# SENATE—*Saturday, January 12, 1991*

*(Legislative day of Thursday, January 3, 1991)*

The Senate met at 8 a.m., on the expiration of the recess, and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Baruk hashem. Blessed be the name of the Lord.

*Hear, O Israel: the Lord our God is one Lord: And thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might.*—Deuteronomy 6:4–5.

*I will bless the Lord at all times: his praise shall continually be in my mouth. My soul shall make her boast in the Lord: the humble shall hear thereof, and be glad. O magnify the Lord with me, and let us exalt his name together. I sought the Lord, and he heard me, and delivered me from all my fears. They looked unto him, and were lightened: and their faces were not ashamed. This poor man cried, and the Lord heard him, and saved him out of all his troubles. The angel of the Lord encampeth round about them that fear him, and delivereth them. O taste and see that the Lord is good: blessed is the man that trusteth in him.*—Psalm 34:1–8.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, January 12, 1991.*

*To the Senate:*

Under the provisions of Rule I, Section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Patrick J. Leahy, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. LEAHY thereupon assumed the chair as Acting President pro tempore.

## RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## UNITED STATES POLICY TO REVERSE IRAQ'S OCCUPATION OF KUWAIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to the consideration of Senate Joint Resolution 1, which the clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 1) regarding United States policy to reverse Iraq's occupation of Kuwait.

The Senate proceeded to consider the joint resolution.

The ACTING PRESIDENT pro tempore. There will be 3 hours and 10 minutes of debate, with 110 minutes under the control of the majority leader, or his designee, and 80 minutes under the control of the Republican leader, or his designee.

Who seeks recognition?

Mr. DOMENICI addressed the Chair.

The ACTING PRESIDENT pro tempore. The distinguished Senator from New Mexico.

Mr. DOMENICI. Mr. President, I yield myself 15 minutes from the Republican leader's time, but ask that I be notified when I have used 12 minutes.

The ACTING PRESIDENT pro tempore. The Senator will be notified. He is recognized.

Mr. DOMENICI. Mr. President, during the 18 years that I have served in the U.S. Senate, I have cast exactly 8,150 rollcall votes. By far the most important vote that I will cast in my Senate career is going to be Vote Number 8,151, the vote on the resolution dealing with the current Persian Gulf crisis.

In considering this matter, the Senate is undertaking a solemn constitutional responsibility. It is also undertaking a monumental moral responsibility to the world, and to the 400,000 young Americans currently deployed in Operation Desert Shield.

### NEW MEXICANS AFFECTED

There are thousands of New Mexicans involved in this gulf operation right now. These are men and women from 33 squadrons from Kirtland, Cannon, and Holloman Air Force Bases, as well as units from the New Mexico National Guard and reserve units.

Among them, the 1606th Air Base Wing; 1550th Combat Crew Training Wing; the 833d Air Division, Transportation, Medical, Civil Engineering Squads who have already had their lives changed by this deployment. A member of my Albuquerque field staff has been activated and is serving in Operation Desert Shield here in the United States.

I know many of the families of others deployed in the gulf. As I considered how I would vote, these young people are foremost on my mind.

### REASONS TO SUPPORT DOLE-WARNER

I am supporting the Dole-Warner resolution authorizing the President to use force, because I believe it is our best and maybe our only chance for peace.

The key to peace is convincing Saddam Hussein that he should withdraw from Kuwait.

CIA Director Webster has concluded that Hussein's decision to withdraw "will be determined by his total assessment of political, economic, and military pressures arrayed against him."

Saddam Hussein is counting on the U.S. Congress to undermine President Bush and his diplomatic efforts. To the contrary, the Congress can aid in convincing Saddam Hussein that the United States is solidly committed and absolutely determined to accomplish the purposes of the U.N. resolution.

Saddam Hussein is an international outlaw with unlimited ambitions. He has had a 20-year career of ruthless and tyrannical action.

He has never possessed a weapon he failed to use, and he is getting dangerously close to possessing nuclear weapons. Clearly, he has the wherewithal to dominate one of the most important strategic areas in the world. He is not loath to accomplish it if he thinks he can.

In short, Saddam Hussein must be stopped.

### COMMON GOALS

As I have listened to the debate on this issue over the past 2½ days, it strikes me that there is total agreement in the Congress, even as between those who support different resolutions, Iraq must fully, completely, and unconditionally withdraw its forces from Kuwait.

There is agreement and broad support for:

The U.N. Security Council actions and the objectives of the 12 U.N. resolutions;

The economic sanctions being imposed by hundreds of countries against Iraq; and

The President's efforts to arrive at a diplomatic solution to this crisis.

It is amazing how much we agree upon. It appears that the only difference is one of timing.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The question really is: When should we give the President the authority to do whatever is necessary to implement the U.N. resolutions?

As I listened to my colleagues over the past 2 days, I was struck by the fact that so many agree with the President's objectives. In fact, many who oppose any immediate congressional authorization for force to liberate Kuwait appear willing to grant such authority at some future time, and some are not thinking of a very long period of time from now.

A CONTINGENT AUTHORIZATION

The subject of this Senate debate is not a declaration of war. None of the resolutions before us declares war. That is a simple fact that many of our people watching at home do not yet realize.

If the resolution I support becomes law, there will still not be a state of war between the United States and Iraq.

To be sure, enactment of the resolution could lead to something approaching war at some future time under two conditions:

First, all diplomatic approaches have been exhausted and, that would be diplomatic approaches after we have given the President the authority to use whatever force is necessary. Perhaps the prospects for diplomatic successes will be different once Hussein knows that our President has that authority.

Second, that the international coalition, including the United States, has decided a military offensive is the only way to oust the Iraqi forces from Kuwait, and has received the necessary authorization from each nation's authorities.

Our President has not decided to use force against Iraq. The King of Saudi Arabia and President Mubarak of Egypt have not decided to use force against Iraq. Each of them continues to welcome ongoing diplomatic efforts by others to convince Iraq to withdraw peacefully.

As I said a while ago, perhaps these efforts will change in complexion and effectiveness once Saddam Hussein understands that we are behind the President and he has the authority.

The question, greatly simplified, as I see it, is whether we give the President the support he has requested in the form of a contingent authorization. Some might call the Dole-Warner resolution a contingent declaration of war.

SANCTIONS

Some of my colleagues suggest that we should depend solely on economic sanctions and revisit and redebate authorizing the President to use force at some later date. This approach is a variation of the "never do today what you can postpone until tomorrow" philosophy taken to its most dangerous degree.

The disagreement among us centers on whether to authorize the use of force now. Authorizing the use of force now grants to the President the widest range of options. Authorizing the use of force now provides for the greatest possibility that we will avoid war.

Neither diplomacy nor sanctions has a chance unless Saddam Hussein knows absolutely that if he fails to get out of Kuwait peacefully, the American people and our allies are ready, willing and able to drive him out militarily. He understands nothing else.

If Hussein will not even accept a letter from President Bush, he is certainly not yet convinced that the United States is monolithic in its resolve.

Relying solely on economic sanctions is unlikely to work. According to CIA Director Webster, "Even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam Hussein to retreat from Kuwait."

On balance, the marginal decline of combat power of Baghdad's armored units and air defenses would probably be offset by the improvement of his defensive fortifications.

It is Director Webster's job to evaluate whether sanctions are likely to work because it is the CIA's responsibility to monitor conditions and to evaluate the effectiveness of the economic sanctions.

Sanctions have increased economic hardships facing the average Iraqi. Iraqi wives and mothers are forced to spend considerable amounts of time searching for reasonably priced food and waiting in lines for bread and other rationed items. These hardships are far easier for Iraqis to endure than were the hardships of the 8-year Iran-Iraq war.

In short, sanctions will have little effect upon the ground military forces of Saddam Hussein and they constitute a compelling majority of his power. This is unequivocal and lately it is becoming clear, the sanctions are only negligibly affecting the Iraqi military's readiness. Under noncombat conditions, Iraqi ground and air forces can probably maintain near-current levels of readiness for as long as 9 months—maybe longer.

Even if we leave the sanctions in place, they won't achieve the objective of moving the Iraqi ground forces out of Kuwait. As I just indicated, that is becoming more and more obvious.

On the other hand, sanctions coupled with continued diplomacy backed up by strong, unambiguous congressional authorization offer the best prospects for convincing Hussein to comply with the U.N. resolutions and to get out of Kuwait peacefully.

The U.N. Security Council recognized the importance of coupling sanctions with a concise authorization to use force, if necessary.

CONGRESSIONAL ACTION NEEDED

When the President acts pursuant to an express or implied authorization of Congress, his power is at its maximum, for it includes all that he possesses under the Constitution plus all that Congress can delegate.

We are at a time in history when the President needs that concentrated authority in order to preserve peace.

MIDDLE EAST ARMS LIMITATIONS

The President would be well advised to work toward an effective arms-control regime for the entire Middle East. To do so, he must convince China, the Soviet Union, Germany, and France to follow suit. This I know is one lesson we have learned from Iraq's brutal occupation of Kuwait.

For my part, I intend to look far more critically at any future transfers of advanced technologies with military application to any nation in the Middle East. We should not repeat the mistake we made in Iran in the 1970's.

Whatever the outcome of the situation in Kuwait, we should have learned the danger of allowing small nations led by malevolent rulers to acquire high-technology weapons and chemical and nuclear capabilities.

CONCLUSION

As Soviet Foreign Minister Eduard Shevardnadze told the U.N. General Assembly:

> An act of terrorism has been perpetrated against the emerging New World order. This is a major affront to mankind. Unless we find a way to respond to it and cope with the situation, our civilization will be thrown back by half a century.

If Saddam Hussein gains in any way from his aggression—despite the unprecedented commitment of economic, diplomatic and military power—other aggressors will be encouraged to attack their neighbors, and place peace everywhere in the world in jeopardy. That is why our commitment in the gulf is a highly moral and necessary undertaking.

As I prepare to cast my 8,151st vote, it is a vote for the only way we can ever achieve an era of lasting peace.

Mr. President, I yield to the leader whatever time I have remaining.

The ACTING PRESIDENT pro tempore. The time is reserved to the distinguished Republican leader. Who seeks recognition?

Mr. RUDMAN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. RUDMAN. Mr. President, I yield myself 15 minutes of the leader's time and ask that I be notified after 12 minutes.

The ACTING PRESIDENT pro tempore. The Senator is given 15 minutes, and the time will be noted accordingly.

THE PERSIAN GULF CRISIS

Mr. RUDMAN. Mr. President, as we think about possible war in the Persian Gulf, I strongly suggest that the world stands at one of history's critical junctions. No matter how this crisis is ultimately resolved, the complexion of the

Middle East will have been changed forever. Let us not overlook the significance of that fact for our security interests.

Accordingly, no task is more compelling, nor the consequences of failure more profound, than a reasoned assessment of the premises and goals of our policy.

There are no easy answers. No single option we discuss for achieving Saddam Hussein's withdrawal from Kuwait holds a monopoly on merit. We should think about the long term—as well as the short term.

This debate is not an academic exercise. We are possibly days away from going to war. Simply put, we cannot allow any ambiguity to exist about the purposes for which we are prepared to expend blood and treasure.

So, why are we in the gulf? And how important are those reasons to both our national interests and acceptable conduct between and among states?

First, fundamental principles of international law cannot be permitted to be trampled with impunity. Iraq's invasion, dismemberment, and annexation of Kuwait constitute naked aggression in its most direct form.

Far more than Kuwait's national identity has been obliterated. There is ample documentary evidence of the unspeakable horrors which Iraq has inflicted on a helpless people.

Chilling eyewitness accounts of the widespread murder, torture, and rape of innocent civilians—coupled with the general pillaging of a once-vibrant economy—leave little doubt as to the enormity of the international crime committed.

Indeed, there is an ethical clarity to the situation which cannot but shake an often benumbed international conscience and summon an outraged response.

No claim of prior grievances against Kuwait, nor any attempted linkage of Iraqi withdrawal to other regional issues, can obscure this brutal reality.

Respect for the sovereignty and borders of nations is enshrined in numerous international covenants, including the charter of the United Nations.

To cave in to such aggression, or reward it with even partial territorial concessions or the provision of Kuwaiti assets, would mock every value we ascribe to an enlightened foreign policy.

It would also set an intolerably dangerous precedent.

For let there be no misconception about the nature of this crisis. Iraq's conquest of Kuwait represents far more than the initial step toward the limited goal of regional domination. In Saddam Hussein we confront an imperial dictator whose ambitions are surpassed only by the ruthlessness with which they are pursued.

If he is not stopped now, when his ability to strike out can be more easily roped in, how credible will our response be when his aspirations are further buttressed by a deliverable nuclear weapons capability?

By then, Saddam's threat will have likely acquired a global dimension. And the global community will have inadvertently accelerated the advance of a deadly destabilizing force it now so fervently decries.

It will be too late to be sorry over an inevitability which might have been prevented with an earlier display of resolve.

Second, the oil resources of the Persian Gulf region are crucial to the economic health of the industrial democracies. This is an uncontestable fact, however crass it may appear to some as a potential reason for hostilities.

To glibly characterize a war with Iraq as a crusade on behalf of cheap gasoline trivializes the real issue.

The economic promise of the post-cold-war world is at least partly dependent on assured access to stable foreign energy supplies.

Can anyone reasonably assert that it would serve our interests to mortgage the production and pricing levels of nearly one-half of the world's proven oil reserve to the whims of an ambitious tyrant?

I think not.

The implications of permitting Saddam Hussein to maintain a stranglehold on the global economic jugular are frightening to ponder.

Third, Iraq's relentless pursuit of weapons of mass destruction must be forthrightly addressed.

Saddam Hussein's prior use of chemical weapons offers little hope that he would feel bound by any moral constraints from employing even more nightmarish arms in the future. Along with the other elements of Iraq's already bristling conventional arsenal, such capabilities of mass destruction would be potent instruments of political intimidation—or worse.

No blueprint for a stable world order could long withstand such a fearsome challenge.

Fourth, the way this crisis is resolved will decide the way countries behave toward one another in the future. I have no doubt of that.

Will the peaceful settlement of disputes become more universally entrenched?

Or, will the world witness a steady regression to an earlier dark age of conquest—where militarily powerful States preyed upon weaker neighbors to advance their political and economic ambitions?

The stakes involved here are nothing less than the creation of a new international security framework.

It is most heartening to observe the international community, through a series of overwhelming United Nations resolutions and in other ways, consistently support the coalition opposing Iraq's aggression. The significance of this unified stance, in some cases involving serious economic hardship due to support of the embargo, cannot be overstated.

Let us not forget how the lack of a concerted response by the League of Nations to Axis aggression in the 1930's contributed to the global carnage which followed. The specter of that infamous surrender of will by States hoping to preserve peace by avoiding war at all costs has haunted international politics ever since.

Dare we risk a possible replay, with its attendant consequences?

Mr. President, the current international and domestic consensus will not last indefinitely. And not everyone is in the coalition for the same reasons.

Particularly among the Arab members of the coalition, individual motives more nearly reflect the political vagaries of the Middle East. There are serious doubts about how much support the United States can expect for alternative courses of action.

How do we decide whether the sanctions will prove more effective than an earlier recourse to combat for achieving our common objective? That is the central question before this Senate.

Indeed, a singular feature of this debate is the unanimity of view that there can be no acceptable outcome other than Iraq's complete and unconditional withdrawal from Kuwait. The administration and Congress, as well as all Members of this body, are in total accord on this point.

The operative issue before us concerns when that objective should be met and by what means it should be effected.

The weighing of continued sanctions against the use of force cannot be based simply on hope—and nothing else. It is my belief that the President, with all the assets of statecraft and updated intelligence at his disposal, is uniquely positioned to make that judgment. Only he has the full picture.

Thursday we had a hint of that picture when an important letter from CIA Director William Webster was delivered to the Congress. Director Webster, whose reputation for honesty and forthrightness is impeccable, made these points:

Iraq's ground forces won't suffer much under sanctions for the next 6 to 12 months.

Even if we keep sanctions for 12 months, chances are they won't force Saddam Hussein from Kuwait or result in his overthrow.

There's not much evidence to indicate the current hardship caused by the sanctions is politically threatening to Saddam Hussein. Things were much worse during the war with Iran and Saddam Hussein did just fine.

These important points by the CIA Director are certainly just samples from the full spread of information to be placed before the President—and

only the President—before a decision about the continued viability of sanctions is made. Even with the best of intentions, the U.S. Congress is simply ill-equipped to perform a similar function.

Moreover, the President's personal relationships with the leaders of the allied states are unparalleled. Having masterfully forged a fragile multinational coalition, he is the one who can best gauge its cohesion and durability.

I do not think anyone could realistically dispute that fact.

Whatever the option, and whenever that choice is made, there will be costs. Some will be less direct, though no less significant, than others.

I am unconvinced that those who advocate an open-ended extension of sanctions, and consequently a protracted military deployment, understand this.

For example, the military manpower which makes up our All-Volunteer Force is an extremely limited resource. Much of our front-line combat personnel and equipment from all branches of the military is currently stationed in the gulf.

A prolonged deployment while waiting for sanctions to work would inevitably require rotating units to maintain the cutting edge of combat capability. I am frankly doubtful that replacement requirements could be satisfactorily fulfilled.

There are not enough soldiers to maintain the indispensable high level of quality that a policy premised on potential offensive action now requires. Iraq, with the seemingly limitless manpower of the draft, faces no similar dilemma.

Furthermore, the stretched out presence of a substantial U.S. military force would erode their operational readiness over time.

No unit can indefinitely sustain the multiple rigors and stresses which the current high state of alert imposes. A price would unquestionably be exacted in morale, skill execution, and mission performance.

How this would affect overall combat readiness or the way we might fight is critical in deciding the best time for such an operation.

We can assume in any event that Iraq's battle-hardened units would use the additional respite to further build up their capabilities and reinforce their positions. While the days passed and the sands shifted—Iraq would be fortifying its positions and stockpiling supplies—becoming stronger every day.

Thus, anticipated U.S. casualty levels in any conflict might be much reduced if force were employed when American combat preparedness was at its peak, and not afterward.

Moreover, the unpredictability of Saddam Hussein means we must be ready for anything.

However crazy it might appear from our perspective, there is nothing to rule out Iraq from launching a preemptive strike in the hope of securing an immediate advantage.

We are not the only ones with the option to fire first. Saddam Hussein has previously demonstrated a penchant for aggressive risk taking in order to divide, confuse, and ultimately subdue his enemies.

We discount the possibility of a similar gamble at our peril.

The bottom line is we cannot collectively substitute for Presidential leadership in judging the significance of these factors.

Yet even if the President can best decide when Desert Shield might become Desert Sword, he surely possesses no constitutional monopoly in determining whether it becomes so.

It is my view that Congress has not only the right but the solemn obligation to either endorse or deny the potential use of military force in the gulf after January 15.

The U.N. Security Council has rendered its opinion on this matter before the world in Resolution 678. Can anyone presume or desire that we should do less?

Indeed, it would be the supreme irony if this body, after so much handwringing over the prospect of hostilities, were unwilling or incapable of making this fateful choice. I submit that neither history nor the American people would soon forgive such an abdication of will.

It has been said that generals always fight the last war. I often wonder whether politicians are condemned to repeat the decisionmaking errors of previous conflicts. It is well to learn from the past—but only if we draw the appropriate conclusions from its lessons.

It cannot fairly be said that we have failed to give diplomacy ample opportunity to effect a peaceful solution. In light of Iraq's intransigence it would appear more accurate to say that diplomacy has failed to provide the desired end.

At what point do repeated calls for diplomacy become a fatuous exercise in wishful thinking—or more dangerously—a convenient cover for compromising our goals so as to avert conflict?

We are embarked upon the first full-scale consideration of whether to commit U.S. troops to battle since World War II. There is little point in lamenting the forfeiture of congressional initiative in Korea and Vietnam if we are unaccountable now before hostilities might commence.

And one of the most poignant lessons from those experiences is that prudent U.S. military action requires sustained political support at home. It will not be achieved subsequently.

Mr. President, no one can view with equanimity the casualties that an armed conflict with Iraq would entail. We must thus decide whether our national interest justifies the potential resort to war as embodied in Resolution 678. No vote we cast will ever be more momentous.

As I noted at the outset, the United States and the world are at a critical turning point. How we act in meeting the challenge events have thrust upon us will affect the course of global politics long after we have left this Chamber.

But let us never succumb to timidity by not acting at all, or we shall be forced to bear enduring shame as our legacy. For these reasons and others, and in the cause of peace and our national welfare, I will support the resolution endorsing the policies of the United Nations and the President of the United States.

I thank the chair.

The ACTING PRESIDENT pro tempore. Who seeks recognition?

Mr. JEFFORDS addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Vermont. If the Senator will withhold, how much of the Republican leader's time does the Senator seek?

Mr. JEFFORDS. Ten minutes.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, like each of my colleagues, I have spent the past weeks and months listening and talking and agonizing about what we as a country—and as its representatives—should do to secure peace in the Middle East.

The snow-covered woods and fields of Vermont seem far removed from the sands of the Persian Gulf desert. But the people of Vermont, like our soldiers, are engaged there nonetheless. Over 4,000 Vermonters have called or written me or stopped by my offices to let me know their views on the situation. The vast majority who have done so want to permit economic sanctions more time to work.

We all want the sanctions to work, and diplomacy to succeed. But can this be done without a credible military threat?

None of us knows with certainty the answer to this central question. All we can do is look at the situation and use our best judgment.

My judgment, like everyone's, is based on my best reasoning and experience. That experience includes a stint as a young officer in the Navy, when I took part in two actions in the Middle East: the opening of the Suez Canal and the landing of marines in Beirut.

It would be foolish to apply too closely the experience of gunboat cold war actions to the current crisis. I do not. But I do think that two principles survive. First, we must deal with dictators

like Saddam Hussein from a position of strength. Second, we have to recognize that we may always be viewed, to varying degrees, not as savior but as infidel in the Middle East.

This is not a pleasant thought. But we must not deceive ourselves as to our purpose—it must be self interest. I care not one whit for restoring a monarchy in Kuwait. I am mad as hell about the paltry contribution—in men, money and materiel—from our so-called allies. But I do care about the threat that an unchecked Saddam Hussein poses to the stability of the region, to human rights, and to our own strategic interests.

I am hardly alone in this. We all share the goal of ending the illegal occupation of Kuwait. None of us wants to trade blood for oil.

Most of us supported the President's initial deployment of troops to Saudi Arabia. And most of us applauded the President for his ability to rally the international community in condemnation of Saddam Hussein, and in support of the use of force, if necessary, to dislodge him.

I did not agree with the President's decision to nearly double the ground forces in the gulf. I would have preferred to have stayed in a defensive posture and give economic sanctions more time to work.

But the President decided that only a strong and credible offensive threat would permit diplomacy and sanctions to work. This is a reasonable position, even if it is not the course I would have chosen.

It may seem perverse to suggest that diplomacy can be bolstered by strengthening our warmaking capability. But despite the end of the cold war, despite the emergence of a new world order, our ability to resolve conflicts remains crude.

I wish Iraq had sought a peaceful means to resolve its dispute with Kuwait. Iraq, of course, chose war. And we, as has been painfully chronicled, made mistake after mistake in our dealings with Iraq.

I may be too much of an optimist, but I see grounds for hope in the current diplomatic efforts. In our goals we must be firm. We must not reward aggression. Iraq must withdraw from Kuwait. But we must not sacrifice a single American or Arab life until all diplomatic efforts have been exhausted.

As my colleagues know, the Secretary General is travelling to Baghdad to seek a peaceful solution to this crisis. We wish him well, and hope he can succeed where we have failed. I would not mind losing a little face and saving a lot of lives. If our goals are reached, pride has no place in our policy.

But it is without knowing the result of current efforts at diplomacy that we must make a decision. That decision is essentially between two options, both of them understandable, both of them reasonable.

The first, proposed by Senator MITCHELL, would defer the point of decision on authorizing war until some point in the future. The second would express our support for the approach adopted by the U.N. Security Council and the President, authorizing—but not requiring—the use of force after January 15, and after consultation with the leadership of the Congress.

Ironically, as I have mentioned, my personal preference was for the first alternative. I think it is possible that economic sanctions could work, or at least further debilitate the Iraqi infrastructure—military, economic and perhaps even political.

But I am not faced with a blank slate on which to write our Nation's foreign policy. We are beyond that point. The United Nations and the President have adopted a different strategy for peace.

At this point, I feel compelled to oppose the Mitchell resolution and support the President.

I do so not from partisan loyalty. I have spoken to the President and members of the Cabinet on this issue. I think politics is the farthest thing from their mind. It certainly is from mine.

As one who has often found myself in disagreement with my party on more mundane matters, I am not about to let partisan considerations enter my thinking on a matter of life and death. I am supporting my President, not my party's leader.

It is not an easy decision. But I hope it proves to be the right one.

Backing away from the U.N. resolution would not serve the cause of peace, for now or for the future. This is a test, not just of how the United States responds to threats, but whether the United Nations and international diplomacy will become the primary tools for resolution of international conflicts that until now have been resolved by military force alone. Failing to support the President would not decrease the likelihood of bloodshed. And showing division between the executive and legislative branches would only strengthen Saddam Hussein's resolve.

Even as we grapple with the issues before us, we must also give our attention to what may happen beyond next Tuesday. If there is war, we must wage it wisely. It would be, in my opinion, foolhardy to launch a ground attack against Saddam's ground troops, playing to his strengths rather than our own. While "limited war" is rightly thought a contradiction, it may be that we can exert sufficient air and naval pressure to reach our goals.

The notion of limiting a war is of course specious, not just from a military standpoint, but from a broader political one as well.

If diplomacy fails, Iraq's response cannot be predicted. But it is not likely to be restrained or civilized. We have to take seriously Iraq's promises to attack Israel and to use all chemical and biological means at its disposal. And we have to be prepared for terrorism without boundaries.

And if it comes to war, we must be prepared for its aftermath, too.

One of my most vivid memories is from my duty on the U.S.S. *McNair*, the first ship through the Suez after the blockade. Young and naive, we believed the propaganda that told us that we were liberating heroes, only to find that the Egyptians seemed to see us as a new group of oppressors. We can assist in finding peace in the Middle East, but we cannot impose it.

And just as importantly, we need to take steps to avoid finding ourselves in this position in the future. First, we need to build upon the current experience in multilateral action. We need to foster the role of U.N., of our allies and even some of our adversaries, in keeping peace.

We also need to check the proliferation of nuclear weapons. This December, I was part of a delegation that met with President Gorbachev to discuss this issue. He seemed receptive to the idea of the major nuclear powers foregoing further testing in exchange for stiff sanctions against testing and development.

As part of any settlement in the Middle East we need to ensure that Iraq will abide by its treaty commitments and international law with respect to nuclear, chemical and biological weapons.

Finally, we need to reduce our own vulnerability and dependence on Middle East oil. If this administration does not seize upon this crisis to plot a bold, aggressive strategy to wean us from foreign oil, it will be a tragic mistake. If all the administration can suggest is a laissez-faire national energy strategy, it might as well not waste the electricity to print it.

Both these issues Mr. President, must be taken up another day. Today, we must decide the most serious question of my congressional career, whether to give the President authority to commit American troops to combat, or whether to defer that decision.

I think we must give him that authority. And even though we disagree on that question, I do not think that we disagree on our goals.

I respect those who disagree with me, I have heard the outpouring of concern from the people I represent, but in the end I must vote what my conscience and judgment dictate. I pray it is the right vote for peace.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. GRAMM. Mr. President, I yield myself 6 minutes out of the leader time.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 6 minutes on the Republican leader time.

Mr. GRAMM. Mr. President, yesterday I was down in the barber shop as the debate played out on the television screen, and those in the barber shop at the time were amazed that they could not tell in listening to the speakers whether they were with the President or whether they were against him.

In fact, speaker after speaker got up and praised the President's program and his leadership, and then concluded by coming out in favor of the Mitchell-Nunn resolution.

Mr. President, for domestic political purposes, the Mitchell-Nunn resolution is a very large fig leaf, indeed. It allows a supporter to be in a position of talking about a declaration of war, and yet at the same time be committed to giving peace a chance.

It lets you be with the President, and yet against him. It puts you in a position to avoid blame if things go badly in the Middle East, or you can claim credit if they go well.

But as an instrument of foreign policy, the Mitchell-Nunn resolution is unambiguous in the message it sends; adoption of this resolution undercuts the President's position of leadership, undermines the work of the United Nations, and contradicts the effort that has been undertaken by some 60 nations. We are discouraging our allies and even encouraging Saddam Hussein, and we are virtually eliminating our last, fleeting hope for peace.

