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Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, our Father, we begin this new day, week, and this new month profoundly moved by Your amazing grace. You are the same yesterday, today, and forever; You do not change Your attitude toward us; Your love has no limits. We all need something infinitely greater than self-esteem. We need the security and the serenity that come only from You. We report in for the duties of this day, needing a fresh infusion of delight in being alive and being assigned crucial work to do. Holy Spirit, be the wind under our wings. Lift us to new heights of effectiveness. We claim this promise: "But those who wait on the Lord shall renew their strength; They shall mount up with wings like eagles."—Isaiah 40:31. Lord, help us to soar in the jet stream of Your power. In the name of Him who is the way, the truth and the life. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

SCHEDULE

Mr. LOTT. Mr. President, this morning the Senate will be in a period of morning business until 2 p.m. At 2 p.m., the Senate will resume consideration of S. 1173, the so-called ISTEAL legislation, which is the surface transportation authorization bill.

As was mentioned on last Friday, many Members had lobbied for floor consideration of this very important legislation. I know that the chairman of the committee and the distinguished Senator from West Virginia had been

urging that we move forward. Now we have the opportunity, but we are having difficulty getting Senators to come to the floor and offer amendments. We need those amendments to be offered today. I believe we have had one amendment that has been offered and accepted, but we need others. We need to make really good progress this week on this important legislation. Beginning on Wednesday or Thursday, we will also, hopefully, be able to take up the funding or financing amendments that may be offered.

We do have some items—only a few—but we have some items left on the Executive Calendar that could be considered. Therefore, a rollcall vote is possible today. I had hoped that it would be on the bill itself. I understand now it may not be. So I am looking for an Executive Calendar nomination or two that might require a vote that we can take up.

I want to make it clear to the Senators, once again, there will be votes on Mondays and there will be votes on Fridays so that we can get the ISTEAL bill done and the other important legislation we must get done in March.

Mr. President, I see Senator KYL is here to seek recognition to talk on an issue that is very important to me and the country with regard to how we deal with the situation in Iraq. So I yield the floor at this time.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. HAGEL). There will now be a period for the transaction of morning business.

The Senator from Arizona is recognized.

Mr. KYL. Thank you, Mr. President. I thank the distinguished majority leader for recognizing me this morning to speak on a subject which he addressed the Senate on last week. I think that I may need 15 or 20 minutes. I ask unanimous consent to speak for 15 to 20 minutes this morning.

Mr. BYRD. Mr. President, I have no objection, but I would like to be recognized at the conclusion of his remarks. I will seek recognition at such time.

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

Mr. KYL. Mr. President, I might be shorter than that time, in recognition of the desire of the Senator from West Virginia to address the Senate as well.

IRAQ

Mr. KYL. Mr. President, we are well aware that an agreement was struck this week by the Secretary General of the United Nations, Kofi Annan, and the Iraqi Government, led by Saddam Hussein, with respect to the sites that Iraq agreed would be open to unfettered inspection at the conclusion of the gulf war. Let me give a little history first.

Remember that the United States and the allied forces were prepared to carry the battle further, perhaps even to Saddam Hussein himself, but the President of the United States judged that the battle could be called off if the Iraqi Government would agree to a series of commitments to abide by the rule of law in the future. As a result, we stopped our military campaign against the Iraqi Army, and an agreement was entered into between the Iraqi Government and the allied forces under the jurisdiction of the United States in which the Iraqi Government made some very specific promises. The key promise was not to develop any weapons of mass destruction and to destroy everything that they had.

To implement that commitment, an inspection regime was established, and the Iraqi Government agreed to allow unfettered inspection of its country in order to assure that it was abiding by the agreement not to develop and, indeed, to destroy any weapons of mass destruction that it might already have.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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From the day that agreement was signed, it has been violated repeatedly by the Iraqi Government and Iraqi authorities, and it has been literally, Mr. President, a cat-and-mouse game between the U.N. inspectors under UNSCOM and the Iraqi Government. It seems that unfettered inspection has been permitted until the inspectors get warm—like the old child's game, "Am I getting warm yet?"—and as soon as the inspectors would get warm, then there would be delay and deception and denial and, if it were serious enough, outright barring of inspectors from a site or facility until the offending material had been whisked literally out the back door, in some cases, and then when the site was clean, the front door would open, the inspectors would be invited in and they would find, of course, nothing. That game went on for a long time. Finally, the U.N. inspector said, "Enough, this isn't going to work; every time we get warm, he stops us and we have to find a way to enforce the agreement that Saddam had entered into." That is when the United States began to consider a bombing campaign as a means of at least attempting to degrade the weapons of mass destruction that Iraq had developed.

A lot of people felt it probably wouldn't succeed because it is difficult to find those caches of weapons, except for the ones that were disclosed when Saddam Hussein's son-in-law defected to Jordan for a while and indicated where this material was and our inspectors were able to go in and find it as a result of that, Saddam Hussein all of a sudden remembering that he had forgotten to tell us that that existed.

Except for that instance, we have been unsuccessful in being able to identify much of these stocks. So it was problematic as to whether a bombing campaign would actually result in the destruction of this material. As a result, a lot of people were pushing the administration prior to that bombing campaign to develop a broader strategy that would consist of a wide array of actions that over time could result in addressing the real problem here, which everyone agrees is Saddam Hussein himself. That broader strategy might consist of a series of actions that would destabilize his regime, would put more pressure on him and would eventually perhaps result in a replacement of his Government, not by assassination, which is contrary to American policy, but by means of the assistance of the people of Iraq.

