diplomatic and other peaceful means to obtain compliance by Iraq with a resolution of the United Nations Security Council described in section 3(2) and that those efforts have not been and are not likely to be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (22 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 5. REPORTS TO CONGRESS.

Not later than 60 days after the date of enactment of this joint resolution, and at least once during every 60-day period thereafter, the President shall submit to Congress a report containing a summary of the status of efforts—

(1) to have the United Nations Security Council adopt the resolution described in section 3(2); or

(2) in the case of the adoption of such resolution, to obtain compliance by Iraq with the resolution.

SA 4864. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, strike lines 19 through 23 and insert the following:

(1) defend the national security of the United States against an imminent threat posed by Iraq's weapons of mass destruction; and

(2) enforce paragraphs (8) through (13) of United Nations Security Council Resolution 687 (1991).

SA 4865. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 4586 submitted by Mr. SPECTER and intended to be proposed to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, line 20, strike ''the continuing threat posed by Iraq'' and insert ''an imminent threat posed by Iraq's weapons of mass destruction''.

SA 4866. Mrs. BOXER submitted an amendment intended to be proposed by her to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

On page 8, line 10, strike ''or'' and insert ''and''.

SA 4867. Mrs. BOXER submitted an amendment intended to be proposed by her to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. . TWO-PARENT FAMILIES IN COMBAT.

In families with minor children where both parents serve on active duty in the Armed Forces or where both parents are members of the National Guard or Reserves, the Secretary of Defense shall make every effort to ensure that not more than one of the parents is deployed in combat.

SA 4868. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; as follows:

At the appropriate place, insert the following:

SEC. 5. STATUTORY CONSTRUCTION.

Nothing in this joint resolution—

(1) is intended to alter the constitutional authorities of the Congress to declare war, grant letters of Marque and Reprisal, or other authorities invested in Congress by Section 8, Article 1 of the Constitution; or

(2) shall be construed as granting any authority to the President to use the United States Armed Forces for any purpose not directly related to a clear threat of imminent, sudden, and direct attack upon the United States, its possessions or territories, or the Armed Forces of the United States, unless the Congress of the United States otherwise authorizes.

SA 4869. Mr. BYRD submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. TERMINATION OF THE AUTHORIZATION FOR THE USE OF THE UNITED STATES ARMED FORCES.

(a) IN GENERAL.—The authorization in section 3(a) shall terminate 12 months after the date of enactment of this joint resolution, except that the President may extend, for a period or periods of 12 months each, such authorization if—

(1) the President determines and certifies to Congress for each such period, not later that 60 days before the date of termination of the authorization, that the extension is necessary for ongoing or impending military operations against Iraq under section 3(a); and

(2) the Congress does not enact into law, before the extension of the authorization, a joint resolution disapproving the extension of the authorization for the additional 12-month period.

(b) CONGRESSIONAL REVIEW PROCEDURES.—

(1) IN GENERAL.—For purposes of subsection (a)(2), a joint resolution described in paragraph (2) shall be considered in the Senate and the House of Representatives in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98–473; 98 Stat. 1936–1937), except that—

(A) references in those provisions to the Committee on Appropriations of the House of Representatives shall be deemed to be references to the Committee on International Relations of the House of Representatives; and

(B) references in those provisions to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on Foreign Relations of the Senate.

(2) JOINT RESOLUTION DEFINED.—For purposes of paragraph (1), the term ''joint resolution'' means only a joint resolution introduced after the date on which the certification of the President under subsection (a)(1) is received by Congress, the matter after the resolving clause of which is as follows: ''That, pursuant to section 5 of the Authorization for the Use of Military Force Against Iraq, the Congress disapproves the extension of the authorization under section 3(a) of that joint resolution for the additional 12-month period specified in the certification of the President to the Congress dated ____.'', with the blank filled in with the appropriate date.

SA 4870. Mr. DAYTON submitted an amendment intended to be proposed to amendment SA 4856 proposed by Mr. LIEBERMAN (for himself, Mr. WARNER, Mr. BAYH, Mr. MCCAIN, Ms. LANDRIEU, Mr. MCCONNELL, Mr. MILLER, Mr. DOMENICI, Mr. EDWARDS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. ALLARD, Mr. BAUCUS, Mr. HELMS, Mr. BUNNING, Mr. LOTT, Mr. SHELBY, Mr. THOMPSON, and Mr. NICKLES) to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Strike all after ''SECTION 1.'' and insert the following:

SHORT TITLE.

This joint resolution may be cited as the ''Disarm Iraq Act of 2002''.

SEC. 2. FINDINGS.

(1) Since in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq.

(2) Since after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism.

(3) Since the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated.

(4) Since Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998.

(5) Since in 1998 Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in ''material and unacceptable breach of its international obligations'' and urged the President ''to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations'' (Public Law 105–235).

(6) Since Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations.

(7) Since Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait.

(8) Since the current Iraqi regime has demonstrated its capability and willingness to

use weapons of mass destruction against other nations and its own people.

(9) Since the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council.

(10) Since members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq.

(11) Since Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens.

(12) Since the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations.

(13) Since Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself.

(14) Since United Nations Security Council Resolution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949.

(15) Since Congress in the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102–1) has authorized the President ''to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677''.

(16) Since in December 1991, Congress expressed its sense that it ''supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102–1),'' that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and ''constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region,'' and that Congress, ''supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688''.

(17) Since the Iraq Liberation Act (Public Law 105–338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime.

(18) Since on September 12, 2002, President Bush committed the United States to ''work with the United Nations Security Council to meet our common challenge'' posed by Iraq and to ''work for the necessary resolutions,'' while also making clear that ''the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable''.

(19) Since the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 ceasefire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary.

(20) Since Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations.

(21) Since the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations.

(22) Since the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107–40).

(23) Since Congress, under the Constitution, has the sole authority to declare war.

SEC. 3. SUPPORT FOR UNITED STATES DIPLOMATIC EFFORTS.

The Congress of the United States supports the efforts by the President to—

(1) strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and

(2) obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion, and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is designated by the Constitution as the Commander in Chief, and is empowered to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to defend the national security of the United States against an imminent threat posed by Iraq.

(b) PREPARATION.—Congress urges the President, as Commander in Chief, to undertake all steps necessary to prepare the Armed Forces of the United States for use against Iraq, if reliance by the United States on further diplomatic or peaceful means alone either—

(1) will not adequately protect the national security of the United States against the continuing threat posed by Iraq; or

(2) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq.

SEC. 5. ADJOURNMENT.

The One Hundred Seventh Congress shall, upon adjournment sine die, adjourn conditionally, to reconvene immediately if the President requests a declaration of war to be voted upon.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 10, 2002, at 11:00 a.m. in Room 485 of the Russell Senate Office Building to conduct a Hearing on S. 2986, a bill to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community, Michigan.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 9:30 a.m. in Executive Session to discuss pending military nominations.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 10:00 a.m., to hear testimony on ''The Financial War on Terrorism: New Money Trails Present Fresh Challenges.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 10 a.m., to hold a nomination hearing.

Agenda

Nominees: The Honorable John R. Hamilton, of North Carolina, to be Ambassador to the Republic of Guatemala; Mr. John F. Keane, of Virginia, to be Ambassador to the Republic of Paraguay; and the Honorable David N. Greenlee, of Maryland, to be Ambassador to the Republic of Bolivia.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 10:15 a.m., to hold a hearing on 10 +10 over 10.

Agenda

Witnesses

Panel 1: The Honorable John R. Bolton, Under Secretary for Arms Control and International Security Affairs, Department of State, Washington, DC.

Panel 2: Representative from the Department of State; Representative from the Department of Defense; Representative from the Department of Energy; and Representative from the Department of Treasury.

Panel 3: Mr. Kenneth Luongo, Executive Director, The Russian-American Nuclear Security Advisory Council, Princeton, NJ.

Additional witnesses to be announced.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in Executive Session after the first floor vote of the day during the session of the Senate on Wednesday, October 9, 2002, in SC–216. The committee will consider the nomination of Mark B. McClellan, of District of Columbia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, October 9, 2002, at 10 a.m., in room 485 of the Russell Senate Office Building to conduct a hearing on S. 2694, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2002.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary Subcommittee on Technology, Terrorism and Government Information be authorized to meet to conduct a hearing on ''Tools Against Terror: How the Administration is Implementing New Laws in the Fight to Protect Our Homeland'' on Wednesday, October 9, 2002, at 10 a.m., in room 226 of the Dirksen Senate Office Building.

Witness list

Panel I: Glenn Fine, Inspector General, Department of Justice; Alice Fisher, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and Dennis Lormel, Chief, Financial Crimes Section, Federal Bureau of Investigation.

Panel II: Scott Hastings, Associate Commissioner for the Office of Information Resources Management, Immigration and Naturalization Service; Michael Cronin, Assistant Commissioner for Inspections, Immigration and Naturalization Service; Steven Edson, Acting Deputy Assistant Secretary of State for Visas, Department of State; and Benjamin Wu, Under Secretary for Technology, Department of Commerce.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 9:30 a.m., to hold an open hearing on the nomination of Scott M. Miller to be General Counsel at the Central Intelligence Agency.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 2 p.m., to hold a closed hearing with the House Permanent Select Committee on Intelligence concerning the joint inquiry into the events of September 11, 2001.

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

SUBCOMMITTEE ON TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, October 9, 2002, at 2:30 p.m., to conduct an oversight hearing on ''Affordable Housing Preservation.''

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

PRIVILEGES OF THE FLOOR

Mr. REID. Madam President, I ask unanimous consent that Rich Verma be granted access to the floor during the consideration of S.J. Res. 45.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, I ask unanimous consent that Ed Danielson, a fellow in the office of Senator REED of Rhode Island, be granted floor privileges during the debate on S.J. Res. 45.

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

NOTICE

REGISTRATION OF MASS MAILINGS

The filing date for 2002 third quarter mass mailings is October 25, 2002. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510–7116.

The Public Records office will be open from 8 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224–0322.

48 HOUR NOTIFICATIONS

The Office of Public Records will be open on three successive Saturdays and Sundays from 12 noon until 4 p.m. for the purpose of accepting 48 hour notifications of contributions required by the Federal Election Campaign Act, as amended. The dates are October 19th and 20th, October 26th and 27th, November 2nd and 3rd. All principal campaign committees supporting Senate candidates in 2002 must notify the Secretary of the Senate regarding contributions of $1,000 or more if received after the 20th day, but more than 48 hours before the day of the general election. The 48 hour notifications may also be transmitted by facsimile machine. The Office of Public Records FAX number is (202) 224–1851.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 10, the 1997 amendment to the Montreal Protocol; that the amendment be advanced through its parliamentary stages up to and including the presentation of the resolution of ratification, and that the Senate now vote on the resolution of ratification.