Mr. President, if we adopt this resolution, we virtually guarantee that by eliminating, at least in the mind of Saddam Hussein, a clear and present threat to use military power, that the Iraqis will not leave Kuwait by January 15, will not comply with the U.N. resolution.

On the other hand, if we reject the Mitchell-Nunn resolution and adopt the Dole resolution that reaffirms the U.N. resolution, I believe that we send a very strong and clear signal, indeed. We stand with the President; we stand with the United Nations; we stand with our allies. We send a very clear message to Saddam Hussein, and I believe we maximize our chances that Saddam Hussein will come to his senses, and will pull out of Kuwait and give us the peaceful solution that we all seek.

Mr. President, I am prayerfully hopeful that, if we act affirmatively today in supporting the President, we can yet have a peaceful solution in the Middle East. I believe that there is only one thing that we can do that might bring Saddam Hussein to his senses, and that is to use our vote today to affirm the leadership of our President, to assure that America speaks with one clear voice for peace.

Therefore, today I am proud to support our President. I believe our President has shown strong and extraordinary leadership. Now is not the time at this late hour, at this critical moment, to change the position of the United States of America. Now, more than ever, we must speak with one clear voice, and ultimately, that is the voice of the President. And that is why I intend to support the President today.

Mr. President, I reserve for the leader the remainder of my time.

The ACTING PRESIDENT pro tempore. Time is reserved.

Who seeks recognition?

The Senator from South Carolina.

THE PERSIAN GULF CRISIS

Mr. HOLLINGS. Mr. President, let us be done with this disingenuous argument we constantly have been hearing this week to the effect that the best way to preserve the peace is to give the President authority to go to war next week.

The President does not believe that. If the President of the United States ever believed that, he should have come to us for a war authorization 2 months ago, when he changed signals and changed policy. He waited until after the election and then on November 8 called the chairman of Armed Services, Senator NUNN, at the restaurant and said, "We are switching from a policy of defensive and blockade to a policy of offensive and invasion."

The President could have urged the Congress to debate the authorization of military force in the gulf. Instead, he absolutely showed disdain for the Congress until we convened last week, and the Senator from Iowa, the Senator from Washington, and I demanded that the Senate have a full-fledged debate and vote on the issue of war. It was only when the President realized we were going to debate and vote on Persian Gulf resolutions that he belatedly requested that Congress grant him authorization to use force. And along with the request he said, "By the way, I have the authority anyway, so do not worry about it."

So do not give me this line to the effect that we can achieve peace by granting authority to go to war next week. The President does not believe that. He is ready to go, and he has delivered the ultimatum. He told everybody he is going to "kick ass," to use the President's very words.

Jim Baker has been to Geneva. He has delivered his ultimatum, and this singsong about achieving peace by authorizing war ought to be muffled.

We can count the votes around here. We know that the President is going to get his authorization to make war. And we have only one President. When the order is given and the shooting starts, the debate must stop. If he gives the command, he has my full support. We will not tolerate that nonsense about cutting off funds for our troops in the field. Once we go, we are all going together.

But until that time, until the vote is actually taken, I will continue to tell the President that his policy is flawed. He cannot win his long-term objectives in the Persian Gulf by waging war.

My concern, my loyalty is with the troops. On that score, I note that Senator INOUYE and I are on the Defense Appropriations Subcommittee. Just a little over a year ago, we were in the gulf, thanking the Emir in Bahrain. Why? Because the Emir of Kuwait would not take our injured sailors from the U.S.S. *Stark*. Kuwait denied us access to its nearby hospitals. Kuwait would not allow a ship to dock; not allow a plane to land.

And Kuwait has voted against the United States more often in the United Nations than the Soviet Union, and more recently voted against the United States for a so-called act of aggression a year ago in invading Panama. Some 75 other nations joined with Kuwait in condemning the United States intervention in Panama.

The President likes to rile us all up about this wild man Saddam Hussein, saying that Saddam has attacked two of his neighbors in the last 10 years. But that is exactly what the U.S. has been condemned for in the United Nations in 1983, not by 12 votes as in the case of Resolution 678, but by 109 members of the United Nations condemning the United States for an act of aggression in Grenada, and by 75 votes just December a year ago for an act of aggression in Panama.

So let us cool down around this place and talk sense, as Adlai Stevenson said to the American people. Why is this policy flawed? Try it on for size.

Let us assume the President's policy and military strategy works, and works admirably, and God knows I hope it will. We strike with our missiles and knock out all of Iraq's missiles so they cannot involve Israel. We knock out their airfields, and those in Kuwait, with our missiles. So even if they get planes up, they cannot land them.

So in 24 hours, we have taken over control of the air. Then we devastate Iraq's Republican Guards, the best of Saddam's troops. And we fly in from Diego Garcia with the B-52's and carpet bomb the 500,000 Iraqis dug in across Kuwait.

And let us optimistically say that within 10 days, Saddam, if he is still alive, hollers "uncle." What do we gain? Within 3 to 6 months, every Arab terrorist, every fundamentalist mullah, every Arab nationalist will say, "The world power, the United States, came over here and invaded his Third World country for oil. The infidel came and killed tens of thousands of our brothers for oil." And face it, they would be speaking the truth.

Naked aggression? Pick up the morning paper. My colleagues will see as recently as yesterday naked aggression against Lithuania. We have officially recognized Lithuania as an independent country since 1922. We had a proposal to put an embassy in Vilnius last year. So yesterday in Lithuania we saw naked aggression against a free people with a free parliament, not an emir. Time magazine said the emir has four wives, four at one time. I do not know how many he has had when you add them all up. Twenty-one wives, one source said. Newsweek says 47 wives, dozens of children. I suppose the emir himself has lost count. Yet in Lithuania we had a parliamentary government assaulted by naked aggression. Are we going to intervene to rescue Lithuania? Not a chance. Oh, Lithuania does not have oil.

Chad? The beginning of December. Rwanda? A few weeks ago. We can go down the list: Afghanistan, Cambodia, the Pakistan-Indian border—nake aggression. They do not want to mention the naked aggression of Syria against Lebanon. They massacred over 750 Christians.

Give me that Amnesty International report Senators are running all over the floor with. Find one for Lebanon. I daresay more were killed during Syria's recent take-over in Lebanon than in Iraq's conquest of Kuwait City. But we do not hear about naked aggression in Lebanon by our new-found ally Syria.

The new world order? What I am trying to emphasize is that we are likely to end up with a new world disorder. I participated 48 years ago in an earlier United States invasion of Arab lands. We took Morocco, Algeria, Tunisia, and in the subsequent 48 years they have not had a truly free election yet in those countries. Leadership is transferred through rigged elections, inheritance, or mostly by assassinations.

The culture of the United States is human rights and freedom and free elections. Arab culture is one of religion, a religion which teaches that you and I are the infidel—the No. 1 infidel. And do not forget it.

We are not going to impose our culture and values through the barrel of a gun. We are not going to get free elections in the Mideast. Qadhafi came to power in the wake of assassination. Mubarak—they had the assassination of Sadat and he took over. Little King Hussein as a boy stood there and saw his grandfather assassinated. In Saudi Arabia, King Faisal was assassinated.

Free elections, freedom—come on. New world order? What should the policy be? The only sane policy is the one that President Bush initially set in place and that is working, the economic war, the blockade, sanctions. We cut off trade; we have them totally blockaded. Their gross national product has been reduced by nearly 50 percent. Bear in mind that here in the United States with a 3-percent decline in our GNP, we say we are suffering a terrible recession.

Iraq's industry is crippled. I do not care what CIA Director Webster says now, politicizing his intelligence report as he does. The cardinal rule of intelligence is do not enunciate policy; just give facts. When he testified earlier he gave the facts. Yesterday, in his letter to Congressman ASPIN, he gave the policy, politicizing our intelligence. And he ought to be ashamed of it. Because there is no question that sanctions will impair Iraq's Air Force. It will impair Iraq's ground troops. I say let Saddam stew in his juices. Why are we rushing to war? The 1992 election, that's why. We have to get this over with right now. We are on controlled time. We have to hurry up and vote today so we can get to the Sunday morning TV programs. It is not prudent policy, it is prudent politics.

We tried to force a debate on this matter earlier. We had to get personally angry around here. Where is the rush at a time when economic sanctions are working? It is working, under the President's own blockade, and we can keep the coalition together.

Meanwhile we must Arabize this conflict. We need the time Mr. President. We need to redeploy. We need to get the ground forces of the United States out of that desert and leave the 200,000 allied Arab forces there, not as a trigger but as a bait. We have our Air Force; we will keep them and the Navy there. And if Saddam comes over, we will really have a war of Arab versus Arab, and then we get some credibility in this thing. And then we might achieve our long-term objectives in the gulf and in the Middle East.

But, instead we have made it an American war and an American attack and American invasion. It will be seen as a superpower against a Third World country, all for oil, and that is not going to sell. The only way to win this war militarily is to kill thousands and thousands of Arabs, and we will be viewed as worse than an infidel when we get through. And that is what the President of the United States ought to be hearing, not this bogus argument that we must support the troops by voting for war. Nonsense. I support the troops. That is why I am speaking.

For that same reason, to support the troops, if the vote today is for war, then the debate must stop. When the shooting starts we must rally behind our President and behind our men and women in the field. Once our troops are committed, there can be no turning back, no hand tied behind our back, no substitute for victory.

I yield the floor.

The PRESIDING OFFICER (Mr. KOHL). The Senator from Vermont.

Mr. LEAHY. Mr. President, today, more than 400,000 U.S. troops are deployed in the Persian Gulf.

The United States is on the brink of a war that could inflame the entire Middle East, consume enormous resources, and, most importantly, cost thousands and thousands of lives.

What happens next is a question that only the American people—through their representatives in Congress—can answer. Politically, morally, and even militarily, we must not go to war if it is not supported by the American people. Vietnam proved that truth.

There is no question that this will be the single most difficult vote most of us will cast in our lifetimes. It is an awesome responsibility.

Mr. President, the genius of our Constitution is that it established a government of checks and balances. The Framers, having fought a long and difficult war on independence only a few years before writing the Constitution, carefully established separate powers.

Article I authorizes Congress "to declare war." With tyranny fresh in their minds, our Founding Fathers specified that no single person would have the power to commit our Nation's blood or its treasury to war.

The Judiciary Committee's probing hearing earlier this week underscored Congress's constitutional war power. The Framers of our Constitution intended Congress and Congress alone to have the power to commit this Nation to war.

The President is Commander in Chief. Article II puts the actual conduct of war in the hands of the Executive. The Framers recalled the Revolutionary War when a Committee of the Continental Congress issued orders to General Washington in the field. The Framers also wanted to ensure that the President had the authority to repel sudden attacks. For this reason, they amended the proposed Constitution to give Congress the power to "declare" war rather than to "make" war.

Alexander Hamilton, said in the Federalist papers that the American President's power would amount to "nothing more than the supreme command and direction of the military and naval forces . . ." He said that the President's authority would be much inferior to that of the British King, because the King declared war and raised and regulated the army and navy "all of which, by the Constitution under consideration, would appertain to the legislature."

The Framers put those powers—the powers: "to declare war, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water," "to raise and support Armies . . ." and "to provide and maintain a Navy,"—in Congress.

When Pierce Butler of South Carolina proposed that the warmaking power be vested solely in the Presi-

dent—saying that the President would never go to war unless the Nation was behind him—no one at the constitutional convention supported Butler.

Elbridge Gerry of Massachusetts said he "never expected to hear in a republic a motion to empower the Executive alone to declare war." These are words we should recall today.

For we stand at a crossroads—at a moment when this Nation is poised at the brink; when sons and daughters from every State in this Union are doing their duty in the sands of Saudi Arabia; when the eyes of all Americans from every Main Street and thoroughfare in this land are turned to Congress for guidance and leadership. It would surely be a grave and historic abdication if this great assembly were to voluntarily forswear its right and its duty to stand and make a choice for war or for peace.

Nor can this body rely on United Nations authorization as a substitute for the approval of Congress required by our Constitution. The Security Council Resolution does nothing more than authorize the member states of the United Nation to use force. It is up to each member state to decide for itself, in accordance with its own constitutional procedures, whether such force shall be used.

Professor Van Alstyne made this point emphatically at the Judiciary Committee hearing the other day:

> [t]he fact that the United Nations has authorized its member states to consider individually going to war is of the greatest political influence * * * [but] it in no way * * * improves upon the need of the President to get an authorization from Congress to carry out that authorization from the United Nations.

Justice Hugo Black, who revered and understood the Constitution as deeply as any man I ever met, wrote in a 1957 decision of the Supreme Court that—

> [i]t would be manifestly contrary to the objectives of those who created the Constitution * * * let alone alien to our entire constitutional history and tradition * * * [to permit] the United States to exercise power under an international agreement without observing constitutional prohibitions. [*Reid* v. *Covert*, 354 U.S. 1 (1957).]

I also would remind my colleagues that the Security Council resolution was voted on by nations that do not have to commit the lives of their sons and daughters to war.

Let there be no mistake. The President's actions in building the international coalition and security U.N. approval were skillful and important.

But we have our own constitutional responsibility. We cannot and must not hide behind the United Nations. It is time for the Senate to speak its mind.

Some who claim that the President can act alone say, in effect, that the meaning of the Constitution has been changed by the historical record of more than 200 undeclared uses of force without congressional declaration. But, as I discussed with Professors Koh and Van Alstyne at the Judiciary Committee hearing, the overwhelming majority of those cases involved minor naval operations, Indian wars, skirmishes with Barbary pirates and the like. With the single exception of Korea, every major war this Nation has fought—and no one questions that a war against Iraq would be major—has been approved by Congress.

We have also heard much in the last few days from those who say that Congress need not authorize war because it can always rely on its power of the purse. This brings to mind testimony by the late Senator Claude Pepper before the House Foreign Affairs Committee in 1970. Senator Pepper, who understood a few things about this institution, observed that once a President involves our national interest by sending our troops into battle, the ability of a Member of Congress to exercise his constitutional judgment is practically denied.

The Framers knew what they were doing when they gave Congress the power to declare war. It is not for us, at a time of national need, to cast that power aside.

President Bush has asked for congressional authorization. We cannot ignore that request because we fear the outcome of the vote.

Earlier in this debate I said war should be the last resort and not the first option. I feel that way today having listened to the Senate debate throughout the past 3 days. I will vote to continue the sanctions and reserve war for the last resort.

The PRESIDING OFFICER. (Mr. FORD). The Senator from Wisconsin.

Mr. KOHL. Mr. President, this has been a difficult debate for our country and a difficult decision for all of us. Emotions are running high, often obscuring the complexity of the issues we need to consider and the nuances of the positions we must take. But we must decide. I have. I will vote today for continuing sanctions and against the immediate authorization of the use of force.

When Iraq invaded Kuwait last August, I joined the President in condemning their action. When the President announced that we would impose sanctions, I applauded his decision. I admired his ability to orchestrate international opposition to Iraq. I supported those actions because, like the President, I do not believe that Iraq's occupation of Kuwait can be allowed to stand.

But in November, the President grew impatient with the strategy of sanctions—a strategy he created and a strategy which he recognized would require patience. He announced his intention to double the number of troops and make their mission offensive rather than defensive. And then he engineered a U.N. resolution to establish a terminal date of January 15—an arbitrary and artificial cutoff point for diplomacy and economic pressure. Indeed, even before that date was reached, it had a negative impact on diplomacy: instead of debating the shape of the table, as we did in the Paris peace talks during the Vietnam conflict, we debated the date of a meeting between the President of Iraq and our Secretary of State. That artificial date imposed a cost: there was no meeting between the President of Iraq and our Secretary of State. And now that artificial date threatens to impose another cost: a war whose shape we cannot predict and whose consequences we all fear.

The joint resolution introduced by Senator MITCHELL and Senator NUNN restates the President's policy of August and concludes that it should remain our policy in January. Yes, I recognize the fact that the policy was changed by the President in November—changed without the approval of or consultation with the Congress—makes it harder to return to the August approach. I recognize that the so-called reversal contained in the Mitchell-Nunn resolution may threaten our coalition and make some of our allies doubt our resolve. But I believe we can convince our allies that we are united in the belief that sanctions and diplomatic efforts can drive Iraq out of Kuwait as effectively, and at a lower cost, than a war.

Mr. President, there is no doubt that sanctions are working. One hundred percent of Iraq's exports have been halted; 95 percent of its imports have been curtailed; 50 percent of its economy has disappeared. Yes, Iraq has not withdrawn from Kuwait—not yet. But they are paying an unacceptable and ultimately unaffordable price for their continued occupation. I believe that sanctions will achieve our goals. They did in Eastern Europe. They are in South Africa. And they can in the Middle East. But if they do not—if, after a reasonable period of time we see no evidence of a change in Iraq's position—then we can and should and will revisit this issue. But before I can vote to send our sons and daughters into battle, I need to know, beyond any doubt, that we have tried every other route. We have not. As a result I cannot accept the conclusion that war, at this time, is our only option.

There are those who say that the joint resolution introduced by Senator WARNER does not make war inevitable: it authorizes the President to use force but does not require him to do so. The President said, as recently as last Wednesday, that he had not yet decided to use force. So, they argue, this resolution is just a precaution and not a promise that force will be used.

But that argument troubles me for three reasons. First, if the President has not yet made a commitment to

force, why is the Congress authorizing it? Why are we being asked to endorse a decision which has not yet been made? Second, I am afraid that the decision has been made. And I am afraid that the decision is not just to use force but to use massive force. I could support an air strike against Iraqi nuclear, chemical, and biological weapons facilities. But I have received no assurance that the President would take that limited action and then wait to see if Iraq responded reasonably. In fact, based on the briefings I have received and the conversations I have had, I believe that once we initiate military action, there will be no limits and no turning back. And, third, I am not convinced that we know what our objectives are in such a massive war or that we have planned for the consequences. What will we do when we win the war? If we destroy the Government of Iraq, what do we believe will happen in that country and in the region as a result? We have planned for war, but we have not planned for victory. And that failure can turn victory into defeat.

Let me conclude with three brief observations.

First, this is a difficult vote. Both options before us involve risks, neither offers guarantees. This is not a choice between war and peace—this is a choice between precipitous action and patience. By voting for continuing sanctions now, we are not ruling out war later. The American people need to understand that.

Second, in making my decision, I have tried to listen to all the arguments. I traveled to the Persian Gulf in December. I talked with the President of the United States yesterday. I have discussed this issue with other Senators, on both sides of the debate and both sides of the aisle. And I have listened to the passionate pleas of the people of Wisconsin. There are arguments for each of the options now before us. I believe I have made the right choice, but I respect the decisions of those who disagree. Our disgreements within the Senate have been civil and characterized by respect for the motives of those with whom we disagree. I can only hope that the same tone and tenor will inform the ongoing debate within American society.

Finally, we must all recognize that on the issue of how we can best secure Iraq's withdrawal, we disagree. But today we will decide. A vote will be taken, a course of action will be adopted. We are obligated to accepted that decision even if we dissent from it. And we are obligated to support the men and women who will be asked to implement that decision. Our hopes, our thoughts, our prayers are with those who must carry the burdens that this resolution will impose. Let us hope we are worthy of the sacrifices we ask them to make.

I yield the floor.

The ACTING PRESIDENT pro tempore. Who seeks recognition?

Mr. PRYOR addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I thank the Chair.

Years ago someone said, and I do not know which person to attribute this to, "let's you and him go fight." I think, Mr. President, that whoever uttered that phrase must have seen into the future, into the future of January 1991, perhaps even onto the Senate floor of the United States of America as the Nation is poised at the brink of war, as we are poised seeking an answer in this great debate as to whether we should declare war or commit troops to the use of force or whatever alternative.

For this Senator, Mr. President, I submit that the best alternative at this time is to continue with the option of sanctions. I believe truly that current sanctions are working. We should allow them to work. We should give them full and ample opportunity.

Another thing that we must do, Mr. President, before we commit our sons and daughters to die in the deserts of Saudi Arabia, Kuwait, Iraq, or elsewhere in the Middle East, is to go to our allies and say to those whose vital interests our sons and daughters will be given that you will play a greater role in this decision and a greater role of support in our action.

I believe, Mr. President, that here, 4 days before the January 15 deadline, as we debate this great issue and prepare to commit our sons and our daughters, we should realize that a definite disproportionate share of the burden of war will fall upon this country, a country who, we must realize, is going to be defending the vital interests of many countries that will gain more than we will.

Mr. President, I have heard speech after speech on this floor about the terrible dilemma, the awesome decision that the Congress faces in declaring or not declaring war, in committing or not to committing to the use of force. Mr. President, I truly believe from the bottom of my heart that committing our sons and daughters to harm's way should be a dilemma. It should be considered an awesome decision. It should not be an easy decision, and it should be turned to only after every other conceivable option has been exhausted.

Weeks ago, Mr. President, I had the opportunity to watch on C-SPAN, I believe, an hour-long address by H. Ross Perot of Dallas to the National Press Club. He stated about six times in that message to the Press Club, "Never commit the troops until we have committed the country."

Mr. President, I am wondering today if our country is committed. I know that our troops are. We must stand behind those troops.

But yesterday I called Ross Perot, and I asked him how many people he had spoken to since August around the country. He stated that 15,000 people had been in the audiences he had addressed. Many of the people were business people, college people, professors, and board members of Fortune 500 companies. Everywhere that he could get an audience gave the message: Never commit the troops until we commit the country.

He said that most people in the beginning responded to him with, "Let's go get Saddam. Let's get him out of Kuwait. Let's free Kuwait." And then Mr. Perot would ask the question: "Do you have a son or daughter in the gulf?" And of 15,000 people in those audiences of Ross Perot, only eight—eight, Mr. President—stated that they had a son or daughter in harm's way. Then Mr. Perot asked the question of those 15,000 Americans: "Would you give a son or daughter's life to free Kuwait?" Not one hand went up, Mr. President, in those audiences of 15,000.

Mr. Perot then asked each audience another question: "How many of you, when this war is declared, and when we go into Kuwait and bomb Iraq, how many of you 15,000 Americans will join me in supporting a war tax to pay for this war?"

Mr. President, of 15,000 people addressed by Ross Perot, not one hand, not one hand in the audience ever went up to say they would support a tax for the war we are about to fight.

Mr. President, I have heard speech after speech about standing behind the President; that the Nation is committed. I ask the question: Is the Nation committed? Are we ready to fight this war? Are we ready to commit these troops without the support and the commitment of the American citizen?

The troops, Mr. President, that we will be committing to this war, are not the sons nor the daughters from the country clubs or the boardrooms. They are not the sons and daughters who grew up in the homes across America belonging to the members of the Fortune 500. These are the children, Mr. President, of everyday Americans who will be committed to war. These are the kids of the families all around us and of the many people who work with us.

Senator KERREY of Nebraska last night delivered an eloquent statement on commitment. He talked about how during the times of World War II, Members of the House and Members of the Senate were so committed to our war effort that they volunteered to go to active duty to fight in World War II.

Mr. President, with all due respect to all of my colleagues in this Chamber, I do not know of one colleague who is on the verge of volunteering to fight this war in the Mideast. Where is that com-

mitment, Mr. President? Do we have it now? My answer is I do not think so. I think before we commit our troops, we must commit our country.

Mr. President, a lot of people look at this with some sort of John Wayne syndrome. They are saying, "Let's get tough. Let's show them we are tough. Let's show them the American might." But let us remember that this is not the Super Bowl where everyone walks away alive. It is not an Easter egg hunt where winners walk away without a scratch.

This is the most serious decision that I as a Senator from the State of Arkansas have had to make since becoming a Member of the Senate. I can only conclude, Mr. President, by urging and begging and pleading with my colleagues in the Senate to adhere to the admonition of Dwight D. Eisenhower when he urged us to have the courage of patience. That admonition has never been more truthful and never more needed and never more forceful than it is today. That message should echo in this Chamber today as we debate this momentous decision.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas yields the floor.

Who seeks recognition?

The Senator from Oklahoma requests how much of the leadership time?

Mr. BOREN. About 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized for 10 minutes.

Mr. BOREN. Mr. President, I thank the chair. I compliment my distinguished colleague from Arkansas for a very eloquent statement about the dilemma which all of us face today. This is by far, as the Senator from Arkansas has said, the most difficult decision that I have made as a Member of the Senate. It is the most difficult decision to face this body since I have been a Member of the Senate.

But, Mr. President, as Abraham Lincoln said in the midst of the Civil War, we cannot escape history. Not a single one of us can escape the judgment of history which will be rendered upon the actions which we take today. None of us can say this is a responsibility that must be borne by others, only the President is responsible or someone else is responsible.

Each and every one of us by our votes today will play a part in assuming responsibility for the decisions which are made, and we cannot escape history. We cannot escape that judgment. We cannot escape that responsibility to in our own individual consciences render the best judgment that we have. That is what we owe this country that we love, to make a judgment that we truly believe is in the best interests of this country. That is a responsibility that we owe to the young men and women in uniform in the Persian Gulf whose lives we put on the line, whose lives we put at risk by the decision which we are called upon to make. Each and every one of us will have participated in the result of our deliberations today.

Mr. President, we cannot escape our constitutional duty. Some have said, "Why has Congress waited so long to debate?" Mr. President, I for one have urged that we wait, that we not begin a divisive debate, that we wait as long as we possibly can to give the President room to work for peace and for the right result in the Middle East because it is important that we speak to the rest of the world with a single voice.

That is why, Mr. President, until the last few days my advice to the President has been rendered not on talk shows and not on the floor of the Senate but it has been rendered in private in advice to him personally and to those who serve with him and his administration. But we no longer have the luxury of speaking only in private. We no longer have the luxury of having our debate behind closed doors because the Constitution of the United States requires that the Congress shall declare war, that the Congress shall authorize the waging of war. It does not say you have a choice. It says you must. We have a responsibility.

Therefore, since the President reserves the option, as I understand he must, to commence hostilities immediately after the passing of the deadline on midnight of the 14th, this Congress, if it is to speak and to meet its constitutional responsibility, must do so before that period of time. Therefore, Mr. President, we may not duck and we may not dodge. We must do our duty under the Constitution as it requires.

One thing that should be made crystal clear by all of us—and I hope when our deliberations are finished we can find a way both individually as Members of the Senate and perhaps collectively as one body to say once the deliberations are finished today, once the votes have been taken, that we say to the world, if hostilities do commence, we will be 100 percent in support of our troops, we will be ready to provide them with anything they need. We have rendered our own best judgments. We may have had differences of opinion about how to proceed, but Saddam Hussein should have no doubt in his mind that once the decision is made and if hostilities ever do commence—and we hope they will not—we will be united as a people, that we will be united as a Congress, that we will be united with the President as the Commander in Chief to give our troops all of the support they need to achieve a total victory.

Mr. President, to be absolutely clear, I want to say today what I am saying by my vote later today and what I am not saying. I am not saying by my vote that we should never use force to defend the national interests of the United States. I supported our President when he went into Libya. I supported our President in Panama. I supported our President in Grenada. I have made it very clear that at any point in time if our President wanted to use force right now to make an air strike to destroy the chemical, nuclear, and biological facilities and capabilities of our enemy in Iraq, I would support the use of force to do that. In fact had I been President of the United States, that would have been done long ago. I want to make it clear I am not saying that we should never use force.

I also want to make clear that I am not here today to criticize the President of the United States. This is not a time for us to speak as Democrats. This is not a time for us to speak as Republicans. The President has a difficult responsibility. He is a good and a decent man. He deserves much credit for what has already been accomplished. Because of his decisive action, Iraqi aggression has been stopped, it has been contained. Saudi Arabia was not invaded as I am convinced it would have been if the President had not acted. He deserves credit for the hard line he took which made a contribution to the release of our hostages. And those are important objectives. Along with removing the chemical, nuclear, and biological capability of Iraq, those are the top goals and priorities of the United States in this crisis. All of those objectives rank far ahead, in my view, of restoring the previous Government in Kuwait, of restoring the emir of Kuwait to his throne.

I am not saying, Mr. President, that we should use sanctions alone. Sanctions can have an important effect. It was very clear from testimony that I have heard as chairman of the Intelligence Committee that sanctions are weakening our enemy every single day. They have cut off already 100 percent of his exports. They have made it impossible for him to get foreign currency by selling things abroad. They have cut off already 90 percent of his imports, and as he runs out of foreign currency, it will be impossible for him to even pay for that 10 percent that is now trickling through the activity of smugglers.

So sanctions are having an effect. But even so, I am not saying that we should rely upon sanctions alone. I think we should seriously consider taking out by air strikes certain key facilities as I have mentioned before, particularly the nuclear and chemical and biological facilities.

