

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

Mr. LIEBERMAN. I thank the Chair.

IRAQ

Mr. LIEBERMAN. Mr. President, I rise today to voice my strong support for the convincing call to action against Iraq that President Bush issued yesterday at the United Nations to discuss the unique dangers created by Saddam Hussein's regime and to argue that it is imperative that the international community, led by the United States of America, mobilize now to eliminate those dangers.

On September 11, 2001, a foreboding new chapter in American history began. On that day, our Government was reawakened in this new century to its oldest and most solemn responsibility: protecting the lives and liberty of the American people.

As we survey the landscape of threats to our security in the years ahead, the greatest are terrorists—al-Qaida and rogue regimes such as Saddam Hussein's.

Saddam hates America and Americans and is working furiously to accumulate deadly weapons of mass destruction and the missiles, planes, and unmanned aerial vehicles to use in attacking distant targets.

Every day Saddam remains in power is a day of danger for the Iraqi people, for Iraq's neighbors, for the American people, and for the world. As long as Saddam remains in power, there will be no genuine security and no lasting peace in the Middle East, among the Arab nations or among the Arabs, Israelis, and Christians who live there.

The threat Saddam poses has been articulated so often that some may have grown numb to the reality of his brutality. But after September 11, we must reacquaint ourselves with him because if we do not understand and act, his next victims, like Osama bin Laden's, could be innocent Americans.

President Bush advanced that process with great effectiveness in his speech at the U.N. yesterday, albeit after a season long on the beating of drums of war and short on explaining why war may now be necessary. But the President did that yesterday in New York. Now we, in Congress, must go forward together with him as the Constitution's competing clauses require us to do. Each of us must decide what actions will best advance America's values and secure the future of the American people.

The essential facts are known. We know of the weapons in Saddam's possession—chemical, biological, and nuclear in time. We know of his unequalled willingness to use them. We know his history, his invasions of his neighbors, his dreams of achieving hegemonic control over the Arab world, his record of anti-American rage, his willingness to terrorize, to slaughter, to suppress his own people and others. And we need not stretch to imagine

nightmare scenarios in which Saddam makes common cause with the terrorists who want to kill Americans and destroy our way of life.

Indeed, 2 days ago on September 11, 2002, the state-owned newspaper in Iraq showed a picture of the World Trade Center's Twin Towers in flames with the headline "God's Punishment."

This man—Saddam Hussein—is a menace to the people and the peace of the world. It was his brutal invasion of his peaceful neighbor, Kuwait, in August 1990 that first and finally convinced America and the world that Saddam had become a tyrant, like so many before him in world history, who had to be stopped before he did terrible damage to his people, his region, and the wider world. I was privileged in January of 1991 to join with my colleague from Virginia, Senator JOHN WARNER, in sponsoring the Senate resolution that authorized the first President Bush to go to war against Saddam.

The American military fought bravely and brilliantly, in that conflict and won an extraordinary victory in rolling back Saddam's invasion of Kuwait. But we did not achieve total victory. On April 9, 1991, I came to the Senate floor and expressed my disappointment that our forces in Desert Storm had not been authorized to remove Saddam from power, while his military was in disarray.

I said then: "The United States must pursue final victory over Saddam. We must use all reasonable diplomatic, economic, and military means to achieve his removal from power. Until that end is realized, the peace and stability of the region will not have been fully accomplished."

In 1997 and 1998, I joined with Senators Bob Kerrey, TRENT LOTT, and JOHN MCCAIN to introduce the Iraq Liberation Act, which established in law for the first time that it is U.S. policy to change the regime in Baghdad, not just contain it, and authorized specific assistance, including military training and equipment, to the Iraqi opposition in furtherance of that goal. That declaration was based on Saddam's record of barbarism before, during and after the gulf war, and his repeated violations of U.N. resolutions.

On November 13, 1998, after Saddam ejected the U.N. weapons inspectors, I said, "If we let him block the inspections and the monitoring that he agreed to as a condition of the ceasefire in the gulf war, then there is no doubt that one day soon, he will use weapons of mass destruction, carried by ballistic missiles, against Americans in the Middle East or against our allies."