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

The question is on agreeing to the resolution.

All of those in favor will rise and stand until counted. (After a pause.) Those opposed will rise and stand until counted.

In the opinion of the Chair, two-thirds of the Senators present and voting having voted in the affirmative, the resolution is agreed to.

The resolution of ratification reads as follows:

Resolved, (two-thirds of the Senators present concurring therein),

That the Senate advise and consent to the ratification of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted at Montreal on September 15–17, 1997, by the Ninth Meeting of the Parties to the Montreal Protocol (Treaty Doc. 106–10).

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Executive Calendar No. 11, the amendment to the Montreal Protocol—the Beijing amendment—that amendment be advanced through its parliamentary stages up to and including the presentation of the resolution of ratification, and the Senate now vote on the resolution of ratification.

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

The question is on agreeing to the resolution.

All those in favor of the resolution will rise and stand until counted. (After a pause.) Those opposed will rise and stand until counted.

In the opinion of the Chair, two-thirds of the Senators present and voting having voted in the affirmative, the resolution is agreed to.

The resolution of ratification reads as follows:

Resolved, (two-thirds of the Senators present concurring therein),

That the Senate advise and consent to the ratification of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Adopted at Beijing on December 3, 1999, by the Eleventh Meeting of the Parties to the Montreal Protocol (Treaty Doc. 106–32).

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate now return to legislative session.

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

MEASURE READ THE FIRST TIME—H.R. 5427

Mr. REID. Mr. President, it is my understanding that H.R. 5427 is at the desk. If that is the case, I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 5427) to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the ''Joe Skeen Federal Building.''

Mr. REID. I would now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will have its second reading on the next legislative day.

SUDAN PEACE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5531, which has been received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5531) to facilitate famine relief efforts and a comprehensive solution to the war in Sudan.

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. REID. Mr. President, I ask unanimous consent that the act be read a third time, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements be printed in the RECORD.

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

The bill (H.R. 5531) was read the third time and passed.

AUTHORIZING THE PRINTING OF A DOCUMENT ENTITLED ''COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 135TH ANNIVERSARY, 1867–2002''

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 337, submitted early today by Senators BYRD and STEVENS.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 337) authorizing the printing with illustrations of a document entitled ''Committee on Appropriations, United States Senate, 135th Anniversary, 1867–2002.''

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 337) was agreed to, as follows:

S. RES. 337

Resolved, That there be printed with illustrations as a Senate document of compilation of material entitled ''Committee on Appropriations, United States Senate, 135th Anniversary, 1867–2002'', and that there be printed two thousand additional copies of such document for the use of the Committee on Appropriations.

EXPRESSION OF APPRECIATION

Mr. REID. Mr. President, first of all, I express my appreciation and that of the Senate to the Presiding Officer for being so patient and staying so late and doing double duty. We appreciate that very much. And for all the staff, we appreciate your hard work today, but get ready for tomorrow.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 3295

Mr. REID. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, when the Senate considers the conference report to accompany H.R. 3295, election reform, it be considered under the following limitations: there be 2 hours for debate on the conference report, with the time equally divided and controlled between the chairman and ranking member of the Rules Committee, or their designees; that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote on adoption of the conference report.

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

ORDERS FOR THURSDAY, OCTOBER 10, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:15 a.m., Thursday, October 10; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceeding be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S.J. Res. 45, under the previous order.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will occur tomorrow at 9:40 a.m. on the Byrd amendment No. 4869.

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. REID. Mr. President, I am aware of no further business to come before the Senate. I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:17 p.m., adjourned until Thursday, October 10, 2002, at 9:15 a.m.

EXTENSIONS OF REMARKS

PAYING TRIBUTE TO MAPLE GROVE COLUMBINE CLUB

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. McINNIS. Mr. Speaker, I rise today to pay tribute to an organization with a long history in Colorado. The Maple Grove Columbine Club in Montrose, Colorado has served as a social network for its members as they have come together to support each other, their community, and their country for nearly a century now. It is with is with great pride that I honor them today and share their heritage with my colleagues.

Since its inception as a women's social organization in 1911, the Columbine Club's activities have reflected the values that are at the heart of every American community. Established in an era when the horse was still the way to get around, the club traditionally has not held meetings during the summer months so the women could concentrate on preparing their children for school and canning their gardens' harvest for winter. Socially, the club held annual husband's banquets and Christmas parties to help bring people together, as well as regular meetings in members' homes. Their activities created lasting friendships as some members have contributed to the club for over 50 years.

The Columbine Club's activities reach beyond just social gatherings, as members met to discuss and undertake blood plasma donation during World War II and gathering goods to distribute to those in need. The club is indeed full of commitment and perspective with some members in their 80s still participating and supporting their community. It is good to see that the club is as full of vitality today as when it was first founded 91 years ago.

Mr. Speaker, I stand today to honor this organization before this body of Congress and our nation. The strong values and social causes championed by the ladies of the Maple Grove Columbine Club reflect their commitment to their community, their state, and their country. I am glad to bring this group's history and accomplishments to the attention of this body.

EXPRESSING SUPPORT OF OFFICIAL RECOGNITION FOR THE HEROES OF UNITED AIRLINES FLIGHT 93

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. COLLINS. Mr. Speaker, I call to your attention a letter I received from David and Gretchen Nagy and Donald Evans, Jr., of Burke, Virginia. The letter, addressed to President George W. Bush, urges our government to officially recognize the heroic men and women of United Airlines Flight 93 for their actions on the morning of September 11, 2001. These ordinary people aboard Flight 93 were thrown into an extraordinary and tragic situation. When their plane as highjacked by al-Qaeda terrorists, these brave souls made a choice to fight back against terror. The citizens on Flight 93 became soldiers, and in so doing denied the terrorists of their chosen target, perhaps saving our cherished Capitol from the same fate as the World Trade Center. Mr. Speaker, in support of this letter, I submit it for the RECORD. It reads as follows:

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We write as ordinary citizens to ask that you lead our nation in bestowing some measure of official honor upon a tiny band of extraordinary citizens—the ones who stood up and charged the hijackers of UAL Flight 93 over Pennsylvania on 9/11.

There seems little doubt that these heroes spared America another devastating blow with their magnificent stand, possibly even a blow to the Capitol or the White House itself. Thanks to you and others, everyone now knows their rallying cry, ''Let's roll!'' Surely, everyone with a heart shivered when they heard it, and the story behind it.

And now, Mr. President, how many even remember their names?

According to press reports, they were Todd Beamer, Jeremy Glick, Mark Bingham and Lou Nacke—ordinary yet rare men with the guts to act when most would be paralyzed by fear. Perhaps investigators have identified others who joined their uprising. If so, they remain anonymous and unacknowledged. All the sadder.

In a sense, sir, weren't these men the first combat casualties in our new war against terrorism? The first to go hand-to-hand—and unarmed—against our attackers? They knew they were doomed. (''I'm not going to get out of this,'' Beamer told a cellphone operator.) They could have curled up and gone passively. But they also knew they could thwart evil and spare many on the ground if they went down fighting.

We respectfully suggest, Mr. President, that valor of this sort is in the grandest traditions of American heroism—something very special, on the order of that which gains our military heroes the Medal of Honor. Yet if anyone has proposed that this Nation extend these men some tangible form of gratitude, something solid their loved ones could touch and treasure, we haven't heard of it. So we are asking you, sir, to consider bestowing such an honor at a fitting, proper ceremony. Perhaps the Presidential Medal of Freedom would be appropriate, perhaps some other award for ultimate service and valor.

We still hope we are merely adding our letter to a growing stack.

God bless you, Mr. President.

DAVID AND GRETCHEN NAGY,
DONALD C. EVANS, JR.

GIFTS FROM PRESCRIPTION DRUG MANUFACTURERS? GOOD FOR PATIENTS—OR CROSSING THE LINE?

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues an editorial from the October 5, 2002, edition of the Omaha World Herald, entitled ''Plug the Flow of 'Incentives' '' Gifts from drug companies do influence when and how much medicine is prescribed. This Member recognizes that physician-pharmaceutical interaction can produce some positive results, such as improved knowledge of treatment for complicated illnesses. However, interaction can also result in negative outcomes, such as increasing prescriptions for promoted drugs, while fewer generics are prescribed at no demonstrated advantage.

As we consider adding a prescription drug benefit to the Medicare program and begin to examine ways to control prescription drug costs in the Medicaid program, it seems to me, that we need to ask the following questions:

Are consumers obtaining good value for the resources expended on new pharmaceuticals?

Are new prescription drugs on the market better, safer, and more effective than older drugs that have been on the market for quite some time?

Does the Government have a role in determining more than simply the safety of new and established drugs?

If so, does that role include evaluating clinical efficacy, convenience, and cost-effectiveness compared to current products?

PLUG THE FLOW OF ''INCENTIVES''

Pharmaceutical manufacturers have long realized that doctors are key to the health of their bottom lines. Now, using words like ''fraud,'' the federal government has indicated it will try to shut off the flood of goodies that drug makers pour over the decision-makers who are in a position to prescribed their products.

Financial incentives to doctors, pharmacists or similar health care professionals given to induce them to prescribe or recommend particular drugs or to switch patients from one drug to another are common in the industry. But the practice could break federal fraud and abuse laws, according to officials at the Department of Health and Human Services. The department is planning to set standards that would ban such ''incentives'' for a wide range of medical, insurance and pharmacy workers who make drug decisions.

The most notable underlying problem is the high cost of many of the brand-name drugs that are pushed hardest by the drug companies. These drugs, many of them with equally effective, cheaper alternatives, are profit centers for pharmaceutical companies. That means the companies are happy to shell out for weekend trips, expensive meals or

other ''incentives'' for prescribing or switching patients to the designated medication.

Doctors, pharmacy benefit managers and others who please the companies can be hired as do-little ''consultants'' to the manufacturers, sometimes for outrageously high pay.

The new standards aren't, in themselves, laws. Companies that don't follow them, however, fact investigation under federal fraud and kickback statutes, a Health and Human Services official warned. A voluntary code of conduct adopted last spring by the industry apparently didn't go far enough.

