

"full, free and unfettered" access to inspectors or the United States would launch attacks to compel his compliance.

In an attempt to defuse the crisis, U.N. Secretary General Kofi Annan negotiated that same month a Memorandum of Understanding between Iraq and the United Nations, which pledged "immediate, unconditional and unrestricted access" for inspections. A Security Council resolution endorsed the Memorandum of Understanding and warned Iraq of the "severest consequences" if the memorandum was violated.

In September 1998, the chief U.N. inspector informed the Security Council that Iraq was again barring inspections, and the council, in yet another resolution, condemned Iraq for suspending its cooperation. A further U.N. effort to regain Iraq's cooperation failed as Iraq declared that it was suspending all cooperation with U.N. inspections. In an emergency session, the Security Council passed Resolution 1205 on Nov. 5, 1998, condemning Iraq's action as "a flagrant violation" of the original resolutions of 1990-91. Since then, nothing consequential has been done. The failure to take military action against Hussein after his flagrant violation in 1998 has given him nearly four years to continue unencumbered in his development and accumulation of weapons of mass destruction.

Iraq by its own actions has, in effect, terminated the cease-fire established in 1991 at the end of the Gulf War and reactivated the "suspended" authorization to use military force against Iraq. No longer can anyone plausibly claim that Iraq's weapons of mass destruction can be eliminated by an inspection program. The Security Council's judgment still stands: A Saddam Hussein armed with weapons of mass destruction is not acceptable. Military force against Hussein is both necessary and authorized to rid Iraq of weapons of mass destruction.

The full range of reasonable legal, diplomatic and other alternatives has been exhausted. All conceivable forms of leverage have been employed: sanctions; embargoes; massive military buildups to threaten him into compliance; limited military operations in the form of air and cruise missile strikes; the encouragement of internal opposition; positive inducement through the "oil for peace" program; and diplomacy in all forms—unilateral, multilateral, private, public, direct and through intermediaries. Nothing has worked. Any further steps will only provide him with more time and heighten the danger.

Self-defense is a valid basis for preemptive action. The evidence is clear that Hussein continues to amass weapons of mass destruction. He has also demonstrated a willingness to use them against internal as well as external targets. By now, the risks of inaction clearly outweigh the risks of action. If there is a rattlesnake in the yard, you don't wait for it to strike before you take action in self-defense.

The danger is immediate. The making of weapons of mass destruction grows increasingly difficult to counter with each passing day. When the risk is not hundreds of people killed in a conventional attack but tens or hundreds of thousands killed by chemical, biological or nuclear attack, the time factor is even more compelling.

The moment is racing toward us when Hussein's possession of nuclear weaponry could transform the regional and international situation into what, in the Cold War, we called the balance of terror. Some argue that to act now might trigger Hussein's use of his worst weapons. Such self-imposed blackmail presumes easier judgments when he is even better equipped than now. Time is his ally, not ours.

Concern over the future of Iraq is legitimate. Following the end of the current Iraqi

regime, a new Iraq can emerge as a territorially integral sovereign state with a federal-style form that respects the Kurdish, Sunni and Shia communities. A set of phased transitional steps, including referendums and elections, can be carried out and involve the range of Iraqi political parties, factions and groups in exile and internally opposed to the Hussein regime over the years.

For the Middle East, a major source of and support for terror and instability will have ended. Those who argue that the Iraq crisis should be deferred until progress is achieved between Israelis and Palestinians are proposing an impossible task. For the Arab world as a whole, a new Iraq offers the opportunity to start a reversal of the stagnation detailed in the "Arab Human Development Report 2002" recently released by the United Nations. The report describes how Arab societies are being crippled by a lack of political freedom, repression of women and isolation from the world of ideas that stifles creativity.