Since then, months and years have passed and the danger from Baghdad has only grown greater. International pressure—legal, diplomatic, economic, and political—has failed to change Saddam's behavior. Growing stockpiles of Iraqi weapons, toxins, and delivery systems have accumulated. So too has

a growing pile of U.N. resolutions which Saddam has persistently defied. They testify to the repeated opportunities the international community has given him to prove he has changed and to his determination nonetheless to remain a recidivist international outlaw.

As President Bush made clear yesterday, this must end. The hour of truth and decision has arrived. This is Saddam's last chance, and the United Nations' best chance to show that its declarations of international law stand for something more than the paper on which they are written. It is time for all nations, law abiding and peace loving, to make clear that, after September 11, the world will not hesitate or equivocate while a tyrant stocks his arsenal and builds alliances with terrorists.

I am grateful that President Bush has effectively begun the critical work of educating the American people, the Congress, and the world about why. Our cause is just. The facts are on our side.

"Making this case" is not a burden. It is the vital responsibility of a democracy's leaders when they have decided that our Nation's security may necessitate war.

It is an extraordinary opportunity, as well, to engage our allies in meeting the greatest security threat of our generation before it is too late—not just for us but for them. An opportunity to make the consequences of repeated defiance of the United Nations painfully clear to Iraq, and to any other government that might follow in its criminal path. An opportunity to show the world's law-abiding, peace-loving Muslim majority—who share the same values we do, the same aspirations we have for our families, and, I might add, the same extremist foes—that as we oppose tyranny and terror, we will actively support them in their fight for freedom and a better life.

President Bush has acted wisely and decisively in asking the United Nations to lead this noble effort, to insist that Iraq obey its resolutions, and to be prepared to enforce them militarily if Iraq does not comply. But if Saddam does not comply, and the United Nations proves itself unwilling or unable to take decisive action, then the United States surely can and must assemble and lead an international military coalition to enforce the United Nations resolutions and liberate the Iraqi people, the Middle East and the world from Saddam Hussein. If we lead, I am confident many other nations will come to our side.

For more than 11 years now, since the early spring of 1991, I have supported the use of military force to disarm Iraq and to remove Saddam Hussein from power. In fact, since the Iraq Liberation Act was passed by Congress and signed by President Clinton in 1998, that has been the law of our land. Therefore, I am fully supportive of such military action now.

I know that many of my colleagues in the Senate believe thoughtfully and

sincerely that it would be preferable to give support to the President in two stages, first to endorse yesterday's call for U.N. action, and then to return later, if the U.N. does not act, to authorize the use of America's military power against Iraq. Other Members of the Senate are understandably concerned that a debate on the question of war against Iraq may be unnecessarily politicized if it occurs in the more heated environment of this fall's congressional elections.

But the White House has made it clear it will ask for a resolution of support and authorization in the very near future. Each member of the Senate must, and I am confident will, face that reality in a spirit of non-partisanship, going where their hearts and heads take them, in deciding how best to fulfill our Constitutional responsibility to provide for the common defense in the current circumstances. For my part, I intend to work with Members of both parties in the Senate with the White House to draft a Senate resolution that will receive the broadest possible bipartisan support for the President, as Commander in Chief, as he works to protect our Nation and the world from Saddam Hussein.

On October 22, 1962, as nuclear weapons were being amassed in Cuba, President, Kennedy spoke to the Nation and warned Americans of the need to act in the face of the rising threat. President Kennedy's courageous and eloquent words can guide us now. He said on that occasion.

My fellow citizens, let no one doubt that this is a difficult and dangerous effort on which we have set out. No one can see precisely what course it will take or what costs or casualties will be incurred. Many months of sacrifice and self-discipline lie ahead, months in which many threats and denunciations will keep us aware of our dangers. But the greatest danger of all would be to do nothing.

The path we have chosen for the present is full of hazards, as all paths are, but it is the one most consistent with our character and courage as a nation and our commitments around the world. The cost of freedom is always high, and Americans have always paid it but there is one path we shall never choose, and that is the path of surrender or submission.

Our goal is not the victory of might, but the vindication of right—not peace at the expense of freedom, but both peace and freedom, here . . . and, we hope, around the world. God willing, that goal will be achieved.

I yield the floor.

HOMELAND SECURITY ACT OF 2002

The PRESIDING OFFICER (Mrs. LINCOLN). Under the previous order, the hour of 12 noon having arrived, the Senate will now resume consideration of H.R. 5005, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes.