Prescription costs are rising steadily. No reasonable person would deny the industry a fair profit. But some of the practices revealed by Health and Human Services are shifty, deceptive and just plain unethical. We're glad to see the feds trying to put a stop to what amounts to bribery of medical decision-makers.

TRIBUTE TO COLORADO AGRICULTURE COMMISSIONER DON AMENT AND MR. BASIL STIEB

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. SCHAFFER Mr. Speaker, I rise today to recognize Don Ament, the Colorado Agriculture Commissioner and Mr. Basil Stieb of Iliff, Colorado. Recently, both men appeared on NBC Nightly News to educate Americans about the tremendous devastation left by the drought in our State.

During his tenure as the Colorado Ag Commissioner, Don Ament has worked tirelessly to promote the issues that matter to rural Colorado. He used his appearance on NBC Nightly News to skillfully articulate the problems and possible solutions Colorado and other States plagued by drought face. I thank him for his efforts to promote drought awareness.

Mr. Basil Stieb is a Colorado farmer who faces our State's severe drought every day. He eloquently told his story to the American people on NBC, and provided a realistic picture of the sacrifices farming and ranching families across our nation are making due to the drought. I thank him for his dedication to agriculture and his desire to educate others.

Residents of Colorado's Fourth Congressional District, Don Ament and Basil Stieb are truly great Americans. I ask the House to join me in thanking them for their hard work and commitment to solving the problems caused by the drought in Colorado.

PAYING TRIBUTE TO DR. BURTIS NUTTING

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. MCINNIS. Mr. Speaker, it is my distinct privilege to pay tribute to Dr. Burtis ''Doc'' Nutting of Glenwood Springs, Colorado before this body of Congress and this nation. Dr. Nutting has recently turned 100 years old and, as he and his family celebrate this momentous occasion, I would like to recognize him for his fascinating career and the incredible contributions he has made to the community of Glenwood Springs.

Dr. Nutting was born in Delta, Colorado on September 15, 1902. He studied pre-med at Western State College in Gunnison and then graduated from the University of Colorado Medical School in 1929. Dr. Nutting moved to Glenwood Springs after he caught word that the local doctor in the city had passed away and the community needed a new physician.

Dr. Nutting had a vigorous work ethic throughout his career, working seven days a week and constantly on call throughout the evenings, determined to be available to all his patients. He also maintained personal friendships with his patients and he ran his office accordingly. He made certain that all patients in need received the best medical care available and nobody was turned away, regardless of their financial situation. On many occasions, Dr. Nutting accepted payments made with chickens, farm animals, and vegetables from patients who had no other means of compensation.

Among Dr. Nutting's most noted accomplishments were his contributions in the fundraising and construction of a larger, more modern hospital for the City of Glenwood Springs. The hospital was completed in 1955, providing the city with up-to-date facilities and more room to accommodate the city's growing population. Due to the hands-on way in which he did his job and the endless, heartfelt concern for his patients, Dr. Nutting became somewhat of a celebrity over the years. His age and his years of dedication and service to the City of Glenwood Springs have made him into an icon of community involvement.

Mr. Speaker, it is a distinct honor to recognize Dr. Burtis Nutting before this body of Congress and this nation in commemoration of his 100th birthday. Dr. Nutting and his family can be proud of his achievements and the years of irreplaceable service he has given to the City of Glenwood Springs. I hope his years ahead will be as rewarding and endearing as the one hundred he has been blessed with thus far. Congratulations, Doc!

TRIBUTE TO LYNDAL WHITWORTH

HON. WES WATKINS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. WATKINS of Oklahoma. Mr. Speaker, I rise today to honor my district director, Lyndal Whitworth. On October 20, 2002, Lyndal will retire from Federal service. Lyndal has been a friend and partner in my efforts to help bring jobs and economic opportunities to the Third Congressional district, and he will be greatly missed by all who have known him and worked with him.

I first met Lyndal in the Spring of 1966 when I was the high school and college relations director for Oklahoma State University. I was in Lamont, Oklahoma, for a Future Farmers of America Banquet at Lamont High School, where Lyndal was a junior. Lyndal was a top student, and a fellow FFA officer, so I recruited him to attend OSU, my alma mater. Lyndal went on the OSU, where he earned a degree in agriculture and served in the student government.

In the Spring of 1978, during my freshman term in the House, I had an opening in my Washington office for a legislative assistant for agriculture. Lyndal was working on the Agriculture Department communications staff at OSU, and I immediately thought of him for the position. Unfortunately, for me Lyndal declined the offer for family reasons—he had a pregnant wife and young son, so the timing was not right for him to move to Washington.

Later that year, however, I had another job opening—this one in my Ada, Oklahoma, district office. So, I contacted Lyndal again to ask him to join my district staff, and this time he accepted.

Lyndal Whitworth and I share a dedication to rural Oklahoma and a commitment to working as hard as it takes and for as long as needed to get the job done. Keeping up with me is no easy task, and Lyndal's positive attitude and dedication to me and my mission made him a perfect fit as my district director. Lyndal frequently joined me in putting in 14, 16 to 18 hours a day, helping on my primary mission to improve the economic conditions of the Third District of Oklahoma, historically the most economically distressed area of the State.

Lyndal's efforts in the district assisted my legislative efforts in Washington during my time in Congress. Just a few of the many projects for which Lyndal provided valuable assistance include Winding Stair National Recreation Area, McGee Creek Reservoir, Wes Watkins Reservoir; the USDA Agriculture Research Station in Lane, the OSU Center for International Trade Development, numerous highway and rural water projects, and countless local economic development and business recruitment projects. Our efforts have been very successful. The Third district has made great strides, and today is transforming from a depressed welfare area to an active economic growth area.

I have served in the House for a total of 20 years, from 1977 to 1991 and from 1997 to the present. Lyndal Whitworth has served on my staff for sixteen of those twenty years. He served his nation in the U.S. Army, worked for the United States Senate, and served as a civilian employee for the U.S. Army Corps of Engineers. I ask that the House join me in thanking Lyndal Whitworth for his many years of faithful public service and for a job well done.

HONORING TRAVIS L. BROWN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. GRAVES. Mr. Speaker, I rise today along with my colleagues and the Congressional Fire Services Institute to honor a fallen hero Travis L. Brown, on June 6th, 2001, Mr. Brown made the ultimate sacrifice in service for the Dearborn Fire Department and surrounding communities.

Mr. Brown had a soft spot for helping people, which was evident in his career as a nurse and volunteer firefighter. During his memorial service more than two hundred firefighters, EMT personnel and members of police departments from Kansas and Missouri came in support of a fallen brother. Many kind words were shared at Mr. Brown's memorial; one colleague best described him as ''...just a great guy, a very caring man.''

Mr. Brown's contributions will be missed dearly, as he is an irreplaceable member of the community. Mr. Brown was just doing his job as thousands of volunteer firefighters do everyday, sacrificing his life for the overall benefit of the community. It is he and the thousands in his field that we thank and appreciate tremendously.

Travis L. Brown leaves behind a wife Tammy and five children Amanda, Alissa, April, Roth, and James who will all truly miss this fallen hero. Our condolences go out to their family as we again remember his dedication to his community and his family.

Mr. Speaker, please join me in honoring and recognizing a true American hero, Travis L. Brown.

TRIBUTE TO ANN McKENNIS

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. BRADY of Texas. Mr. Speaker, I rise today to pay tribute Ann McKennis who later this month will be retiring from nursing after more than 41 years of service. Ann is not only a constituent, but someone I am proud to call my friend.

During her distinguished career in the nursing profession, Ann McKennis has worked tirelessly to assist her patients and community with a selfless commitment to professionalism, excellence, and compassion. She has also made it here goal to advance nursing care for the both the caregiver and patient, alike. Most importantly, what makes Ann a great nurse and special person is that she believes that the role of a nurse is not only devoting hours on the job to the care of patients, but a lifetime role through which she can work to improve the lives of all of those she comes into contact.

Since moving to Texas in 1985, Ann has served as a surgical staff nurse in the Otolaryngology Operating Room of The Methodist Hospital in Houston, Texas. During this time Ann McKennis has not only excelled within the medical environment—demonstrating an unwavering commitment to her patients and coworkers—but also has worked to advance the nursing profession and improve the level of nursing care throughout our state, nation and around the world. She was recently elected to the Nominating Committee of the National Society of Otorhinolaryngology and Head Neck Nurses (SOHN) and currently serves as the Chairman of its Government Relations Committee. Additionally, Ann is a member of the American Nurses Association, as well as of the Ear Nose and Throat (ENT) Interest Group at the Royal College of Nursing in Great Britain, the International Association of Laryngectomies and the Harper Hospital Alumni Association in Detroit, Michigan.

In Texas, Ann is a member of the Texas Nurses Association and Texas Council of Operating Room Nurses (TCORN); has served three terms as President of the Greater Houston Chapter of SOHN, as well as spending four two-years terms as Chairman of its Legislative Committee; and has served as President of the North Harris County Chapter of the Association of Operating Room Nurses (AORN), where she also served on three of its committees—Legislative, Research, and Policy.

Ann has also been highly honored her for her contributions to the field of nursing. She was awarded the 2001 Brown Foundation Award for Outstanding Nursing Service for her many years of excellence in service to nursing, the 2001 AORN Outstanding Achievement Award for Perioperative Patient Education, the Texas Nurses Association's Outstanding Nurse in the Houston Area for 1993, the SOHN Honor Awards in 1993, 1997, and 1999, and has consistently been recognized as a Who's Who in American Nursing.

However, Ann's talents go beyond nursing. She has received numerous awards for her writing, including first prize at both the 1993 and 1995 SOHN Literary Awards. She has served on the Editorial Boards of several professional nursing journals including AORN Journal, ORL-Head & Neck Nursing, and Nursing Avenues and has published more than twenty-six pieces on nursing technical practice, ethics and care.

Ann continually works in the community performing a variety of tasks to encourage people both young and old the importance of health care in lives—and most notably, working to discourage the use tobacco products. Among her many activities, she has worked annually at the Houston Rodeo to promote the ''Through With Chew'' program to diminish the use of smokeless tobacco products and serves as a support team with local laryngectomee patients who have lost their vocal chords due to throat cancer.

Mr. Speaker, Ann McKennis has spend all of her career working to selflessly support and care for others. I therefore urge my colleagues to join me in wishing Ann McKennis much luck in all her future ventures and thanking her for her fine contribution to nursing for more than forty years. However, I am certain her support and compassion are sure to continue long after she retires.