Since the agreement by the U.N. Secretary General, the need for a resolution from the Congress supporting military action has been, in effect, put on hold, but I suggest that it is only on hold, that there will come a time, sooner or later, when the United Nations will, again, be faced with the question, and the United States as the primary actor here, as to whether or not it is necessary to take some additional action.

As sure as we are here today, Mr. President, the Iraqis will violate the terms of either the most recently agreed-upon regime for inspection or the remaining principles of inspection which apply to other than the so-called eight Presidential sites in Iraq. That would probably happen if, that is to say, we begin again to get warm, if our inspectors find something that they want to get into further.

At that point, we will begin to again see denial and deception by the Iraqi Government. At that point, it is going to be relevant again whether or not the American people, the world community and the Congress support action by the administration to deal with the then most recent crisis. If the administration has developed a broad strategy, the bombing campaign only being a part of that strategy, and everyone recognizing that it by itself is not going to solve the problem, but as a part of an overall strategy can contribute to a solution, then the President, I think, will have the support he needs to proceed with the execution of that plan.

But the development of that plan is critical, and that is why I think during this interregnum, this period in which at least nominally inspections will be permitted and pressure of immediate military action has receded, it is important for us in the Congress to work with the administration to help it develop the outlines of such a policy. That is not our job, and I don't suggest that the Congress be the one to develop that broad strategy. That is the administration's prerogative; it is the administration's responsibility. It is its responsibility, and because many in Congress feel the administration has abdicated a significant part of that responsibility in the past, I think we have the opportunity and we have the responsibility to share ideas with the administration that it could put together in a broader strategy. If it does that, it will have the support of the Congress if and when that time comes. That is why I think it is important for us to talk a little bit about the agreement that was entered into and about some alternative proposals that have been suggested, including one which I will submit for the RECORD. A letter sent to the President by 28 prominent—prominent—American citizens offers their suggestions as to what might be done, most of which have also been offered by Members of the Senate.

Before I close with that, let me indicate that when the majority leader took the floor last week to criticize the agreement that had been entered into between the Secretary General and Saddam Hussein, I supported the remarks that he gave and I have said that ever since, because I think some criticism of this agreement is warranted.

It is a fact that our Government was put in a box when the President and the Secretary of State, in effect, ceded this element of policy to the United Nations. It was a foregone conclusion

we would have to then accept the agreement and attempt to abide by it; we had no choice at that point; and as a result, the administration has to go forward with it and has to nominally at least support it. Richard Butler, the chief inspector, has to support it. He is a man of significant qualifications and eloquence. In describing how this is going to work, he says he can make it work, but it is all predicated on the assumption that Saddam Hussein will abide by the agreement. That is what Richard Butler himself says.

There are a lot of criticisms of the agreement, about the precedent that it sets, about the fact that it puts the United Nations literally in the driver's seat and reduces the UNSCOM inspectors, the professionals, and the United States, which has been a primary country backing the agreement, to a secondary position. There has been significant question about whether the inspections themselves will be compromised by the inclusion of a lot of diplomats which are essentially to act as chaperones to the inspectors at these eight Presidential sites.

Part of the problem of the inspections is that Saddam Hussein has always seemed to have been aware of where we wanted to go and has been one step ahead of us. That is because his Government has significantly penetrated the operations and has information in advance of the inspections. If the diplomats are involved in this, and some of them are from countries which are clearly supportive of the Iraqi regime, it certainly is open to question as to whether or not the inspections will be compromised in the future.

So a lot of questions that the majority leader raised about this agreement, I think, remain as significant and ought to instruct us in the future as to how not to go about business. But it is done. And for the time being, we are going to have to at least abide by it.

The key point about the agreement that I think I will make is this: We should have no illusions that it will be abided by. At some point, the Iraqis will, if we get close to finding something, prevent either the full inspection under the new agreement or revert to form under the current policies that apply to all of the sites other than the eight Presidential sites. In either case, we have the responsibility to act.

Now, the administration has the view that this will actually make it easier for us to engage in military action in the future because in the past we did not have support from the world community, but this time if Saddam Hussein violates it, the world community will be with us. Well, unfortunately, the world community appears to have an almost infinite capacity for rationalization not to take an action against Saddam Hussein because we cannot even get a resolution through the Security Council that says the "severest" consequences will result from a violation of the agreement. Instead, we argue about words—of whether it will

be very severe consequences. This clearly means that our allies are not going to be backing us in terms of the kind of military action that we will want to take if and when that becomes necessary.

So concluding on this point, Mr. President, I think it is important for us to look at some of the suggestions that are being made and for the administration to begin to develop this broader policy.

I want to put two things in the RECORD at this point. I will ask unanimous consent to do so. One is a letter, an open letter to the President, signed by 28 prominent Americans, calling upon the President to consider a variety of specific actions that should be taken; and the other is a statement by Paul Wolfowitz who is the Dean of the Paul H. Nitze School of Advanced International Studies at Johns Hopkins University for the House Committee on International Relations on February 24. Since that was a House hearing, I thought it would be useful for our Members here in the Senate to have it.