I think we should certainly keep a credible military threat as an option as we face Saddam Hussein and as we also pursue additional diplomatic channels.

What I am saying is this. I hope my colleagues will hear me. I have listened to all the evidence. I speak not only in

my individual capacity but also as chairman of the Intelligence Committee. I believe that there is a substantial possibility that if hostilities do commence there is a strong risk of a prolonged ground conflict which would be very very costly. And in making the decision today, I think we must understand that we may be potentially offering a blank check authorization to commence an action that will result in a prolonged ground conflict.

Mr. President, I am saying that while in good conscience I can support certain kinds of air strikes, I cannot in good conscience vote to give a blank check authorization to prolonged ground conflict with all of the casualties that it would entail, especially while other nations sit on the sidelines, while Japan, which gets 70 percent of their oil from the Middle East, while we get only 13 percent, makes a paltry contribution of $4 billion to the effort, while we risk the lives of our precious young people and our taxpayers risk the possibility that when war begins at the cost of $2 billion a day we can spend $100 billion, $200 billion of our taxpayers' money, putting this country in a deeper hole, making it more impossible when everything is over for us to be able to compete with other nations in the world.

I am saying I cannot in conscience say that those precious lives should be risked if 90 percent of the casualties will be Americans. I cannot say that those scarce tax dollars that are needed to solve problems at home, to rebuild the strength of this country, to get America ready to compete as a world leader in the next century should spend $100 billion to $200 billion while Japan, with a higher per capita income and a stronger interest in the gulf in terms of its share of oil, contributes about perhaps $4 billion.

I am saying before we make that kind of authorization we must think about the long-range effects of our acts. We must think about where we will be in the world and what will be our ability to be a world leader and compete economically. What will happen to us if we are drained of our recources while our competitors in the future sit on the sidelines.

I am saying we have to think about power vacuums we might create in the Middle East. It will be filled by countries like Syria or Iran, certainly not serving the American interest for stability and peace in the long run.

These are difficult tasks. We have the responsibility of deciding whether or not the current situation calls for us to risk the possibility of ground war, of the loss of the treasure of our Nation, the precious lives of our young people.

I close simply by this: May God guide our deliberations today; may God bless our country and our President; may God bring those brave young men and women who serve in uniform in Saudi Arabia safely home to us when their task is done.

The ACTING PRESIDENT pro tempore. The Senator's time has expired. Who seeks recognition?

Mr. COHEN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Maine is recognized for 10 minutes from the time of the Republican leader.

Mr. COHEN. Mr. President, let me associate myself with at least the concluding remarks of my friend from Oklahoma in terms of his prayer.

Mr. President, there is an assumption that the majority leader's resolution will keep us out of war. I think nothing could be further from the truth, and the reason for that is there is no enforcement mechanism in that resolution.

The President has said that he has the authority to go forward without congressional consent. I disagree with that particular position. He has also said that even in the face of opposition from Congress, he will go forward. I think that not only is a constitutional error but a tactical one as well, as I said the other day.

Those who support the resolution that was drafted by the chairman of the Armed Services Committee, offered by the majority leader, indicate they are absolutely opposed to the use of offensive force at this time. And yet there is one thing missing out of that resolution. There is no prohibition for the use of funds that have been appropriated to conduct an offensive war without congressional consent.

I will not debate that legislation at this point. But I believe it would be irresponsible for us to pass a resolution without an enforcement mechanism as outlined by Senators MITCHELL, the majority leader, Senator BYRD, Senator NUNN, and others, myself, who have supported the bill labeled S. 2 in the last Congress.

Mr. President, there has been a troubling shift in perceptions and attitudes during recent days. As a matter of fact, in some circles George Bush has been characterized as a warmonger, spoiling for a fight, with the lives of our sons and daughters at risk. Yet he has not invaded a nation, or stripped or plundered or robbed or raped or executed innocent children. He has committed no war crimes. He has asked the robber who has murdered the occupants of a friend's home to leave. He has said to the robber who has had 6 months to feed off the carcass of his victims:

"Leave now voluntarily or we and the others in the neighborhood will use force to evict you."

The robber has said, "No. This is now my house. Besides, you haven't shown me enough respect; your language is too harsh for ears as sensitive as mine."

We have had a curious reaction. Rather than being outraged by his pathetic display of umbrage, many have demanded to see President Bush's letter to determine if it was sufficiently diplomatic in tone and content.

I have read Harold McMillan's comments on the once prevailing attitude of British leaders toward Hitler. He said that "Hitler was regarded by British politicians as a brilliant but tempermental genius who could be soothed by kindness or upset by hard words. It was this fearful misconception about the nature of dictators that was the root cause of much that went amiss in those tragic years."

There is a process underway that is air-brushing his brutality, his barbarity, his cruelty, documented by Amnesty International, into a soft, indefinable, amorphous background. Nails have been driven into the bodies of innocent people; cigarettes put out in open eyes; electric wires attached to genitals; daughters raped before their parents and executed. Horror that would challenge the imagination of the Marquis de Sade.

Yet many in our society still ask why can we not continue the dialog; why not agree to linkage? If someone other than Secretary James Baker agrees to his demands, would that not be sufficient?

With each passing day acts of appeasement are wrapped in the more acceptable language of constructive dialog or serious negotiations. And with each passing day, the United States and its allies emerge as the bullies or imperialists seeking to destroy a man who professes to be a benevolent Robin Hood, who only wants peace and justice for the Palestinians and the Arab nations.

Many have come to the conclusion that we should let him stay in Kuwait for another 6 months, perhaps a year or so, let his soldiers lick the bones of those they butchered, ignore the violence his troops continue to inflict upon the innocent, stuff our ears with the cotton wool of rhetoric.

Today we remain benignly indifferent to the savagery. After all, Kuwait is half a world away. It is a foreign land, with foreign customs. Besides, it is not a democracy. We really do not need Kuwaiti oil after all.

Let me say to my colleagues, not one of us in this Chamber or outside of it is safe from the violence currently being inflicted in Kuwait. Today in Iraq you will find Abu Nidal, Abu Abbas, other terrorist groups, and already they are planning bomb attacks, assassinations, other atrocities against those who have the audacity or courage to challenge them.

Some might argue yes, but only in response to an attack upon Iraq. Possibly.

But ladies and gentlemen, we can take no comfort in the moral basis asserted for their past violence. Saddam Hussein destroyed an entire nation be-

cause oil production was too high; because the Kuwaits refused to forgive his debts.

Our security is only a Pan Am 103 away at any moment. To accommodate him now, to engage in constructive dialog, to seek compromise, to give him a piece of Kuwaiti territory, to agree to back an international conference on the Middle East is only going to feed his egocentricity and his army. No one in this Chamber has argued that we make such concessions. But Mr. President, the pressure is building for the United States and the United Nations to do precisely that.

I might say that what has been remarkable about this debate has not been only the absence of any personal rancor among the Members, but also the presence of so many of our colleagues who have been touched by the wings of war in a personal or in a very violent way: DANIEL INOUYE, BOB DOLE, BOB KERREY, JOHN MCCAIN, TED STEVENS, STROM THURMOND, JOHN KERRY, CHUCK ROBB, WARREN RUDMAN, HOWELL HEFLIN, JOHN CHAFEE, JOHN WARNER, MARK HATFIELD, AL GORE, JOHN GLENN, LARRY PRESSLER, JAKE GARN, TOM HARKIN, and others.

What is striking about this is how they see the need for pressure or patience in the Persian Gulf in such a different way. Each draws upon his experience, his reading of history, his understanding of international affairs, his measure of Saddam Hussein, and comes to a different conclusion. They remind us that there are no absolutes, no blueprints from the past that will provide a clear guide to the right decision.

So we are left to make judgments, while doubt sits like a raven on our shoulders and taunts us. It is a doubt that is multiplied by the hopes, fears, prayers, and tears of those who have loved ones on the front lines. Polls show that a majority of the American people say we should support our President. Our calls and our mail, if mine is any example, say otherwise.

Perhaps the answer lies in the nature of the questions being asked, and perhaps that support will evaporate as soon as the first soldier falls.

Human affairs are infinitely more complex than any formulations that either Harris or Gallup pollsters can construct. We are left with the responsibility of serving what we believe to be the truth, rather than opinion; to do what we think is right even when success is in doubt.

Mr. President, history may judge that those who support the President are merely tending to the abandoned campfires of 19th- and 20th-century thinking, where force, even though justifiably applied, is dangerously obsolete. Or it may reveal that those who counsel restraint and patience cause the tentative, fragile coalition that currently exists to crack, and friends to run and embrace the enemy that now confronts them for fear that they will be abandoned and stand naked against their aggressor. Not one of us knows; not one of us knows.

I can only assure the people of Maine and this country that I have tried to use my best judgment to arrive at the right conclusion. It is an hour of doubt and one of destiny, which not one of us has asked for and from which not one of us can escape.

Mr. President, I yield the floor.

Mr. GORE addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized. How much time does the Senator seek?

Mr. GORE. Mr. President, it is my understanding that I have been allocated 20 minutes.

The ACTING PRESIDENT pro tempore. From whose side?

Mr. GORE. The Republican leader's side.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized for 20 minutes on the Republican leader's time.

Mr. GORE. Mr. President, like the rest of my colleagues, I have been an intent student of these events: At hearings and briefings, where every possible point of view was exchanged by representatives of the administration, and by experts of every kind; in the huge outpouring of information that the media brings us; in the views of many hundreds of my constituents, indeed, thousands; and finally, from this debate.

I attended virtually every minute of the long hearings before the Senate Armed Services Committee. I have listened to most of the speeches made by my colleagues during this debate. Unlike many other issues that have divided this body, we actually began from important areas of general agreement.

We agree that Saddam Hussein's Iraq is a threat to regional and even global security. We agree that the threat he represents is so severe that responding with force is not only legitimate, but could be unavoidable. We disagree more on tactics and timing than on first principles.

But our disagreement over tactics is serious and deeply troubling to us all, because lives are in the balance: the lives of our own military people, the lives of all others in the region, including not only those who are with us, but our enemies as well.

In such circumstances, with so heavy a burden of conscience, it is inevitable that the arguments of both sides of the debate involve a complex blend of accuracy and wishful thinking.

I am as prone to that as anyone else. But my decision today is the product of an intense, may I say, excruciating, effort to find my way to a place as close to a sense of the ultimate truth in this matter as I am capable of getting. I have struggled to confront this issue in its bare essence: to separate what I think is fact, or at least highly probable, from what I think is false, or at least highly improbable; to strike a balance and to take my stand. We have all made that journey, regardless of where it has led us. Each of us has stood here to describe it, and now it is my turn.

I stood in a different place halfway through last year, when men and women from my hometown of Carthage, TN, joined the units of many other towns across this country, leaving their loved ones, saying goodby to husbands and wives and children and parents, and preparing to become part of this army now massed in the desert of Saudi Arabia.

I felt, up until recently, especially after the hearings, in which I played an active role, questioning, probing, searching for the truth, that I would support a move to continue the sanctions and hold open the option of force at a later time.

As I searched my heart on this issue over the last few days with special intensity, after we all heard the Secretary of State enunciate the word "regrettably" in Geneva, I found myself feeling that if I voted for the Mitchell-Nunn resolution, I would do so hoping that it did not prevail. I found myself feeling, even late last night, that since it now appears that there is a majority in favor of the other point of view, that it would pass and will pass, regardless of how I vote. I found myself pulled, once again, to support the Mitchell-Nunn resolution, speaking only of the process I had gone through.

Mr. President, I feel that I owe it to those who are there in Saudi Arabia, prepared to make the ultimate sacrifice, to give the best judgment of my head and my heart on what this Nation should now do. I cannot reconcile myself to a point of view and a vote that says, in effect, we will let this deadline come and go, and try the sanctions, perhaps until the next window next August, when military operations would again become feasible.

This statement is my effort to explain why I feel that way. I think there is wishful thinking on both sides of this debate. It is said by many supporters of the Warner amendment that Congress must uphold the President because it is the last, best chance to convince Saddam Hussein to yield and to prevent war.

I wish it were so. And I hope and pray that, if the Warner amendment passes, that will be true.

But I believe it is wishful thinking to vote for the Warner amendment on the assumption that it leads to peace. This debate is no longer about the threat of war and the hope of peace. The hope of peace remains in my heart and the hearts of us all. But this debate is now about war. We should have no illusions.

This is not like the Tonkin Gulf resolution where there was deception. At times in the course of this policy debate, there has been a lack of candor with the Congress and the American people on the part of the President, but not now.

None of us should have any doubt about what is intended after the authority is granted here by Congress. How could we vote an expression of support for the use of force only days before the announced deadline and then yet be surprised if force is actually used?

It is also said that, if force is used, the battle may well be brief, relatively less costly in lives than many fear, and the results decisive. Again, that may well be true, but I fear that it may again be only wishful thinking. The Iraqi Army is capable. Surely anyone who votes for the Warner amendment ought to accept that the odds still favor a war that is longer, more costly, and less clear in its outcome than optimism would lead us to imagine.

There has also been an assumption in this debate to the effect that, if the President does not prevail, he may well do as he pleases regardless of what the Congress decides. I have come to the conclusion however, that I must cast my vote on the assumption that the view I express with that vote will become policy.

The issue of the President's willingness to comply not just with what Congress decides but with the Constitution itself has been a source of serious and unnecessary confusion and has complicated the country's ability to come to grips with this crisis. The plain sense of our Constitution, supported by the full weight of history and jurisprudence, says that the President was never meant to have the power to order this Nation into war: that this power was vested in the Congress after the most careful deliberation by our Founders for reasons that are absolutely as valid now as they were then.

President Eisenhower said in the middle of the 1950's:

> I have announced time and time again that I will never be guilty of any kind of action that can be interpreted as war until Congress, which has the constitutional authority, says so. There are times when troops, to defend themselves, may have to unite and undertake local war-like acts, but that is not the declaration of war and that is not going to war, and I am not going to order any troops into anything that can be interpreted as war until Congress directs it.

The Nation yearns for that kind of forthrightness and directness from this President in this debate. We have not had it.

But, in effect, Mr. President, the debate we are engaging in here on a measure to authorize the use of force, with the President actively supporting that resolution, makes this particular debate one for another day. The debate here is about war and peace.

Perhaps if the President had not thought this power was his alone, he would not have unilaterally changed the entire strategy of the coalition from defense and containment to offense and rollback by force. Perhaps we would then not have to decide between a policy we wish had been left in place and facts that have been created for us without consultation: principally, the fact that the President has brought us and the coalition he skillfully created, and the international community in general, to the very point of war.

There is much to regret at this point. Had this President and his predecessor not grossly misunderstood Saddam Hussein, we might have taken effective action against him sooner. Our hapless Ambassador to Kuwait at that time was not misrepresenting American policy in her meeting with Saddam Hussein. She was representing it all too faithfully as it had been for years and was on that very day. The last two Presidents have thought it was possible to do business with this man: to convert him to our purposes. That they were wrong has been plainly evident for some time.

On two occasions in the fall of 1988, I stood here on this floor, after Saddam Hussein was found to have used poison gas, and called on the President of the United States to immediately become involved in that issue and call for a special session of the U.N. Security Council. I called for a series of steps at that time and said, in October 1988, on the use of poison gas, "I deeply believe that if this episode is allowed to slide, then governments contemplating the use of chemical weapons will conclude they may do so with impunity. This situation is an important test of the will and ability of nations to exert themselves for the sake not only of a moral imperative, but also for the sake of their common security."

We stood by and allowed this situation to develop. The week before the invasion we were here debating sanctions against Iraq because the nature of Saddam Hussein was clear to many of us. But, again, the President felt we could deal with him. That is now history. This could have been avoided, but here we are, Mr. President.

Saddam Hussein has more troops than Hitler did in the early years of World War II. He is not Hitler—that exaggeration has also clouded this issue—but he is using weapons of mass destruction. He is threatening to continue his march throughout the region. His nature has been clear to us for quite a long time. He is seeking now to acquire ballistic missiles and nuclear weapons. The effort late last year by the White House to, in effect, exaggerate the shortness of the period of time during which he could acquire those weapons was again inartful and not helpful. But it is only a matter of time.

We have to compare two courses of action. We are agreed he has to be stopped, and it is said that the sanctions could stop him. I wish that were so. It may be so. But it does not feel plausible to me.

In August, when the next window for using force if the sanctions fail opens up, will the sanctions change his mind? I doubt that. Will the sanctions inspire such unrest among the Iraqi people that they, through some instrument, will find a way to overthrow him? That is more plausible. His regime rests in part on popular support. But against the arguments that economic suffering has flowed from the invasion, he will be able to marshal the argument that he has stood up to the entire international community, brought Kuwait into the nation of Iraq—that he stood for his people against the world community.

I do not believe we could adopt the course of action implicit in the Nunn-Mitchell resolution without withdrawing up to half the troops now deployed. I think the overriding effect of that withdrawal would be to make it extremely unlikely that sanctions would then result in Saddam Hussein's withdrawal from Kuwait or his overthrow in the near future.

The risks of war are horrendous. The real costs of war are horrendous.

Mr. President, what are the costs and risks if the alternative policy does not work? I think they are larger, greater, and more costly.

I feel that I owe my vote to an expression of support for the resolution authorizing the use of force—I hope it will not be used, I am afraid that it will be—but I will vote for that resolution.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has expired. The acting majority leader.

Mr. FORD. Mr. President, I yield from the leader's time 15 minutes to the distinguished Senator from Delaware.

The ACTING PRESIDENT pro tempore. The Senator from Delaware [Mr. BIDEN] is recognized for 15 minutes.

Mr. BIDEN. Mr. President, this is a somber moment. This is an historic moment. But this is not an excruciating moment for me for I think this decision is so clear.

I have heard expressions on the floor from people over the last 2 days, talking about defining moments in their deliberation as to whether or not to commit the Nation to war and they have mentioned what seemed to me, I must say bluntly, some outrageous rationales.

A defining moment for six of my colleagues that I counted was when Saddam Hussein's representative left a letter on the table. Is that a reason to send my sons to die? Because we are offended? Is that a defining moment in

history, to send a generation, or those representatives of a generation, to war?

The President says he is angry, he is impatient. Well, God bless him, so are all of us. But is that a reason?

We are about to vote to give the President of the United States of America the authority to take this Nation to war, Mr. President. From my perspective that leaves us with only one question before the House; only one question before this body; only one question that must be answered at this historic moment. That is: What vital interest of the United States of America justifies sending young Americans to their death in the sands of the Arabian peninsula? Not what slights to our national pride or prestige have occurred; not what emotional crisis may have developed among our leaders as a consequence of anger and frustration; and, as I said, not as I have heard repeatedly on this floor, whether a letter was left on a table.

As Arthur Schlesinger, Jr., said in testimony before our Foreign Relations Committee: "What direct threat to our national security now summons us to war?" That is the only question we should be attempting to answer, Mr. President.

Let me briefly restate the interests that the President of the United States and others on this floor say are at stake and point out what I believe to be the irony of the fact that the very interests that are offered as a rationale for war will be much better protected in the absence of war.

The first one we hear is oil. When the President first sent troops to the Persian Gulf, he said something astounding. he said, looking into the camera: "America's way of life is at stake. America's way of life is at stake."

The emir of Kuwait has been desposed, overthrown, thrown out unfairly. A small country has been invaded somewhere on a map that most people cannot identify, and America's way of life is at stake.

I presume that he meant that if, in fact, the Iraqis kept moving and occupied all the oil fields in Saudi Arabia and the surrounding emirates, that America's way of life would be at stake. So he did the right thing. He sent a defensive force and stopped, cold in his tracks, a person who already had stopped cold in his tracks, I might add.

So we have accomplished the first objective when we sent the first troops. More oil is flowing today than there was before Kuwait was taken. I respectfully suggest that war will more likely increase the price of oil, with long-term interruptions of supply, widespread destruction of oil fields, and terrorism that will plague those oil fields for the remainder of this decade; doing considerably more damage to our economic infrastructure—to use a fancy Washington phrase—than us not going to war.

The second rationale offered is collective security. Mr. President, the United Nations will be far stronger and more effective in the future if there are resolute applications of economic sanctions and if they succeed. And even if they do not succeed, loss of American international support in the future is much more likely in the international community after a war than before a war.

If we have trouble holding this grandiose coalition together, a coalition that has voted to allow us to take on 95 percent of the sacrifice across the board—if we have trouble holding it together at a time of peace, I respectfully suggest that at a time of war, our French brethren, among others, will be the first to find rationales to allow them to, to use the vernacular, to cut their own deal.

As someone said in the committee, rather than a multilateral facade for unilateral intervention, we need a multilateral mechanism now and for the future. And that will not likely occur as a consequence of war.

We do not strengthen the United Nations by making war. Collective security is an ideal to be collectively divided. Is the United States the only guarantor of the world order? If some country moves into Chad, are we going to send 400,000 troops there? And are we going to send 400,000 troops to respond to the transgressions that occur around the world on a regular basis that are often equal in consequence to what has happened in terms of the tragedy that has been spawned in Kuwait? Is that the new world order, Mr. President?

Are we more threatened today by Iraq than the neighboring Arab States? Than the Europeans who rely more heavily on oil from that region than we do? Are we more threatened in terms of our security than the Japanese who rely almost exclusively on oil from that region?

A third rationale offered as a vital interest—to stabilize the Middle East. As was pointed out in our hearing, that goal has never in 5,000 years been accomplished for very long. It is reminiscent of what I heard on this floor in the debate I had some years ago with my colleague, then the majority leader, about stabilizing Lebanon. Who do we think we are? What do we think of our capabilities to do what has seldom been done in history without total occupation of the entire region? It has been hard, Mr. President, because of artificial borders, tribal antagonisms, religious fanaticism, disparate inequalities and anachronistic monarchies and dictatorships that remain.

The fourth rationale is nuclear weapons.

How much time do I have remaining, Mr. President?

The ACTING PRESIDENT pro tempore. The Senator from Delaware has 4½ minutes remaining.

Mr. BIDEN. Mr. President, as to the timeframe of 5, 10, 15 years before Iraq gets nuclear weapons, are we going to send someone to die now because we see so far in advance that we know 5 years from now that something may happen? Five years from now Saddam Hussein can be struck by lightening, overthrown and/or we can go in 5 years from now and blow away that capability. Is that such a vital interest to the United States today in the absence of our ability to see into the future to send young people to their death?

Mr. President, Iraq can be made to pay and pay dearly without war. Urgency is not called for. Our vital interests are protected. The coalition is not equal. Priorities are not in order. As we debate today and are consumed by this issue, the Soviets are rolling into the Baltic States, something that is infinitely of greater consequence to our vital interest and the future security of this Nation—changed Soviet attitude—than anything that will happen in Kuwait.

The negative consequences far outweigh the positive consequences.

Mr. President, let me conclude by making a few points. The debate should not be whether we are fighters or appeasers, for if that were the case, those who appeased Saddam Hussein in this administration and on this floor for several years knowing that he, in fact, relocated almost as many Kurds as there are Kuwaiti citizens, knowing that he gassed as many as 10,000 of his people, yet came up and told us, "You can deal with this man," are now the very people on this floor who are willing to say this man is awful; we only have the option of war or the threat of war.

The appeasers of the past are now ready to vote to spill my son's blood and his generation's blood to satisfy and salve their consciences, in my view.

The issue should not be between an early and late use of force. That only begs the question, Mr. President. Even after sanctions have been tried, and if they fail, the fundamental question remains: What is our vital interest? The issue remains: What American vital interest is at stake that justifies the spilling of blood? Surely not the reinstatement of a monarch in a dictatorship from another century. Surely, that cannot be a vital interest. I fear that even if we grant the President this authority, we risk our National Treasury.

I ask unanimous consent for 30 more seconds, Mr. President.

Let me just say this, Mr. President: President Bush, if you are listening, I implore you to understand that even if you win today 46–54, you still lose. The Senate and the Nation are divided on

this issue. You have no mandate for war. Mr. President, President Bush, the debate to punish Saddam Hussein, the impatience you feel, the anger you feel are all justified, but none of them add up to vital interest and none of them—none of them—justify the death of our sons and daughters.

To quote a businessman who has been quoted before on this floor, Mr. President, "First commit this Nation, then commit our troops." We will finish whatever you start, Mr. President. The sons of this generation are patriotic, as are the daughters. We will finish it, but for God's sake, do not start it unless you think it is a vital interest, which I feel strongly it is not.

Mr. President, on August 2, 1990, Iraq's invasion of Kuwait triggered a response by the Bush administration and the international community that has evolved over 5 months. Armed Forces, primarily from the United States, have been deployed in mass to protect Saudi Arabia against further Iraqi aggression and to enforce against Iraq a United Nations embargo unprecedented in scope and severity—an action endorsed by an overwhelming vote of Congress.

In November, the U.N. Security Council acted further to establish a date after which member-nations are authorized to use "all necessary means" to secure Iraqi's withdrawal from Kuwait and the restoration of Kuwaiti sovereignty. What we must now decide is whether we will use such authority under international law at an early point to launch a major military offensive against the armed forces of Iraq.

As I argued at the outset of this debate, responsibility for this decision falls upon Congress. For whereas the actions taken to date by the United States may be classified as participation in a police action, an American-led attack on Iraq would cross the threshold into war. Whether to cross that threshold is a question the Framers of the Constitution vested surely and unequivocally in the U.S. Congress.

I shall vote in these proceedings to oppose an early counteroffensive against Iraq. I have listened with great attention through days of hearings and briefings, and I believe that those who assert the urgency of war have failed to muster a cogent case.

Their arguments, I believe, reflect flawed assumptions leading to dangerous folly. Wisdom, I am convinced, lies in the case for a policy of patient strength—a policy that continues to weaken Iraq through sustained and effective embargo while strengthening the coalition against Iraq through enhanced burden-sharing and economic compensation.

SEVEN REASONS TO PAUSE IN THE RUSH TO WAR

Let me identify seven factors that should give pause to any American, in this body and across the nation, contemplating a rush to war.

THE QUESTION OF VITAL INTERESTS

The first and fundamental factor is the question of vital interests. Precisely what vital interests of the United States justify sending young Americans to their death in the Persian Gulf? In the words of Prof. Arthur Schlesinger, Jr., "What direct threat to our national security now summons us to war?"

Earlier in this debate, I was distressed to hear one of my colleagues—one whom I esteem highly for his friendship and intellect—state that the unwillingness of the Iraqi foreign minister to accept President Bush's letter in Geneva was still another reason why this body should vote to authorize the use of military force in the Persian Gulf.

I cannot accept such reasoning. I believe that force must be used to defend American vital interests; and I revere the U.S. Armed Forces for standing ready to perform that honorable role. But I will never accept that some slight to our national pride and prestige—some diplomatic insult—adds any reason to send our men and women into the crucible of war. Etiquette is no vital interest.

Just what interests are at stake here? We have heard from the administration a number of suggestions: Oil and our way of life. The principle of collective security. The stability of the Middle East.

But on examination, no argument can be sustained that any vital American interest is now in jeopardy. Yes, we have interests in the Middle East. We wish to support the free flow of oil. We wish to promote stability, including the security of Israel. But we have heard not one cogent argument that any vital American interest is at stake in a way that impels us to war.

Consider oil. The most plausible assertion is that we have a vital American interest in the world's access to the oil of the Persian Gulf. But the fact is that we have—through our defensive deployments in Saudi Arabia—sucessfully defended that interest.

What would threaten that interest is not a policy of sustained sanctions but a policy of war, which could subject the oil fields of the Gulf to terrorism, sabotage, or direct military attack. Only in that event are supplies likely to shrink and prices to skyrocket.

Indeed, because of increased Saudi production, as much oil is now flowing from the Persian Gulf region as flowed before this crisis began. As a consequence, the world is now buying the same amount of oil, but the income has been diverted in the direction of our Saudi and Emirate allies and away from our Iraqi adversary.

Our side is getting richer; the other side is getting poorer. This truth has crucially important implications for our ability to sustain our coalition. We should be making unequivocal demands upon the Saudi Government for adequate burden-sharing and economic compensation within our coalition during this crisis, and for a more generous sharing of wealth within the Arab world over the longer term.

And what of our interest in the principle of collective security? While this is not a vital interest, it is a crucial principle.

But we must ask: Is that principle better served by a unilateral American attack upon Iraq than by a sustained policy of collective sanctions? I think not.

Are we more threatened by Iraq than the neighboring Arab States, than Europe, than Japan? I think not.

Is not collective security an ideal to be collectively upheld? I think so.

Finally, what of our interest in stability in the Middle East? Who here can speak with confidence that a war policy is more likely to promote stability than a policy of sustained sanctions?