PAYING TRIBUTE TO ERIC SIMONS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. McINNIS. Mr. Speaker, it is with great enthusiasm that I recognize Mr. Eric Simons of Boulder, Colorado for his tremendous courage and optimism in the face of some of life's most disheartening circumstances. In 1995, Mr. Simons was diagnosed with multiple sclerosis and initially suffered many disabling consequences. Today, I wish to commend Mr. Simons on his recovery efforts and convey his inspiring story before this body of Congress.

Mr. Simons has been an avid mountain climber throughout his life and has reached the summit of many of the world's highest peaks. In 1995, Mr. Simons returned home after climbing the prestigious Sandstone Cliffs of Eldorado Canyon when his neck started getting stiff and his body began to go numb. Following this initial attack, Mr. Simons also suffered from organ failure, losing over 40 pounds and much of his previous strength. Once able to climb some of the most rigorous and technical mountains in the world, Mr. Simons found himself unable to climb out of bed.

Undaunted by his deteriorating health, Mr. Simons began to set goals for himself, and remained committed to regaining his strength and energy. First, he began to try simply sitting up and then slowly began attempting to stand. Once on his feet, his next objective was to make it toward the gazebo in his yard and watch his kids play. Finally, he began to gain enough strength to walk around the neighborhood, first with the aid of his son and then finally on his own.

Today, Mr. Simons has regained his strength and has summited many of the world's most technical mountains, including Mt. Rainier (14,441 feet elevation), Mexico's Pico de Orizaba (18,401 feet elevation), and Mt. Kilamanjaro (19,434 feet elevation). He has also been very open about his condition, speaking out, hoping to bring awareness of the disease and to inspire others who are fighting the same illness. Last summer, Mr. Simons led a group of people living with MS on an expedition to Mt. Denali and came very close to summiting the 20,000-foot peak but were prevented due to high winds, brutal cold and deep snow. However, the attempt and accomplishment it represents is the true summit of achievement.

Mr. Speaker, it is a distinct privilege to recognize Eric Simons before the body of Congress and this nation for his outstanding commitment, optimism, and resolve. Mr. Simons confronted the uncertainties that life presented him and, through sheer determination, has transformed them into his greatest achievement. By meeting this challenge head-on and making defeat an impossibility, Mr. Simons has not only resumed his daily lifestyle but has inspired others with similar difficulties to stay active and continue to live their lives.

SAME SONG AND DANCE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues an editorial from the October 3, 2002, edition of the Lincoln Journal-Star entitled, ''Don't Allow Saddam To Play Games.''

Saddam has provided no one in the international community with any reason to grant him concessions on the terms of a new U.N. weapons inspections regime, and yet the United Nations continues to acquiesce to Saddam's efforts to block a new weapons inspection regime from having unfettered access to possible weapons sites in Iraq. Indeed, the United Nation's actions only further erode the institution's credibility. When will the U.N. quit allowing itself to be duped by Saddam?

DON'T ALLOW SADDAM TO PLAY GAMES

It's not surprising that Saddam Hussein tried to negotiate his way out of surprise inspections at his palaces. But it is surprising how quickly he got his way with United Nations officials.

And it's even more surprising that U.N. officials would pat themselves on the back for an agreement that granted Saddam such an important concession.

The United States and the rest of the world cannot afford to allow Saddam to play those sorts of games—again.

U.S. Secretary of State Colin Powell summed it up well. ''We will not be satisfied with Iraqi half-truths or Iraqi compromises,

or Iraqi efforts to get us back into the same swamp they took the United Nations into.''

Access to Saddam eight palaces is crucial because they are large sprawling complexes that cover a combined total of 12 square miles. The sites contain sumptuous living quarters with vistas of man-made lakes and waterfalls. Authorities also suspect they contain bunkers, quite possibly military control centers and perhaps laboratories for experimenting or manufacturing nuclear devices and other weapons of mass destruction.

Before weapons inspectors were pulled out of Iraq, they were permitted to visit the palaces only with advance warning and in the presence of a diplomat. These rules often were stretched so that Iraqis had days to move, conceal or destroy evidence.

In the last two years during which inspectors were active in Iraq, inspectors were barred entry to more than 60 sites. More than 40 of those sites were Saddam's presidential compounds.

Despite the constant delays and harassment, inspectors were successful in finding evidence of four nuclear weapons projects and manufacture of high toxic nerve gas VX.

Their success should have given the United Nations ample reasons to take a strict line with Saddam.

Ultimately his foot-dragging and posturing paid off. He was able to peel away support on the U.N. Security Council for a tough response on inspections. The temporary suspension of weapons inspections stretched into years.

It it had not been for the challenge President George W. Bush presented the United Nations earlier this month to force Saddam to live up to its own resolutions, resumption of weapons inspections still would be a forgotten issue.

It's discouraging that United Nations officials seem to have so quickly forgotten their previous misstep with the crafty dictator.

The Bush administration is amply justified in taking a hard line against concessions that would permit Saddam to renew his old tactics. The United Nations has been there and done that. This time is member nations need to insist on inspections that truly are unfettered.

RECOGNIZING APPLAUDING AND SUPPORTING THE EFFORTS OF THE ARMY AVIATION HERITAGE FOUNDATION

SPEECH OF

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. COLLINS. Mr. Speaker, based in Hampton, Georgia, the Army Aviation Heritage Foundation is devoted to promoting the history of military aviation. The foundation is an all volunteer non profit organization composed of veterans and civilian supporters acting to connect the American soldier to the American public through the story of Army Aviation. They are not a part of the U.S. Army and receive no governmental funding assistance. Their funding comes entirely from donations made by private individuals and organizations. These volunteers are committed to preserving the aircraft used by our military in securing the freedom we so enjoy as a nation.

The Army Aviation Heritage Foundation volunteers devote a significant amount of their personal time, resources, and money to bring the story of our country's military and the legacy of our veterans to the American people through their ''living history'' programs, displaying and flying World War II, Korean, and Vietnam-era planes and helicopters. These ''living history'' programs presented at major public venues and air shows are designed to honor our country's military and its' veterans while inspiring the public and giving them a glimpse of military life, service, and devotion to the next generation.

Since 1997, the Army Aviation Heritage Foundation has devoted more than 150,000 volunteer hours and $5.3 million in donated funds, aircraft, and equipment in 35 air shows and public presentations to more than 5.5 million people.

The foundation is acting to provide America's veterans a voice with which to tell their story and the tools with which to share their legacy of service and devotion with the American public.

The Army Aviation Heritage Foundation has four primary purposes:

(1) Educate the American public to their military heritage through the story of U.S. Army Aviation's soldiers and machines.

(2) Connect the American soldier to the American public as an active, accepted, and admired member of the American family.

(3) Inspire patriotism and motivate Americans everywhere toward service to their community and country by involving them in our nation's larger military legacy.

(4) Preserve authentic examples of Army aircraft and utilize them in educational ''living history'' demonstrations and presentations so that the symbols of America's military legacy may always remain in our skies for future generations.

House concurrent Resolution 465 recognizes and applauds the Army Aviation Heritage Foundation for their efforts to educate, connect, inspire, and preserve our proud military heritage for future generations.

Mr. Speaker, I applaud the efforts of the Army Aviation Heritage Foundation, and their hundreds of volunteers and supporters, and urge passage of House Concurrent Resolution 465.

SERVICE-DISABLED VETERANS' SMALL BUSINESS FEDERAL PROCUREMENT PREFERENCE ACT OF 2002

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. EVANS. Mr. Speaker, today I am introducing H.R. 5583, ''Service-Disabled Veterans' Small Business Federal Procurement Preference Act of 2002.'' This bill would provide service-disabled veterans and ''other handicapped'' individuals who own small business firms a time-delimited preference in the award of Federal contracts.

This legislation is clearly needed. While the Veterans Entrepreneurship and Small Business Development Act of 1999 established a 3 percent goal for the award of Federal contracts to servcie-disabled veteran-owned small business firms under the Small Business Act, no practical means exists for Federal agencies to achieve this goal under existing statutory authorities. Not surprisingly, Federal agencies have failed to achieve the 3 percent goal.

Compared to their non-veteran peers, veterans have postponed the opportunity to begin a small business while serving the nation in uniform. During their military service veterans have forgone establishing essential business credit and contacts which are pivotal to successfully starting a business. Due to their military service, our veterans are technically, an economically disadvantaged group compared to their non-veteran peers. Veterans have willingly sacrificed their lifetime earning potential to serve our nation in uniform. This is particularly so for service-disabled veterans who have sacrificed their mobility, health and well-being serving this country.

Service-disabled veterans are additionally economically disadvantaged given the reluctance of many lenders to extend lines of business credit to handicapped individuals. Regardless of their abilities, when financial institutions perceive a service-disabled veteran to be a greater risk, service-disabled veterans are further disadvantaged. Service-disabled veterans and handicapped individuals, in general, are often perceived by society to be less capable. Like others, service-disabled veterans and handicapped individuals simply need the opportunity to demonstrate their skills and abilities. This legislation provides that opportunity which for many is not otherwise available.

Service-disabled veterans and other handicapped individuals are discriminated against both in financial markets, relative to their access to capital, and in the marketplace, relative to opportunities to equally compete. It is therefore in this sense, and in no other, that service-disabled veterans and other handicapped individuals are economically and socially disadvantaged.

To provide service-disabled veterans real opportunity, this legislation provides a time-delimited preference in the award of Federal contracts. The existing statutory vehicle which provides a time-delimited preference is the 8(a) program under the Small Business Act. 8(a) was specifically established to assist economically and socially disadvantaged small business firms compete in the Federal marketplace. This bill adds both service-disabled veterans and other handicapped individuals to the list of identified individuals presumed to be socially and economically disadvantaged under the Small Business Act 8(a) Program.

In order to not lessen the opportunities for individuals already presumed to be socially and economically disadvantaged under the Small Business Act 8(a) Program, this legislation retains the existing 5 percent goal for these groups. It also provides a separate 3 percent goal for service-disabled veteran owned small business firms and a separate 2 percent goal for other handicapped individuals. These changes increase the aggregate goal for the award of Federal contracts to socially and economically disadvantaged small business firms to 10 percent.

Paralleling the newly specified goals for small business concerns owned and controlled by both veterans and other handicapped individuals, the Government-wide goal for participation by small business concerns is increased. The total value of all prime contracts and subcontracts awarded to small business concerns each fiscal year is increased from 23 percent to 28 percent.