So I ask unanimous consent that those two documents be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OPEN LETTER TO THE PRESIDENT—
COMMITTEE FOR PEACE AND SECURITY IN THE GULF.

February 19, 1998.

DEAR MR. PRESIDENT: Many of us were involved in organizing the Committee for Peace and Security in the Gulf in 1990 to support President Bush's policy of expelling Saddam Hussein from Kuwait. Seven years later, Saddam Hussein is still in power in Baghdad. And despite his defeat in the Gulf War, continuing sanctions, and the determined effort of UN inspectors to fetter out and destroy his weapons of mass destruction, Saddam Hussein has been able to develop biological and chemical munitions. To underscore the threat posed by these deadly devices, the Secretaries of State and Defense have said that these weapons could be used against our own people. And you have said that this issue is about the "challenges of the 21st Century."

Iraq's position is unacceptable. While Iraq is not unique in possessing these weapons, it is the only country which has used them—not just against its enemies, but its own people as well. We must assume that Saddam is prepared to use them again. This poses a danger to our friends, our allies, and to our nation.

It is clear that this danger cannot be eliminated as long as our objective is simply "containment," and the means of achieving it are limited to sanctions and exhortations. As the crisis of recent weeks has demonstrated, these static policies are bound to erode, opening the way to Saddam's eventual return to a position of power and influence in the region. Only a determined program to change the regime in Baghdad will bring the Iraqi crisis to a satisfactory conclusion.

For years, the United States has tried to remove Saddam by encouraging coups and internal conspiracies. These attempts have all failed. Saddam is more wily, brutal and conspiratorial than any likely conspiracy the United States might mobilize against him. Saddam must be overpowered; he will not be brought down by a coup d'etat. But Saddam has an Achilles' heel; lacking popular support, he rules by terror. The same

brutality which makes it unlikely that any coups or conspiracies can succeed, makes him hated by his own people and the rank and file of his military. Iraq today is ripe for a broad-based insurrection. We must exploit this opportunity.

Saddam's long record of treaty violations, deception, and violence shows that diplomacy and arms control will not constrain him. In the absence of a broader strategy, even extensive air strikes would be ineffective in dealing with Saddam and eliminating the threat his regime poses. We believe that the problem is not only the specifics of Saddam's actions, but the continued existence of the regime itself.

What is needed now is a comprehensive political and military strategy for bringing down Saddam and his regime. It will not be easy—and the course of action we favor is not without its problems and perils. But we believe the vital national interests of our country require the United States to:

Recognize a provisional government of Iraq based on the principles and leaders of the Iraqi National Congress (INC) that is representative of all peoples of Iraq.

Restore and enhance the safe haven in northern Iraq to allow the provisional government to extend its authority there and establish a zone in southern Iraq from which Saddam's ground forces would also be excluded.

Lift sanctions in liberated areas. Sanctions are instruments of war against Saddam's regime, but they should be quickly lifted on those who have freed themselves from it. Also, the oil resources and products of the liberated areas should help fund the provisional government's insurrection and humanitarian relief for the people of liberated Iraq.

Release frozen Iraqi assets—which amount to \$1.6 billion in the United States and Britain alone—to the control of the provisional government to fund its insurrection. This could be done gradually and so long as the provisional government continues to promote a democratic Iraq.

Facilitate broadcasts from U.S. transmitters immediately and establish a Radio Free Iraq.

Help expand liberated areas of Iraq by assisting the provisional government's offensive against Saddam Hussein's regime logistically and through other means.

Remove any vestiges of Saddam's claim to "legitimacy" by, among other things, bringing a war crimes indictment against the dictator and his lieutenants and challenging Saddam's credentials to fill the Iraqi seat at the United Nations.

Launch a systematic air campaign against the pillars of his power—the Republican Guard divisions which prop him up and the military infrastructure that sustains him.

Position U.S. ground force equipment in the region so that, as a last resort, we have the capacity to protect and assist the anti-Saddam forces in the northern and southern parts of Iraq.

Once you make it unambiguously clear that we are serious about eliminating the threat posed by Saddam, and are not just engaged in tactical bombing attacks unrelated to a larger strategy designed to topple the regime, we believe that such countries as Kuwait, Turkey and Saudi Arabia, whose cooperation would be important for the implementation of this strategy, will give us the political and logistical support to succeed.

In the present climate in Washington, some may misunderstand and misinterpret strong American action against Iraq as having ulterior political motives. We believe, on the contrary, that strong American action against Saddam is overwhelmingly in the national interest, that it must be supported, and that it must succeed. Saddam must not become the beneficiary of an American domestic political controversy.

We are confident that were you to launch an initiative along these lines, the Congress and the country would see it as a timely and justifiable response to Iraq's continued intransigence. We urge you to provide the leadership necessary to save ourselves and the world from the scourge of Saddam and the weapons of mass destruction that he refuses to relinquish.