Are we truly so arrogant as a nation, at this late date, to believe that by attacking an Arab tyrant—initiating a war that could cost tens or hundreds of thousands of lives—we can comfort ourselves, and our widows and bereaved families, that we have promoted stability in the Middle East?

Professor Schlesinger reminded the Foreign Relations Committee in succinct words that this is a region "characterized from time immemorial by artificial borders, tribal antagonisms, religious fanaticisms and desperate inequalities." Given that history, and the totally unknowable consequences of war, why can we not accept as a matter of wisdom and humility that a course of moderation and patient strength may be more prudent than a hasty resort to war?

We must not accept an Orwellian distortion by labeling the issue here a vital American interest. What is arguably vital we have protected; what is important—the principle of collective security, the stability of the Middle East—we can, I believe, pursue most effectively through means short of war.

AMERICAN OPINION

The second factor that should give pause as we consider a rush to war is the unified public support on which any successful war policy must depend.

Earlier this week, the absolute requirement for public support was put with fine clarity by the conservative industrialist, Ross Perot, whose skepticism about the Bush administration's policy I share. If we are to send our men and women into battle, said Mr. Perot, "First commit the nation; then commit the troops."

The truth is that we are a nation divided. The Gallup poll tells us that two-thirds of Americans favor war against Iraq, but only if no significant level of casualties is involved.

Once Americans are asked to contemplate this question as more than a matter of whether or not Saddam Hussein is an evil man—to contemplate, that is, the reality that war could entail American deaths on a scale of thousands—support for a war policy shrinks to one-third of the American public.

And this is even before troops have been committed to battle and the real death toll has begun to mount. I am not here to advocate policy-by-poll. But it is plain that the President lacks a strong base of public support from which to launch American forces into war.

Opinion among American leaders is also sharply divided, and not only in Congress. Indeed, with near unanimity, the former Secretaries of Defense of the United States have publicly advocated a policy of sustained embargo, rather than early war.

Surely all wars occasion controversy. But never before in our history have we contemplated war when the American people, their political leaders, their former military commanders, and their former diplomats have been so divided on whether war is the wisest course. That alone should give the President pause.

AMERICAN ALLIES

The third factor that should give pause to a war policy is the array of allies in the "international coalition" on which the administration places such rhetorical emphasis.

I support the coalescence of a multilateral effort against Iraq. Indeed, I favor a sustained multilateral effort, with due contributions from many parties. But the truth is that the alleged coalition consists, at least at this point, of little more than a few self-interested Arab governments who are all too ready to see American forces committed to battle for reasons that have absolutely nothing to do with the new world order about which we hear so much.

Just look at the United Nations. How many of those nations that authorized an American war against Iraq have voted to send their sons and daughters to the gulf? I count only two.

Yes, the Saudi royal family, the sheikdoms of the gulf, and the exiled leaders of Kuwait are, in their safe havens, quite eager to witness the expenditure of American blood to rescue their lucrative and undemocratic regimes. But surely that support offers no justification for the sacrifice of even one American soldier.

And what of our other Arab allies?

Egypt is a welcome partner and the lynchpin if we are to claim serious Arab allegiance to our cause. But the weakness of President Mubarak's position and commitment is manifest in his obvious reluctance to involve Egyptian forces in anything more than the defense of Saudi Arabia. Thus, while the Bush administration prepares for an offensive that will surely involve a direct attack against the territory of Iraq, our key military ally in the Arab world has exempted itself from participation.

As to the other prominent Arab participant in this coalition—namely, Syria—the regime of Hafiz Assad in Damascus hardly warrants the term "ally." The cruel brutality of Hafiz Assad is difficult to distinguish from that of Saddam Hussein. Already, in the course of his supposed participation in the international coalition, Assad has used the opportunity to expand his control of Lebanon, and we can be sure—as events in the Persian Gulf unfold—that naked opportunism will continue to be his only standard.

As to the role of most of our European allies and Japan, the minimalism of their participation is plain. Apart from token force contributions and supportive votes in the United Nations, they have been content to hold our coat. Every American citizen has the right to ask why our military men and women should be placed in harm's way when the forces of those nations are not.

THE COSTS OF VICTORY

The fourth factor is the cost of victory. I have no doubt that our armed forces can secure the destruction of the Iraqi army. Our forces are brave, well trained, committed, and equipped with weaponry of devastating power. If directed into war, I trust they will accomplish their mission. But at what cost will that victory be won?

I am impressed by predictions on the part of some experts that victory over Iraq will be secured with only a minimal loss of American life—fewer than 1,000, some assert. But I am less impressed by the reliability of such predictions. We face a million-man army, well entrenched and well equipped, and—by all appearances and by its record in an 8-year war with Iran—prepared to sustain massive casualties and still fight on.

How could anyone guarantee an easy victory, with few American casualties, against such an opponent?

Listen to the precise words of the commander of United States forces in the field, Gen. Norman Schwarzkopf:

> You don't go out there and say, "OK, let's have a nice war today." God almighty, that war could last a long, long time and kill an awful lot of people.

This will be, says General Schwarzkopf, a dirty war. He wonders, as do I, why we should not be patient. He wonders why we should say—and these are his words: "OK, gave them two months; didn't work. Let's get on with it and kill a whole bunch of people. That's crazy," he says. "That's crazy."

Our military commander in the field has told us something, if we will listen. He is telling us something about the costs this war may entail if we fight it, and he is telling us something about our obligations here in Congress.

Neither General Schwarzkopf nor most other military experts believe this will be a short and conclusive war. Surely, we can prevail at some considerable sacrifice. But is it not our obligation as elected leaders to commit the sons and daughters of the United States to such peril only when all other means of securing our objectives have been exhausted? In the view of this Senator at least, that is my most solemn obligation.

When will such a war end? How will it end?

Even our Arab allies in the coalition who favor war appear uncertain as to how to conduct it. What objectives would we try to achieve, other than massive destruction of Iraq? Just this week, reports from Saudi Arabia indicate that top officials among our Arab allies are concerned that far too much attention is being focused on launching a war and far too little attention is being paid to plans for bringing the war to a conclusion.

THE CONSEQUENCES OF VICTORY

These questions lead us to the fifth factor that should give us pause: The uncertain consequences of military victory.

Do those who favor an early war have any notion of the political forces—of passion and instability—that would be unleashed in the Middle East even by a successful counteroffensive against Iraq?

I have come to the reluctant and deeply disturbing conclusion that, while the administration is ready to start a war, it does not even begin to appreciate the consequences of such a war—and does not know how to end it.

We do not even know how our allied partners will behave if war comes. Would American forces be required to occupy Iraq? If so, will our Arab allies join us in pursuing Iraqi forces within Iraq? Egypt has said it will not; will others? Are we thus to be left to wage a ground war within Iraq ourselves, including street-to-street combat amid a hostile Arab population?

Meanwhile, how do we respond if Syria and Iran use the cover of an American invasion to dismember Iraq? Our Saudi allies want to see Saddam overthrown but without the disintegration of his country. Are we to fight with the Saudis against Syria and Iran?

Above all, as a consequence of an American attack on Iraq, would anti-Americanism sweep through the Arab world, at the expense of the United States and of Israel?

In short, what would victory look like? In Foreign Relations Committee testimony from this country's foremost experts on the Middle East, one message emerged louder and clearer than all the rest: If the international

coalition launches an offensive against Iraq, whatever our hopes that other countries will participate, an overwhelming majority of Arabs and Muslims will regard such a war as an attack by the United States of America against the Arab world.

This fact is not just incidental; not just an unfortunate aspect of war that we must grin and bear. We have all agreed that this crisis must be perceived as the world against Iraq—not George Bush against Saddam Hussein.

We can keep that perception alive if the policy is sanctions. But if the policy is war, it will be seen as an American war; it will be seen as the American President against the aspiring leader of the Arab nation.

Again, our commander in the field, General Schwarzkopf, is keenly aware of this danger. I quote: "We don't want to win the war and lose the peace."

And who will be the winners? Who else but Syria and Iran? Both are powerful terrorist states extremely hostile to American interests.

If we rush to war, according to former National Security Adviser Brzezinski,

> it is probable that fundamentalist Iran will become the dominant power in the Persian Gulf, and that terrorist Syria will inherit the mantle of leadership among the Arabs.

Thus, Dr. Brzezinski says:

> An American military invasion of Iraq would be likely to set off a chain reaction that could bog America down in a variety of prolonged security operations, in a setting of intensified political instability. * * * [S]ubsequent to the war the United States might not be able to extricate itself from the Middle Eastern cauldron, especially if in the meantime the Arab masses have become radicalized and hostile to the Arab regimes that endorsed the U.S. military action.

I believe that everyone in this chamber wishes to support the President to the maximum degree possible in a time of crisis. But every Senator here—of both parties—must also weigh heavily these potentially dangerous consequences of a so-called victory against Iraq.

For American foreign policy, for our profound interests in the Middle East, and for the welfare of the American people, any such victory would constitute the esssence of folly.

THE "NEW WORLD ORDER"

A sixth factor is the model of action inherent in an American rush to war. Administration officials have brandished the concept of a new world order. Surely this is a concept to be applauded and embraced.

But what model—of any possible future utility—would be established by a process whereby the United Nations imposes sanctions briefly, after which the United States undertakes massive and unilateral military action with a veil of U.N. approval? Is this to be the new world order?

Let us stop to consider the effect on the American people of a perception that this "new world order" will be one wherein we are the world's policeman, shedding our blood and treasure to stop aggression around the globe. I believe that Americans would recoil from that role in bitterness and resentment.

Rather than ushering in a new era of internationalism, our policy would have undermined the potential to create a new order in which the United States participated effectively—but collectively—in upholding international law. We would create American isolationism when we need to create American internationalism.

What might establish a model applicable to the future is a successful policy of collective sanctions, backed up and enforced by a multilateral military force. But that possibility—and the valuable precedent it would represent—would be foreclosed by a rush to war.

THE FLAWED RECORD OF AMERICAN POLICY

Thus far, I have cited six factors that should give every American pause before a rush to war:

First, the absence of a vital interest requiring defense by means of war;

Second, the sharp division of American opinion;

Third, the dubious character of the so-called international coalition if war comes;

Fourth, the uncertain and potentially severe costs of victory;

Fifth, the uncertain, perverse, and potentially dangerous consequences of victory; and

Sixth, the inconsistency between a rush to war and the building of a new world order.

To these six factors, I regret, must be added a seventh, which is the tragically myopic record of American policy vis-a-vis Iraq during this and the previous administration.

As we consider committing American forces to battle, we are asked to rely upon the policy judgment of an administration that just 6 months ago was still courting the regime against which our soldiers would be fighting.

As recently as last summer, the Bush administration adamantly resisted the efforts of Congress to apply sanctions against the Iraqi regime for its barbarous use of poison gas in slaughtering its own Kurdish citizens.

Just 6 weeks before Iraq invaded Kuwait, a top administration human rights official described in bloody detail what he called Iraq's "shocking, indiscriminate use of chemical weapons" that had killed "thousands of men, women, and children."

And yet on that same day, the administration's top Middle East policy official offered this pathetic approach:

> We believe it is important to give the Government of Iraq an opportunity to demonstrate that it can act to reverse this deterioration in relations. We are therefore opposed to legislation which would impose economic sanctions.

And it was virtually on the eve of Iraq's invasion of Kuwait that this administration's Ambassador in Baghdad told Saddam Hussein, personally and directly, that the United States stood neutral on the question of inter-Arab borders.

I do not wish to engage in recriminations. Each of us is fallible and prone to mistakes, and we must suppose that officials in both the Reagan and Bush administrations were pursuing American interests as best they could. But our record of mistakes and miscalculations in the Persian Gulf should counsel us toward caution before we once again assume a posture of great confidence and certainty, particularly in setting ourselves on a path toward war.

Again, I believe that Professor Schlesinger's words are profound:

> Quite apart from the future, one wonders whether we even know enough about the present to act with any sort of confidence in the Middle East. * * * We do not understand the cultures, speak the languages, appreciate the religions, comprehend the ways of life.
>
> That, of course, is why we get so many things wrong. One day we embrace Saddam Hussein and the next we condemn him as the Great Satan. One day we condemn Assad of Syria as the king of terrorists and the next we embrace him. * * * When we were so wrong about the Middle East yesterday, and the day before yesterday, and the day before that, why in the world do we suppose we have suddenly got it right today—right enough to send thousands of young Americans to their deaths?

He also reminds us that we are embarking on this path with a liability we carried into Vietnam: A severe lacking within our Government of expertise on the region. Just as there were no wise men on Southeast Asia: No Bohlens, Kennans, Thompsons, or Harrimans to turn to on Vietnam, we have, says Professor Schlesinger,

> No Middle Eastern Bohlens and Kennans advising our Government at high levels today. We plunge on in a condition approximating invincible ignorance, with no idea of the traps lying ahead, the labyrinthine and treacherous politics of the area, the forever shifting sands. Are we really so sure now that we have the wisdom to pick the best course and the power to attain our goals?

In keeping with my sincere desire to avoid recriminations, I will also not dwell on the role played by certain leading Senators of the President's party who journeyed to Baghdad not so very long before the Iraqi invasion and apologized to Mr. Hussein for the ill words spoken of his barbaric regime during an international broadcast of our Voice of America. I will state that I am not inclined to accept from those same Senators any insinuation that we who oppose a rush to war in favor of a policy of sanctions are somehow not tough enough in our opposition to Saddam Hussein.

Having watched the administration so unwisely lead Saddam into temptation, should we now follow the admin-

istration blindly as it leads us needlessly into war? I think not.

THE UNPROVEN CASE FOR WAR

What is the case for war?

Hovering over this debate, and inclining some Americans to support the war option, is a frightening specter: That Saddam Hussein may at some point acquire a nuclear weapon.

What of this specter? How should we evaluate it? What should we do about it?

First, it bears emphasis that, according to our own Secretary of Defense, Saddam Hussein has no prospect for achieving a nuclear capability for 5 years, 10 years or more. For this reason alone, fear of an Iraqi bomb does not create an urgent need for conventional war now to prevent nuclear war later.

I do not denigrate the danger that could one day be posed by an Iraqi bomb. But that danger is precisely why we can and must act to impose a prolonged air-tight embargo on critical nuclear supplies entering Iraq. As the administration well knows, an effective embargo will enable us to push the threat of an Iraqi bomb ever further into the future.

And what will that future look like? Some ask, "If we know that Saddam may someday have a bomb, isn't it better to fight him before he gets one?"

Let me again quote Professor Schlesinger, who reminds us once more of our fallibility:

> It requires considerable arrogance to claim sufficient foreknowledge of what Iraq will be doing 5—or 10—or 15 years from now to justify the sacrifice of countless lives today."

As Professor Schlesinger points out, these same arguments were heard in this Chamber at various points in the cold war to urge a preventive war against the Soviet Union and China. And he reminds us of the words of Andrei Sakharov: that a preventive war is simply "wrong in principle. We know too little about the laws of history. The future is unpredictable; we are not gods."

We are surely not gods, but we can act as reasonable men and women. In the past, the United States has employed a well-reasoned and well-executed concept of nuclear deterrence—based upon the ability to retaliate against an enemy's use of nuclear weapons with devastating force.

This strategy has worked against Stalin, Mao, and other dictators no less brutal than Saddam. And there is every reason to believe that such a policy could deter Saddam—assuming, which I must doubt, that he survives long enough to acquire a nuclear capability.

And if we do find ourselves faced with that sad eventuality, Saddam will know that it is not just the United States that has the power to retaliate with nuclear weapons—but Israel as well.

The truth about the Iraqi nuclear bomb issue is that it represents no real dispute between the supporters of war now and the supporters of sustained sanctions. Why? Because the President has already authorized Secretary Baker to assure Iraq that if its forces leave Kuwait it will not be attacked by the United States, notwithstanding the prospect of an Iraqi nuclear capability.

Thus, the Bush administration itself has spoken loudly and clearly that the Iraqi nuclear bomb is not a justification for war.

Given that the administration cannot logically use the Iraqi nuclear threat as a justification for attack, the weight of the Administration's case for a rush to war is based on two assertions: First, that sanctions will not work in forcing Iraqi withdrawal from Kuwait; second, that the international coalition will collapse if we pursue a policy of sustained sanctions.

In hours and hours of hearings, the Foreign Relations Committee examined each assertion, and I believe found each to be without substance.

Are sanctions failing, as the administration now asserts? The obvious response is that, at this early point, we could not know; and if we rush into war, we will never know. Secretary Schlesinger, Dr. Brzezinski, and leading experts on the history of sanctions all pointed to the simple truth—that we knew all along: Sanctions take time.

As Dr. Brzezinski put it:

> The administration's argument that the sanctions are not working suggests that in the first instance it had entertained extremely naive notions regarding how sanctions acutally do work. They not only take time; they are by their nature an instrument for softening up the opponent. * * * Sanctions are not a blunt instrument for promptly achieving total surrender.

As Secretary Schlesinger said:

> Since the original estimate was that the sanctions route would require a year, it seems rather illogical to express impatience with them, because they will not have produced the hoped-for results in 6 months.

Adm. William Crowe, the former Chairman of the Joint Chiefs, put matters in sound perspective this way:

> The issue is not whether an embargo will work, but whether we have the patience to let it take effect. * * * It would be a sad commentary if Saddam Hussein, a two-bit tyrant who sits on 17 million people and possesses a GNP of $40 billion, proved to be more patient than the United States, the world's most affluent and powerful nation.

And once again our commander in the field, General Schwarzkopf, gave us advice to heed. Indeed, he essentially summarized the decision before the Congress and its effect on the American men and women in the Saudi desert: "If the alternative to dying is sitting out in the sun for another summer," he said, "then that's not a bad alternative. * * * Time is on the side of the world coalition."

In truth, the debate over the efficacy of sanctions is a debate between the Bush administration of September and the Bush administration now. In September, Secretary Baker testified before the Foreign Relations Committee as follows:

> We believe this coordinated and comprehensive international isolation of Iraq is the only peaceful path to meeting the objective set by the President. Our efforts will, however, take time and that is what we ask most of the American people: stand firm, be patient, and remain united so that together we can show that aggression does not pay.

The American people have not lost patience; the Congress has not lost patience. It is the administration that has lost patience.

The administration justifies its loss of patience by arguing that a sustained sanctions policy is infeasible because the coalition cannot hold. But this assertion does not stand the test of scrutiny. Any argument that the coalition will not hold in peacetime becomes an even more powerful argument that the coalition would collapse in war.

Testifying before the Foreign Relations Committee, Secretary of State Baker was unable to identify one country in the international coalition whose participation was in doubt if we stuck with sanctions.

What, for example, of the ally that hosts our military forces? King Fahd has stated that the presence of American forces in Saudi Arabia is a blessing from God. Is there any reason to believe that his government would wish to dissolve its participation in the coalition rather than sustain a policy of sanctions backed by deterrent force? The question answers itself.

As to other participants in the coalition, such as Turkey and Egypt, which are suffering economic loss due to the sanctions, is there any reason to believe that they cannot be adequately and effectively compensated by the gulf oil states which the coalition is defending? The Saudis, after all, are pumping oil—and earning profits—at an unprecedented rate even as we speak.

Moreover, is there any reason to believe that, if we adopted a policy of patient strength, we could not effectively encourage the gulf oil states to become far more generous than they have ever been before in sharing some of their vast oil wealth with their far less prosperous Arab brethren—thus turning the "have-have not" issue into an asset of the coalition, rather than a liability. Such things are possible—if we adopt a policy of patient strength.

Nearly every Middle East expert testified that it is a war policy that will split the coalition—not a sanctions policy. Through sanctions, we can manage this crisis as the world-against-Iraq. Through war, we will make it George Bush-against-Saddam Hussein. The choice is ours.

If keeping the world against Iraq—not America against the Arab world—is

the central principle guiding our strategy, then a siege, not war, must be our tactic.

I will therefore vote in these proceedings in favor of severe and sustained siege against Iraq. I will oppose an impetuous and ill-considered rush to war.

A DISTINCTION BETWEEN AUTHORIZATION AND MANDATE

I close by commenting on the implications of the vote to come. If my side of the debate prevails, the President is legally obliged to continue a policy of siege. If my side of the debate does not prevail, the President will have obtained the legal authority to undertake war.

But authority for war must be distinguished from a mandate for war. Never before has our Nation stood on the verge of war and yet stood so divided. Thus, while a narrow victory in Congress may give the President what is legally necessary, it will not provide what is politically sufficient—a strong mandate for war.

Accordingly, whatever the outcome of this contentious debate and the vote that concludes it, I believe that the message to the President is clear: Sustain the sanctions; weaken Iraq; continue to build and improve the international coalition; do not carry the American people into a precipitous war that will divide and weaken our Nation, and undermine any real prospect for a new world order.

Mr. President, I ask unanimous consent an Amnesty International report on Iraq dated Feburary 1989, testimony by Joshua R. Gilder and Department of State reports on human rights practices in Iraq in 1988 and 1989 be printed in the RECORD at the conclusion of my statements.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From Amnesty International, February 1989]

IRAQ—CHILDREN, INNOCENT VICTIMS OF POLITICAL REPRESSION

1. INTRODUCTION

"Iraq regards children as a basic pillar of society and, accordingly, makes a special effort to ensure their welfare since they represent the future prospects of society" (taken from the Iraqi Government's Second Periodic Report to the United Nations Human Rights Committee CCPR/C/37/Add. 3, 18 July 1986).

Brutal treatment of children has become routine practice in the prisons of Iraq. Young people have been tortured, often to force them to reveal information about their relatives. Even infants have been ill-treated to compel members of their families to "confess" to alleged political offences.

Children have frequently been the victims of human rights violations in Iraq. Information received by Amnesty International over a number of years indicates that children have been the victims of arbitrary arrest and detention without charge or trial. They have been imprisoned as "hostages" in lieu of their parents or relatives who were being sought by the authorities. They have sometimes "disappeared" following their arrest, and their fate and whereabouts have remained unknown for years. They have been subjected to torture and ill-treatment at the hands of the security forces; some were reported to have died in custody as a result of such treatment. Children have been the victims of the wide-ranging application of the death penalty in Iraq. In some instances such executions have been carried out without prior legal proceedings or following summary trials by military or special courts. Children have also been the victims of deliberate killings by government forces, in some instances on a massive scale. School children have been apprehended, lined up and summarily shot in public. They have been shot dead in demonstrations. Whole families, including children and infants, have been killed in large-scale military attacks by Iraqi troops on civilian targets.

In sum, children and young people have become the innocent victims of a policy of political repression. Opponents and critics of the government have frequently had to pay a price for their activities in terms of the welfare—and sometimes the lives—of their children.

2. INTERNATIONAL LAW AND IRAQI LEGISLATION

The rights of children have been embodied in a number of international human rights instruments, notably the International Covenant on Civil and Political Rights (ICCPR), to which the Republic of Iraq is a state party. In recent years, the rights of children have received increased attention in the world of international human rights law. Recognizing the particular vulnerability of the young, the fact that they cannot be held responsible for their actions in the same way as adults and their need for special protection, there have for some years been moves to establish a Convention on the Rights of the Child.

In 1959 the United Nations General Assembly adopted a Declaration on the Rights of the Child, and the proposed convention would make some of these rights legally binding on states party to it. It would also cover areas that the original Declaration did not, such as the problems of children in detention.

In 1985 the UN endorsed Standard Minimum Rules for the Administration of Juvenile Justice, which covered the treatment of children caught up in the criminal justice system. The rules state that juveniles should be deprived of their liberty only when there is no other appropriate response. They also rule out the death penalty and corporal punishment for the young.

A move is underway to supplement these rules by special new UN Standard Minimum Rules for the Protection of Juveniles Deprived of their Liberty—that is, rules covering the treatment of imprisoned children. It is expected that these will be drafted by 1990. Amnesty International is one of many nongovernmental organizations which have been meeting to propose ideas for the Convention on the Rights of the Child and the rules governing the treatment of imprisoned children, and has pressed for the Convention to contain effective measures to ensure that the rights of children are protected. A Working Group of the UN Commission on Human Rights has completed work on a draft Convention. It is hoped that the Commission will forward the text to the UN General Assembly for adoption this year, which coincides with the 30th anniversary of its adoption of the Declaration on the Rights of the Child and the 10th anniversary of International Year of the Child.

The Government of Iraq signed the ICCPR on 18 February 1969, and ratified it without reservation on 25 January 1971 in accordance with Article 43(d) of Iraq's Interim Constitution of 1970. Iraq became bound by the ICCPR on 23 March 1976 when it came into force. Article 24(1) of the ICCPR states: "Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, or on the part of his family, society and the State."

The rights of children are also protected under articles 6, 10 and 14 of the ICCPR relating to, respectively, the non-application of the death penalty to minors, the rules governing juvenile detention and trial procedures in cases involving juvenile offenders (see below under relevant sections). In June 1979, in accordance with Article 40 of the ICCPR the Iraqi government submitted its Initial Report[1] to the Human Rights Committee, the body created by the ICCPR to monitor implementation of the Covenant's provision by State Parties. Iraq's Second Periodic Report[2] to the Committee was submitted in April 1986.

Similar safeguards are also incorporated in Iraq's domestic legislation, intended to protect minors in relation to arrest, detention, trial and sentencing procedures, as well as their cultural and economic rights. These safeguards are codified principally in Iraq's Penal Code (No. 111 of 1969), the Code of Criminal Procedure (No. 23 of 1971), the Juvenile Law (No. 64 of 1972) and Act No. 104 of 21 September 1981 Concerning the Public Authority for Social Reform. As defined by Iraqi law, "a juvenile is a person, male or female, who has completed his seventh year of age but has not completed his eighteenth year at the time of the commission of the offence. If a juvenile has not yet completed his fifteenth year of age, he is defined as a 'boy'; if he has completed fifteen, but not eighteen years, he is defined as a 'youth'."[3]

(References to the specific provisions in Iraqi legislation designed to protect the rights of minors in detention appear in the sections below.)

This document contains information which suggests that the Government of Iraq has over the years been repeatedly and flagrantly in breach of its own domestic legislation as well as of international human rights treaties it has ratified. The government has frequently reiterated its denial of allegations that the rights of Iraqi children are being violated. Despite the sheer scale and nature of such abuses, as documented in this report, the government has only seen fit to give vague assurances that it "has done its utmost in striving to adhere to its international obligations in accordance with international human rights treaties . . .".[4]

3. ARBITRARY ARRESTS

Article 9(1) of the ICCPR states: "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."

Iraq's Interim Constitution (passed by RCC Resolution No. 792 of 1970) "prohibits the arrest, detention, imprisonment or search of anyone except by law". The Code of Criminal Procedure contains a number of provisions protecting individuals from arbitrary arrest and guaranteeing their right to liberty. Infringements of these provisions constitute

Footnotes at end of article.

offences punishable in accordance with the Penal Code. Article 322 of the Penal Code states that any government employee or public servant who arrests or detains any person in circumstances other than those prescribed by law is punishable with a term of imprisonment not exceeding seven years.

The Penal Code, furthermore, defines acts directed towards children and minors as criminal offences. Article 383 of the code stipulates that: "Anyone who exposes to danger, whether directly or through another person, the life of a person who has not attained the age of fifteen . . . shall be punishable with a term of imprisonment not exceeding three years or with a fine not exceeding 300 Dinars."

Despite the Iraqi Government's assurances to the contrary, Amnesty International believes that the provisions of the Code of Criminal Procedure guaranteeing individuals freedom from arbitrary arrest are in practice rarely enforced or supervised with respect to prisoners held for political reasons, including children. Further, the organization is not aware of any cases where the provisions of the Penal Code were enforced with respect to officials found guilty of violating the provisions of the Code of Criminal Procedure. In the majority of cases brought before Amnesty International's attention, political suspects and their children are arrested without a warrant and are not informed of the reasons for their arrest or the legal basis for their detention. They are frequently held incummunicado for prolonged periods without access to a lawyer, relatives or a doctor. Relatives consistently testify to Amnesty International that they remain ignorant of the fate and whereabouts of detained family members until they are either released or executed. During this period, which may last for several months or years, the detainees have effectively "disappeared" and relatives often refrain from making enquiries about them for fear of reprisals by the authorities. Political suspects may continue to be held without trial for indefinite periods or sentenced to terms of imprisonment following summary trials, without any right of defence or appeal.

Children and young people below the age of eighteen have frequently been the victims of such abuses in Iraq. Young people have been arrested on suspicion of being involved in political activities opposed to the government, or merely on suspicion of being sympathisers of a particular opposition group. Among those subsequently charged and put on trial, some have been sentenced to death or to heavy terms of imprisonment. However, in the vast majority of cases brought before Amnesty International's attention, children have been the innocent victims of a policy aimed at stifling all forms of political dissent in the country. Children have been arrested in order to force their parents to desist from any form of 'hostile' political activity. They have been arrested in order to force their parents or relatives being sought by the authorities to give themselves up. Children, including infants, have been kept in detention with their parents in order to force the latter to confess to alleged political offences.