Last and not least, the Service-Disabled Veterans' Small Business Federal Procurement Preference Act of 2002, requires all Federal agencies to establish agency-specific procurement goals for small businesses, and each category of small businesses, that are at least equal to legislatively specified government-wide goals. Currently, all goals specified for the award of Federal contracts under the Small Business Program are to be achieved collectively by all Federal agencies on a government-wide basis. Each Federal agency, on the other hand, is only required to establish goals which reflect the maximum practicable opportunity for small business concerns to participate in the contracts that it awards. It is therefore of little surprise that the achievement of SBA procurement goals, both across government and by individual Federal agencies, are significantly less than those specified in existing statute.

Again, this legislation will benefit service-disabled veterans and other handicapped individuals without adversely impacting any other preference group. This legislation can help open the door to opportunity for service-disabled veterans which has been closed too long. I urge my colleagues to support and cosponsor this important legislation.

Mr. Speaker, I also gratefully acknowledge the assistance Pam Corsini has provided with the development of this legislation. A Brookings Institution LEGIS Fellow, Pam has been working with the Democratic Staff of the House Committee on Veterans Affairs and has made many invaluable contributions to the work of the Committee and Congress. We are fortunate to have received her contributions and assistance. Thank you, Pam, for a job well done.

PAYING TRIBUTE TO BOB CHAFFIN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. McINNIS. Mr. Speaker, it is with deep appreciation that I rise and pay tribute to the life and passing of Mr. Bob Chaffin of Glenwood Springs, Colorado. Mr. Chaffin recently passed away in September and as his family mourns their loss, I would like to pay tribute to his life and memory and the outstanding way in which he lived it.

Mr. Chaffin served the Glenwood Springs community as an attorney specializing in corporate and real estate law. As a lawyer, Mr. Chaffin served his clients and his profession with honor, dignity, and sincerity. He was voted by residents throughout the community as the best honest attorney and was either the winner or the runner up, from 1999 through 2002. Many citizens throughout the community believed his heartfelt intentions were based out of genuine respect and regard for those whom he served and who sought his counsel.

Despite the time constraints of a very demanding career, Mr. Chaffin found the time to give back to his community through many types of volunteer activities. Mr. Chaffin was one of the founding members of Defiance Community Players, a local theatrical group that performed plays for the residents of Glenwood Springs. He participated in the group by painting and moving sets, managing the scholarship fund and serving on the board of directors. He was also a very talented actor, the most noticeable role he played was Teddy Roosevelt and he was able to capture personality of our 26th president to perfection. Mr. Chaffin was also active in other volunteer activities including the Glenwood Springs Lions Club, the Frontier Historical Society, the Mountain Valley Weavers and many others.

Mr. Speaker, it is with respect that I recognize the life and passing of Mr. Bob Chaffin before this body of Congress and this nation for all the wonderful contributions he has made to the community of Glenwood Springs. I extend my sincere condolences to his wife Joan and his son David during this trying period. Mr. Chaffin truly was a unique and remarkable person and his years of service as both a lawyer and a community activist has touched the lives of countless individuals throughout the Glenwood community and the entire state of Colorado.

REMEMBERING CAPTAIN LARRY F. LUCAS

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mrs. CAPITO. Mr. Speaker, I rise today in remembrance of Captain Larry F. Lucas, United States Army. Captain Lucas, originally from Marmet, West Virginia, served his country bravely in Vietnam as an Army Pilot. Sadly, while on a reconnaissance mission over Laos, Captain Lucas' plane was shot from the sky by anti-aircraft fire in December of 1966. Following military regulations, Captain Lucas ordered his co-pilot to eject from the plane first. Regrettably, other pilots who witnesses the crash saw only one parachute. Despite appearing to have remained in the plane, the Army would not conclude that Captain Lucas had perished.

Captain Lucas never returned to the United States alive. After many years his remains were miraculously found near the crash site a few months ago. His remains have been transported back to the United States and on November 1, 2002 he will receive a full military burial at Arlington National Cemetery.

Mr. Speaker, I firmly believe that our nation's strength as a world power comes from citizens like Captain Lucas. From an early age, he displayed signs of strong leadership. As an eagle scout in his childhood and then as an ROTC cadet at West Virginia University, Captain Lucas further developed these strong qualities. Captain Lucas' service to his nation will never be forgotten.

It is an honor to commend Captain Lucas on his service to the United States and to the state of West Virginia.

PERSONAL EXPLANATION

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. KNOLLENBERG. Mr. Speaker, on October 7, 2002, I was unavoidably absent and missed rollcall votes Nos.442–444. For the record, had I been present, I would have voted: No. 442—"yea;" No. 443—"yea;" and No. 444—"yea."

RECOGNIZING THE CONTRIBUTIONS OF THE THOMAS-DALE BLOCK CLUB

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Ms. McCOLLUM Mr. Speaker, I am honored to recognize the immeasurable contributions made by the Thomas-Dale Block Club to the Thomas-Dale neighborhood throughout its twelve years of service. The Block Club encouraged neighbors to get to know one another, to welcome and respect each others' differences, and to work together to make the neighborhood safe and clean. Through coordinating individual block clubs, organizing community meetings, facilitating communication between residents and local government, and developing programs for youth and seniors, the Thomas-Dale Block Club helped transform a once neglected neighborhood into one of the most vibrant communities in Saint Paul, Minnesota. It is my sincere pleasure to extend congratulations to the Thomas-Dale Block Club on its numerous accomplishments.

PAYING TRIBUTE TO LELAND PAT DURAND, JR.

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. McINNIS. Mr. Speaker, it is with great admiration that I recognize the life and passing of Mr. Leland Durand Jr. of Cortez, Colorado. Mr. Durand, known to his family as Pat, recently passed away in September and as his family mourns their loss, I would like to pay tribute to his achievements and the irreplaceable contributions he made to his community and to his country.

Mr. Durand was born on February 14, 1923 in Bozeman, Montana. As a young man, Mr. Durand enlisted in the United States Army and served in our nation's military with honor, courage, and distinction. Mr. Durand was one of the first of those heroic individuals who stormed the beach at Normandy on D-Day in 1944. He was later wounded in Germany in another engagement and received a purple heart in recognition for the service and sacrifice he had made to his country. Mr. Durand also received the Medal of Freedom from the French Government just two years ago at a ceremony in Cortez, Colorado.

After the war, Pat continued to serve his country in a variety of other ways. In 1949, he began working in oil explorations and in 1966 opened his own oil and uranium exploration business, the Durand Drilling Company. He was a member of the American Legion for 50 years and was a member of the NRA throughout his entire life. A lifetime gun enthusiast, Mr. Durand became a skilled gunsmith and built and repaired guns at his own business in Cortez, Colorado

Mr. Speaker, it is with deep respect that I recognize the life and passing of Mr. Leland Pat Durand before this body of Congress and this nation for the sacrifices he has made to his country, for the protection of freedom and democracy throughout the world. My sincere condolences go out to his former wife Harriet Durand, their two children Harry and Theresa, and his many grandchildren and great grandchildren. Mr. Durand truly was an American hero, his loss will be deeply felt and a grateful nation will be forever in his debt.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2002

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. RANGEL. Mr. Speaker, I rise today in support of H.R. 4085, legislation to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

As we debate the validity of committing young Americans to another conflict overseas I feel it is important to support legislation honoring our commitment to care for those disabled in past service to our country.

Many of our disabled veterans find themselves unable to keep pace with the cost of living as they advance in age. This is especially true for those who must rely on prescription drugs to mitigate the effects of their service-connected disabilities. These veterans must often choose between food, shelter, and medication. I support the provisions of this bill designed to mitigate these adverse economic conditions experienced by our disabled veterans.

It is extremely important that we support those who have secured our freedom in the past. As we debate the possibility of war we most honor past obligations.

HONORING CONGREGATION TEPHERETH ISRAEL OF NEW BRITAIN, CONNECTICUT, ON ITS SEVENTY-SIXTH ANNIVERSARY, AND RABBI HENRY OKOLICA, FOR HIS FORTY-TWO YEARS OF OUTSTANDING SERVICE TO TEPHERETH ISRAEL

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise to acknowledge the 76th Anniversary of Congregation Tephereth Israel in New Britain, Connecticut, and the achievements of Rabbi Henry Okolica, who is celebrating 42 years of dedicated service to the congregation. I congratulate Rabbi Okolica, the congregation and all their friends. We are proud of their dedication and grateful for their many decades of service to our community and acknowledge with gratitude their successful refurbishment of their beloved temple, one of our city's landmarks.

It was 76 years ago that Governor John H. Trumbull laid the cornerstone at 76 Winter Street. Since that time, Tephereth Israel has been a center of rich, spiritual devotion and always encouraged and recognized service to the community. The congregation became the first in Greater Hartford to make religious education available to students regardless of their financial circumstances, and over many years provided an environment for spiritual growth that gave our city many valued leaders. Perhaps the most famous was Governor Abraham Ribicoff. Governor Ribicoff, whose father was one of the early presidents of Tephereth Israel Synagogue, became the first Jewish governor of the state of Connecticut, and served as Secretary of Health, Education and Welfare as well as a United States Senator.

When the sanctuary's interior was destroyed by fire in 1963, the New Britain community was moved to help rebuild it, so great was their admiration for Rabbi Okolica and Tephereth Israel. Today, 370 people are memorialized upon the walls of the Synagogue, a fitting tribute to past members and a reminder to the congregation's contribution to our community.

Since 1960, Rabbi Henry Okolica has been devoted to his faith, his congregation and to helping countless people in need. He has been a friend to innumerable individuals and an inspiration to families throughout the state. For 40 years, Rabbi Okolica hosted the television show, ''Jewish Life,'' welcoming as his guests all religious persuasions on a wide variety of topics. The conversations reflected his thoughtful, generous character. he would conclude each broadcast with a plea to viewers to be generous in their contributions and mindful of those less fortunate. I am proud to share my hometown with Rabbi Okolica and Congregation Tephereth Israel, and honored to represent them in the United States Congress.

On October 13, 2002, the congregation and community will be celebrating their history and a dramatic renovation of their temple with a ceremony at Tephereth Israel. Past and present clergy will be honored at the celebration, including Reverend Elias Rosenbeger, Rabbi Joseph Aronson, Rabbi Jacob Weitzman, Cantor Sholom Nelson, Reverend Max Prager, Reverend Elifant Rabbi Arnold Heisler and Cantor Melvin Etra.