Pending:

Lieberman amendment No. 4471, in the nature of a substitute.

Thompson/Warner amendment No. 4513 (to amendment No. 4471), to strike title II, establishing the National Office for Combating Terrorism, and title III, developing the National Strategy for Combating Terrorism and Homeland Security Response for detection, prevention, protection, response, and recover to counterterrorist threats. (By 41 yeas to 55 nays (Vote No. 214), Senate failed to table the amendment.)

Lieberman amendment No. 4534 (to amendment No. 4513), to provide for a National Office for Combating Terrorism, and a National Strategy for Combating Terrorism and the Homeland Security Response.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia is to be recognized.

Mr. BYRD. Madam President, I do not expect to yield, except for questions. I have several thoughts with respect to the pending measure. I can speak at great length. Only the Lord can intervene and make that statement fall. But I don't expect to do that today.

House Republicans yesterday criticized the majority leader and the managers of the bill, Senator LIEBERMAN, for not moving quickly enough to pass legislation to create a new Homeland Security Department. They accuse the Senate Democratic leadership of endangering the country by not passing legislation.

We are going to hear more and more of that. There is no excuse for not giving the people of this country a homeland security bill, said the Speaker of the House yesterday.

Let me say again what the Speaker of the House yesterday said: There is no excuse for not giving the people of this country a homeland security bill.

What a flimsy argument, with all due respect, and I have great respect for the Speaker. I know the rules of the Senate and the House. I am not going to go beyond that quotation in referring to what the Speaker of the House said. I am not going to go beyond that to in any way appear, in any way, and I do not now appear, even presume; I don't want anyone to presume or to assume or to interpret what I say as any personal criticism of the Speaker of the House of Representatives. But what a flimsy argument. We are going to hear that argument; we are going to hear it from other people. It will not be long in coming, if it has not already been expressed by others. But worse than flimsy is the kind of argument we ought not be making. It is an empty argument. It is shallow. That kind of argument cannot stand up under its own weight, that there is no excuse for not giving the people of this country a homeland security bill.

Let us be clear about a few things. Neither the House bill nor the President's proposal would create any new agencies. They are proposing only to move existing agencies from one Department to another. The Immigration and Naturalization Service, the Custom

Service, the Coast Guard, all of these agencies currently exist. They are operating. They are funded. And the people are out there working day and night. These agencies have been working around the clock since the terrorist attacks last year on September 11. They have been out there working. They were on the borders. They were patrolling the U.S. waterways last night, the night before, and the night before that, and in all of the nights that have occurred, beginning on September 11, and before.

Whether or not we create a new Homeland Security Department, and regardless of when we do it, these same agencies will continue to protect our homeland. The funds are there. The funds are being used. The people are there on the job. So do not have any concern about that. They are not absent their protest and they are not empty handed. They are not empty handed. They are working.

Now, we must be careful about how we create this Department. And I want to create this Department of Homeland Security; I want to create a Department of Homeland Security. But I am not one who wants to debate the bill on the Senate floor for 2 days and vote on it. That is what the House did, the other body. They have their own rules. I have been a Member, many years ago. I say "many;" many in the context of the ordinary lifetime of many years ago. They have their rules. I don't criticize that at all. They can operate fast. The House can operate quickly, they can operate fast, and so can the Senate, as we did last year when we passed an appropriations bill within 3 days of the fall of the towers, the Twin Towers. We passed an appropriations bill within 3 days, a bill appropriating \$40 billion.

The Senate can act fast, too. But thank God, the Senate has different rules from the rules of the other body. And that is no criticism of the rules of the other body. But why the hurry? Why pass a bill in 2 days? Why should the Senate not take a little time and discuss this? The people are out there. Our security people are at their posts. They have been funded. As a matter of fact, the Senate has passed bills coming out of the Appropriations Committee, chaired by me and with the ranking member, Mr. TED STEVENS, a former chairman of that committee, and all of the members acting unanimously—Republicans and Democrats alike. We have provided funds, more funds than the President has been willing to sign into law. We sought to provide \$2.5 billion in a bill. All the President needed was to sign his name. That was all he needed. Two point five billion more would have been available—for what? For homeland security. And the President had 30 days in which to sign that measure into law. He refused to sign it into law. So who is in a hurry?