

856 “[does not] criminalize simple consumption of drugs in one’s home,” [*United States v. Lancaster*, 968 F.2d 1250, 1253 (D.C. Cir. 1992)], it cannot be used to prosecute innocent event promoters, venue owners, or other property owners for the incidental drug use of the patrons or guests.

Here is the bottom line: Section 856 has been on the books for 17 years and I’m unaware of it ever being used to go after a concert promoter, a venue owner, or a private citizen for the incidental drug use of their patrons or guests. Why? Because, as the Federal court decisions I have briefly reviewed today show, we wrote into law a high burden of proof to make sure that innocent actors don’t get prosecuted. If you don’t know for example, that the guy renting your arena plans to sell drugs, you are off the hook. If you don’t intend for the guy renting your arena to sell drugs, you are off the hook. And if you don’t intend that the guy renting your arena do so for the specific purpose of selling drugs, you are off the hook.

So let’s get our facts straight here. It is just not helpful for critics of section 856 to run around screaming that the “sky is falling,” when it has not fallen for 17 years and has no reason to start now. As stated earlier, innocent actors have nothing to fear from this statute and I intend to monitor the enforcement of the Illicit Drug Anti-Proliferation Act closely to make sure that it is used properly. If someone uses a rave, or any other event, as a pretext to sell ecstasy to kids, they should go to jail, plain and simple. But that sad reality should not prevent responsible event promoters and venue owners around this country from putting on live music shows and other events, just because some of their patrons will inevitably use drugs.

In closing, Asa Hutchinson left some big shoes to fill over at DEA, but I believe that Ms. Tandy is up to the task. And it is wonderful that she will be the first woman to head the DEA. I congratulate her on her confirmation.

RECONSTRUCTION OF IRAQ

Mr. ROCKEFELLER. Mr. President, this week, we have heard from many of the Administration’s representatives, including several who testified before the Foreign Relations Committee on Tuesday, that our reconstruction efforts in Iraq are going much better than we read in the press reports, especially in the north and the south of the country. I don’t dispute that: I was in Iraq earlier this month, and I saw the really remarkable efforts U.S. troops and our reconstruction authorities are making.

But I want to state clearly: Out in our states, public support is ebbing much more quickly than one reads in the Washington media.

There is growing concern about the steady and growing stream of combat fatalities and, as importantly, a sense

that we have no strategy for stopping them.

There is great frustration over the extension of military tours of duty in Iraq, something that is especially disruptive to the National Guardsmen and Reservists who are playing such an important role in Iraq.

Last week, for example, an Air National Guard unit from Charleston, the 130th Airlift Wing, was told that rather than have the entire unit return to West Virginia in Early August, as scheduled, half the unit will need to stay on in the Middle East until the end of the year. And before the members of the 130th could even inform their families directly, their relatives back in West Virginia learned this disappointing news from the local papers.

There is increasing unease about the cost of our financial commitments in Iraq, particularly at a time of growing domestic deficits, and our failure to line up significant international contributions.

Americans are a patient people. Our 50-year commitments to Korea, Japan, and NATO attest to that. But the American people insist on information. Our international engagements have succeeded where past Presidents have laid out what our national mission is, how our vital interests are involved, what we anticipate the cost may be, and what our plans are for an exit strategy or to get other countries to share an equitable portion of the burden.

When we don’t have that, public support vanishes. There is a tendency among some in Washington to dismiss this as some sort of “Somalia syndrome.” But it is not just a passing phenomenon—it’s a fundamental part of who we are as a people.

It reflects that contrary to some of the characterizations out there, Americans are not naturally imperialists, and we are not warmongers. And while we believe other people should enjoy the freedoms we cherish, we are not seeking to remake the world in our image. We support our global commitments when we feel America’s vital national interests are at stake, and that this is part of a clear and coherent strategy by our political leadership.

When America went to war in March, it commanded the support of a significant majority of Americans. But the administration must realize: It is in danger of losing that support. One can see it in the polls; I definitely hear it when I return to West Virginia. And the change is most pronounced in many people who supported the war back in the spring. They are losing confidence that the administration has a strategy to get our young men and women out of Iraq, and to ensure their safety up until that point.

And it is leading some people to clutch at optimistic, maybe even unrealistic “quick fix” solutions, like suggesting we dump the entire Iraq operation into the lap of the United Nations, when Kofi Annan has basically

said the U.N. has no interest in taking up the U.S. role in Iraq.

This worries me deeply. America’s willingness to stay the course in Iraq isn’t a partisan issue. It is, I believe, a vital national priority. America created the current situation in Iraq, and we must make it succeed. It is a fundamental test of American security and American credibility, and it is being watched closely by our foes and our friends alike.

If America withdraws from Iraq before we are able to reconstitute a solid Iraqi government backed up by strong political institutions, we will leave behind a chaotic situation that will quickly become a textbook for other enemies who wonder how to defeat America when our combat forces are unstoppable.

And if the reconstruction in Iraq does not lead to a stable state, it will become impossible to line up allies for future such operations. Even the handful of countries working with us to make Iraq succeed—the British, and the Spaniards and Italians, and the Poles—wills steer clear of us.

It is not too late to turn this around. But it will require clear, consistent communication from the very top of this administration.

In recent weeks, we have learned, in rather haphazard ways, from various administration officials, that we are facing a guerrilla war in Iraq that is targeting American troops with increasing precision, that the financial cost of our occupation is running at twice the level projected, that troop deployments in Iraq will likely be extended, and that some of the countries we were hoping would help share the burden in Iraq are getting cold feet. And frankly, getting complete information has been like pulling teeth, and only reinforces the growing perceptions that decision are being made in a reactive way. I’m sure there are some people who are telling the President, “stay away from the bad news”—and that is why it is left to officials like Jerry Bremer or General Abizaid to do the honest talking.

The American people need to hear, from the President, not just what a great job our troops did in the initial combat phase, but also why many of our predictions were wrong; what the administration plans to do about it, including getting more international support; and why it is important that we not let these setbacks deter us. Unless we hear some plain, honest talking from the President about how we are dealing with the post-combat challenges in Iraq, I am convinced there will be dramatic further erosion in support for staying the course in Iraq. And I think that is something none of my colleagues here in the Senate would feel good about.