Sincerely,

Hon. Stephen Solarz, Former Member, Foreign Affairs Committee, U.S. House of Representatives; Hon. Richard Perle, Resident Fellow, American Enterprise Institute; Former Assistant Secretary of Defense; Hon. Elliot Abrams, President, Ethics & Public Policy Center; Former Assistant Secretary of State; Richard V. Allen, Former National Security Advisor; Hon. Richard Armitage, President, Armitage Associates, L.C., Former Assistant Secretary of Defense; Jeffrey T. Bergner, President, Bergner, Bockorny, Clough & Brain; Former Staff Director, Senate Foreign Relations Committee; Hon. John Bolton, Senior Vice President, American Enterprise Institute; Former Assistant Secretary of State; Stephen Bryen, Former Deputy Assistant Secretary of Defense; Hon. Richard Burt, Chairman, IEP Advisors, Inc.; Former U.S. Ambassador to Germany; Former Assistant Secretary of State for European Affairs.

Hon. Frank Carlucci, Former Secretary of Defense; Hon. Judge William Clark, Former National Security Advisor; Paula J. Dobriansky, Vice President, Director of Washington Office, Council on Foreign Relations; Former Member, National Security Council; Doug Feith, Managing Attorney, Feith & Zell P.C.; Former Deputy Assistant Secretary of Defense for Negotiations Policy; Frank Gaffney, Director, Center for Security Policy; Former Deputy Assistant Secretary of Defense for Nuclear Forces; Jeffrey Gedmin, Executive Director, New Atlantic Initiative; Research Fellow, American Enterprise Institute; Hon. Fred C. Ikle, Former Undersecretary of Defense; Robert Kagan, Senior Associate, Carnegie Endowment for International Peace; Zalmay M. Khalilzad, Director, Strategy and Doctrine, RAND Corporation; Sven F. Kraemer, Former Director of Arms Control, National Security Council; William Kristol, Editor, The Weekly Standard; Michael Ledeen, Resident Scholar, American Enterprise Institute, Former Special Advisor to the Secretary of State; Bernard Lewis, Professor Emeritus of Middle Eastern and Ottoman Studies, Princeton University; R. Admiral Frederick L. Lewis, U.S. Navy, Retired; Major Gen. Jarvis Lynch, U.S. Marine Corps, Retired; Hon. Robert C. McFarlane, Former National Security Advisor; Joshua Muravchik, Resident Scholar, American Enterprise Institute; Robert A. Pastor, Former Special Assistant to President Carter for Inter-American Affairs; Martin Peretz, Editor-in-Chief, The New Republic; Roger Robinson, Former Senior Director of International Economic Affairs, National Security Council; Peter Rodman, Director of National Security Programs, Nixon Center for Peace and Freedom; Former Director, Policy Planning

Staff, U.S. Department of State; Hon. Peter Rosenblatt, Former Ambassador to the Trust Territories of the Pacific; Hon. Donald Rumsfeld, Former Secretary of Defense; Gary Schmitt, Executive Director, Project for the New American Century; Former Executive Director, President's Foreign Intelligence Advisory Board; Max Singer, President, The Potomac Organization; Former President, The Hudson Institute; Hon. Helmut Sonnenfeldt, Guest Scholar, The Brookings Institution; Former Counsellor, U.S. Department of State; Hon. Caspar Weinberger, Former Secretary of Defense; Leon Wienseltier, Literary Editor, The New Republic; Hon. Paul Wolfowitz, Dean, Johns Hopkins SAIS; Former Undersecretary of Defense; David Wurmser, Director, Middle East Program, AEI; Research Fellow, American Enterprise Institute; Dov S. Zakheim, Former Deputy Undersecretary of Defense.

Organization affiliations given for identification purposes only. Views reflected in the letter are endorsed by the individual, not the institution.

STATEMENT OF PAUL WOLFOVITZ

Mr. Chairman, I appreciate the opportunity to testify before this distinguished committee on such an important subject as policy toward Iraq.

Although I share in the general sense of relief that the mission of the U.N. Secretary General has made it possible to avoid, for the time being, the necessity of U.S. military action against Iraq, I see no reason to rejoice about the outcome of the latest crisis with Iraq. Nor do I see any reason to be optimistic about the agreement that has been reached. In fact, the events of the last several weeks constitute a significant political victory for Saddam Hussein.

However, the course of military action that the Administration was preparing for would have been an even greater political defeat for the United States, accomplishing little or nothing at the cost of the lives of American pilots and Iraqi civilians and also at great political cost to our friends and allies in the region. What the United States needs to develop urgently is a long-term strategy so that we will not find ourselves in the same box again in a few months, forced to choose between an unsatisfactory diplomatic outcome or costly and ineffective military action. If we must act militarily in Iraq, it should be in support of a serious effort to help Iraqis to liberate their country from Saddam Hussein's tyrannical grasp. That is also the only way to rescue the region and the world from the threat that will continue to be posed by Saddam's unrelenting effort to acquire weapons of mass destruction and to exact vengeance for the defeat he suffered in the Persian Gulf War.

I would like to discuss three points in my testimony this morning:

(1) Even a perfect agreement would have constituted a tremendous victory for Saddam Hussein and left the UNSCOM inspectors under an enormous handicap in their efforts to uncover his weapons of mass destruction and delivery systems.

(2) The agreement, or what we know of the agreement, leaves enormous question marks about whether UNSCOM will any longer be able to carry out its function of searching for Saddam Hussein's weapons of mass destruction in any of the eight so-called Presidential Palaces or for that matter, in any other locations that Saddam Hussein may at some later date decide.