Among those detained are the children of members or supporters of prohibited political parties, including al-Da'wa al-Islamiyya (Islamic Call), membership of which is a capital offence; The Iraqi Communist Party (ICP); the Kurdistan Democratic Party (KDP); the Kurdistan Socialist Party Iraq (KSP-I); the Kurdistan Popular Democratic Party (KPDP); the Patriotic Union of Kurdistan (PUK) and other suspected government opponents or critics. The detention of children has also been a consequence of the Iraqi Government's pursuance of other policies. For example, in the early 1980's, shortly after the outbreak of the Iran-Iraq war, the Iraqi authorities deported thousands of families to Iran, declaring that the families were of Iranian descent (taba'iyya). The majority of deportees—women, children and old people—were from Arab Shi'i families. In many cases, the male members of such families, including minors, were arrested and detained without charge in Iraq's prisons. Similarly, male members of Feyli Kurdish (Shi'i muslim) families deported to Iran were arrested and detained (see also Section 7).[5]

Twelve children were among some 130 members of the al-Hakim family arrested by Iraqi security forces in May 1983, of whom over 50 are believed to be still detained. The ages of those arrested ranged from 9 to 76. All were relatives of Ayatollah Muhammad Baqer al-Hakim, spokesman for the exiled Iraqi Shi'i opposition in Iran and son of the late leader of the Shi'i community in Iraq, Ayatollah Muhsin al-Hakim. The family has been closely associated with the Shi'i movement, al-Da'wa al-Islamiyya. Six members of the al-Hakim family were executed in prison in Baghdad on 19 May 1983. The government confirmed these executions to Amnesty International, but denied that others from the family had been arrested. However, on 5 March 1985 ten other members of the family were executed in prison in Baghdad. These executions were also later confirmed by the government.

The fate and whereabouts of twelve members of the al-Hakim family, whose ages at the time of arrest ranged between nine and 17, remain unknown. Among them is Sayyid 'Ali Sayyid 'Abd al-Hadi al-Hakim, fifteen years old when arrested in May 1983. His father, Hojatoleslam Sayyid 'Abd al-Hadi al-Hakim and his two brothers, Hussain and Hassan (aged 18 and 22 respectively) were executed in March 1985. The fate of the adult members of the family leads Amnesty International to fear for the safety of the children. (See Appendix C for the names of the twelve children, and Appendix F2 for photographs).

Below are the details of six Kurdish children arrested in July and August 1985, and whose parents or relatives were said to be members of the KDP's Pesh Merga forces (armed Kurdish units). One of the children was arrested with his father; the others were arrested as hostages in lieu of relatives being sought by the authorities. Their ages at the time of arrest ranged between six and thirteen. As far as Amnesty International is aware, none have since been released.

Ladhgin Sabri Hussain: born in 1975 in Zakho; an intermediate school student; arrested at the age of ten in July 1985 by police in Zakho with his father, who was suspected of having joined the Pesh Merga forces; initially held in Zakho; last known to have been detained in Mosul.

Muhammad Omar Najm: born in 1974 in Zakho; arrested at the age of eleven on 12 August 1985 by intelligence officers in Zakho because of his father's membership of the Pesh Merga forces; initially held in Zakho; last known to have been detained at police headquarters in Tikrit.

Lami Khan 'Abd al-Baqi Taha (female) and Jum'a 'Abd al-Baqi Taha: sister and brother born in Duhok in 1973 and 1974 respectively; intermediate school students; arrested with their mother at the ages of 12 and 11 respectively by security forces in Duhok; their elder brother was suspected of membership of the Pesh Merga forces; both children and their mother were last known to be detained in Duhok.

Mirza Rasho and Mardan Rasho: brothers born in 1979 and 1972 respectively in al-Shaikhan; Mardan Rasho was an intermediate school student at the time; arrested at the ages of 6 and 13 respectively in July 1985 by security forces in al-Shaikhan because of their father's suspected membership of the Pesh Merga forces; initially held in al-Shaikhan; last known to be detained in Mosul.

In some instances the arrest of children as hostages in lieu of their parents or relatives has taken place on a massive scale. Between late September and mid-October 1985, some 300 Kurdish children and youths were arbitrarily arrested by security forces in Sulaimaniya in northern Iraq. They were aged between 17 and 23 at the time. According to information received by Amnesty International, the children and youths included those whose relatives had deserted from the army or who had joined the Pesh Merga forces. They were apparently arrested as hostages in order to force their parents or other relatives to give themselves up to the authorities. Others were said to have been arrested in order to act as informers, and to extract information from them about the activities of the Pesh Merga forces and their supporters in Salaimaniya, including possible activities by members of their own families.

Initial reports received after their arrest suggested that the children and youths were being held in a detention centre in Sulaimaniya known as Maktab al-Mulazim Muhsin. Later reports suggested that some had been transferred to Fudailiyya Security Headquarters in Baghdad. Allegations were received that some of the children had been subjected to torture and that three had died in custody as a result of such treatment (see Section 6). The Iraqi Government initially denied that such arrests had taken place. In response to appeals by Amnesty International, the government stated in a letter received on 29 April 1986: "The Government of Iraq, having considered the verbal notes and cables sent by Amnesty International and its branches implying allegations about [the] detention of 300 children in the Iraqi city of Sulaimaniya, has found such allegations totally false . . .".

However, in February 1987, information was received that 29 of the children and youths had been executed in early January 1987. The government confirmed seven of these executions in September 1987 (see Section 8). The fate and whereabouts of the other children arrested in this group remain unknown.

4. JUVENILE DETENTION

Article 10(1) of the ICCPR states: "All persons deprived of their liberty shall be treated with humanity and respect for the inherent dignity of the human person."

The same article (paragraph 2b) states: "Accused juvenile persons shall be separated from adults and brought as speedily as possible for adjudication."

Paragraph 3 of the same article states: "The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation. Juvenile offenders shall be segregated from adults and be accorded treatment appropriate to their age and legal status."

Similar and additional safeguards designed to protect the rights of juveniles in deten-

tion have been incorporated into Article 19 of the UN Draft Convention on the Rights of the Child and the Draft Standard Minimum Rules for the Protection of Juveniles Deprived of their Liberty. Part II of the Draft Standard Minimum Rules, in particular, addresses the rights of juveniles under sentence, juveniles under arrest or awaiting trial, juveniles arrested or detained without charge and children in prison with one or both parents or born in prison.

Iraqi legislation also contains a number of such provisions. In its Initial Report to the UN Human Rights Committee, the Iraqi Government stated: "The principle observed in Iraqi legislation regarding juvenile detention is that a juvenile should not be detained for minor violations, but he may be detained for a misdemeanour or a serious offence in order to examine and study his personality, or when he fails to produce a person to bail him. He must be detained if the charge against him is punishable by the death penalty, [provided he has attained] ten years of age.

"In cases [where] the detention of a juvenile is decided in accordance with the aforementioned principle, the detention is executed in an observation house. In areas where there is no observation house, all necessary measures should be taken to ensure that the juvenile person be separated from adult detainees."[6]

Articles 32 and 33 of the Juvenile Law of 1972 provide that juveniles shall be detained in a penitentiary, and accorded treatment appropriate to their age and legal status. According to the Penitentiary School Regulations (No. 31 of 1964) "boys" (ie. below the age of 15) are segregated from "youths" (ie. below the age of 18). Article 16 of the same law specifies that juvenile offenders are transferred to a school for youth training upon reaching the age of 18. Both penitentiaries and youth training schools fall within the jurisdiction of the Ministry of Labour and Social Affairs. According to the government's Initial Report to the UN Human Rights Committee, the activities of the penitentiaries and youth training schools are supervised by an administrative board composed of the Director General of Social Services at the above-mentioned ministry, who acts as chairperson, as well as the judge of the Juvenile Court, the head of the penitentiary or youth training school in question, a physician and a social worker.

Iraqi legislation also contains a number of provisions pertaining to the rights of juvenile offenders. These include the right to pursue their education, to receive vocational training and to receive wages for work undertaken in the penitentiary. There are also regulations concerning the right of juvenile offenders to receive adequate medical treatment, to correspond and receive letters, to receive visits and to leave the penitentiary on home-leave for specified periods. Act No. 104 of 1981, for example, accords to both adult and juvenile offenders a number of rights, including the following:

Article 28: The right to receive visits in accordance with the times specified by the competent authorities.

Article 31: The right not to be deprived of visits for more than one month except with the agreement of the Director-General, and for more than three months under any circumstances.

Article 33: The right to free medical treatment.

Article 38: The right to home-leave for ten days (in the case of juveniles) twice a year.

Article 40: The right to correspond and receive letters.

Article 43 of the same act, however, stipulates that when disciplinary measures are imposed on juvenile (and adult) offenders, certain of these rights may be withheld for a period not exceeding three months. (For references to the right of juvenile offenders to make complaints against ill-treatment while in custody, see Section 6).

Amnesty International believes that the provisions of Act No. 104 of 1981 and other laws governing the rights and treatment of juvenile offenders are rarely enforced in practice in political cases. The most elementary of these provisions, which specifies the minimum age at which a person is regarded as a juvenile offender, is violated. Article 66 of Iraq's Penal Code defines a juvenile offender as one who has "attained the age of seven but not the age of eighteen at the time of the commission of the crime". Article 233 (a) of the Code of Criminal Procedure contains the same provisions. Yet children below the age of seven have been detained, such as Mirza Rasho (referred to in Section 3 above), imprisoned since the age of six following his arrest in 1985. Even infants aged several months have been imprisoned with their parents (see Section 6).

The Iraqi Government has stated that juveniles are not detained for minor violations but only for misdemeanours or serious offences. In the majority of cases brought to Amnesty International's attention, detained juveniles have committed no offences whatsoever. Their imprisonment constitutes, in Amnesty International's view, an act of retribution against their parents or relatives for real or suspected 'hostile political activity'.

Children and young people imprisoned either for alleged political offences, or simply as a punishment for the activities of family members, have not been segregated from adult detainees through confinement in penitentiaries or other institutions for juvenile offenders. Rather, they have been held in local police stations or security forces' headquarters in the areas where they were arrested. Subsequently they have been transferred to some of Iraq's most notorious prisons and detention centres. Muhammad Omar Najm (referred to in Section 3 above), a Kurdish boy arrested at the age of 12 in August 1985, was held at police headquarters in Tikrit. 'Ali Mahdi Shabandari, aged 15 when arrested in September 1983, was held at Mudiriyyat 'Amn Karbala' (Karbala' Security Directorate). Kadhim Sikar 'Abbas al-Rubai'i, aged 14 when arrested in April 1982, was held at Mudiriyyat Amn al-Hilla (al-Hilla Security Directorate) (see Appendix B for details of these and other cases). Some are eventually transferred to Abu Ghraib Prison on the outskirts of Baghdad. Eight Kurdish youths, aged between 14 and 17 at the time of their arrest, were detained and later executed (in 1987) in this prison (See Appendix D for names). According to a testimony received in July 1988 from a group of former detainees held in Abu Ghraib, several hundred women and children were said to be held at the prison. They were reportedly kept in communal cells reserved for families.

In November 1988 Amnesty International received another testimony from a former detainee held for some 14 months on charges of working with the Pesh Merga forces of the Kurdistan Socialist Party—Iraq. He stated that he was tortured while in detention, most of which was spent in Abu Ghraib Prison. In his testimony he mentions some of the detainees held with him: "The wing in which I was placed held more than 1,800 prisoners, and is known as the Special Wing. All those held there were charged with political offences. About (100) of them were accused of membership of the Kurdistan Socialist Party. They include four children, I remember the names of three of them. They are Yusuf, Salim and Khadr and they are from Arbil. The ages of these children ranged between 13 and 16 years. They had been charged with cooperating with the Pesh Merga forces of the Kurdistan Socialist Party—Iraq."

Such young detainees, according to Amnesty International's information, have been deprived of the most basic rights accorded to juveniles deprived of their liberty under Iraqi law. This includes the right to correspond and receive letters and the right to receive visits. In numerous cases known to Amnesty International, parents are not even aware of the whereabouts of their detained children. They frequently refrain from making enquiries in this regard for fear of reprisals by the authorities. In some cases, parents only become aware of the fate of their detained children when they have either been released or executed.

5. TRIAL PROCEDURES

Article 14(1) of the ICCPR states: "All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law * * *"

Paragraph 4 of the same article states: "In the case of juvenile persons, the procedure shall be such as will take account of their age and the desirability of promoting their rehabilitation."

In Iraq, the provisions relating to investigations and trial procedures in cases of juvenile offenders are contained in the Code of Criminal Procedure and the Juvenile Law. The principal provisions are summarized in the Iraqi Government's Initial Report to the UN Human Rights Committee as follows: "The examining judge or the judicial [investigator] takes charge of collecting evidence. The examining judge is required to request a social worker to do social research on the juvenile charged with a criminal offence. He may request this even when the inquiry concerns a delict . . . If a juvenile person is charged with a criminal offence, and the judge finds that the evidence is sufficient to commit him to the Juvenile Court, he is required to send him first to the Social Services Bureau to have him examined * * * The judge may send the juvenile to the Bureau if he is accused of a delict and if his condition and the circumstances of the delict require such an examination. The Bureau examines the juvenile person physically and mentally and reports its findings in writing. The examining judge may suggest the penalty and recommend measures to the taken by the court regarding the juvenile person. This report is to be enclosed in the case file."[7]

All cases involving offences committed by juveniles are required to be referred to the Juvenile Court, which is competent to hear cases against offenders between the ages of seven and seventeen. If the offender attains the age of 18 during the investigation stage, his case is referred to the criminal court or to the higher criminal court. If, however, he has already been referred to the Juvenile Court upon reaching the age of 18, his case will be heard by that court [CCP, Article 233 c].

The panel of the Juvenile Court is normally composed of a judge, a medical practitioner and a social worker. Trials of juvenile offenders are conducted in camera, attended

only by members of the court and its officials as well as the parties concerned with the case, including relatives of the accused, his defense lawyer and witnesses [CCP, Article 238 a]. The provisions of the Juvenile Law are applied at all stages of investigation, trial, sentencing, appeal and execution of sentence [CCP, Article 242 a].

Amnesty International's information indicates that a number of safeguards relating to trial procedures guaranteed in the Code of Criminal Procedure are in practice frequently violated, and that proceedings fail to conform to internationally accepted standards for a fair trial established under Article 14 of the ICCPR. Moreover, most political prisoners are tried not by ordinary criminal courts but by permanent or temporary special courts, notably the Revolutionary Court (a permanent special court functioning since 1969). The provisions of the CPP are by law applicable to proceedings of the Revolutionary Court (Law No. 1 of 1969). However, sentences passed by the Revolutionary Court are final and cannot be appealed again to a higher judicial body. The Iraqi Government has often stated that the provisions of the CPP are enforced, but it has failed to provide documentation to that effect, despite the organization's repeated requests for such information.

Similarly, juveniles imprisoned for alleged political offences have not been tried by the juvenile courts, but by military courts and ad hoc special courts. Between October and December 1978, for example, five Kurdish youths aged between 15 and 17 were reported to have been sentenced to death by military court following summary proceedings (see Appendix D for names). They were said to have been KDP sympathizers. Another case is that of Azad Yusuf Omar, a Kurdish youth from Majeed Bag arrested in September/October 1985 at the age of 17. He was one of some 300 children and youths arrested at that time in the city of Sulaimaniya, principally in retaliation for the activities of their parents and relatives (see Section 3 for background details). Information received from the Iraqi Government in September 1987 stated that Azad Yusuf Omar had not been executed as initially reported, but was tried by a special court (date of trial unknown) and sentenced to life imprisonment. The government did not state what the charges against him were, but gave assurances that during the tiral "* * * all judicial and legal guarantees were fully respected, including the right to have a court-appointed lawyer to defend [him] * * * [He] was sentenced to life imprisonment due to his special case."

In its letter, the government did not indicate what was special about the case of Azad Yusuf Omar. Amnesty International subsequently requested further information on the judicial procedures followed in the court during the trial and further clarification on Azad Yusuf Omar's case. No response was received. Amnesty International's concerns about the fairness of trails by temporary special courts (courts set up on an ad hoc basis to try particular groups of prisoners) have been raised with the government on various occasions, including during the organization's mission to Iraq in 1983. In previous such trials known to Amnesty International, the special courts' benches consisted solely of members of the Revolutionary Command Council, the trials were held in camera, no defence counsel was permitted and there was no opportunity to appeal.

The Iraqi Government has consistently failed to provide details of trial and appeals procedures followed in cases raised by Amnesty International, beyond giving vague assurances that the necessary legal safeguards stipulated in existing legislation were being enforced. Such was the government's reply in the case of 'Abd al-Rahman Ahmad Haji, a secondary school student from the village of Sewarea near Duhok. He was arrested in December 1984 at the age of 16, reportedly on charges of distributing KDP leaflets. According to information received by Amnesty International, he was tortured prior to his execution on 2 November 1985 at the age of 17 (see also Section 8). The government nevertheless stated in its reply on his case received in April 1986, that 'Abd al-Rahman Ahmad Haji was "* * * granted a fair trial where all judicial and legal measures were fully respected according to the Iraqi Constitution and the laws in force, including the right to have [a] court-appointed lawyer defending him."

The government did not respond to Amnesty International's subsequent requests for details on the trial and appeals procedure followed in this case.

A more recent case was that of Ribwar Muhammad Karim 'Aziz, a Kurdish youth from Sulaimaniya arrested at the age of 13. He was sentenced to death by a special court and executed in Abu Ghraib Prison in December 1987 at the age of 16. The government "assured" Amnesty International that all necessary legal requirements during his trial had been fulfilled (see also Section 8).

Amnesty International has received details of other cases where trials by such courts have resulted in the passing of heavy sentences on minors for alleged political offences, but whose names the organization will not publish for fear of reprisals by the Iraqi authorities against them or their families. They include three minors arrested in 1982 whose ages ranged between 15 and 16 at the time. According to information received, they were sentenced to terms of imprisonment ranging between 15 and 20 years' imprisonment and life. Over and above Amnesty International's concerns about the fairness of trial procedures followed by such courts, the passing of sentences of life imprisonment or death on minors for whatever offence contravenes the provisions of Iraq's Penal Code and its Juvenile Law. Both these laws stipulate that minors shall be served lesser sentences in cases where they have been charged with offences normally punishable by life imprisonment or death.

In many other cases known to Amnesty International, minors have been detained indefinitely without charge or trial. Having committed no crime themselves, their fate is dependent on that of their parents or relatives for whom they are held as hostages. Alternatively, they are used as tools to induce their parents to "confess" to alleged offences.

6. TORTURE AND ILL-TREATMENT

For many years Amnesty International has received reports of the widespread torture in Iraq of political prisoners, among them minors. Some were reported to have died in custody as a result.

Torture is prohibited under Article 7 of the ICCPR which states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation."

Torture is also prohibited in Iraq under the Constitution and in national legislation, and constitutes an offence punishable in accordance with the provisions of the Penal Code. Article 22(a) of the Constitution prohibits "any form of physical and mental torture." Article 127 of the Law of Criminal Procedures states that no illegal methods may be used to extract confessions from the accused, including ill-treatment, threats to cause harm, psychological methods or the use of drugs and spirits. According to the provisions of the Penal Code: "A penalty of imprisonment not exceeding one year and a fine not exceeding 100 dinars shall be imposed upon any official or person entrusted with a public duty who, taking advantage of his post, treats another person with cruelty, causing him moral or physical harm . . ." (Article 332)

"A penalty of imprisonment shall be imposed upon any official or person entrusted with a public duty who inflicts or instigates torture on an accused person . . . to force him to confess to a crime . . . The use of force or the threat to use force are regarded as torture." (Article 333)

As regards juveniles, Article 383 of the Penal Code provides that a term of imprisonment not exceeding three years or a fine not exceeding 300 dinars be imposed on anyone exposing to danger the life of a person below the age of fifteen.

Amnesty International believes that the torture and ill-treatment of detainees in the custody of the security forces is routine and systematic in Iraq. Among the victims are political prisoners—including young people below the age of 18—tortured in order to force them to sign "confessions" or to renouce their political affiliation. Relatives, including children, arrested in lieu of suspects being sought by the authorities have also been tortured. Some are reported to have died in custody as a result. Interrogation methods used by the security forces are described as brutal, in some cases resulting in permanent physical or mental damage to the victims. Other detainees, among them minors, have also been tortured prior to their execution.

In a report published in April 1985, Amnesty International listed some 30 different methods of torture said to be used in Iraq.[8]. These range from beatings to burning, administration of electric shocks and mutilation. Over the years, the Iraqi Government has denied allegations brought to its attention by the organization, including cases supported by detailed medical evidence. During a mission to Iraq in 1983, officials told Amnesty International delegates that complaints of torture and ill-treatment had been investigated and the perpetrators punished. They stated that no one could be arrested without a warrant, that detainees could contact their families immediately after arrest, that they were allowed regular visits by relatives every 15 days and medical examinations within 24 hours after arrest, and that regular prison visits were made by independent officials. Nevertheless, the inconsistency between the government's statements and testimonies Amnesty International continues to receive from torture victims and their families remain marked. The government has declined to provide Amnesty International with documentation showing that torture allegations were ever investigated, and the organization is unaware of any instance where the perpetrators were brought to justice in accordance with national legislation.

Children and young people have also been subjected to torture while in custody. Allegations received have included the following: the extraction of fingernails, beatings, whipping, sexual abuse, electric shock treatment,

and deprivation of food and of the use of toilet facilities. According to the testimony of a former prisoner released in 1988, female prisoners, including young girls, have been hung upside down from the feet during menstruation. Objects have also been inserted into the vaginas of young women, causing the hymen to break.

Iraqi legislation gives juvenile offenders the right to make complaints against ill-treatment while in custody. Article 41 of Act No. 104 of 1981 states that a juvenile (as well as adult) offender: "* * * may address to the competent Director General complaints regarding any ill-treatment inflicted on him or any offence committed against his person, and the Director General shall deal with all such complaints within seven days of receiving them."

Amnesty International is not aware of any instances where detained juveniles have been able to file such complaints or that any such complaints were ever investigated. In the organization's view, any detainee venturing to exercise this right would be placed at risk of further reprisals.

Children and young people, according to Amnesty International's information, are most commonly tortured in order to force their parents and relatives to confess to alleged political offences. A former political prisoner, held at al-Karkh Security Directorate in Baghdad and released in April 1985, submitted his testimony to the organization. A former student at Baghdad University and a KDP sympathizer, he was detained for five months and tortured in order to reveal his political affiliation and the names of other activists. In addition to details of his own treatment in detention, he gave the following information about the torture and ill-treatment of his relatives: "Members of my family, mother (73 years old), three sisters and three brothers with five children aged between five and thirteen, were arrested and brought in front of me. They were subjected to the falaqa and electric shocks. * * * They also made me listen to a recorded cassette tape of the cries and moans of my family [undergoing] torture * * *".

His testimony also described conditions under which infants have been held at the detention centre where he was held: "The detention centre is extremely filthy * * * infant children are kept in [the] detention centre together with their parents. Usually they keep such children in a separate cell next to [the] mother or father's cell and deprive [them of] milk in order to force [the] parent to confess. I saw a 5-month-old baby screaming in this state * * *".

In January 1986 Amnesty International called on the government to investigate reports that some of the 300 children and youths arrested in Sulaimaniya in September/October 1985 had been tortured, and that three of them died in custody as a result. The bodies of the three children were reported to have been found in the streets of the outskirts of Sulaimaniya, their clothes bloodstained and their bodies bearing the marks of torture. Others were allegedly beaten while in detention. The government denied these reports in its letter to the organization received in April 1986. There was no indication that the torture allegations had ever been investigated. Amnesty International subsequently received the testimony of a former detainee released from Fudailiyya Security Headquarters in Baghdad in late 1985. Suspected of having contacts with members of the Patriotic Union of Kurdistan, he was detained for seven months and allegedly tortured in order to reveal the names of PUK members. He stated following his release that some of the 300 Sulaimaniya children had been detained at Fudailiyya with him and subjected to torture. The following are extracts from his testimony: "* * * we were forbidden to communicate with the children, who were treated with special brutality * * * the cell was so small that only a few children could sit down in turn on the floor which was cold and uncovered. The cell was windowless, except for a hole in the door for the security officers to keep watch on us. There was no air to breathe.

"Each hour, security men opened the door and chose 3 to 5 of the prisoners—children or men—and removed them for torture. Later, their tortured bodies were thrown back into the cell. They were often bleeding and carried obvious signs of whipping and electric shocks. We always tried our best to help them.

"At midnight, the security men took another three of the children, but because they were so savagely treated they were taken from the cell to a military hospital. It was clear that the security authorities did not wish them to die like this. However, when their wounds healed, they were returned to the cell.

"Some children tried to sleep on the floor. A child who had been in the hospital lay down and finally, we thought, fell asleep. But * * * we knew he was dead. No one knows what happened to his corpse.

"During the next few weeks our situation did not change. Three times a day we had meals thrown at us: breakfast was a piece of bread to be shared between every four prisoners; lunch was a pear or five grapes for each one. Whenever there was a complaint about the food, the complainant received a blow instead of food.

"We were only allowed to go to the toilets when the security men allowed us to do so, rather [than] in accordance with our needs. And they seldom allowed us to do so. For the children this was especially difficult and some children occasionally dirtied themselves. The prison chief ordered us to punish them for this by whipping them with a rubber whip. Those who refused to join in the punishment were themselves tortured.

"When I was released, there were still some children in our cell. I don't know what happened to the others * * *."

In January 1987, 29 of these children and youths were reported to have been executed and their bodies returned to their families. According to accounts received by Amnesty International, some of the victims had had their eyes gouged out and their bodies bore marks of torture. The government did not respond to Amnesty International's renewed call for an investigation into the torture allegations. The detention and torture of these young detainees were condemned by the European Parliament in a resolution passed in April 1987 (see Section 8 for further details).

7. "DISAPPEARANCES"

Amnesty International uses the term "disappearance" whenever there are reasonable grounds to believe that a person has been taken into custody by the authorities or with their connivance and the authorities deny that the victim is in their custody. A "disappearance" may be resolved by the authorities acknowledging the victim's detention or by the detainee's release. People who have "disappeared" may well have been the victims of violent, often illegal, arrest, of torture, unacknowledged detention and, at worst, may have died under torture while in secret detention or have otherwise been killed in custody.

"Disappearances" constitutes a clear violation of international law. When a person has been taken into custody and the authorities nonetheless deny knowledge of this, internationally guaranteed human rights are contravened, such as: the right to security of person; the right not to be subjected to arbitrary arrest and detention and the right to an effective remedy for acts violating human rights, as guaranteed by the ICCPR and the Universal Declaration of Human Rights (UDHR).

A "disappearance" also contravenes Rule 92 of the UN Standard Minimum Rules for the Treatment of Prisoners, which states that: "* * * an untried prisoner shall be allowed to inform immediately his family of his detention and shall be given all reasonable facilities for communicating with his family and friends * * *"

The UN Commission on Human Rights, in Resolution 1986/66, expressed "its emotion at the anguish and sorrow of the families concerned, who should know the fate of their relatives". The suffering caused by a "disappearance" to the ralatives, as well as to the victim, in itself contravenes the right not to be tortured or subjected to cruel, inhuman and degrading treatment or punishment.

Moreover, a person who has "disappeared" may have been tortured or killed in custody in violation of the rights guaranteed by the UDHR and the ICCPR. The right to life and the right not to be tortured are absolute rights from which no state may derogate even in situations of publicly declared emergency as defined in Article 4 of the ICCPR.

Such rights are also enshrined in Iraq's Constitution and in its laws. Nevertheless, thousands of people arrested by Iraqi security or intelligence forces have, over the years, been reported as having subsequently "disappeared" in detention. The victims have included whole families, although the principal targets have generally been males—both adults and minors. In some instances the arrests are witnessed by others, such as relatives of the victims when they are arrested from their homes, or by their friends or colleagues. In other cases there are no identifiable or known witnesses, such as when victims are arrested on the streets. Others still are presumed to have been arrested when they fail to return to their homes or report to their schools or places of work.