This special event will be more than a celebration for the congregation. It will be a remembrance by the whole community of the history of New Britain, for the founders of Tephereth Israel represent some of New Britain's most active citizens and friends of the community. Many came to America in search of relief from persecution in their native lands in Eastern Europe and Russia. These were highly learned individuals, having studied in acclaimed Talmudic schools throughout Russia, Poland and Lithuania. One such early New Britain resident was Benjamin Marholin, a grocery store owner and man of culture who was the uncle of celebrated American composer Irving Berlin. Another was Jonas Goldsmith, whose daughter Anna would become one of the organizers of the New Britain Chapter of Hadassah. Dr. Morris Dunn became a tireless advocate on behalf of Zionist causes, helping New Britain to become one of the most active centers of Zionism in the nation. All of these men and women overcame the odds through their belief in this country and their unfaltering faith.

Mr. Speaker, I congratulate Rabbi Henry Okolica and Congregation Tephereth Israel on their respective anniversaries and the renovation of their spiritual home. I ask the House to join me in wishing them the very best for the future.

HONORING THE TWENTY-SIX TEACHERS FROM THE PITTSBURGH PUBLIC SCHOOL SYSTEM WHO COMPLETED THE RESEARCH EXPERIENCE FOR AN URBAN TEACHERS INSTITUTE

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. DOYLE. Mr. Speaker, I rise today to express my most sincere congratulations to the twenty-six teachers from the Pittsburgh Public School System who completed the Research Experience for an Urban Teachers Institute (REUTI) this summer, which was hosted in part by Carnegie Mellon University. These teachers in an effort to improve the quality of education they provide to the students of the Pittsburgh Public Schools, received valuable training that they will implemented in their classrooms this fall.

Their successful completion of this five-week program which instructs middle and high school teachers to become more proficient in the teaching of math, science, and engineering, clearly demonstrates their dedication to their field and to the children that they impact on a daily basis. This knowledge will improve the educational experience of students across the Pittsburgh School System and help provide them the tools they will need as they continue their education and move into careers of their own.

At a time when our Federal Government has recommitted itself to improving our nation's schools and increasing our student's proficiency in math, science, and engineering, these teachers have proven themselves to be leaders in their field. Their efforts, together with other dedicated teachers across our nation, will help our students to again be among the top scoring student in the world. I encourage them to bring these new skills to not only their students, but to their colleagues so they may work together to provide the best education possible.

The partnership that was formed between Carnegie Mellon University and the City of Pittsburgh Schools through REUTI demonstrates the importance of all levels of education working toward the common goal of providing a higher quality education to the students in our community. Through this collaborative effort, Carnegie Mellon researchers opened their laboratories and offices to provide a welcoming environment for the teachers who were able to participate fully in ongoing research activities. As a result of the cooperation from Carnegie Mellon University, these teachers were able to get a better understanding of the culture of scientific research. This experience is something that will assist these teachers in educating their students about the daily work of a scientist.

Once again, I would like to offer my sincere congratulations to each of the twenty-six teachers from the Pittsburgh area who have

dedicated themselves to continuing their own education in an effort to improve the quality of the education they provide to our region's students.

RECOGNITION OF PASTOR PAUL GOLATT

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mrs. MEEK of Florida. Mr. Speaker, I rise today to commend a dedicated Pastor and leader in my district as he celebrates his fifteenth Pastor's Appreciation Day on October 6th, 2002.

Pastor Paul Golatt, Jr. is the Pastor of Macedonia Church of God in Christ and the Superintendent of the North Miami District of the Church of God in Christ. He also serves his community as an employee for the United States Postal Service.

Pastor Paul Golatt, Jr. was ordained by Bishop Jacob Cohen in Fort Pierce, Florida during the Jurisdictional Holy Convocation in 1969. After many sermonettes, faithful services and training under the leadership of the late Pastor Paul Golatt Sr., he was appointed the first Assistant Pastor of the Macedonia Church of God in Christ. Upon the passing of his father and Pastor in December 1987, Paul Golatt, Jr. was appointed Pastor of Macedonia Church of God in Christ. On September 4, 1999, he was officially appointed and installed as District Superintendent of the North Miami District Church of God in Christ, by the Jurisdictional Prelate, Bishop Jacob Cohen.

Pastor Paul Golatt, Jr. continues to devote his life by extending benevolence to people in need. In addition to providing churches and communities with school supplies for children, he frequently donates food, clothing and money to communities and to orphanages in Haiti. He also finds the time to conduct joint services on holidays, including Easter, Thanksgiving and Christmas, with neighboring churches.

Pastor Paul Golatt, Jr. is a remarkable man whose personal achievement and community service are an example to us all. He is a father, Superintendent, Mail Carrier, an Organist, Choir Director, Recording Artist, Counselor, Secretary, Singer, Jurisdictional Adjutant, caring and compassionate Shepherd, praying servant and "A Man After God's Own Heart". (Jeremiah 3:15)

Mr. Speaker, I am proud to recognize Pastor Paul Golatt, Jr. for his humanitarian efforts which have touched the lives of so many people. I ask my colleagues to join me in honoring this congenial man of God. His faith, courage and kindness are an inspiration to all who have been touched by him.

HONORING DAVID MIHALIC

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Dave Mihalic, a true leader in the National Park Service, as he approaches his January 3, 2003 retirement.

Dave Mihalic has served 33 years protecting and managing America's National Parks. His career with the Park Service ends at the helm of our nation's crown jewel, Yosemite National Park. As superintendent of Yosemite, Dave proved his strength and fairness in implementing a long-stalled management plan. Yosemite holds a dear place in my heart and I want to thank Dave for both his friendship and leadership in the park.

Dave was a seasoned leader even before Yosemite. He served as the assistant superintendent of the Great Smoky Mountains National Park in North Carolina and Tennessee, and superintendent of Glacier National Park in Montana, Mammoth Cave National Parka in Kentucky and Yukon-Charley National Preserve in Alaska. Among his many management accomplishments, Dave established crucial community relationships and park partnerships, earning him two "Superintendent of the Year Awards" and a reputation as a leader who gets things done. In addition to running several of our National Parks, Dave also helped here in Washington, DC, when he worked as Chief of Policy in the Department of the Interior.

Mr. Speaker, I rise today to honor Dave Mihalic for his vision and unending pursuit of National Park protection. I invite my colleagues to join me in thanking him for his many contributions to our National Lands and wishing him and his family continued success.

INTRODUCTION OF THE IDEA PAPERWORK REDUCTION ACT OF 2002

HON. RIC KELLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. KELLER. Mr. Speaker, I rise today to introduce the "IDEA Paperwork Reduction Act of 2002." This legislation will increase the quality instruction time a teacher can spend with their students in the classroom while also ensuring that special education students are receiving a quality education.

Due to the approaching reauthorization of the Individuals with Disabilities Education Act, IDEA, I went and toured local schools in my district of Orlando, FL last year to get a firsthand understanding of the problems that parents, teachers and administrators face implementing a successful special education program. I heard many familiar complaints being made about discipline and funding of the program, but what really took me by surprise was when a teacher took me into an office where he showcased a typical day's work of filing out all of the required forms for a special education student. I was shocked to learn that teachers spend so much of their time complying with process instead of being able to teach and assist students in the classroom.

I think I speak on behalf of most Members here, when I say that IDEA was never intended to take teachers' time away from the classroom, rather it was intended to make sure that special education students were able to receive the same classroom instruction as their general education peers. Unfortunately, over time the paperwork trail has grown as states and local districts try to ensure that they have complied with the federal law. The threat of being sued has encouraged an overabundance of paperwork in order to document the school's compliance with the law. When did "process" overshadow the importance of actual quality instruction and results?

When a principal testifies that their IEP Teams spend an average of 83.5 hours filling out paperwork in preparation to sit down for an Individualized Education Plan, IEP, with a student's parents—something makes me wonder about the 83.5 hours taken away from classroom instruction time. IEP's are of course an important aspect of IDEA, but there can be some commonsense reforms put in place to reduce the redundancy of the process.

The "IDEA Paperwork Reduction Act of 2002" will call for a study by the Department of Education to be furnished within 6 months of authorization to determine where the burden is stemming from, and provide suggestions to mitigate the issue. The Department will be required to issue a streamlined IEP for school districts to use as a model. It will also call for a pilot program for 10 states to enter into an agreement with the Department of Education to perform their own paperwork reduction programs to see if any reforms can stem from State innovation. The legislation will implement a pilot program to create a 3-year IEP review process. This would allow the process to occur at natural transition points for the child instead of every year, but there will always be a safeguard in place for parents to request an IEP review at any point within the 3 years to ensure that their child is receiving all of the services they deem necessary.

These commonsense reforms included in the "IDEA Paperwork Reduction Act of 2002" will ensure that IDEA is results-driven, not process-driven. The legislation will improve the academic achievement of special education students, while also doing away with an overly prescriptive and burdensome process for teachers. It will enable teachers to save valuable classroom instruction time for exactly that—classroom instruction. I encourage my colleagues to call my office to cosponsor the "IDEA Paperwork Reduction Act of 2002."

Thank you and I reserve the balance of my time.

INTRODUCTION OF THE IDEA PAPERWORK REDUCTION ACT OF 2002

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. BOEHNER. Mr. Speaker, today I am proud to join my colleague Representative RIC KELLER in introducing the IDEA Paperwork Reduction Act of 2002. This legislation will go a long way in providing school districts and administrators the relief they need from the IDEA paperwork burden, and in reducing time spent by teachers on non-instructional activities, as required under the Individuals with Disabilities Act (IDEA).

One year ago, the House Education and the Workforce Committee began an aggressive series of hearings exploring major issues that would likely be addressed in the Committee's reauthorization of IDEA. Numerous witnesses at these hearings testified about the need for the Department of Education to identify and

simplify burdensome regulations under IDEA and for Congress to adopt statutory changes that would provide relief to the nation's special education and general education teachers who dedicate their careers to educating children with special needs.

The goal of this Committee is to ensure that all students receive a quality education. Currently, teachers are forced to spend too much time on an overwhelming paperwork burden and not enough time on important needs, like lesson plans and parent-teacher conferences. This bill will help teachers move beyond simply having enough time to comply with regulations and allow them to focus on what is really important, reach achievement for our students with special needs. The current paperwork structure provides a real threat to ensuring that the maximum available resources are focused on a quality education for students with special needs.