(3) If the agreement has not effectively gutted the inspection effort and if the in-

spectors are thus able to get lucky and get back on the trail of what they were about to discover when Saddam blocked inspections a few months ago, the United States must have military options that are better than the one that was available this time of bombing targets whose contents we have little knowledge about in the small hope that this might "substantially reduce" his weapons of mass destruction capability. What is needed is not the "major land campaign" that top Administration officials falsely suggest is the only effective way to remove Saddam from power. The real option is to support the many Iraqis who desperately want to overthrow this tyrant, but who have so far found the U.S. stinting and unreliable in the support we have provided them. What is needed is not a "massive U.S. ground invasion" but political, economic and military support so that Iraqis can carry that fight themselves.

THE LOSSES IN A RETURN TO THE STATUS QUO

First, it is important to recognize how much Saddam has gained even if the present agreement actually did commit him to allow the UNSCOM inspectors the "free, full, unfettered access to these sites, anywhere in the country" that President Clinton demanded in his speech to Pentagon personnel on February 17. Most of the reasons to be skeptical about this agreement can be found in the President's own speech.

As President Clinton said, an agreement with Saddam Hussein on this issue means nothing: "Saddam has spent the better part of the past decade trying to cheat on [the] solemn commitment" to submit to inspection of his suspect weapons programs. "Throughout [this] entire process," as the President said, "Iraqi agents have undermined and undercut UNSCOM."

It is also true, as the President said, that the UNSCOM inspectors have done a remarkable job of uncovering Iraq's secret programs despite all of this lying, concealing and obstruction. But there is one major difference now if the inspectors are able to go back to work unhindered in Iraq: this crisis has bought Saddam months of time to move whatever it may have been that U.N. inspectors were about to discover that forced Saddam finally to declare key sites off limits. As good as the inspectors are, it is not reasonable to think that they could get back any time soon to the point they were at when Saddam's obstruction began. It could take many months, or even years, particularly when much of the progress they have made in the last two years has been due, again as the President acknowledged, to the extraordinary revelations brought out by Saddam's son-in-law, Hussein Kamel, when he defected in 1995. It is unlikely that we will ever get such a well-placed defector again.

Thus, even in the best of circumstances, Saddam Hussein has almost certainly bought himself a very long time before we will have to face the need to obstruct the U.N. inspectors again, to continue the game of "cheat and retreat" as Les Aspin called it. Long before then, we can be sure, the pressure will build from Russia, France and others to lift the sanctions on Iraq on the grounds that the inspectors have found nothing. And once again President Clinton had it right in his February 17 speech when he said: "Already these sanctions have denied him \$110 billion. Imagine how much stronger his armed forces would be today, how many more weapons of mass destruction operations he would have hidden around the country if he had been able to spend even a small fraction of that amount for a military rebuilding."

What has Saddam had to pay for this long breathing space and for the four-month defiance of the United Nations that produced it?

Absolutely nothing. Even worse, he has been rewarded for it. Rewarded by forcing the United States into a costly military build-up that has strained our relations with key allies in the region. Rewarded by the legitimacy of a meeting with the Secretary General of the United Nations and a formal agreement with him (a dignity, we should be remember, would never have been accorded to Radovan Karadzic when he claimed to be the leader of Serbian Bosnia). Rewarded by an enormous outpouring of sympathy and support for him in many parts of the Arab world. Rewarded by appearing to have stood up to the United States and not paying any price for doing so.

Perhaps most seriously of all, Saddam has been rewarded by the repeated statements by top U.S. officials—not to mention those of other countries—that our goal is limited merely to getting the U.N. inspections restored. That is to say, or rather as President Clinton said, "Would the Iraqi people be better off if there were a change in leadership? I certainly think they would be. But that is not what the United Nations has authorized us to do; that is not what our immediate interest is about." Or, in the words of the Secretary of Defense: "What we are seeking to do is not to topple Saddam Hussein, not to destroy his country, but to do what the United Nations has said in its declarations." Of course, these are not warm endorsements of Saddam Hussein's continuation in power. But they certainly go a long way to discourage opponents of his regime from thinking that we are seriously interested in removing Saddam.

POTENTIAL WEAKNESSES IN THIS AGREEMENT

There are also serious problems with the agreement itself. It does much more than simply provide for "diplomats" to accompany UNSCOM inspectors in visiting sensitive sites. In fact, Article 4 of the agreement says that inspection of those sites will be conducted not by UNSCOM but by a new Special Group, appointed by the Secretary General, in which members of UNSCOM will simply be members. Although the language is ambiguous, it suggests that the Executive Director of UNSCOM, Ambassador Richard Butler, who by all reports has done a magnificent job to date, would not be a member of this Special Group. The Special Group would have its own head, called a Commissioner, also appointed by the Secretary General.

If this means that Ambassador Butler has effectively been dismissed for the function of inspecting sensitive sites, and access to those sites is now to be negotiated by a Russian diplomat or someone else who is more sensitive to Saddam's claims of "sovereignty" than to the need to carry out effective inspections, then the damage to the inspection regime is truly fatal. If any confidence is to be placed in this agreement at all, it is vital that the Secretary General move very quickly to appoint Ambassador Butler as the Commissioner of the Special Group, something which the agreement permits but does not require.