The history of Iraq, the achievements of its peoples, its high civilization of the past, and its extensive natural resources all point to the possibility of a positive transformation once Hussein's yoke is lifted. In the process, a model can emerge that other Arab societies may look to and emulate for their own transformation and that of the entire region. The challenge of Iraq offers an opportunity for a historic turning point that can lead us in the direction of a more peaceful, free and prosperous future.

This is a defining moment in international affairs. Authorization for action is clear. We have made endless efforts to bring Saddam Hussein into line with the duly considered judgments of a unanimous U.N. Security Council. Let us go to the Security Council and assert this case with the care of a country determined to take decisive action. And this powerful case for acting now must be made promptly to Congress. Its members will have to stand up and be counted. Then let's get on with the job.

The writer was secretary of state from 1982 to 1989. He is the Thomas W. and Susan B. Ford Distinguished Fellow at Stanford University's Hoover Institution.

#### PERSONAL EXPLANATION

### HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 12, 2002*

Mr. FOSSELLA. Mr. Speaker, I am not recorded on rollcall No. 384, Expressing the Sense of the Congress on the anniversary of the terrorist attacks launched against the United States on September 11, 2001. I was with my constituents of Staten Island and Brooklyn on this sad anniversary. Had I been present, I would have voted "aye."

For the past year, our nation has grieved over the loss of nearly 3,000 brave men and women who were cruelly and unfairly taken from God's earth much too soon. These past 365 days have been a time of immense sadness for our nation. We have buried too many innocent souls—too many mothers, too many fathers, too many sons and too many daughters.

Today is officially known as Patriot's Day as a result of legislation that I passed in Congress. I chose this name because I thought it best described the victims of September 11th—men and women who loved their country and who died in its name. While they were not soldiers, they certainly were patriots.

Indeed, no one among us will ever forget the indelible images of brave firefighters, police officers and other emergency services personnel entering the burning towers bound by honor, duty and courage. Or the pictures of ordinary Americans leading their friends, co-workers and even strangers out of the rubble because they were taught to help those in need. In an age when the word heroism is banded about much too often, we watched true heroes in action.

And so today, we remember these patriots—to recall their smile, their laugh, their kindness. Their loss is an injustice to humanity. And while they can never be replaced, they must be remembered and honored for making the greatest of all sacrifices.

The American story is far from finished. Indeed, the best chapters are yet to come. We must believe that, for I know in my heart that it is our destiny.

We also must believe that there is a just God directing our people in a just cause of liberty. That cause, like others before, which crushed fascism and communism, is now to forbid the tyranny of terrorism. The terrorists sought to destroy America by crushing brick and twisting steel. They didn't understand that the source of America's strength is its people, and that its people embody a spirit of optimism and hope that can never be destroyed. Our hearts may still be heavy, but our soul is stronger and more vibrant than ever. The values of America will forever stand firm and resolute.

My prayers go out to every family that lost a loved one on September 11th. My words cannot ease your suffering, so I simply tell you that you remain in my thoughts. God Bless you and God Bless America.

I ask unanimous consent that this statement be printed in the appropriate part of the CONGRESSIONAL RECORD.

#### TRIBUTE TO REV. JOHN A TOTH

### HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 12, 2002*

Mr. SMITH of Michigan. Mr. Speaker, all over the United States we are blessed with a wonderful sense of community, where neighbor helps neighbor. One important reason for this great blessing is the inspired guidance of our religious leaders.

In my home state of Michigan, one of those leaders has been bringing God's word for over 30 years. The Rev. John A. Toth, of the First Presbyterian Church in Dimondale, has been a beacon of faith and prayer, of hope and service, and of charity and outreach to the less fortunate. His life's work has been devoted to the service of others—his faith, his family, his community and his country.

John has been supported in his ministry by his remarkable wife Joanne. Thanks to their work, Dimondale is a better place to live and raise a family.

I am honored today to rise in recognition of the steadfast service and commitment of this fine American and a principled man of God, Reverend John A. Toth.

Reverend Toth pastored the First Presbyterian Church in Dimondale, Michigan for 30 years and has been a positive and energetic