Currently, there's a growing shortage of qualified teachers, particularly in special education. Special education teachers are being driven out of the profession in frustration over the seemingly endless stream of red tape and paperwork associated with IDEA. This year, President Bush signed the No Child Left Behind Act into law. NCLB requires that all children with special needs who attend federally funded schools have the opportunity to learn from a highly qualified special education teacher. States must submit a plan to ensure all special education teachers are highly qualified by the end of the 2005–2006 school year. We must do all we can to ensure that every child with special needs is receiving a quality education.

In our hearings, the Committee heard from school principals, administrators, and others voicing frustrations with their schools' efforts to provide services to students as required by their individualized education programs (IEPs) when paperwork requirements compete with available instructional time. In Fairfax County, Virginia, for example, professionals spend on average 83.5 hours on paperwork for a student who qualifies for service under IDEA, from initial referral to development of the IEP—all this before a student even starts to receive services under IDEA. As one principal testified at a hearing earlier this year, ''teachers find themselves between a rock and a hard place . . . with unyielding demands made on their time. When something gives, the impact is either on the teacher or the student, two of our most valuable resources.''

According to the Council for Exceptional Children (CEC), ''too often in special education practice, compliance-related documentation is stressed over thoughtful decision-making for children and youth and their families. No barrier to delivering quality services is more problematic to special educators than paperwork.'' CEC estimates that 4 hours of pre-meeting time is needed for review and revision of the average IEP going into each IEP meeting. In addition, CEC reports that a majority of special educators estimate that they spend a day or more each week on paperwork, and eighty-three percent report spending from half to one-and-a-half days per week in IEP-related meetings.

Teacher quality is perhaps the most important factor in ensuring the progress of students with special needs. We're asking a lot of America's special education teachers, and they deserve our full support. That's why Representative KELLER's bill is so important.

Representative KELLER's proposed amendments to IDEA will help bring good teachers to classrooms by identifying and simplifying burdensome statutory provisions in IDEA, and it will do so while preserving the quality of education provided to children with special needs. They are innovative, provide much-needed flexibility to the nation's special education system, and will be, I believe, non-controversial in nature.

This legislation streamlines and increases the effectiveness of many provisions within IDEA. It directs the Secretary of Education to identify, develop, and disseminate model forms for individualized education programs (IEPs), procedural safeguard notices, and prior written notice report requirements that incorporate all relevant federal statutory and regulatory requirements under IDEA. In addition, the legislation allows states that receive funds under Part B of IDEA to permit local educational agencies in each state to develop a three-year IEP (in lieu of an annual IEP) for each child with a disability. Representative *Keller*'s bill would also create a pilot program allowing the Secretary to waive paperwork requirements under IDEA to 10 states based on their proposals for reducing paperwork and non-classroom time spent fulfilling statutory and regulatory requirements. These initiatives, and others in the bill, will promote innovation and provide much-needed flexibility for states as they implement IDEA and its accompanying federal, state, and local regulations.

The IDEA Paperwork Reduction Act of 2002 will take us one step closer to reducing burdensome rules under IDEA and allowing teachers and administrators the time to do their job of educating children with special needs more efficiently and effectively. I urge my colleagues to support this legislation.

EXPRESSING SUPPORT FOR PRESIDENT'S 2002 NATIONAL DRUG CONTROL STRATEGY

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. RANGEL. Mr. Speaker, I rise today in advocation of H. Res. 569, legislation expressing support for the President's 2002 National Drug Control Strategy to reduce illegal drug use in the United States.

Nearly 20,000 Americans, many of them children, die from drug related incidences every year. This ongoing drug menace is the gravest threat to our youth whether they are killed by drug overdoses or are caught in the crossfire of rival drug gangs.

When some claim that Iraq poses the most imminent threat to our national security, I see a more imminent threat in the well-established link between the profits from illegal drug dealing and the financing of many of the world's leading terrorist organizations. These organizations include the Taliban, al-Qaeda, and the Fuerzas Armadas Revolucionarias de Colombia.

It is because of these threats that I am proud of the efforts of law enforcement in the eradication of illegal drug use. In supporting this bill we honor the efforts of those who fight on the front lines of the Nation's struggle against illegal drug use. The drug menace is truly a threat to our homeland security.

RECOGNIZING ACHIEVEMENTS AND LIFE OF DR. ROBERTO CRUZ

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Ms. LOFGREN. Mr. Speaker, today, I rise to recognize the achievements and life of Dr. Roberto Cruz, founder and first President of the National Hispanic University (NHU) in San Jose, California. I am proud to have known Dr. Cruz for over 20 years, and have seen first hand tireless work to establish and expand NHU, one of only three Hispanic universities in the nation, and the only one west of Chicago.

Born and raised in Corpus Christi, Texas, Dr. Cruz received his bachelor's degree from Wichita State University in 1964 thanks to a football scholarship. A star middle linebacker and center, Dr. Cruz passed on opportunities to play football professionally in order to teach junior high school in Stockton California.

Seeing the need to improve the educational system, he went on to earn his doctorate from the University of California at Berkeley in 1971. That same year, he established the Bay Area Bilingual Education League (BABEL), a consortium of schools and educational institutions developing bilingual education for students in Oakland and Berkeley. by 1976 he was an education professor at Stanford University, where he was appalled at how few Latinos enrolled at colleges.

In 1981, Dr. Cruz and a group of loyal supporters established The National Hispanic University in a two-room building in Oakland, California. The goal was to address the learning needs of Hispanics and other minorities, especially non-native English speakers. Over the last 20 years, he has built NHU into a quality, accredited, private four-year university for all.

In the few weeks before he passed away on September 4, San Jose's planning commission approved his ambitious proposal to transform the private college, housed in an old elementary school, into a three-story, $18 million full-fledged university campus.

A few weeks earlier, NHU made history by becoming the first Hispanic four-year university to be accredited by the prestigious Western Association of Schools and Colleges (WASC), an organization that only accredits 155 colleges and universities from among 3,000 institutions in the region. With this accreditation NHU joins Stanford and the University of California as a nationally and regionally accredited and recognized institution.

Dr. Roberto Cruz left us a legacy of young people who have a future because, through the power of education, he let them have one.

He proved that Si se puede!

RECOGNIZING THE ACHIEVEMENTS OF THE REPUBLIC OF CHINA ON ITS NATIONAL DAY

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. ISSA. Mr. Speaker, I rise today to congratulate President Chen Shui-bian, Vice

President Annette Lu, and the People of Taiwan on Taiwan's National Day. Since escaping the clutches of Communist China in 1949, the people of Taiwan have made great strides economically, politically, and socially. Taiwan has become a bastion of democracy and an economic power in East Asia. They have made this progress because they have committed themselves to building the institutions that are so important to democracy and the preservation of freedom. They have also liberalized their economy, conformed to the standards of international business, and earlier this year, gained acceptance into the World Trade Organization. They should be commended for proving to the world that democracy, free market economics, and hard work are the keys to success in today's world.

But Mr. Speaker, we should not recognize Taiwan's achievements without also thanking them for their partnership in containing China's expansionist tendencies. For over fifty years the Taiwanese have stared down China's threats of invasion and annexation, choosing instead to build a modern, free society and, most importantly, choosing to be our friend. They have played a key role in containing the specter of Communism in East Asia. We should never forget that. I am pleased to have this opportunity to recognize Taiwan on their day of national celebration and I congratulate them on all they have achieved.

THE POLLY KLAAS FOUNDATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Ms. WOOLSEY. Mr. Speaker, Polly Klaas was a vibrant, talented child, full of life with the promise of a bright future. When she was kidnapped at knifepoint from her bedroom slumber party on October 1, 1993, in my hometown Petaluma, California, our community responded with an unprecedented effort to find her. The Polly Klaas Foundation was formed October 23, 1993, to help continue that search for Polly.

Following the discovery of her murderer, the Foundation adopted a new mission: ''Make America Safe For Children.'' As part of their efforts, they've been working hard at the state level to enact Amber Alert plans. Amber Alerts empower the community to take action—immediately. From Southern California to St. Louis to Philadelphia, the recent wave of child abductions has kept our nation riveted, angry, and scared for the safety of our children. The Amber Alert Plan is a voluntary cooperative program between law enforcement agencies and local broadcasters that sends emergency alerts to the public when a child has been abducted. Amber Alerts leap into action in the first crucial hours of a kidnapping when the tracks left by the abductor are still fresh. Like a modern day, high-speed Paul Revere, Amber Alerts spread the word fast so we don't have to rely on slower methods like handing out flyers, or word of mouth for news of the abduction to catch on from one city to the next.

Just two months ago, only 14 states had statewide Amber Alerts. Now, thanks in part to the Polly Klaas Foundation, 28 states have statewide Amber Alerts. However, our work is far from done.

We must continue to work towards a national network for Amber Alerts so that law enforcement can use Amber Alerts across state lines. The Senate passed an excellent bill in September that would do just that. The House Judiciary Committee had a chance to pass that bill, H.R. 5326, on the House floor yesterday.

Instead, they unfortunately chose to pass H.R. 5422, the Child Abduction Prevention Act. While this bill contained the non-controversial Amber Alert provisions, it also contained far more controversial provisions concerning death penalties, mandatory minimum sentences, wiretap extensions, pre-trial release, and a whole host of other unrelated provisions which will impede this bills chance of final passage in the Senate. It was a poor decision by the House leadership that will doom the Senate's good work.

At the White House Conference on Missing and Exploited Children last week, President Bush announced that the Justice Department would develop a national standard for the Amber Alert, and named a new Amber Alert coordinator at the Justice Department who will work on increasing cooperation among state and local plans. Congress must pass legislation to give the new coordinator the legal authority; funding and programmatic guidelines needed to effectively perform his duties and help to protect our children.

It is impossible to overstate the importance of AMBER Alert legislation. The statistics and the facts are clear: Amber Alerts are already being credited with saving the lives of 31 children around the country. But the real people, the real stories, the real lives saved are far more convincing than any statistic. Just look in the eyes of the parents of the two Riverside, California teenagers whose lives were saved because of the Amber Alert, and you will know why this law is so important.

I am proud of the Polly Klaas Foundation and would like to thank the foundation for all of the hard work they have been doing to enact Amber Alert programs.

Mr. Speaker, we still have time in this legislative session to bring the Senate bill to the House floor, and we should do just that. Every day that a national Amber Alert system is not in place, is another day that law enforcement and the public have inadequate tools and resources needed to protect our children.

HONORING THE ACCOMPLISHMENTS OF BRIGADIER GENERAL CHARLES E. ''CHUCK'' YEAGER

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. THOMAS. Mr. Speaker, I rise to pay tribute to Brigadier General Charles E. ''Chuck'' Yeager. I congratulate him on his pioneering work in the field of aeronautics and thank him for his many contributions to our country over the past 60 years.