Even if the Executive Director of UNSCOM remains in charge of inspecting sensitive sites, there are other reasons for concern. The inclusion of "diplomats" in the teams may compromise security, a serious problem for UNSCOM in the best of circumstances. The promise by the Secretary General to bring the issue of lifting of sanctions to the attention of the Security Council, while seemingly vapid, could generate serious problems. Finally, there are serious concerns about the size and scope of the defined eight "Presidential Sites" that are supposed to be defined in the annex to the agreement, an annex which was still not available more

than twenty-four hours after the agreement was announced.

THE NEED FOR BETTER MILITARY OPTIONS

It may be a long time, if ever, before the inspectors can get close to finding whatever it was that caused Saddam to start obstructing them last year. But if they do, we can be certain, he will block them again. President Clinton has said that in that case we must be prepared to take military action. If so, that military action needs to be something more effective than what was planned this time.

Although the Clinton Administration declared repeatedly that the air strikes they were planning would not be "pin-pricks" like the ones they administered in response to Saddam's attempted assassination of President Bush in 1993 or to his attack on our Iraqi opposition allies in 1996, simply making a bigger bang is no guarantee of serious results. There is simply no way that the U.S. Air Force can do from the air what the U.N. inspectors must do from the ground. Over time it seemed that our objectives were steadily scaled back. As it began to dawn that bombing would probably not succeed in forcing the inspectors back in—indeed, it might well have the opposite effect—one heard less talk of that as a possible objective. But since we also couldn't hope to eliminate Saddam's weapons of mass destruction with air power alone, we finally ended up with the objective of "substantially reducing" that threat. In the absence of inspectors, it would be impossible to know what we had actually destroyed. Perhaps the thinking was that the word substantially has enough flexibility in it to cover a range of outcomes. But as Secretary Cohen demonstrated with his bag of sugar, it would not take much left over to continue to pose a serious threat.

Thus, the U.S. would have been left trying to claim significant military success, with little evidence to back it up, while the evidence of death and destruction in Iraq would be real and readily demonstrated by Saddam. Risking American lives and the lives of innocent civilians is something that should be done only when there are serious goals to be accomplished by doing so. The proposed operation could meet that standard only with the greatest of difficulty. And it would have imposed serious costs on our allies in the Arab world.

Which brings us to the question asked by the elderly veteran in Columbus, Ohio: "If push comes to shove and Saddam will not back down, will not allow or keep his word, are we ready and willing to send the troops . . . and finish this job, or are we going to do it half-assed, the way we did before?"

Secretary Cohen's answer was "What we are seeking to do is not to topple Saddam Hussein . . . but to do what the United Nations has said in its declarations." At the same Town Meeting, Sandy Berger said that "The costs and risks of that course of action, in our judgment, are too high and not essential to achieving our strategic interests as a nation . . . It would require a major land campaign, and risk large losses of our soldiers."

Yet Secretary Cohen on other occasions, has said correctly, that this is not simply about U.N. declarations but about real threats to U.S. National Security. Saddam Hussein has demonstrated that we will cheat and try to build weapons of mass destruction as long as he remains in power. He demonstrated, by attempting to assassinate George Bush early in the term of a new American administration and by burning Kuwait's oil fields as his army left that country, that he is bent on serious vengeance against those who opposed him in the Gulf War. He has demonstrated not only in 1990

but also again in 1994 that he will pose a threat to Kuwait whenever he thinks he has a chance. He has demonstrated countless times that he will conduct genocide and war crimes against his own people including gassing them with chemical weapons, machine-gunning them in mass graves, and threatening them with starvation by diverting rivers. The one effective way to cope with the weapons of mass destruction problem, like all these other problems, is to help remove him from power.

As President Clinton has said, the issue of weapons of mass destruction is an issue that concerns the future of the twenty-first century. As Mr. Berger said in Columbus, it is an issue worth fighting for. Why is it worth fighting for ineffectively with air power and not worth fighting for effectively, if that means using ground forces? Instead of deciding what means it is willing to use, and then tailoring the goals to fit them, the Clinton Administration should decide what it takes to do the job and ask the country to support it.

However, the estimates that it would take a major invasion with U.S. ground forces seriously overestimates Saddam Hussein. As we did for too long in Bosnia, we are in danger of painting a brutal dictator and his army as mighty giants when, in fact they are military pygmies. There was some excuse for overestimating the capability of the "fourth largest army in the world" before the Gulf War, when all we had to go on was their performance against Iran in the 1980's. There is no reason to be doing so today, when their weaknesses were exposed in 1991, and when the Iraqi army of today is far weaker than the one that we faced then.

The notion that a large U.S. ground invasion would be needed is based on the belief, repeated often by U.S. government officials, that the Iraqi opposition is feckless. But that Iraqi opposition rose up in large numbers to fight against Saddam Hussein in the immediate aftermath of the Gulf War. That Iraqi opposition, with some help from the U.S. Operation Provide Comfort, kept the northern third of Iraq out of Saddam's control for more than five years, and even today, despite the serious division between the two major Kurdish factions, Saddam's writ is weak in Northern Iraq.