One major obstacle to the tracing of such victims in Iraq has been the fear on the part of family members of further reprisals by the authorities if enquiries about detained relatives are made. The experience of years of political repression has sometimes forced victims' relatives to refrain from asking questions. Accounts received by Amnesty International suggest that reprisals have taken the form of a deterioration in the situation of the detained persons and the arrest (or threat of arrest) of other family members. Thus, victims' families have lived for months and very often years in ignorance of the fate and whereabouts of their relatives and in the hope that they may still be alive. The problem is further compounded by the denial of family visits to detainees.

Where inquiries are made by the victims' relatives, officials have in some cases denied knowledge of the arrests or subsequent detentions, even when the victims were arrested in the presence of eye-witnesses. In other cases, officials have confirmed that the victims had been detained but subsequently

gave contradictory information about where they were being held and later denied that they had even been arrested. Such denials on the part of Iraqi officials have been made to the victims' families as well as to Amnesty International in cases raised with them by the organization.

In some cases, the government has stated that persons who were reported to have "disappeared" in detention simply do not exist. In October 1983, for example, Amnesty International submitted to the government the names of 114 people who had "disappeared" following their arrest by security forces between 1979 and 1982, urging that an investigation into their fate and whereabouts be carried out. Among them were five school students aged below 18 at the time of their arrest:

Muslem Hassan and Riyad Hassan: intermediate school students arrested in Basra in April–May 1981;

Nizar Najm, an intermediate school student and Samir Najm, a secondary school student: arrested in Basra in May 1981:

Samir 'Abbas: a secondary school student arrested in al-Thawra, Baghdad, in August 1981.

In their reply of December 1983, the government declared that the 114 names submitted by Amnesty International were "fictitious." There was no indication that the government had ever investigated these cases. In July 1984, Amnesty International received the testimony of a former detainee who had "disappeared" in detention and whose case was among the 114 submitted earlier to the government. He stated that he had been detained in Abu Ghraib Prison between May 1982 and March 1984 after refusing to collaborate with Iraqi intelligence. In his testimony he mentions other detainees held with him in Abu Ghraib: "Among this group are also the relatives of Iraqi [army] deserters, arrested as hostages, and the young sons of families of Iranian descent who were expelled to Iran at the beginning of the war. I can [also] cite an example of the taking of "state" hostages: four Iraqi brothers have been "enjoying" Iraqi "Arab-Socialism" with their elderly mother in Abu Ghraib Khassa for over three years. They are called: Muhammad (32 years), Ahmed (26 years), Hussain (11 years). Unfortunately I have forgotten the name of the fourth son, but he's about 18 years old now. They had been arrested because their older brother [name]—previously an official in the Ba'th Party—had escaped to Iran more than three years ago."

In other cases the government had initially denied that arrests had taken place, or that the victims were in detention, but subsequently confirmed that some of them had been executed. In February 1985, the government confirmed to Amnesty International that six members of the al-Hakim family were executed in 1983 but denied that some 90 other family members (believed to be still in detention at that time) had been arrested. However, in July 1985 the government confirmed that ten other family members were executed in March of that year, and reiterated: "As regards the imprisonment of 90 members of the Hakim family, there is no truth in these allegations". At the time of writing, over 50 members of the al-Hakim family were believed to be still in detention, but their fate and whereabouts are unknown. Among them are twelve children and young people aged between nine and 17 at the time of their arrest in 1983.

The government also denied in April 1986 the arrest of some 300 Kurdish children and youths in Sulaimaniya in September/October 1985. However, in September 1987 it confirmed the execution in January of that year of seven of them, and added that one other had been brought to trial and sentenced to life imprisonment. The fate and whereabouts of over 250 children and youths remain unknown; they have effectively "disappeared" in detention.

Reports of the "disappearance" of detainees following their arrest continue to be received by Amnesty International. Some were reported to have been arrested on suspicion of membership of support of opposition groups. 'Ismat Najman 'Abdallah, a secondary school student from Duhok, was 17 at the time of his arrest in October 1986. Mustafa Ahmad Mustafa, also a secondary school student from Duhok, was 17 when arrested in February 1987. Both were arrested by intelligence forces, apparently on suspicion of affiliation to the KDP. Their fate and whereabouts have remained unknown since.

The "disappearance" of children and young people have sometimes taken place on a large scale, with hundreds reported missing since their arrest. A group of 315 children and young people are among some 8,000 Kurds who were reported to have "disappeared" following their arrest by Iraqi forces in August 1983. The 8,000 Kurds are all members of the Barzani clan from the regions of Barzan and Merga Sur in Arbil province in northern Iraq. In 1976 and 1977 these families have been forcibly resettled by the authorities in four "housing complexes" in the province of Arbil: Qoshtapa, Diyana, Harir and Bahark. According to information received by Amnesty International, Iraqi forces carried out widespread arrests in these housing complexes between 1 and 10 August 1983. Some 8,000 males aged between eight and 70 were arrested, forced into military vehicles and removed from the area.

Some of those arrested are close relatives of Mas'ud Barzani, leader of the Kurdistan Democratic Party. The arrests took place shortly after armed conflicts between Iraqi and Iranian forces in July 1983 which led to the occupation by Iranian forces of Iraqi territory at Haj Omran. The Kurdistan Democratic Party was held by the Iraqi authorities to be responsible for assisting Iranian forces to military victory at Haj Omran. This has led to fears that the arrest of the 8,000 Kurds was carried but in retaliation for the KDP's military actions, and that they were arrested solely on the basis of belonging to the Barzani clan. On 12 September 1983, one month after the arrests took place, the Iraqi News Agency reported on a speech given by President Saddam Hussain at a reception in Baghdad. The news agency's dispatch said: "On the treachery of the sons of Mustafa Barzani, who had earlier led the rebels against the government, the President warned against co-operating with them to betray the homeland and said: we will punish those who co-operate with Barzani's sons, just as we punished the Barzani sons themselves and those who co-operated with them in the past. Those people were severely punished and went to Hell, the President added. He said that the Barzani sons had indulged in treason and had co-operated with and served as guides for the Iranian army in its attempts to occupy Iraqi territory."

At the time, those detained were thought to have been taken initially to other camps in south-western Iraq, close to the border with Jordan. However, their fate and current whereabouts are unknown. Their families fear that many of them may have been executed. Amnesty International has received the names of over 2,280 of those detained, among them 315 minors aged between eight and 17 at the time of their arrest. They include the following (see Appendix A for complete list and Appendix F1 for photographs):

Shaikhomar Yassin Isma'il: born 1975 in Baban; arrested in Qoshtapa at the age of eight;

Ihsan 'Ali Shihab: born 1974 in Barzan; arrested in Qoshtapa at the age of nine;

Farnad Ahya Ahya: born 1973 in Hupa; arrested in Harir at the age of ten;

Siyamand Salman Haji: born 1972 in Hasnaka; arrested in Qoshtapa at the age of 11;

Yasin Muhammad Yasin: born 1971 in Shengel; arrested in Qoshtapa at the age of 12;

Mala 'Ali Ibrahim: born 1970 in Pendru; arrested in Bahark at the age of 13;

'Aziz Mirkhan Hamed: born 1969 in Kanyader; arrested in Diyana at the age of 14;

Farhad Ibrahim Bapir: born 1968 in Kani Bout; arrested in Diyana at the age of 15;

Mawlud Chicho Mawlud: born 1967 in Bekhshash; arrested in Bahark at the age of 16;

Sabri Sazem Mahmud: born 1967 in Bersyav; arrested in Harir at the age of 17.

Among the hundreds of others who are reported as having "disappeared" over the years are male members of families deported to Iran by the Iraqi authorities. Following the outbreak of the Iran-Iraq conflict in September 1980, thousands of families were forced to leave their homes by the authorities. Their properties and possessions were confiscated. They were forcibly taken to border areas such as Mandali and forced to cross the border into Iran, where the majority have since lived in refugee camps. In some cases whole families were deported, while in others only the women, younger children and old people were deported (see Appendix F3 for photographs). The male members of such families—both adults and minors—were arrested, often in the presence of their relatives as eye-witnesses. They have since been detained, indefinitely without any legal proceedings. Amnesty International is not aware of any such cases where the detainees were charged with any offences. In most cases brought to the organization's attention, the families have remained ignorant of the fate and whereabouts of detained relatives. They have been prevented from making enquiries in this regard by virtue of being forcibly expelled from their country.

The majority of those arrested under these circumstances have been male members of Arab Shi'i muslim families from regions such as Najaf, Karbala' and al-Hilla, who were declared by the authorities to be of Iranian descent (taba'iyya). Also detained are male members of Feyli Kurdish families (Shi'i muslims) who have also been deported to Iran over many years. In these latter cases, however, such punitive measures were taken for overtly political reasons, since Feyli Kurds have historically been associated with opposition movements in Iraq (see Footnote 5 for brief background detail).

The following are examples of such cases where minors have been detained and whose families were deported to Iran:

'Abd al-Rahman Qasem Hatem: a student arrested on 6 February 1982 at the age of 17. He was taken from his home in Baghdad and reportedly held initially at Mudiriyyat al -Amn al-'Amma in the city. His fate and current whereabouts are unknown.

Malek Baba Isfandiyar: a Kurdish student, he was arrested on 10 April 1983 at the age of

16. He was apprehended in the streets of Baghdad and taken to an unknown destination. His fate and whereabouts remain unknown since his arrest.

'Abd al-Hussain 'Abd al-Hassan Sayyid 'Ali Gubanchi: a student arrested on 10 July 1983 at the age of 17. He was taken from his home in Najaf and initially held in the area. His fate and current whereabouts are unknown.

8. THE DEATH PENALTY

Article 6(1) of the ICCPR states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."

Paragraph (5) of the same article states: "Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age * * *"

Similar provisions are incorporated in Iraqi legislation, principally the Penal Code and the Juvenile Law. Article 72 of the Penal Code states: "If a boy* commits a felony punishable with death or life imprisonment, he shall be detained in a penitentiary for a period not less than two years and not exceeding five years * * *" *[ie: above seven and below 15 years of age]

Article 73(1) of the Penal Code also provides that: "If a youth* commits a felony punishable with death or life imprisonment, he shall be detained in a school for juvenile delinquents for a period not less than two years and not exceeding fifteen years." *[ie: above 15 and below 18 years of age]

In 1972, however, the Juvenile Law was passed, and its provisions regarding penalties prescribed for juvenile offenders superceded those prescribed in the Penal Code, which was promulgated in 1969. Article 32 of the Juvenile Law sets the minimum penalty for juvenile offenders under the age of 15 at five years' detention, instead of the two years prescribed in the Penal Code. Article 33 of the Juvenile Law, however, retains the maximum penalty for juvenile offenders above the age of 15 at fifteen years' detention, in line with the provisions of the Penal Code.

Amnesty International receives reports of hundreds of executions each year, but the precise number is unknown. Many victims are reportedly executed summarily following proceedings which do not conform to international standards for a fair trial and without right of appeal. Others have been executed without trial or after having been sentenced to terms of imprisonment. The victims have included members of prohibited political parties, suspected government opponents, students, children, army deserters and civilians arrested as hostages. Some victims bodies have been returned to their families bearing the marks of torture.

In recent years Amnesty International has received information which suggests that Iraq is not fulfilling its obligations under Article 6 of the ICCPR, or indeed its own domestic legislation, concerning the application of the death penalty to persons under the age of 18. Reports reaching the organization indicate that minors as young as 14 have been executed. In cases raised by Amnesty International, the government has either denied the allegations or questioned the ages of the victims concerned, stating that they were over 18 years of age at the time of their execution.

One case in which the age of the victim was not challenged by the government was that of 'Abd al-Rahman Ahmad Haji, a Kurdish youth from the village of Sewarea near Duhok. A secondary school student, he was arrested in December 1984 at the age of 16, reportedly on charges of distribution of leaflets of the Kurdistan Democratic Party. He was executed on 1 November in Abu Ghraib Prison at the age of 17. His body was returned to his family on 5 November. According to reports, he was tortured while in detention, including having his fingernails extracted. In December 1985 Amnesty International sought confirmation of his execution from the government and urged that reports of his torture while in detention be investigated. In April 1986 the government replied as follows regarding 'Abd al-Rahman Ahmad Haji and two other detainees executed in the same period: "The above-mentioned criminals have been executed for their crimes including carrying out sabotage activities using explosives and weapons against [the] peace and security of innocent citizens. The convicted were granted a fair trial where all judicial and legal measures were fully respected according to the Iraqi Constitution and the laws in force, including the right to have court-appointed lawyers defending them."

The government did not refer in its reply to the execution of 'Abd al-Rahman Ahmad Haji as a minor, nor was there an indication that the torture allegations had been investigated. The government did not respond to Amnesty International's subsequent calls in May 1986 for an investigation into these allegations, nor to the organization's request for details of the trial and appeals procedures followed in this case.

Information received by Amnesty International regarding the execution of 29 Kurdish children and youths from Sulaimaniya in January 1987 indicated that three of the victims were below the age of 18 at the time. They were: Dara Hussain Hassan from Sahikh Muhyidin, Dlir Mahmud 'Ali from Dargazin and Salah Omar from Majeed Bag. All three were aged 15 at the time of their arrest and 17 when executed. Eleven others in this group were aged 16 and 17 at the time of their arrest in 1985 but had attained the age of 18 at the time of their execution (see Appendix D for names). In its response of September 1987 to Amnesty International's appeals, the government denied that the above-mentioned 14 persons had been executed. It acknowledged that one of them, Azad Yusuf Omar (aged 17 when arrested) had been tried and sentenced to life imprisonment. The government confirmed the execution of seven others from the group of 29, all aged between 20 and 23. It stated that they had: "* * * committed criminal and subversive acts using arms and explosives against innocent civilians as well as public and private properties and establishments. * * * Therefore, and being adults according to Iraqi laws, they were tried by a special court where all judicial and legal guarantees were fully respected, including the right to have a court-appointed lawyer to defend them. They were found guilty and [sentenced to death] * * *."

The government added in its letter: "With regard to the rest of the (29) names we once again deny and disregard the allegations made about them, and we believe that the Iranian hostile regime and [its] clique [are] behind such false and unfounded allegations [and] claims, aiming at discrediting and defaming Iraq's reputation and its international position and stands."

Information received at the time by Amnesty International indicated that the bodies of the 29 children and youths were returned to their families following their execution. The families were reportedly asked to pay a sum of money upon receipt of the bodies. [In accordance with the usual practice in Iraq, families are asked to pay a customary "execution fee" upon receipt of the bodies of executed relatives. The sums requested are sometimes several hundred Iraqi dinars per body, and are said to cover state expenses on items such as bullets, coffins and transportation. Families are also frequently prevented from performing burial ceremonies or holding public mourning for their dead].

The government did not respond to Amnesty International's subsequent request for information on the judicial procedures followed during the trial by special court of the seven victims, nor to the organization's renewed call for an investigation into allegations that some of these detainees had been tortured, nor for information on the fate and whereabouts of the children and youths believed to be still detained. On 9 April 1987 the European Parliament passed by consensus a resolution[9] expressing its grave concern about reports of the arrest and detention of some 300 children from Sulaimaniya and of the execution of 29 of them, as well as allegations that some had been tortured in custody (see Appendix E for full text). The resolution:

"1. Condemns utterly these crimes which disgrace the government which perpetrates them or permits them to continue, and expresses its profound sympathy with the families of the victims of the recent murders and with the young people who are still in detention;

"2. Calls for the immediate release of all the children and young people detained on the basis of political activities undertaken by their parents or relatives;

"3. Calls on the governments of Member States to exercise all possible means of pressure on the Government of Iraq to secure the release of all remaining child prisoners in Iraq, their restoration to their families and the punishment of those guilty of torturing or murdering these victims of oppression;

"4 Warns that if these crimes continue there are bound to be repercussions on the relations of Member States with Iraq;

"5. Instructs its President to forward this resolution to the Council, the Commission, the Foreign Ministers meeting in political cooperation and the Government of Iraq."

The Iraqi Government made no official response to the resolution. In March 1988, Amnesty International received reports of the execution of 17 minors aged between 14 and 17 in the period November and December 1987. A number of these executions constituted extrajudicial killings (see Section 9). The victims were among some 360 people reported to have been executed at the time in seven separate incidents. The majority of the victims were Kurdish political prisoners from the provinces of Sulaimaniya, Arbil, Kirkuk, Duhok and Zakho. However, scores of political prisoners including Arabs, Kurds and Turcomans, were reported to have been executed in Abu Ghraib Prison on 30 and 31 December 1987 alone. According to reports, some of the victims were executed without charge or trial, or after having been sentenced to death by military court following summary proceedings. Others were said to have been executed after having been sentenced to terms of imprisonment. Some of the victims' bodies bore the marks of torture.

Nariman Othman 'Abdallah and Fallah Wali, two Kurdish youths from the town of Shaqlawa (Arbil Province) were reported to have been executed between 14 and 18 November 1987. They were aged 16 at the time. They were among a group of 32 Kurds arrested in the second half of October 1987 and executed by firing squad in the city of Arbil.

The executions were said to have been carried out in reprisal for an earlier attack on Iraqi personnel in the area by the KDP's Pesh Merga forces. The bodies of the victims were returned on 18 November to their families, who were asked to pay 50 Iraqi dinars each upon receipt. They were prevented from holding public mourning or burial ceremonies.

Five Kurdish youths aged between 15 and 17 were reported to have been executed between 10 November and 28 December 1987. Isma'il As'ad and Latif 'Adel, both 15 years of age, were executed on 18 November in Fa'ideh Garrison, located between the cities of Duhok and Mosul. Segvan Khaled 'Ali, aged 15 and Hewul Misho Miho, aged 17, were also executed in Fa'ideh Garrison on 10 December. Rizgar 'Abdallah, aged 16, was executed in Mosul Training Camp on 28 December. The five youths were among 31 Kurds, suspected of being KDP sympathizers, who were said to have been sentenced to death by military court following summary proceedings. They were executed by firing squad.

Eight children aged between 14 and 17 were among some 150 political prisoners reported to have been executed in Abu Ghraib Prison on 30 and 31 December 1987. The eight were Kurds from the province of Sulaimaniya whose bodies were handed back to their families in early January 1988. The family were asked to pay 300 Iraqi dinars per body upon reciept. The eight victims, all secondary school students were: Karawan Nawzad Hama Agha, aged 17; Dara Muhammad Sadeq, aged 17; Ribwar Muhammad Karim 'Aziz, aged 16; Shirko Rida Ahmad Rida, aged 17; Rizgar Anwar Haji Rida, aged 16; Jamal Hama Saleh, aged 15; Dana Haji Sidiq Ma'ruf, aged 14 and Luqman Haji 'Ali, aged 16.

Following appeals in March 1988 from Amnesty International regarding the wave of executions of November and December 1987 described above, the organization received the Iraqi Government's response on 17 August 1988. The letter stated the following: "It is untrue that execution took place of persons alleged to have not reached their maturity age."

On the execution of 32 Kurds, including two minors, from the town of Shaqlawa, the government said: "* * * The allegations of executions of (32) Kurds, of which you have mentioned (25) by name, are again false and baseless."

On the executions in Fa'ideh Garrison: "* * * there is no truth in the allegations of execution of seventeen people you have mentioned as being executed at the Fa'ideh Garrison, as no executions of citizens have ever taken place in military garrisons."

On the executions in Mosul Training Camp: "* * * with regard to the alleged executions of (14) people in a training camp in Mosul on 28th December, I would like to confirm that this is a false allegation".

The government confirmed that two people, both adults, were executed in the training camp after having been found guilty by a special court of sabotage and murder. On the executions in Abu Ghraib Prison, the Government said: "* * * regarding the allegations of more than (150) political prisoners on 30th and 31st December 1987 in Abu Ghraib Prisons, this has been grossly exaggerated and in certain aspects it lacks truth altogether."

Amnesty International had submitted the names of 46 of the 150 victims reported executed in Abu Ghraib. The government confirmed the execution of nine of them who were: "* * * convicted of crimes that involve capital punishment. Consequently, they were put on trial by a special court, and were represented by lawyers with all other legal requirements fulfilled. They made confessions of their crimes including carrying weapons and attacking civilians with hand grenades, the death sentence was passed accordingly."

Two of the nine victims whose executions were confirmed by the government were, according to Amnesty International's information, aged 16 at the time of their execution. They were Luqman Haji 'Ali and Ribwar Muhammad Karim 'Aziz. The government stated that Luqman Haji 'Ali was in fact 23 years of age, not 16, when executed. However, despite denying in its letter that minors have been executed, the government confirmed that 16-year-old Ribwar Muhammad Karim 'Aziz had been executed and did not contest his age as documented by Amnesty International. According to the organization's information, the youth had been in detention since 1984 when he was 13 years of age. The government ended its letter by saying: "* * * I sincerely hope that by providing these answers, I have managed to convey to Amnesty International the facts as they are in each case [and] have helped overcome all suspicions about the reality of the matter and exposed the elements standing behind the fabricated accounts given in certain cases.

"These answers have been provided in the hope of establishing a constructive and fruitful co-operation, as we further wish that Amnesty International would allow to reach to the truth of the matter prior to a hasty publication of such allegations, given the fact that there are hostile groups aiming at defaming Iraq's reputation through these fabrications.

"I would like to make it clear to you that Iraq, despite having to fight a war imposed on it for the last eight years, has ratified and adhered to the International Covenant on Civil and Political Rights since 1971."

9. EXTRAJUDICIAL EXECUTIONS

"* * * all children in the Iraqi province of Kurdistan enjoy the same care and protection without any discrimination as all other Iraqi children." (taken from a letter to Amnesty International from the Iraqi Government, 25 April 1986)

The above statement was part of the Iraqi Government's response to appeals sent by Amnesty International following the reported arrest and detention of some 300 Kurdish children and youths from Sulaimaniya in 1985. Before that date, Amnesty International had received reports of incidents involving the deliberate (extrajudicial) killing of unarmed civilians by Iraqi government forces and of the mass execution of political prisoners. Such killings appear to have continued unabated. In the past two years such incidents have become more frequent, involving the killing of a greater number of people. The prime target in the recent killings has been the Kurdish population of Iraq, with the number of victims killed in 1988 alone running into thousands. The victims have included whole families—men, women and children—killed as a result of large-scale military attacks on civilian targets. The Iraqi Government has tendered to deny that such killings have taken place, or that its own troops were the perpetrators. In some cases it has held Iranian forces responsible for the killings, despite overwhelming evidence to the contrary.

Such killings have frequently been carried out in retaliation for the activities of Kurdish opposition forces, for which children and young people have sometimes paid the price. In July 1986, for example, Amnesty International received reports of the extrajudicial killing of 21 people in Sulaimaniya and Arbil in northern Iraq in March and April 1986. Fifteen of the victims were students from secondary schools and the University of Salah al-Din in Arbil, who were arrested and summarily executed in public in the city between 27 March and 3 April. The executions were said to have been carried out in retribution for an attempted assassination in late March 1986 on the life of the Governor of Arbil by Kurdish opposition forces. The governor was said to have been wounded in the attempt in accordance with usual practice in Iraq, the homes of some of the victims were subsequently razed to the ground with bulldozers. A large number of civilians, including students, were reportedly arrested during the operation, and their fate and whereabouts remained unknown. In another incident, six detainees were reported to have been summarily executed on the afternoon of 9 April. The executions were carried out in public in a square outside Sulaimaniya Central Prison. The six victims, aged below 18 at the time of their execution, were sympathizers with the Patriotic Union of Kurdistan. They were: Keywan Muhammad 'Abd al-Karim, Bakhtiar Satter Karim, Soran Nuri Othman, Mawlud Rashid Faraj, Hawry Akbar Ahmad and Hawry Muhammad Qadir.

Over the years Amnesty International has documented a number of incidents of deliberate killings which could not be attributed solely to fighting. In October 1985, over 300 Kurds were reported killed in the cities of Sulaimaniya and Arbil following the killing of two army officers by Pesh Merga forces. Some of the victims were arrested, lined up and shot. Others were allegdly buried alive, or died when troops fired directly into crowds of demonstrators, many of whom were students. More recently, an estimated 100–150 Kurds, including women and children, were said to have been summarily executed following house-to-house searches in the village of Jiman (Kirkuk Province) in November 1987. Jiman is one of hundreds of Kurdish villages declared by the authorities since March 1987 as 'prohibited for reasons of security' and whose inhabitants have been forcibly resettled. The village was bombarded after its inhabitants had returned there, having earlier been evicted. Amnesty International received the names of thirteen of the victims killed in Jiman, among them two minors: Nazem Haidar (aged 17) and Fa'eq Bakr Qader (aged 15). The government denied that the incident had taken place, stating in a letter to Amnesty International received on 17 August 1988: "* * * regarding the alleged eviction of inhabitants from the village of Jiman in al-Ta'min (Kirkuk) Province, I would like to inform you that the Iraqi forces have never carried out such an operation. Reports of this incident are mere fabrications."

The years 1987 and 1988 witnessed the most deliberate and systematic killing of Kurds, notably unarmed civilians. A number of instances when Iraqi forces repeatedly used chemical weapons in the Kurdish region, ostensibly for military purposes, suggest strongly and clearly the existence of such a government policy. Amnesty International believes the killing of thousands of Kurds in separate incidents in this period to be a systematic and deliberate policy on the part of the government to eliminate large numbers of Kurdish civilians, both as punishment for their imputed political sympathies and in retaliation for the activities of opposition forces. Hundreds of the victims have been children and infants.

In one incident in mid-April 1987, following a chemical attack on the Balisan Valley in Arbil province, some 360 people from the village of Shaikh Wasanan, wounded as a result of the attack, were transferred to Arbil's hospitals for treatment. According to accounts received by Amnesty International, including one from an eye-witness, the victims (among them women and children) were denied medical treatment and were transferred by the security forces to a detention centre in Arbil. They reportedly "disappeared several days later after being transferred to an unknown destination outside the city. Their fate and whereabouts remain unknown, and it was alleged that they may have been executed. Amnesty International received the names of 48 of the victims.

The well-documented incident involving the killing of an estimated 5,000 civilians following a chemical attack on the town of Halabja in March 1988 speaks for itself. Whole families, including hundreds of children and infants, were killed in the space of two days on 16 and 17 March. Survivors were transferred to hospitals in Iran for urgent medical treatment (see Appendix F5 for photographs). The Iraqi Government continues to deny responsibility for the killings, stating that the perpetrators of the massacre were Iranian forces.

In less than ten days after the killings in Halabja, Iraqi forces were reported to have launched another attack using chemical weapons on the region of Qaradagh in Sulaimaniya province. Several hundred survivors, perhaps as many as four hundred, were said to have been apprehended as they made their way to the city of Sulaimaniya to seek medical treatment for wounds inflicted during the attack. Among them were said to be women and children. They were reportedly taken to the military garrison of Tanjaro, located 4 kms outside Sulaimaniya, and executed by firing squad on 2 April.

Amnesty International expressed its deep concern about these killings in a statement to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities on 17 August 1988. It warned of further deterioration of human rights after the ceasefire between Iran and Iraq should such abuses continue unnoticed and unchecked by the international community. The following day, 18 August, the observer delegation of Iraq at the Sub-commission exercised the right of reply under Rule 69 of the Rules of Procedures by responding thus: "If we return, Mr. Chairman, to the interventions of some organizations which made reference to Iraq, we note with regret that one of these organizations, which enjoys a wide reputation, has gone down a clearly political path on more than one occasion in its statement * * *.

"This organization * * * concludes by saying that the human rights situation in Iraq will not improve once the war comes to an end, but on the contrary it will be aggravated. This expectation on the part of the organization is an expression of a preconceived judgment, reflecting a biased political position and lacking in objectivity. We wonder how it is possible for the human rights [situation] in a country at war to be better than it would be in time of peace. No, [this] convince[s] us that behind these allegations are clear political aims which have lost this organization its credibility.

"With respect to the town of Halabja, my delegation makes clear that this town was the site of military operations, and that it was occupied during these operations by Iranian troops which used various weapons, including chemical weapons, against its Iraqi civilian inhabitants. It is natural, then, that these statements should have been addressed to the aggressors which occupied the town and violated every single article of the United Nations Charter".

In late August 1988, further reports were received of the deliberate killing of hundreds of unarmed Kurdish civilians, including women and children, as a result of military attacks by Iraqi troops on Kurdish villages in northern Iraq. According to information received at the time thousands of Iraqi troops launched military attacks using tanks, helicopter gunships, artillery and chemical weapons on hundreds of Kurdish villages in the so-called "liberated zone" in the north. Among the areas principally affected were the Zakho, 'Amadiyya, Bamarni and Sersenk regions of Duhok province, Shaikhan and Atrush in the province of Mosul, and Sherwan, Sidakan and Balisan in the province of Arbil. The majority of the victims were reported to be unarmed civilians, including women and children. Tens of thousands of troops were said to have been deployed, including units of the Presidential Guards and arm troops redeployed from the war front. The offensive was launched shortly after the Iranian Government's announcement on 19 July 1988 of its acceptance of a ceasefire in its conflict with Iraq in accordance with UN Security Council Resolution 598 of 20 July 1987.

