I think that is what Senator DASCHLE has offered us, an opportunity to revisit, to rethink, and to package together a stimulus package that would work for the future to help us, if not come out of the deepest of a recession, from falling further into a recession or, if we are already on the way out of the recession, to expedite the return to economic prosperity.

There will be those who will say this package is not perfect. There is not anyone who says that it is. Legislation is never perfect, but it is as close to an agreement that has presented itself.

I certainly hope to thank Senator DASCHLE for taking this action because I think it will, in fact, help us enter a threshold of progress.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

The Senator from Pennsylvania.

INTERROGATION OF AL-QAIDA AND TALIBAN WAR CAPTIVES

Mr. SPECTER. Mr. President, I am writing to the President of the United States today concerning what I consider to be a very important subject, and that is the interrogation of the al-Qaida and Taliban war captives, where an issue has been raised as to whether they are prisoners of war or what is their status, with some people objecting to what is going on in the way they are being handled. There is no doubt that the captives are entitled to humane treatment. There have been inspection tours by national observers and by congressional observers. The reports are uniform that the captives are being treated humanely. They are being fed and clothed. There is medical care. They are permitted to attend to their religious activities. All of this is totally separate and apart from the basic availability of those individuals to be questioned, where information which they might provide could shed light on the possibility of additional terrorist attacks.

Having some experience as an investigator and a prosecutor, I know firsthand the value of interrogation and intensive interrogation. We are facing at this moment an enormous threat from al-Qaida. We saw what happened on September 11. There have been three terrorist alerts since then. The fact is there are al-Qaida spread all over the face of the Earth. They are in Somalia, they are in the Philippines, in Malaysia, in the Sudan. We know their tactics are based on long-term planning projects. We know they have sleeper cells. There is reason to be concerned that at any moment there could be another al-Qaida attack. We do not know where. We do not know when. We do not know if. But we have to be very vigilant.

Where these interrogations of the al-Qaida and Taliban captives might lead to some information, then that ought to be pursued, and it ought to be pursued vigorously.

As a matter of international law, there is a mistaken notion you can only ask a prisoner of war his name, rank, date of birth, and serial number. The international law experts, and I have cited them in my letter to President Bush, are in agreement that other questions may be asked. Certainly there cannot be torture. Certainly there cannot be coercion—physical coercion or mental coercion. But there is no reason why those captives cannot be questioned.

The Supreme Court of the United States has upheld deviations from standard constitutional rights where there is an imminent threat of harm. For example, in the landmark case of *Near* v. *Minnesota*, 283 U.S. 697, the issue came up on the question of prior restraint to stop the publication of a newspaper. And albeit dictum, the Supreme Court of the United States said there could be a curtailment of that kind of a fundamental constitutional right if, for example, the publication of the sailing date of a troop ship would place that ship in jeopardy. The possibility of another attack on the United States, considering what happened on September 11, we know is much more serious than an attack on a troop ship.

The Supreme Court of the United States, in a celebrated case called *New York* v. *Quarles*, 467 U.S. 649, came to the conclusion that the constitutional rights of a suspect under the *Miranda* decision could be circumvented if there was an immediate threat of danger to a police officer or the public. That matter involved a rape. A police officer pursued the suspect, saw the suspect wearing a holster, and without giving him ''Miranda'' warnings, asked where the gun was. The Supreme Court of the United States said that where there is an imminent threat to public safety, constitutional rights may be abrogated, and statements may be admissible into evidence.

But we know the very major difference between questioning for intelligence purposes and questioning for admissibility in court. I am not proposing this interrogation be continued for the purpose of obtaining evidence to use against these captives, but if there is any chance at all that this interrogation could lead to information which could thwart another terrorist attack, then it is the fundamental duty of the United States Government to pursue that kind of interrogation.

This matter is on the front pages today. It will be the subject of a lot of debate. I think it ought to be known generally that there is solid constitutional authority, international law authority, to question prisoners of war beyond name, rank, and serial number. No torture. Obviously, humane treatment. But if we can get any information which would prevent a terrorist attack, it is our duty to do so.

That is why I am writing to the President and want to make this brief statement.

I yield the floor.

SALUTING COLONEL EDWARD A. RICE, JR.

Mr. DASCHLE. Mr. President, today I want to honor the commanding officer at Ellsworth Air Force Base—who has just returned home after directing Air Force operations over Afghanistan and who will become a brigadier general this week.

This outstanding officer, Colonel Edward A. Rice, Jr., has demonstrated his leadership abilities in a number of settings, and my fellow Senators can expect to hear more of him as he assumes new roles and responsibilities in our nation's service.

As commander of the 28th Air Expeditionary Wing, Colonel Rice directed the main Air Force combat group operating over Afghanistan from late September until mid-January. This force of 1,800 personnel and 30 planes (including B–1 bombers, B–52 bombers, and KC–10 tankers), delivered most of the ordnance that was so effective in shattering the Taliban and al Qaeda forces.

All branches of the military played a role in this first victory in the war against terrorism, but as an Air Force veteran and a South Dakotan, I am particularly proud of the achievements of Colonel Rice and the forces under his command.

Our experience in Afghanistan extends a military trend that began in our war against Iraq—the unprecedented ability of modern air power to achieve strategic objectives. Clearly our planes and munitions were markedly more precise, quicker to hit emerging targets, and generally more effective than the Soviet forces of the 1980s. A recent book labeled this trend ''The Transformation of American Air Power,'' and I believe Afghanistan will become the most recent example, joining the impressive results of the Gulf War, Kosovo, and our other Balkan campaigns.

In addition, the 28th Air Expeditionary Wing broke new ground in several areas.

Its bombers were the first to deliver our near-precision munitions in combat. These use navigational signals from GPS satellites to locate targets. They are much cheaper than laser-guided ''precision'' munitions and are not hampered by low-visibility weather conditions. Also, in coordination with ground spotters, the bombers were able to use advanced communications to reduce dramatically the time from target identification to target strike.

Despite its controversial and troubled early years, I am also pleased that the B–1 continues its strong combat performance that began during Operation Desert Fox over Iraq and extended into the war in Kosovo. Its