Alas, it is U.S. support for the Iraqi opposition, more than that opposition itself, which has been feckless. I am sorry to say that the single best opportunity to support the Iraqi opposition was during the Bush Administration, when Saddam Hussein was to use his armed helicopters to slaughter the rebel forces, while American fighter planes flew over head, with their pilots not allowed to shoot at Saddam's gunships. But, where the Clinton Administration came to office promising to do more, they in fact have done less. We have preferred to support coup attempts in Baghdad, which are almost certain to be penetrated and to fail, than to provide open support to the democratic opposition. Ultimately, when the Iraqi opposition was fighting for its life in the North when Saddam attacked Irbil in 1996, the United States made a few meaningless missile strikes against radars in the South, proclaiming the North to be of no strategic importance and abandoning the people whom we had promised to support.

But Saddam is not ten feet tall. The brutality that makes him so feared by his people also makes him hated. And his army is badly weakened by its defeat in the Gulf War and by the effect of years of sanctions. When President Bush did decide to do something to stop Saddam's repression of his people, by launching Operation Provide Comfort in April of 1991, it took only a small, lightly armed American force and ill-equipped Kurd-

ish guerillas, backed up by the threat of American air power, to drive the Iraqi army out of the northern third of the country. When the opposition proposed an attack on Iraqi forces in the North in 1995, the United States warned them not to and said we would not support them. As a result, the larger of the two Kurdish factions pulled out but the operation nevertheless succeeded in capturing several large Iraqi army units with minimal fighting.

Just a few days ago, Daniel Williams reported in the Washington Post from Amman, in an article titled "Saddam May Be Weaker Than He Seems," that:

"Diplomats, Jordanian officials and travelers say that the south is dangerous territory for Saddam Hussein's army and police. 'By day, things seem calm enough, but at night the police and soldiers retreat into their shelters. They are not safe,' said a recent arrival from Iraq. 'There is lots of hit-and-run activity on Saddam's security forces. The nighttime belongs to them,' a Western diplomat added."

What saves Saddam from massive uprisings in this situation, a former Iraqi military official exiled in Jordan told Williams, is that "no one wants to be burned twice." If the United States wants the opposition to Saddam Hussein to be less feckless, then it must be less feckless in its support. This does not mean that we can guarantee their success. But there are certain minimum things that we must do. We cannot pretend to support a serious resistance movement when we have yet to give them a single rifle, much less antitank weapons. We cannot plan to sit by while helicopter gunships slaughter them without interference.

What the U.S. needs to do to support effective resistance to Saddam Hussein is not a large ground invasion, but rather a series of political, economic and military measures that can help the Iraqi people liberate themselves:

Political: We need to challenge Saddam Hussein's claims to be the legitimate ruler of Iraq. This will be much harder to do in the wake of the agreement that he has just signed with the Secretary General. But it is important, nevertheless, to press to indict him as a war criminal and to challenge his claim to represent Iraq in the United Nations.

We should also indicate our willingness to recognize a provisional government of free Iraq, and the best place to start is with the current organization and principles of the Iraqi National Congress, the only organization that has to date set forth a set of principles on which a post-Saddam representative government could be built.

The United States can expect to be isolated at first in pushing these positions, but it is important to do so because they are not merely symbolic steps. They have real practical consequences, both political and economic.

Economic. One of the consequences of creating a mechanism to recognize a provisional government for Iraq is that it would open a way to make the frozen assets of Iraq, reportedly in the neighborhood of \$1.6 billion just in the U.S. and U.K. alone, available to support the resistance.

Another important measure will be to lift economic sanctions from regions in Iraq that are wrested from Saddam's control. It is inexcusable that sanctions have been kept in place all this time on Northern Iraq, even when it was liberated territory. This squeezed the people in the North between a U.N. embargo from the north and Saddam's embargo from the south, thus exacerbating tensions among the Kurds.

Ultimately, the most important economic measure will be to make provision for the oil

resources of liberated areas to be made available to support the resistance to Saddam Hussein.

Military: Serious military support is also needed from the United States, but not the large land invasion that is thrown up regularly as a straw man. What is needed most of all is weapons and logistics support. Anti-tank weapons, in particular, could have a powerful equalizing effect, just as anti-air weapons did in Afghanistan. It is difficult to understand how U.S. officials can claim that we have tried supporting the opposition, when we have never tried to arm them.

We should also be prepared to provide air cover for liberated areas within the southern and northern no-fly zones. This is of critical importance, not only to provide a base from which the resistance to Saddam can operate, but also to provide a secure zone to which units of his own army that wish to change sides can go. Saddam is now so unpopular with his own regular army and even with many parts of his Republican Guards that if a secure and honorable path can be opened for his army to leave, major units are likely to do so or to desert without a fight. This presents a very different scenario than the imagined "major land invasion" with U.S. troops marching on Baghdad against a fiercely resisting Iraqi army.

CONCLUSION

Mr. Chairman, it seems clear that the United States is going to have to live with this agreement. While we can work to clarify certain important details—particularly those that bear on the continued ability of UNSCOM to do its remarkable work. But no new agreement with Saddam Hussein is going to fundamentally alter the threat that Saddam poses to his people, his neighbors and the world, whether from weapons of mass destruction or conventional weapons or from terrorism. Despite the eagerness of some for a quick test of the new agreement, we can't really know whether this new inspection regime is working for a long time (although we might learn sooner that it is not working). Despite the eagerness of some for quick military action if the inspectors are obstructed now, we should not be in a hurry to take military action as pointless as what we were just now planning to do.