Brig. Gen. Yeager became the first man to ever break the sound barrier on October 14, 1947. This feat was accomplished in the experimental Bell X–1, called ''Glamorous Glennis,'' which is now on display at the Smithsonian Institution. He was able to successfully pilot his aircraft above the speed of sound, thereby proving the feasibility of manned supersonic flight. General Yeager also set another aviation record six years later by flying to Mach 2.44 in the X–IA. He continued to test experimental aircraft at Muroc Air Force Base (now Edwards Air Force Base) until 1954. These noteworthy acts, as well as his testing of hundreds of different aircraft during his career, are well worth our praise and accolades.

Brig. Gen. Yeager not only set records, but he also helped establish a unique program at Edwards Air Force Base to train military test pilots as astronauts. In 1962, he was selected as the commandant of the new U.S. Air Force Aerospace Research Pilot School (now the U.S. Air Force Test Pilot School), serving at this post until 1966. Despite his retirement from the military in March of 1975, Brig. Gen. Yeager has continued to fly in the annual Edwards Air Force Base Open House and Air Show and serve the U.S. Air Force as a flight test consultant. He will be taking to the skies again this year for the show, just like he always has, in what will be his last flight as pilot of an Air Force aircraft.

In addition to his accomplishments as a test pilot and mentor, he is also a decorated combat veteran. After being shot down during World War II over occupied France on his eighth mission, he returned to fly 56 more combat missions and total 12.5 aerial victories. His heroics in WWII, his achievements in flight testing, and his service as a combat commander during the Vietnam War earned him a Presidential Medal of Freedom and a special peacetime Medal of Honor. On the occasion of Brig. Gen. Yeager's last military flight, I ask that you join me in saluting one of our nation's greatest aviation pioneers.

HONORING THE RATIFICATION OF ''THE U.S.-CYPRUS MUTUAL LEGAL ASSISTANCE TREATY''

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. GEKAS. Mr. Speaker, it is my great pleasure to recognize a new step in American-Cypriot relations. On September 18, 2002, the United States and the Republic of Cyprus ratified ''The U.S.-Cyprus Mutual Legal Assistance Treaty'' bringing these two nations even closer together to fight the war on terrorism.

This Treaty provides for many provisions that will fight not just global terrorism, but also organized crime and drug trafficking. In particular, the Treaty will allow the two countries to more effectively coordinate the transfer of persons in custody, execute searches and seizures, share documents and intelligence materials, identify persons of interest to authorities, and prosecute a wide range of criminal offenses.

The PATRIOT Act, which I worked hard to advance and was passed into law late last year, complements this treaty well. The PATRIOT Act facilitates cooperation between the United States and foreign governments in the areas of information and intelligence sharing. With this Treaty now ratified and the PATRIOT Act made into law, the U.S. and Cyprus are in an excellent position to put an end to the evil and cowardly actions of terrorists everywhere.

In so many ways this Treaty will help the peoples of the free world work together to defeat terrorism. While it may have gone unnoticed, this new Treaty adds to the shared mission of the peoples of the Republic of Cyprus and the United States. It also builds on efforts with which I have been involved. Our Judiciary Committee considered and promoted the PATRIOT Act.

We must mention also the cooperation of the Cypriots' ally, Greece. Greece has put the very dangerous November 17th organization out of commission. Together Greece and Cyprus are working to crack down on terrorist groups.

Mr. Speaker, today I want to commend the U.S. and Cyprus for reaching a new era in diplomatic relations and international cooperation. Together, I am confident we can more effectively put a stop to the villainous acts of criminals and terrorists around the world.

PERSONAL EXPLANATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. HASTINGS of Florida. Mr. Speaker, from September 20, 2002 through October 8, 2002, I was absent from the House of Representatives proceedings because I was fulfilling my duties as a member of Helsinki Commission and Vice President of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe.

While serving in this capacity, I missed rollcall vote Nos. 424 through 447. Had I been present for these votes, I would have voted the following way: No. 424, ''yes''; No. 425, ''yes''; No. 426, ''yes''; No. 427, ''no''; No. 428, ''yes''; No. 429, ''no''; No. 430, ''no''; No. 431, ''yes''; No. 432, ''yes''; No. 433, ''no''; No. 434, ''no''; No. 435, ''no''; No. 436, ''no''; No. 437, ''no''; No. 438, ''no''; No. 439, ''yes''; No. 440, ''no''; No. 441, ''no''; No. 442, ''yes''; No. 443, ''yes''; No. 444, ''yes''; No. 445, ''yes''; No. 446, ''no''; No. 447, ''yes''.

TRIBUTE TO ADULT DAY CARE

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 9, 2002

Mr. RILEY. Mr. Speaker, I rise today to pay tribute to Adult Day Care on the occasion of the Annual Conference of the Alabama Adult Day Care Association in Auburn, Alabama, on October 11, 2002.

Adult day care programs provide health and social services in a group setting on a part-time basis to frail older persons and other persons with physical, emotional, or mental impairments. Adult day care in the United States was inspired by the European psychiatric day hospitals in the 1940's and was influenced by the British geriatric day hospital model in the 1950's. Adult day care began in psychiatric day hospital in the United States in the late 1940's, mainly assisting patients who were released from mental institutions. The concept of day care was expanded to include supportive health and social services for impaired persons residing in the community in the 1960's. These programs have grown rapidly over the last 3 decades, from a handful in the late 1960's to an estimated 4,000 today.

Obviously, this growth reflects a need. With the decline in our family structure, we do not see as many large families in which there is always someone available to take care of an older family member. Families are often separated by great distances because of work. Even if grown children live near their parents, the husband and wife frequently have to work to support the family. This leaves no one available to help with an elderly parent. in these instances, adult day care is every bit as important to the family as child care. Knowing that someone is there to perhaps transport the parent to day care, make sure that the parent takes his or her medicine and generally supervise and engage the interest of the elderly parent means a great deal.

Adult day care has taken on increased significance as a means of taking care of elderly individuals who have physical or mental limitations. These people are not candidates for skilled nursing home care, but they require care from a compassionate and knowledgeable individual. Quite often their families cannot provide this care on a continuous basis, but with the help of day care, both the parent and the family caregiver benefit.

I am particularly impressed with the idea of adult day care in the plan of care for elderly citizens with Alzheimer's disease. These elderly patients often receive the very worst of care in nursing homes if they are accepted, and they present one of the most difficult challenges for family members who are not trained to work with the elderly. Studies have shown that patients suffering from Alzheimer's disease seem to be best handled in a small group setting under the care of those with both medical and psychiatric training. With the elderly person in this setting, the whole family can receive some relief and be better able to continue to properly care for their relative.

Mr. Speaker, I want to take this opportunity to salute those who tirelessly provide Adult Day Care to our elderly citizens.

MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2002

SPEECH OF

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 7, 2002

Mr. SCHIFF. Mr. Speaker, on October 7, 2002, the U.S. House of Representatives passed by a voice vote H.R. 5385, The Miscellaneous Trade and Technical Corrections Act. H.R. 5385 included provisions of H.R. 5002, which amends the United States-Israeli Free Trade Area Implementation Act of 1985 to allow for the designation of Israeli-Turkish qualifying industrial zones.

Designation of Turkish qualifying industrial zones will dramatically expand Turkish access to U.S. markets through duty-free exports to the United States.

As someone who believes that free and fair trade provides great opportunities and benefits to the American people, I have supported a number of free trade agreements during the past two years. We live in an increasingly global economy and our future progress depends on our ability to take advantage of that fact. However, we must also make sure our trading partners adhere to the rules of fair play.

Unfortunately, this legislation would reward Turkey, despite its nine-year illegal blockade of Armenia, which, according to World Bank estimates, has cost Armenia between $500 and $720 million annually. These figures, which represent one quarter to one third of Armenia's entire economic output, are staggering.

Turkey's blockade has also taken a human toll on Armenia's three million population. As a result of the blockade, hundreds of thousands of Armenians have been forced to leave their country and many of those that have remained have been forced into poverty.

Instead of rewarding one ally to the detriment of another, we should continue to press Turkey to end its blockade and establish formal diplomatic and trade relations with its neighbor to the east. We should also seriously consider a meaningful bilateral trade agreement with Armenia. Such a mutually-beneficial trade agreement would not only help strengthen Armenia's economy, but will increase the demand for American products. U.S. companies and joint ventures working in Armenia are primary sources of demand for U.S. goods and services in Armenia.

In order to make sure that free trade is also fair trade, one trading partner should not be allowed to impede the economic well being of another trading partner. We cannot and should not adopt a trade policy that simply undermines our commitment to an ally, such as Armenia, which during the past decade has adopted a free market economy and has implemented critical reforms in trade and monetary policy. banking and property rights.

We can take full advantage of trade opportunities without placing our nation and others in a race towards the lowest common denominators. H.R. 5385 falls far short of our resolve to help allies such as Armenia and the other former Soviet republics become full partners in the global economy.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Wednesday, October 9, 2002 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 10

9:30 a.m.
Armed Services
Personnel Subcommittee
To hold hearings to examine the Department of Defense's inquiry into Project 112/Shipboard Hazard and Defense (SHAD) tests.
SR–232A

10 a.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine U.S. policy toward the Organization for Security and Cooperation in Europe.
334 Cannon Building

Intelligence
To continue joint closed hearings to examine activities of the United States intelligence community in connection with the September 11, 2001 terrorist attacks on the United States.
S–407 Capitol

11 a.m.
Indian Affairs
To hold hearings to examine S. 2986, to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community, Michigan.
SR–485

OCTOBER 11

9 a.m.
Armed Services
Closed business meeting to consider pending military nominations.
SR–222

OCTOBER 15

10:30 a.m.
Foreign Relations
To hold hearings to examine the nomination of Collister Johnson, Jr., of Virginia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation.
SD–419

2:30 p.m.
Banking, Housing, and Urban Affairs
International Trade and Finance Subcommittee
To hold hearings to examine U.S. policy and the role of the international community concerning instability in Latin America.
SD–538

OCTOBER 16

10 a.m.
Appropriations
Treasury and General Government Subcommittee
To hold hearings to examine the appropriateness of U.S. companies moving their headquarters to offshore tax havens.
SD–192

Foreign Relations
To hold hearings to examine Angola.
SD–419

POSTPONEMENTS

OCTOBER 10

3:30 p.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine protecting seniors from fraud.
SD–226