Thousands of villagers fled the affected areas to seek refuge in Turkey in late August as further instances of deliberate killings by government forces continued to be reported. On 31 August the Turkish authorities confirmed that temporary refuge on humanitarian grounds had been granted to some 57,000 Kurds who crossed the border into Turkey. Other families fleeing from Iraq entered Turkey in early September, while others fled to Iran. The vast majority gave consistent accounts to reporters from the Turkish and Western media of the use of chemical weapons by Iraqi forces in the offensive. Amnesty International issued urgent appeals to the Iraqi authorities on 2 September to put an end to the killings. On 8 September, the organization issued an unprecedented public appeal to the UN Security Council "to act immediately to stop the massacre of Kurdish civilians by Iraqi forces", stating that the "systematic violations" taking place in Iraq "call out for immediate action by the Security Council". On 16 September, the Iraqi Government refused a request made by the UN Secretary General, Javier Perez de Cuellar, to allow a UN team to travel to Iraq to investigate the reported killings.

In early October 1988, Amnesty International delegates carried out a fact-finding visit to camps in south-eastern Turkey where thousands of Kurdish refugees who had fled Iraq were being sheltered (see Appendix F6 for photographs). The accounts given by the scores of refugees interviewed of the Iraqi forces' offensive proved consistent with earlier reports Amnesty International had recieved. A number of the refugees came from the regions of Zakho and 'Amadiyya in Duhok province, and described the attacks which took place on their villages in August 1988. Some of those interviewed said members of their families, including children, had died instantly as a result of chemical attacks, while others were too seriously wounded to flee. Iraqi troops were said to have first used chemical weapons, then entered the affected villages, dynamiting the houses or razing them to the ground with bulldozers.

Over a number of years, Amnesty International has also receive reports indicating that the Iraqi Government has repeatedly resorted to the poisoning of its opponents as a method of eliminating them. The most widely used poison, thallium, is a heavy metal commonly employed as rat poison. Amnesty International first appealed to the Iraqi Government to investigate reports of thallium poisoning of political opponents in September 1980, after receiving detailed evidence that former political prisoners had been victims. There was no response to these appeals from the government. Similar reports continued to be received since then, the most recent reported incident having taken place in November 1987. In this instance, Amnesty International was able to document in detail and obtain medical evidence of the poisoning. It was an incident in which Trifa Sa'id Muhammad, a 14-year-old Kurdish girl, was an innocent victim (see Appendix F4 for photographs).

According to Amnesty International's information, she was one of ten Iraqi Kurds who were poisoned with thallium on 24 November 1987 in the town of Marga (Sulaimaniya province). The poison was said to have been put in a yoghurt drink by a female agent of the security forces working at the home of a member of the Patriotic Union of Kurdistan (PUK). The victims included members of the PUK and the Kurdistan Socialist Party-Iraq. Three of the victims died within ten hours of drinking the poisoned yoghurt, one of them being Trifa's grandmother who was aged 60 at the time. The seven survivors suffered a range of symptoms associated with thallium poisoning, including vomiting, fever, neurological disorders and loss of hair. They were eventually taken to hospitals in Tehran, but subsequently the three most serious cases were flown to London for urgent treatment, among them Trifa's uncle. The consultant physician who treated them in London confirmed that the three patients were "seriously affected" as a result of "acute thallium poisoning".

Trifa Sa'id Muhammad was transferred to a hospital in Tehran in late February 1988, some three months after being poisoned. Winter conditions had made travelling earlier impossible through the mountainous terrain of the Kurdish region. The report of Trifa's medical condition, based on an examination conducted on 5 March 1988 in Tehran, stated that she had "arrived too late to benefit from therapy" (the antidote to thallium, known as Prussian Blue, is only effective when administered within 2-3 weeks after poisoning). Diagnosis of her condition was as follows: "* * * both legs involved with serious loss of sensory and motor functions. In addition [to] hair loss there is muscular atrophy [in] upper arms and some evidence of ascending paralysis * * * further treatment and rehabilitation strongly recommended * * * [Trifa] presently in wheelchair * * * [It is] expected that hair loss will recover spontaneously but neurological damage can only be treated paliatively with physiotherapy. Dryness of the eyes and mouth can be addressed with some oral hygiene and eye drops * * *"

In early May 1988 Trifa Sa'id Muhammad was flown to the Netherlands where she continues to make gradual recovery through physiotherapy. The following are extracts from her testimony: "After the meal I travelled to another place in Kurdistan. I didn't know I was poisoned as well. After three days my hair began to fall and at the same time I felt weakness in my legs and I walked as if I was drunk. After seven days all my

hair was lost and when I walked the problems in my knees were so bad that I fell after a few steps.

"The pain in my legs was terrible and because of the pain I could not stand any more. Every movement was giving me a lot of pain and I cried and shouted when my legs touched one another or touched the blanket.

"I was at this time in a little village near Marga, this place was under the control of the Pesh Merga. After this first week I was sure I was poisoned as well. I didn't have any appetite at all and was getting weaker and weaker. The movements in my legs were getting less and less. After three weeks I was completely paralyzed in both my legs.

"This was all when I was with the Pesh Merga and all the help I had was infusion and some tablets for the pain. They wanted to transport me to Tehran but this was impossible because of the bad weather conditions. Roads were hard to travel, snow was falling and of course the war in the area was dangerous. I couldn't ride a donkey in my condition, and had to be transported lying down.

"After four weeks my condition was getting very bad and they decided that they should try to transport me. But after a couple of hours they had to stop because I was frozen and the pain in my legs was unbearable. They couldn't give me anything else in Kurdistan, only some tablets and infusion. On 20th February I arrived in Tehran. The journey [to Iran] took four days and I travelled on a donkey. This time I managed because the weather was milder and there were more people to help me.

"First I came to Sardasht and after one day to Tabriz. After one night in Tabriz I was brought to Tehran by aeroplane. I went to Luqman Hakim Hospital and stayed there for two months until 4th May * * *"

On 13 January 1988, Amnesty International called on the Iraqi Government to investigate reports of the security forces' use of thallium poisoning against political opponents. There was no response from the government. However, Iraq's ambassador to the United Kingdom stated, in press interviews, that the allegations were "false " and "bizarre".

FOOTNOTES

[1] CCPR/C/1/Add.45, 8 June 1979.

[2] CCPR/C/37/Add.3, 18 July 1986.

[3] Penal Code (Article 66) and the Juvenile Law (Article 1).

[4] Taken from a statement delivered by the observer delegation of Iraq at the 40th Session of the United Nations Sub-Committee on Prevention of Discrimination and Protection of Minorities, during the discussion of Agenda Item 6 (Geneva, 18 August 1988).

[5] Prior to the creation of the State of Iraq in 1921, all persons living in that region were registered under either the Ottoman or Iranian protectorates. The two protectorates were divided along confessional lines: Sunni muslims (both Arabs and Kurds) were registered under the Ottoman protectorate, while Shi'i muslims (both Arabs and Kurds) were registered under the Iranian protectorate. When the State of Iraq was created and Iraqi nationality introduced, each person was obliged to register on his nationality form his original protectorate. The thousands of families deported to Iran by the Iraqi government following the outbreak of the war in 1980 were those whose original protectorate was Iranian (referred to as taba'iyya). They include people whose families had lived in Iraq for generations, held Iraqi citizenship and carried out military service in the Iraqi armed forces. Apparently the sole criterion used for their deportation was that their nationality forms indicated that they were of Iranian descent or taba'iyya.

Also deported to Iran have been Feyli Kurds who, unlike the vast majority of Iraqi Kurds, are Sh'i muslims. Over the years, large numbers of Feyli Kurdish families have been expelled from Iraq by successive Ba'thist governments. Historically, Feyli Kurds had been associated with opposition groups in Iraq: the communists in the 1950s, the Kurdish nationalists in the 1960s and 1970s and, most recently, the Shi'a movement in the country.

[6] CCPR/C/1/Add. 45, 8 June 1979, pages 44–45.

[7] CCPR/C/1/Add. 45, 8 June 1979, pages 65–66.

[8] Torture in Iraq: 1982–1984 (AI Index: MDE 14/02/85).

[9] Joint Resolution replacing Docs. B2–171, 179 and 187187 of 9 April 1987. Published in Official Journal of the European Communities, No. C 125/132, 11 May 1987.

TESTIMONY BY JOSHUA R. GILDER, PRINCIPAL DEPUTY ASSISTANT SECRETARY FOR HUMAN RIGHTS AND HUMANITARIAN AFFAIRS, JUNE 15, 1990

U.S. RELATIONS WITH IRAQ

Human rights, as such, are not recognized in Iraq. As our report details, the ordinary Iraqi citizens knows no personal security against government violence. Disappearances, followed by secret executions, appear to be common. In some cases, a family only learns that one of its loved ones has been executed when the security services return the body and, in line with the Iraqi regime's view of justice, require the family to pay a fine.

The penalty for expressing opinions deemed objectionable by the regime is swift and brutal. We believe that over the past ten years many thousands to tens of thousands—and I will speak to the inexactitude of our figures in a moment—have been arrested by the secret police on suspicion of opposition to the government. While the judicial system seems to function fairly well by regional standards for people accused of crimes with no political implications, there is not even the charade of due process for those charged with security-related offenses. I should add that security-related offenses are broadly defined to include such routine criminal matters as currency violations.

Torture is routine, for security offenses and ordinary crimes alike, and confessions extracted under torture are admissible in court. Treatment is reported to be the worst immediately following arrest and during the period of interrogation and investigation, which can last for months.

Compiling accurate information on human rights in Iraq is made extremely difficult by the highly secretive and repressive nature of the regime. Diplomatic travel is severely restricted, and most Iraqis are, quite understandably, fearful of speaking their minds to foreigners—or to anyone else for that matter.

The Iraqi regime is authoritarian in the extreme. There are some exceptions. The practice of religion is largely free. There has been some attempt to relax the worst aspects of the statist command economy. In general, however, the regime is ruthless in its efforts to maintain absolute control over the population.

Control is exercised in part through the Baath Party apparatus. The party is a secretive one. While it has a large grass roots membership, decisionmaking is concentrated among the few at the top. The lower ranks serve as informers on the political reliability of their neighbors. There are many other intelligence networks through which the government monitors the citizenry, as well as keeps a careful eye on the military and the Baath Party itself. I have already described the punishment for stepping out of line, or being deemed unreliable by the government. Periodically, over the last two years, the regime announced that it had uncovered incipient coup plots within the military. Hundreds were arrested. We do not know how many were executed.

The Baath Party is a Pan-Arabist party. As such, it has integrated Arabs of various religions and sects quite well, but has had trouble finding an ideological niche for Iraq's non-Arab citizens, most of whom are Kurds. The disaffection of elements of the Kurdish population did not begin with Baath Party rule, but the current government's policy has resulted in enormous human rights abuses.

With respect to the Kurds, the Iraqi government has followed a policy of carrot and stick. It has sought to gain the support of as many Kurdish tribes as it can, using the carrot of ethnic cultural freedom. There is a Kurdish Autonomous Region with its own institutions, providing patronage for Kurdish tribes that support the regime. Kurdish language and culture are fostered, and education in Kurdish is available through the secondary level.

But the stick of Iraqi policy has been brutal. During the Gulf War, in which Iran took advantage of the dissatisfaction among Kurdish tribes, the Iraqi Government began a campaign of destroying suspect villages, relocating the populations to closely-watched cities and new settlements. After the ceasefire with Iran, Iraq's campaign to dislodge rebels from the areas they controlled was accompanied by the shocking, indiscriminate use of chemical weapons—killing thousands of men, women, and children. After Iraqi troops regained these areas, destruction of villages and towns, and population transfers were speeded up, until finally some 500,000—about one-seventh of the entire Kurdish population of Iraq—were displaced. Although we understand Iraqi authorities are now allowing displaced villagers to commute to their lands to cultivate the fields and orchards, we remain extremely concerned about the overall effects of this massive displacement.

Let me stress that in detailing our concerns over the treatment of Iraqi Kurds we are not taking a position on the roots or aims of Kurdish rebellions, but rather on abuses of internationally recognized human rights. The United States Government supports the territorial integrity of the states in this region, and holds that Kurds should seek to fulfill their aspirations peacefully within this context.

During the last two years the Government of Iraq has announced its intention to institute reforms. Wartime travel restrictions have been relaxed, permitting large numbers of Iraqis to travel abroad for the first time in eight years. Elections for the National Assembly and the Kurdistan Autonomy Council were held in April and September 1989, respectively. Independents were allowed to run, and some Baath Party members were defeated. However, all candidates were carefully screened for support for the Government, and in any event neither body has any real power or legislative function as we would understand the terms.

A new constitution has been drafted and was submitted to the President last January. According to a recent Iraqi press report, the

draft has undergone the finishing touches by a panel of six members of the Iraqi leadership, and it will soon be submitted to the National Assembly and to a popular referendum.

It is, however, one thing to adopt a constitution and another thing to respect it. The current Iraqi constitution includes clauses on respect for human rights, a ban on torture, and the independence of the judiciary—none of which has any apparent effect in practice. If Iraq wishes to end international criticism of its human rights record, it must take steps that are real, not cosmetic. It must end the climate of fear imposed by its security apparatus and hold meaningful elections that are more than a mere charade. It must institute a truly independent judiciary and allow for a truly free press that does more than simply parrot the government line.

Most important of all, it must treat its citizens with dignity and give them the chance to live secure in their own homes and persons—free from the omnipresent threat of government repression and violence.

U.S. DEPARTMENT OF STATE, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1989

Iraq is in effect a one-party state governed by the Arab Ba'ath Socialist Party (ABSP) through a Revolutionary Command Council (RCC) which has both executive and legislative authority under the provisional Constitution of 1968. Saddam Hussein holds decisive power as President of the Republic, Chairman of the RCC, and Secretary-General of the Regional Command of the ABSP. Two other small parties are essentially support groups for the Government. In 1989 the Government announced its intention to adopt a multiparty system enshrined in a new constitution. Elections for the National Assembly—which has few powers—were held April 1. A draft constitution which would reportedly allow a multiparty system was completed in 1989 and is expected to be put to a referendum in early 1990. It remains to be seen, however, whether this will dilute the monopoly of power held by Saddam Hussein and the ABSP. Iraq's population comprises many disparate groups, most notably Shi'a and Sunni Muslim Arabs, Kurds, Turcomans, and various Christian sects, predominantly Assyrians and Chaldeans.

Iraq's military is large and well trained, and parts of it, notably the Fursan, or Kurdish tribal levies, have responsibility for security within the Kurdish autonomous region. The National Police is responsible for civil order.

The Government exerts a high degree of control over the economy, dominated by the petroleum sector, and owns all major industries. The Government has been carrying out a program of divestiture and privatization in agriculture, tourism, services, and light industry, and is trying to attract investor capital and expertise in the operation of the economy. However, close government regulation of economic activity is expected to continue.

Iraq's human rights record remained abysmal in 1989. Effective opposition to government policy is stifled; the intelligence services engage in extensive surveillance and utilize extralegal means, including torture and summary execution, to deal with antiregime activity. The civil rights of Iraqi citizens continue to be sharply limited, and Iraqis do not have the right to change their government. The freedoms of speech and press and of assembly and association are virtually nonexistent. Other important human rights problems include continuing disappearances and arbitrary detentions, lack of fair trial, widespread interference with privacy, excessive use of force against Kurdish civilians, and an almost total lack of worker rights. In addition to the repressive domestic controls that predate the war with Iran, tight wartime controls, including travel restrictions, remain in effect despite the August 1988 cease-fire with Iran.

An armed Kurdish insurgency continued in 1989, but at a reduced level. Although there were no allegations that the Government used chemical weapons against Kurdish civilians in 1989, as it did in 1988, in its efforts to crush the rebellion, it continued to violate the human rights of elements of the Kurdish population. The Government announced in June that in its campaign to suppress the rebellion it has pursued a program since 1987 of establishing a depopulated security zone along the full length of Iraq's borders with Iran and Turkey. Under this program, the Government has destroyed villages within a 30-kilometer-wide zone and relocated approximately 500,000 Kurdish and Assyrian inhabitants into more easily controlled and protected towns, cities, and newly constructed settlements in traditional Kurdish areas.

RESPECT FOR HUMAN RIGHTS

*Section 1. Respect for the Integrity of the Person, Including Freedom from:*

a. Political and Other Extrajudicial Killing

For years execution has been an established Iraqi method for dealing with perceived political and military opponents of the government, including, but not limited to, members of the outlawed Da'wa organization (an Iran-supported fundamentalist Shi'a Muslim group that has engaged in acts of international terrorism). In some cases, a family only learns that one of its members has been executed when the security services return the body and require the family to pay a fine.

Amnesty International (AI), in its presentation before the U.N. Subcommission on the Prevention of Discrimination and Protection of Minorities in August, stated that it had received allegations that some 80 army deserters were executed in December 1988 and charged that the Government executed 11 of its Kurdish opponents in March and April 1989.

In its February report, "Iraq: Children: Innocent Victims of Political Repression," AI stated that it receives allegations of hundreds of executions in Iraq each year. AI cited the case of 29 Kurdish children and youths allegedly executed in January 1987. In addition, AI, in its 1989 Report covering 1988, cited allegations that hundreds of civilians, including women and children, were executed at Tanjaro Military Garrison, Sulaimaniya province. Independent information to confirm the allegations cited in AI reports is not available.

b. Disappearance

In the February report, AI asserted that thousands of people arrested over the years by Iraqi security or intelligence forces reportedly have "disappeared" while in detention, with many feared executed. In its August presentation to the U.N. Subcommission, AI reported the disappearance in mid-April of Mulla Muhammad Dalgayi, described as the imam of Qal'at Diza, who was among delegates from Kurdistan who reportedly met with government officials to appeal against forced settlement of the Kurds at Qal'at Diza. He was reportedly arrested in Baghdad and has since disappeared. An Assyrian organization based in the United States charged in March that the whereabouts of 33 Assyrians, who took advantage of the amnesty issued by the Government and returned to Iraq from Iran and Turkey, were unknown.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture and prescribes stiff punishment for it, but it is clear that both physical and psychological torture are used by the authorities, especially the security policy. Given the rigid chain of command within the Government and the security services, torture could not be practiced without the knowledge or authorization of senior officials.

Emigre groups and former prisoners assert that persons detained by the security police for political or security-related matters are frequently tortured and mistreated. Treatment is reported to be worst immediately following arrest and during the period of interrogation and investigation, which can last for months. Torture and brutal treatment are not limited to political cases.

Security-related offenses are broadly defined and include such routine criminal matters as currency violations.

In its 1989 Report, AI stated that the routine torture and ill-treatment of prisoners continued to be widely reported. It said the victims included detainees below the age of 18 who were reportedly beaten, whipped, given electric shocks, and deprived of food. The Government categorically denied any use of torture against children as an official policy or as a practice, and stated its readiness to consider fully any individual allegation with a view to bringing perpetrators to justice. Impartial observers have so far been unable to look into these allegations.

d. Arbitrary Arrest, Detention, or Exile

While the Constitution and legal code provide for the rights of citizens and place checks on police powers in such areas as arrest, detention, imprisonment, and search, these provisions have virtually no weight in political or national security cases, although they are generally respected in ordinary criminal cases. Security police not only make arbitrary arrests but also secretly detain suspects, whose fate sometimes becomes known only after they have been executed. Security charges have included espionage, treason, and conspiracy against Iraq, in collaboration with unnamed foreign enemies.

The relocation of 500,000 Kurdish villagers to other areas of Kurdistan since 1987 may be considered a form of internal exile. The Government declared in June 1989 that it was creating an uninhabited security zone to ensure the safety and security of citizens in the border regions (who were subjected to shelling and military operations during the war with Iran) and to provide better services to the villagers.

Although the Government has ceased expelling Iraqis of supposed Iranian descent, most of the few remaining Iranians have been imprisoned or live under the fear of deportation or incarceration. Spouses of Iraqis of Iranian orgin are required to obtain a divorce or suffer the same consequences. Moreover, other Iraqis, whose grandparents are shown not to be of Iraqi origin, are subject to arbitrary detention and deportation.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

Iraq's legal system provides for investigation by police and then by an inquiry judge

who may refer a case to the courts or dismiss it. Judges try criminal cases; there are no juries. Convictions may be appealed to the Court of Appeal and then to the Court of Cassation, the supreme court. There are no Shari's courts per se in Iraq; however, family courts administer Shari's law modified by Iraqi custom.

Trials of oridinary cases are held in civil, criminal, and religious courts and are open. Defendants are entitled to counsel—at government expense if the defendant is indigent. Charges and evidence are available for review by the lawyer. Appellate courts hear cases not under the jurisdiction of the Revolutionary Courts.

In contrast to ordinary cases, security cases are handled by the Revolutionary Courts, which usually hold closed trials. Security cases include espionage, treason, smuggling, currency exchange violations and drug trafficking. The right of defense in such courts is said to be severely restricted. The "special courts" constituted by the RCC for specific incidents, such as the reported conspiracy against the regime in 1979, are also closed. These special tribunals are apparently exempt from constitutional safeguards of defendants' rights; defendants are held incommunicado, and confessions extracted by torture are admissible. Appeals can be taken only to the chairman of the RCC. However, the utility of this appeal is questionable, since there are reports that executions take place shortly after trial.

Political dissent in Iraq is taken by the authorities to encompass a wide range of activities and, in an environment where public acknowledgement of arrest or imprisonment is rare, it is extremely difficult to estimate the number of political prisoners. In its 1989 Report, AI stated that "thousands" of political prisoners continued to be arbitrarily arrested and detained, especially members of prohibited political parties, Army deserters, and draft resisters. Relatives, including children of suspects, are said to be held as hostages to compel confessions.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides protections for the inviolability of the home, and strong cultural values reinforce these protections. Police must obtain a search warrant before entering the home of a criminal suspect. However, warrants are not required for the arrest of security suspects. Although most arrests occur outside the home, there have been reports of forced entry and arrest by the security police, particularly of suspected members of the outlawed Da'wa organization.

Although the Constitution provides for the confidentiality of mail and telegraphic and telephone correspondence, many Iraqis believe that the monitoring of telephones is a common practice and that all mail is subject to review by censors. The security services and Ba'ath Party maintain pervasive networks of informers. The Government maintains a close watch against Iranian attempts to exploit dissatisfaction among Iraqi Shi'a, who adhere to the branch of Islam prevalent in Iran.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Elements of Iraq's Kurdish population have engaged in armed struggle with all governments of Iraq periodically since the 1920's. The outbreak of the Iran-Iraq war in 1980 sparked a new antigovernment insurgency by Kurdish elements, many of whom fought with or aided Iran during the war. From 1981 to 1989, the Government's efforts to crush the rebellion militarily resulted in approximately 8,000 deaths, many of them civilians killed indiscriminately by chemical weapons in 1988.

Although the fighting was at a reduced level in 1989, Kurdish military operations continued, as did government measures to contain them. Kurdish rebels continued to announce their hostility towards the central Government. On August 29, 1989, the leader of one group of insurgents stated to the press in Geneva that his group would target foreign interests in Iraq supporting the Iraqi regime. At year's end, the cycle of Kurdish rebellion and government repression remained unresolved.

*Section 2. Respect for Civil Liberties, Including:*

a. Freedom of Speech and Press

The freedoms of speech and press are not respected. The Constitution prohibits "any act aimed at undermining the national unity of the people, provoking racial, sectarian, and regional bigotry, or violating gains and achievements of the country." The Government views political dissent as a threat to its security and strictly controls speech and all information media. All publications are subject to censorship. The Government and the Ba'ath Party own and operate the press, radio, and television. The media do not criticize the Government, and news reporting is strongly biased. There is no presentation of opposition viewpoints.

Few foreign periodicals reach Iraq and those that do may be censored. Western newspapers are not sold. Foreign visitors' magazines, newspapers, cassettes, cameras, and video cassettes may be confiscated at the airport. To control the dissemination of political leaflets, word processors and computers must be registered. Failure to register is a criminal offense. Iraqis no longer need to register their typewriters or photocopiers, but foreigners in Iraq must do so. Taking photographs of military installations, government buildings, or areas near sensitive locations is forbidden and punishable by imprisonment. Journalists and photographers visiting Iraq at the invitation of the Government are required to present film taken in Iraq for inspection by the authorities.

b. Freedom of Peaceful Assembly and Association

These freedoms are severely limited. Public meetings may only be organized under the auspices of the Government or the Ba'ath Party. Association for nonreligious purposes and demonstrations without government approval have met with severe repression. Professional organizations are subject to control by the Ba'ath Party Central Vocational Bureau.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

Iraq is an ethnically and religiously diverse society. Since its rise to power in 1968, the Ba'ath Government, while carefully controlling religious groups, has enforced tolerance of religious diversity, seeking to submerge religious differences in the promotion of secular nationalism. A 1981 law gave the Ministry of Endowments and Religious Affairs the authority to promulgate laws and regulations governing places of worship, appointment of clergy, publication of religious literature, and participation in religious councils and meetings. Muslim religious leaders operate under close government supervision, are considered government employees, and receive their salaries through the Government. The Government administers the principal Muslim shrines and mosques and has provided allotments to them and to churches for maintenance and refurbishing. There are no penalties under Iraqi law for changing one's religion, although there is a social stigma for Muslims who convert to another faith.

While the Government has assumed much greater authority in Islamic religious affairs since 1981. It has been less intrusive into the religious affairs of Iraq's Christians, who number more than 500,000 and constitute nearly 4 percent of the population. Their freedom of worship in churches of established denominations is legally protected, but they are not permitted to proselytize or to hold meetings outside church premises. Convents and monasteries exist, and some new churches have been constructed, in some cases with government financial support. The Jewish community has decreased from 150,000 following World War II to under 400. There is no evidence of recent persecution. One synagogue in Baghdad still functions.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Iraqis are generally free to travel within the country and to change their residences of workplaces. However, they are likely to be constrained by social, cultural, and religious traditions which define the areas occupied by the various ethnic and religious groups. Sensitive border and other security areas are off limits. There are police checkpoints on highways and outside major towns, but Iraqis and nondiplomatic foreigners travel freely in nonrestricted areas.

The Government's harsh campaign to suppress Kurdish rebels, involving mass relocations of Kurdish villagers, has nullified the right of hundreds of thousands of Kurds to choose their place of residence. Since the Government began its programs of forced relocation in 1987, an estimated 500,000 people have been uprooted. Since traditional Kurdish culture has been deeply embedded in the rural village, the forced removals and razing of villages has had a destructive impact on the lives of some half a million Kurds.

Most foreigners who remain in the country for more than 30 days and all Iraqis must obtain exit permission. Travel has been severely limited since September 1986, when the Government imposed tight restrictions on currency exchange. These restrictions were eased somewhat in 1989, but the most an Iraqi may exchange is 1,000 dinars ($3,220). Because of the drain on the economy caused by the war and reconstruction, permission to travel abroad is restricted to a few categories of Iraqis, including officials, businessmen, government-approved students, and persons needing medical treatment. In 1989 the Government eased restrictions to permit one parent to visit his or her offspring who is studying or working abroad.

While permission for medical treatment abroad may be granted, permission to transfer hard currency abroad to pay for it may not be. In cases of those desiring medical treatment in the United States, the Government now requires a bond to be posted by an American friend or relative with the Iraqi embassy in Washington before exit permission is granted. The minimum amount of this bond is $10,000. The Government sometimes limits the countries an Iraqi traveler may visit and, should the traveler visit a nonauthorized country, a small fine may be levied upon his return. Iraqis who have residences abroad may depart the country, provided they originally left before the war began. A married woman must have the permission of her husband to travel abroad.

The Government can require a prospective traveler to post a substantial bond to assure his return. The RCC decreed in 1987 that Iraqi students abroad who refuse to return to Iraq must reimburse the Government for all education received in Iraq or abroad at government expense. The decree is applicable retroactively to students who have refused to return since May 16, 1983, the date the Government began requiring employees leaving government jobs before 20 years of service to reimburse the State for the cost of their education. Amounts due can be recovered by confiscation; nonpayment may result in imprisonment. Each student must provide a guarantor before traveling abroad. This guarantor and the student's parents may be held liable if the student fails to return.