What we should be doing now is preparing for the time when we face another crisis with Saddam Hussein or another opportunity to act to help the Iraqi people liberate themselves. That is something that we should start doing now. It seems to be something the Administration will not do unless Congress forces them to. For that purpose, I would urge the Congress to:

Urge the United States government to recognize, and assist in all practicable ways, a provisional government of free Iraq representing all the people of Iraq and committed to reconciliation within Iraq and to living at peace with its neighbors.

Appropriate \$100 for the purpose of assisting the provisional government. The administration should work to recover these funds from blocked Iraqi assets now held by the U.S. treasury.

Press for the United States to seek an indictment of Saddam Hussein for war crimes and crimes against humanity in an appropriate international tribunal.

Saddam is in a position of great weakness today. But the weakness will only become apparent if he is pushed. If we exaggerate his strength and thus encourage the defeatist mentality that seems to affect Administration strategy today, we will help him buy time for a later confrontation when he will be much stronger and the costs in blood and lives will be much higher. As the veteran said in Columbus:

"Are we going to do it half-assed? And then men at that time to (sic) come back and ask my grandson and some of these other grandsons to put their lives on the line, if we're going to do it half-assed, the way we did before."

Mr. KYL. Now, this document that the 28 advisers—let me indicate who some of these people are, people like former Secretary of Defense Frank Carlucci; and Caspar Weinberger; and Judge William Clark, former National Security Adviser; Doug Feith, former Deputy Assistant Secretary of Defense; Fred C. Ikle, former Undersecretary of Defense; Bill Kristol; Robert Kagan; Bernard Lewis; Don Rumsfeld, former Secretary of Defense; and Paul Wolfowitz, as I said; and Richard Perle. They are all, I think, eminently qualified to offer this kind of advice.

I urge the President to consider the suggestions that are made here, which revolve around preliminarily the principle that military action alone will not force Saddam to comply, that he is the problem, that is, no coup d'etat is likely to succeed in this country and therefore the way to get him out is to create a series of conditions which will enable the Iraqi people themselves to provide the insurrection that will eventually depose him. This might include the following:

Recognizing a provincial government; restoring safe-haven both in the northern and southern portions of Iraq so that the people there can actually declare themselves free of his influence and control; lifting the sanctions in those areas so that the people can benefit from the economic end, of course, that would result; release frozen Iraqi assets to the Iraqis in exile; facilitating broadcasts from U.S. transmitters to the people of Iraq; removing vestiges of Saddam's "legitimacy" by considering, for example, whether the United Nations should indict him as a war criminal; an air campaign could be a part of this, launched against the Republican Guard divisions which prop him up; and tightening down on the embargo.

Right now we know the sanctions are of primary concern to him. And if we tighten down on the embargo so that the black market oil sales cannot continue to provide him with significant oil revenues, it will squeeze him further.

All of these things could eventually create conditions under which the Iraqi people could retake the Government of Iraq from Saddam Hussein.

So, Mr. President, my concluding point is this: The administration now has some time to develop a strategy which had not been developed prior to the time that it was asking for Congress to support a bombing campaign. If that program is developed, with the help of the Congress—and it makes sense as a broad strategy to deal with Saddam Hussein—the President will have all of the authority and the backing that he needs and deserves in taking action against Saddam Hussein, I

would say, when, not if, that is called for, as a result of probable Iraqi violation of some part of the international inspection regime.

It is a serious business, Mr. President, for us to decide to move beyond a policy of containment to a policy of rollback. It is one which ought to be debated by this body and by the administration. But the time for it has come because, as we have seen, neither the American people nor the Congress were willing to support a half-measures kind of action against Saddam Hussein. We felt something more was required to really deal with the problem.

As we learned in Vietnam, and as we have learned elsewhere, halfway measures—calibrated bombing attacks, and the like—do not seem to solve the problem. When you go to war, I think the maxim from the gulf war, from the Vietnam war, and the new thinking of military strategists in this country is: When you go to war, you'd better mean it; you have to be able to succeed at what you are doing.

That probably requires the imposition of overwhelming force and it requires a broad strategy that will get you where you are going. That is why the administration needs to develop this policy, with the assistance of the Congress, and be able to implement it if and when the time for action comes.

Mr. President, I ask, how much of that remaining time do I have, because I have one more thing I would like to say?

The PRESIDING OFFICER. The Senator has consumed 16 and a half minutes.

Mr. KYL. Fine. Mr. President, I know I can conclude these remarks in the time allotted.

Mr. President, I want to change the subject in this remaining 2 or 3 minutes to discuss the issue of balancing the budget for American families.

BALANCING THE BUDGET FOR AMERICAN FAMILIES

Mr. KYL. Mr. President, Milton Friedman once said he would rather have a \$1 trillion budget that is way out of balance than a \$2 trillion budget that is in balance. I think his point is even more poignant now than when he made it several years ago.

If we manage to balance the unified budget this year—and most recent revenue trends suggest we will—we will do so by taxing and spending at a level of about \$1.75 trillion. That is a level of spending that is 25 percent higher than when President Clinton took office just 5 years ago.

Despite the claim President Clinton made in his State of the Union Address that we have the smallest Government in 35 years, the fact is that the Government has never been bigger—never. And it will continue to grow by leaps and bounds if Congress approves the myriad of new spending proposals that President Clinton is proposing in his latest budget.