MORNINGS BUSINESS

ORDER OF PROCEEDURE

The PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, a number of Senators wish to speak.

The PRESIDENT pro tempore. The Senator from Texas will speak. The Chair, as President pro tempore, designates the Senator from Texas.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be recognized for up to 5 minutes and then perhaps take the floor.

Mr. BIDEN. Mr. President, my mom has an expression: Out of every tragedy, something good will come if you look hard enough. I know the President, if he will forgive this point of personal reference, has had his share of personal tragedy. Everyone in this Chamber has. Some of us have gotten those phone calls that the people in New York are getting from cell phones and/or from a police officer and/or from a morgue.

We know there is not a darn thing we can do now for those people except—it is strange the way human nature works and I know the Presiding Officer knows this—except it is amazing how those people in that circumstance draw strength from the knowledge that other people understand their pain, that other people empathize with them, that other people care about what they are going through. It amazes me that you can draw strength from that.

I think what we are doing and the Nation is doing is the right thing. Most important, what we did today is that it should be noted is not likely to occur in any other country in the world, and that is, that we just a few moments ago operated under the rule of law.

In all our anger, all our frustration, all our feelings, very bluntly, of hatred that exists now for those who perpetrated the act against us, we did not pell-mell just say: Go do anything, anytime, anywhere, Mr. President; you have to just go. We operated as our Founders, who were not naive people, who understood how to operate. We operated under the rule of law.

We went to our civil bible, the Constitution, and we said: What does it call for here? What it calls for is the U.S. Congress to meet its constitutional responsibility, to say: Mr. President, we authorize you, in the name of the American people, to take action, and we define the action in generic terms which you can take.

We gave the President today, as we should, and I know the Presiding Officer knows this, all the authority he needs to prosecute war against the individuals or countries responsible, without yielding our constitutional right to retain the judgment in the future as to who is the force against which others could, should, or would be used.

That is remarkable. I suspect not many people know, other than my distinguished colleague, the Senator from Texas, a former professor, one of the brightest guys with whom I ever worked, unfortunately leaving the Senate at the end of his term; what the leading scholar in the Senate, Senator...