There is no specific ban on emigration or special restrictions for members of minority groups; however, emigration is discouraged. For the past several years, almost all of those given permission to emigrate have been Christian Iraqi wives of former Iraqi citizens now living abroad as citizens of another country. Prospective emigrants have had travel permission delayed and have been harassed. Many emigrants leave behind substantial property because of the difficulty of exporting assets. Currency exchange violations are considered national security offenses, and penalties can be severe.

Non-Iraqi spouses of Iraqi citizens who have resided in Iraq for 5 years are required to take Iraqi nationality or leave Iraq. Many people, including several Americans, have thus been obliged to accept Iraqi citizenship and are therefore subject to the present travel restrictions. In March 1984, an order by the RCC reduced the residency period before naturalization to 1 year for the spouses of Iraqi citizens employed in government offices. The Iraqi spouse faces penalties for noncompliance, including loss of job, a fine of approximately $10,000, and repayment of the costs of education. Iraq does not recognize the concept of dual nationality, and many Iraqi "dual nationals," especially the children of an Iraqi father and a mother of non-Iraqi birth, have been denied permission to leave Iraq to visit the country of their other nationality.

In recent years, the Government has instituted special programs to encourage repatriation of qualified professionals. Aliens of Iraqi origin can apply for a document permitting them to enter and exit from Iraq without a visa.

Other persons of Iraqi origin are permitted to return, including many persons who were admitted to other countries as refugees. A number of such people, especially Assyrian Christians, have returned on temporary visits. They are free to come and go, within the limits of the present travel restrictions, since they are not considered to have violated Iraqi laws. However, those who emigrated only after the beginning of the Iran-Iraq war, including several U.S. permanent resident aliens, have been unable to depart from Iraq after returning. In September and November 1988 and in February and March 1989, the Government announced amnesties for Kurds who fled the country for any reason. Approximately 2,000 have voluntarily returned from refugee camps in Turkey.

*Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government*

Iraqi citizens do not have the ability peacefully to change their government. President Saddam Hussein and the RCC rule Iraq through the Ba'ath Party. It reportedly has some 1.5 million adherents, representing about 9 percent of the population.

There are two other small legal political parties, both Kurdish. They and the Ba'ath Party constitute the Patriotic and Progressive National Front, essentially a vehicle of support for the Government. Members of the military or security services may engage in political activities only within the Ba'ath Party. Association with the party is not required for appointment to senior government positions or military ranks or election to National Assembly, but is normally necessary to attain political influence. Opposition groups, including various Kurdish groups and splinter parties, are severely repressed. The Communist Party was removed from the National Front and declared illegal in 1979. The Da'wa organization, a violent Shi'ite group, is still proscribed, and its members are subject to incarceration and execution, as are members of other parties believed to be cooperating with Iran. Plans the Government announced in 1988 to permit legal formation of opposition parties were not implemented in 1989.

General elections were held for the 250-seat National Assembly in April. Though in theory possessing a wide range of official duties, the Assembly exercises little real authority. The majority of the more than 900 candidates were independents, although all supported current government policies. The elections by secret ballot were more open than in the past, and some high-ranking Ba'ath party officials were defeated.

The biennial elections for the Legislative Assembly of the Kurdish Autonomous Region were held in September 1989. All 174 candidates, from the three legal parties and independents, had to satisfy the same requirements as National Assembly candidates. The Legislative Assembly does not exercise meaningful authority.

In October 1989, an Experts Commission finished drafting a new Constitution to replace the Provisional Constitution of 1970. Iraqi officials assert that the new Constitution will provide more guarantees of human rights. However, the new Constitution has not yet been made public pending approval by President Saddam Hussein and the RCC.

*Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

The Government allows one human rights group to operate inside Iraq, but this is largely under government control. The Government has rarely cooperated with private foreign groups or international organizations in investigating events or practices in Iraq.

The Government denies charges that it violates human rights, and claims that the information on which AI and other human rights groups base their charges comes from pro-Iranian and Kurdish Iraqi exile groups in London and Paris. In its 1989 report on children in Iraq, AI cited several instances in which Iraqi authorities had commented on AI reports or responded to AI inquiries, but in each case these authorities had defended the Government's actions as justifiable or denied the accuracy of AI's information. A resolution before the U.N. Subcommission on the Prevention of Discrimination and Protection of Minorities in August 1989, recommending that the U.N. Commission on Human Rights study the human rights situation in Iraq, was narrowly defeated.

Iraq does cooperate with the International Committee of the Red Cross in efforts to resettle Iranian civilian refugees in third countries, and the U.N. High Commissioner for Refugees has had a permanent representative in Iraq since April 1988 who registers Iranian refugees and works for their resettlement.

*Section 5. Discrimination Based on Race, Sex, Religion, Language, or Social Status*

The Ba'ath Party is committed to the equality of the sexes, and a series of laws since it came to power in 1968 has steadily improved the status of women. There have been laws to protect women from exploitation in the workplace; grant subsidized maternity leave; permit women to join the regular army, popular army, and police forces; and equalize women's rights in divorce, land ownership, taxation, suffrage, and election to the National Assembly. In the 1970's, the Government imposed legal penalties on families that opposed sending their women to literacy schools, and on men who were seen harassing women. While the application of these laws has resulted in significant tangible improvements for women, a number of problems remain. Married women may still travel abroad only with the permission of their husbands. School enrollment of females has been increasing in recent years, reaching 45 percent in elementary schools and 36 percent in secondary schools in 1985-86.

Women represent about 47 percent of agricultural workers and about 25 percent of the total work force. The war accelerated the Government's drive to elevate the status of women, and it appears to have significantly reduced, if not removed, barriers to the acceptance of women in traditional male roles. Women are increasingly employed as architects, construction engineers, oil engineers, air traffic controllers, and factory and farm managers. Their role in the armed forces is limited to the medical field.

Violence against women, such as wife beating and rape, is known to occur but little is known about its extent. Such abuse is customarily dealt with within the tightly knit Iraqi family structure because of the value attached to personal privacy in this conservative society. Consequently, there is no public discussion of the subject, and there are no official statistics. Excessive violence against women would be grounds for divorce and criminal charges, but suits brought on these charges in Iraq are believed to be rare.

The use of minority languages is unrestricted. Kurdish is an official language used in schools and media in Kurdish areas. Turcomans publish in their dialect of Turkish, and Christians often use Aramaic as well as Arabic.

The Shi'a, who make up roughly 55 percent of the population, have historically been economically, politically, and socially disadvantaged throughout much of the Middle East. The Government has a declared policy to raise their living standards and equalize opportunities for their economic and professional advancement. For four centuries, political power in Iraq has been concentrated in the hands of the Sunni minority. Sunni Arabs, who comprise 20 to 25 percent of Iraq's population, dominate the RCC, the Regional Command of the Ba'ath Party, and the Cabinet. However, increasing numbers of Shi'as hold prominent positions, and the economic status of the Shi'a has improved through intensive government investment in the economic and educational infrastructure of southern Iraq.

Although Christians sometimes allege discrimination in education and jobs, adherence to their religion has not prevented many from obtaining wealth and professional advancement. The Deputy Prime Minister and Foreign Minister, a Chaldean Christian, has represented Iraq at meetings of the foreign

ministers of the Organization of the Islamic Conference. Other Christians hold important official and private positions.

Citizens considered to be of Iranian origin carry special identification. They are often precluded from desirable employment and their advancement may be impeded. Many "Iranian" families have been in Iraq for generations. The two holiest shrines of Shi'a Islam, the prevalent sect in Iran, are located in Iraq. For generations Iranians have come to Najaf and Karbala on pilgrimage or to study in the seminaries, and many settled there. Some "Iranians" say their forebears were not from Iran but claimed Iranian nationality to evade Ottoman military conscription.

*Section 6. Worker Rights*

a. The Right of Association

Trade unions independent of government control do not exist in Iraq. Under the trade union organization law of June 2, 1987, a new single trade union structure was prescribed for organized labor. Workers in private and mixed enterprises and in cooperatives—but not public employees or workers in state enterprises—have the right to join a local union committee. The committees form trade unions which in turn are part of provincial trade union federations. At the top is an umbrella organization, the Iraqi General Federation of Trade Unions, which is organically linked to the Ba'ath Party and required to promote party principles and policies among union members. The General Federation is affiliated with the International Confederation of Arab Trade Unions and the Communist-controlled World Federation of Trade Unions. It is also active in the tripartite Arab Labor Organization, headquartered in Baghdad.

Although workers legally have the right to strike, after providing notice to the Labor Ministry, no such strikes were reported in 1989. There was a 1-day wildcat walkout by Egyptian workers protesting excessive work hours.

b. The Right To Organize and Bargain Collectively

The right to bargain collectively is not recognized. Salaries for public sector workers (i.e. the bulk of the employed) are set by the Government. Wages in the private sector are set by the employers or negotiated individually with workers.

Iraq, which has ratified International Labor Organization (ILO) Convention 98 on the Right to Organize and Bargain Collectively, was criticized by the ILO's Committee of Experts (COE) in 1989 for the fact that its new labor code of 1987 fails to provide workers with protection against antiunion discrimination. The COE also expressed regret that the 1987 Act on trade union organizations did not provide for collective bargaining.

There are no export processing zones in Iraq.

c. Prohibition of Forced or Compulsory Labor

Although compulsory labor is prohibited by law, during and shortly after the war with Iran the Popular Army, the militia of the Ba'ath Party, employed press-gang methods to draft recruits. However, these activities ceased in November 1988, and the Popular Army was for the most part demobilized in 1989.

ILO supervisory bodies again in 1989 expressed concern that the Penal Code permits the punishment of civil servants with imprisonment, including compulsory prison labor, for breaches of labor discipline, which include resigning from one's job. A November cabinet meeting, reported in the government-directed press, quoted the remark of a minister that resignation from government jobs should be free, confirming that heretofore civil servants have had to buy their way out of government service.

d. Minimum Age for Employment of Children

Children are frequently encouraged to work as necessary to support the family, but the employment of children under age 14 is forbidden in all enterprises other than small-scale family enterprises. Children between the ages of 14 and 18 who are employed are protected by law: they work fewer hours and have more privileges than adult workers.

e. Acceptable Conditions at Work

The workweek in urban areas is 6 days, 7 to 8 hours a day, for workers in the private and mixed sectors. These provisions do not apply to agricultural workers whose workweek and hours of work per day can vary according to individual employer-employee agreements. Hours for government employees are set by the head of the ministry for which the employee works. Many government employees routinely work longer than 8 hours a day, some of them as much as 12 hours per day.

Occupational safety programs are in effect in state-run enterprises, and inspectors make visits irregularly to private establishments. Enforcement varies widely. A government decree to extend occupational safety and health protection was issued and subsequently withdrawn in December 1988, reportedly resulting in the dismissal of the Labor Minister.

A special problem arose after the Government decided in June to reduce drastically the amount of hard currency foreign workers could remit. It is widely believed that the Government took this measure to "encourage" foreign workers to leave the country, thus freeing jobs for demobilized Iraqi soldiers. Workers not on contract were particularly hard hit. Most of the over 2 million Egyptian workers in Iraq were manual laborers. When they learned they would be able to transfer only $32 per month, they began to leave Iraq in droves, an estimated 2,000 per day by air alone. Egyptian and other foreign workers in Iraq have claimed that some Iraqi employers forced them to work 12 to 15 hours a day for 8 hours' pay or refused to pay wages. The Government has admitted that Iraqi banks have been slow to pay remittances. Egyptian workers are in fact receiving their savings a year after leaving Iraq.

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U.S. DEPARTMENT OF STATE, COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1988

Iraq is in effect a one-party state governed by the Arab Ba'ath Socialist Party (ABSP) through a Revolutionary Command Council (RCC) which has both executive and legislative authority under the provisional Constitution of 1968. Saddam Hussein holds decisive power as President of the Republic, Chairman of the Council, and Secretary General of the Regional Command of the ABSP. Two other legal parties are essentially support groups for the Government.

Iraq's population comprises many disparate groups, most notably Shi'a and Sunni Muslim Arabs, Kurds, Turcomans, and various Christian sects, predominantly Assyrians and Chaldeans.

Iraq's military is large and well trained, and parts of it have security responsibilities, notably the Fursan, or Kurdish tribal levies, which have responsibility for security within the Kurdish Autonomous Region. The national police is responsible for civil order. In addition, Iraq's intelligence services are widely feared, and have engaged in extensive surveillance and extralegal means to deal with antiregime activity, including torture and summary execution.

The Government exerts a high level of control over the economy, which is dominated by the petroleum sector. The state owns all major industries, including petroleum and banking. In agriculture, tourism, the services industry, and light industry, the Government is engaged in a program of divestiture and privatization. Close government regulation of economic activity will be maintained, but the Government is trying to attract investor capital and expertise in the operation of the economy.

Iraq's abysmal human rights record remained unacceptable in 1988. Political and individual rights continued to be sharply limited, and the news media remained largely under government control and subject to censorship. In addition to repressive domestic controls that predate the war with Iran, tight wartime controls remained in effect after the cease-fire. These included a decree which prescribes the death penalty for anyone who damages the country's military, political, or economic position. Wartime travel restrictions, which prevent most Iraqis from departing the country, also remained in force.

Most significant in 1988 were the grave human rights violations that occurred when the Iraqi armed forces moved to crush a longstanding Kurdish rebellion after the August 20 cease-fire with Iran. The campaign was marked by the use of chemical weapons against guerrillas and civilians alike. It marked an intensification of the program begun in 1987 to destroy villages and hamlets in Kurdish areas of northern Iraq, and to relocate approximately half a million Kurdish and Assyrian villagers to more easily controlled towns and cities. In addition, there are unconfirmed reports that tens of thousands of Kurds have been removed from their homes to camps located outside traditional Kurdish areas of northern Iraq.

RESPECT FOR HUMAN RIGHTS

*Section 1. Respect for the Integrity of the Person, Including Freedom from:*

a. Political Killing

Execution has for years been an established method for dealing with perceived political and military opponents of the Government, particularly members of the outlawed Da'wa Organization (an Iran-supported fundamentalist Shi'a Muslim group that has engaged in acts of international terrorism). The Government has been accused of murdering Iraqi political opponents in the United Kingdom and Sudan; in the case of Sudan, the victim was a leader of the opposition Supreme Assembly of the Islamic Revolution in Iraq, based in Tehran and closely linked to the Da'wa Organization.

The Government's intensified efforts to crush a Kurdish rebellion in northern Iraq resulted in approximately 8,000 deaths, many of them civilians, according to Kurdish sources. The Iraqi armed forces made extensive unlawful use of chemical weapons against both military and civilian targets in Iran and Iraqi Kurdistan. In the course of a March 16 battle between Iraqi forces and Iranian Revolutionary Guards in and near the Kurdish city of Halabja in northern Iraq, an estimated 600 to 3,000 civilians were killed by Iraqi chemical weapons. The United States condemned Iraq's action as a particularly grave violation of the 1925 Geneva Protocol

on chemical weapons, to which Iraq is a party, while noting that Iran also appears to have employed chemical weapons in the same battle. Several international teams, including a U.N. team and a team of Belgian doctors, confirmed the use of chemical weapons in this battle. Twice in 1988 the U.N. Security Council condemned use of chemical weapons in the Iran-Iraq War.

With the cessation of hostilities between Iran and Iraq in August, the Iraqi armed forces launched an offensive against Kurdish rebel forces. Combat troops from the Iranian front carried the battle to villages, which they claimed rebels were using for sanctuary.

On several days in August, chemical weapons were used in this campaign. Immediately thereafter, at least 60,000 Kurds fled across the border into Turkey. On September 8, the U.S. Department of State announced that it had conclusive evidence that Iraqi forces used chemical weapons unlawfully against Kurds and condemned its use. Since then, several groups including a U.S. Senate staff delegation, Physicians for Human Rights, and a British laboratory that analyzed soil samples, confirmed Iraq's use of chemical weapons in this campaign. The Iraqis have denied using chemical weapons against Kurds.

In its 1988 Report, covering 1987, Amnesty International (AI) noted that at least 17 Kurdish children aged 14 to 17 were executed in November and December 1987. AI also reported the poisoning of Kurdish opponents in November 1987 by security forces.

b. Disappearance

Iraqi emigrants have reported that some persons, particularly those detained by the security police for subversion, disappear following detention. Kurdish rebels in northern Iraq have occasionally kidnaped foreign workers and businessmen. In its 1988 Report, AI noted that the "disappearance" of large numbers of people continued to be widely reported, and that many of them were feared to have been executed.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits torture and prescribes stiff punishment for it, and the Government rejects charges that it practices torture. Nevertheless, reliable reports make clear that both physical and psychological torture are used by the authorities, especially the security police. Given the rigid chain of command within the Government and security services, torture could not be practiced without the authorization of senior officials.

According to emigre groups and former prisoners, persons detained by the security police for political or security-related matters are frequently tortured and mistreated. Treatment is reported to be worst immediately following arrest and during the period of interrogation and investigation, which can last for months. Torture and brutal treatment are not limited to political cases. Security-related offenses are broadly defined to include such routine criminal matters as currency violations.

The security forces' methods of torture, often employed to extract confessions or information about the suspect and his colleagues, reportedly include beatings with fists and rubber truncheons, electrical shocks to the genitals and other parts of the body, and the extraction of fingernails and toenails, as well as psychological torture. AI has reported that over the years the Government had denied allegations of torture even when the allegations were supported by detailed medical evidence and that the Government had also failed to show that such allegations were ever investigated or that any perpetrators were brought to justice. In its 1988 Report, AI noted that the routine use of torture by the security forces continued to be widely reported. It said that the victims included political prisoners, and cited a report that the bodies of 29 youths—who allegedly had been tortured shortly before being executed without trial in January 1987—were returned to their families bearing marks of torture. They had been among 300 Kurdish children and young people arrested in 1985.

d. Arbitrary Arrest, Detention, or Exile

The Constitution and legal code provide for the rights of citizens and place checks on police powers in such areas as arrest, detention, imprisonment, and search. These provisions are generally respected in ordinary criminal cases, but have little weight in political or national security cases. Security police not only make arbitrary arrests but also secretly detain suspects, whose fate sometimes becomes known only after they have been executed. Security charges have included espionage, treason, and conspiracy against Iraq, often in collaboration with unnamed foreign foes.

As part of its campaign to eliminate the Kurdish rebellion and to clear a security zone along its northern border, the Government continued the policy of relocating, sometimes forcibly, several hundred thousand Kurds. While most were moved to or near Kurdish towns and cities south of the mountains, there are unconfirmed reports that others were exiled to non-Kurdish parts of the country. The campaign involved widespread destruction of Kurdish villages, and some Turcoman and Christian villages near the front lines.

In the past, Iraq has expelled to Iran large numbers of Iranians and Iraqis of supposed Iranian descent. These deportations ceased in the early 1980's; however, most of the few remaining Iranians have been imprisoned or live under the fear of deportation or incarceration. Spouses of Iraqis of Iranian orgin are required to obtain a divorce or suffer the same consequences. Moreover, other Iraqis, whose grandparents are shown not to be of Iraqi origin, are subject to arbitrary detention and deportation. Assyrian religious groups in the United States alleged in 1987 that many Iraqi Assyrians were expelled to Turkey under this rule.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

Iraq's legal system provides for investigation by police and then by an inquiry judge who may refer a case to the criminal court. A judge tries criminal cases; there is no jury. Convictions may be appealed to a court of cassation or, in the case of major crimes, the High Court of Appeals.

Trials of nonsecurity cases are held in civil, criminal, and religious courts and are open. Defendants are entitled to counsel. A lawyer is provided if a defendant cannot afford one. Charges and evidence are available for review. Appellate Courts hear cases not under the jurisdiction of the Revolutionary Courts. The Revolutionary Courts, which usually hold closed trials, deal with espionage, treason, smuggling, and drug trafficking. The right of defense in such courts is reportedly severely restricted.

The "special courts" constituted by the RCC for specific incidents, such as the reported consipracy against the regime in 1979, are also closed. These special tribunals are apparently exempt from constitutional safeguards of defendants' rights; defendants are held incommunicato, and confessions extracted by torture are used. Appeals can be taken only to the Chairman of the RCC. However, the practical availability of this appeal is open to question, since there are reports that executions take place shortly after trial.

Political dissidence in Iraq is taken by the authorities to encompass a wide range of activities and, in an environment where public acknowledgment of arrest or imprisonment is rare, it is extremely difficult to estimate the number of political prisoners. In its 1988 Report, AI noted that "thousands of political prisoners" continued to be arbitrarily arrested and detained.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

The Constitution provides protections for the inviolability of the home, and strong cultural values reinforce these protections. Police must obtain a search warrant before entering the home of a criminal suspect. However, warrants are not required for the arrest of security suspects. Although most arrests occur outside the home, there have been reports of forced entry and arrest by the security police, particularly of suspected members of the outlawed Da'wa Organization. As their compaign against Kurdish rebels intensified, government forces conducted large-scale searches of homes in Kurdish towns, and arrested and relocated large numbers of people.

There is no legal protection against the monitoring of telephones, which many Iraqis believe to be a common practice. All mail is believed subject to review by censors. The security services and the Ba'ath Party are generally assumed to maintain pervasive networks of informers.

*Section 2. Respect for Civil Liberties, Including:*

a. Freedom of Speech and Press

These freedoms are not respected. The Constitution prohibits "any act aimed at undermining the national unity of the people, provoking racial, sectarian, and regional bigotry, or violating gains and achievements of the country," and the Government views political dissent as a security threat and strictly controls speech, all information media, and assembly. The Government owns and operates the press, radio, and television. The media do not criticize the Government, and news reporting is strongly biased. Opposition viewpoints are not heard. Few foreign periodicals reach Iraq, and Western newspapers are not sold. Foreign visitors' magazines, newspapers, cassettes, cameras, and video cassettes may be confiscated at the airport. To control the dissemination of political leaflets, typewriters and photocopying machines must be registered. Taking photographs of military installations, government buildings, or areas near sensitive locations is forbidden and punishable by imprisonment. Journalists and photographers visiting Iraq at the invitation of the Government are required to present film taken in Iraq for inspection by the authorities.

b. Freedom of Peaceful Assembly and Association

These freedoms are severely limited. Public meetings may only be organized under the auspices of the Government or the Ba'ath Party. Association for nonreligious purposes and demonstrations without government approval have met with severe repression. Professional organizations are sub-

ject to control by the Ba'ath Party Central Vocational Bureau.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

C. Freedom of Religion

Iraq is an ethnically and religiously diverse society. However, many non-Muslims, principally Jews and Christians, left Iraq under previous regimes. Since its rise to power in 1968, the Ba'athist Government, while carefully controlling religious groups, has enforced tolerance of religious diversity, seeking to submerge religious differences in the promotion of secular nationalism. A 1981 law gave the Ministry of Endowments and Religious Affairs the authority to promulgate laws and regulations governing places of worship, appointment of clergy, religious literature, and participation in religious councils and meetings. Muslim religious leaders operate under close government supervision, are considered government employees, and receive their salaries through the Government. The Government administers the principal Muslim shrines and mosques and has increased allotments to refurbish and maintain them in an apparent attempt to win support from the devout.

While the Government has assumed much greater authority in Islamic religious affairs since 1981, the law has not been invoked against Iraq's Christian sects. Iraq's Christians number more than 500,000 and constitute nearly 4 percent of the population. Their freedom of worship in churches of established denominations is legally protected, but they are not permitted to proselytize or to hold meetings outside church premises. Convents and monasteries exist, and some new churches have been constructed, in some cases with government financial support. The Jewish community is believed to have decreased from 150,000 following World War II to under 400. It was severely persecuted in the past, but there is no evidence of recent persecution. One synagogue in Baghdad still functions.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Iraqis are generally free to travel within the country and to change their residences or workplaces. However they are likely to be constrained by social, cultural, and religious traditions which define the areas occupied by the various ethnic and religious groups. Sensitive border and other security areas are off-limits. Civilian travel in the war zone is restricted. Curfews are in effect where Kurdish insurgents have been active. There are police checkpoints on highways and outside major towns, but most Iraqis and foreigners travel freely in nonrestricted areas.

The Government's harsh campaign to suppress Kurdish rebels, involving mass relocations of Kurdish villagers, has nullified the right of hundreds of thousands of Kurds to choose their place of residence. An estimated 250,000 to 300,000 Kurdish villagers were forcibly relocated in 1988; since the Government began its program of forced relocation in 1987, an estimated 500,000 people have been uprooted. Since traditional Kurdish culture has been deeply embedded in the rural village, the forced removals and razing of villages has had a destructive impact on the lives of some half a million Kurds.

All Iraqis and most foreigners who remain in the country for more than 2 weeks must obtain exit permission. Travel has been even further limited since September 1986 when severe restrictions on currency exchange were imposed. Because of the war's drain on the economy, permission to travel abroad is restricted to a few categories of Iraqis, including officials, government-approved students, and medical treatment abroad may be granted, permission to transfer hard currency abroad to pay for it usually is not. The Government seeks to limit the countries an Iraqi traveler may visit and, should the traveler visit a nonauthorized country, a small fine may be levied upon his return. Iraqis who have residences abroad may depart the country provided they originally had left before the war began. In general, a married woman must have the permission of her husband to travel abroad.

The Government can require a prospective traveler to post a substantial bond to assure return. The RCC decreed in 1987 that Iraqi students abroad who refuse to return to Iraq must reimburse the Government for all education received in Iraq or abroad at government expense. The resolution is applicable retroactively to students who have refused to return since May 16, 1983, the day the Government began requiring those employees who left government jobs before completing the required 20 years of work to reimburse the State for the cost of their education. Amounts due can be recovered by confiscation; nonpayment may result in imprisonment. Each student must provide a guarantor before traveling abroad. This guarantor and the student's parents may be held liable if the student fails to return.

There is no specific ban on emigration or special restrictions for members of minority groups; however, emigration is discouraged. For the past several years, almost all of those given permission to emigrate have been spouses of foreign nationals. Prospective emigrants have had travel permission delayed and have been harassed. Many emigrants leave behind substantial property because of the difficulty of exporting assets. Currency exchange violations are considered national security offenses, and penalties can be severe.

Alien spouses of Iraq, citizens who have resided in Iraq for at least 5 years are required to become naturalized or leave Iraq. Many people, including several Americans, have thus been obliged to accept Iraqi citizenship and are therefore subject to the present travel restrictions. In March 1984, a resolution by the RCC reduced the residency period before naturalization to 1 year for the spouses of Iraqi citizens employed in government offices. The Iraqi spouse faces penalties for noncompliance, including loss of job, a fine of approximately $10,000, and repayment of the costs of education. Iraq does not recognize the concept of dual nationality, and many Iraqi "dual nationals," especially the children of an Iraqi father and a mother of non-Iraqi birth, have been denied permission to leave Iraq to visit the country of their other nationality.

In recent years, the Government has instituted special programs to encourage the repatriation of qualified professionals. Aliens of Iraqi origin can apply for a document permitting them to enter and exit from Iraq without a visa. Former Iraqis can more easily obtain visitors' visas than can other aliens, who generally must have a sponsor.

Other persons of Iraqi origin are permitted to return, including many persons who were admitted to other countries as refugees. A number of such people, especially Assyrian Christians, have returned on temporary visits. They are free to come and go, within the limits of the present travel restrictions, since they are not considered to have violated Iraqi laws. However, those who emigrated only after the beginning of the Iran-Iraq War, including several U.S. permanent resident aliens, have been unable to depart Iraq after returning. AI reports that in November 1987 the Government declared an amnesty "for Iraqis living abroad who had been convicted or suspected of political or criminal offenses. It was not known whether anyone took advantage of it." In September the Government announced an amnesty for Kurds who fled the country during the August campaign. Approximately 1,400 returned from refugee camps in Turkey.

*Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government*

Citizens do not have the right to change their government in Iraq. The Ba'ath Party, whose limited membership is dominated by the President and the party's Regional Command, rules Iraq. The party reportedly has some 1.5 million adherents, representing about 10 percent of the population; but only some 50,000 "active" or full members, less than 0.33 percent of the population, participate influentially in party activities. There are two other legal political parties, both Kurdish. They and the Ba'ath Party constitute the Patriotic and Progressive National Front, essentially a vehicle of support for the Government. The two minor parties carry on only limited activity. Members of the military or security services may engage in political activities only within the Ba'ath Party. Association with the party is not required for appointment to senior government positions or military ranks or election to the National Assembly, but is normally necessary to attain political influence. Opposition groups, including various Kurdish groups and splinter parties, are severely repressed. The Communist Party was removed from the National Front and declared illegal in 1979. The Da'wa Organization, a violent dissident Shi'ite group, is still proscribed, and its members are subject to incarceration and execution, as are members of other parties believed to be cooperating with Iran. The Government announced in November plans to permit the legal formation of opposition parties. However, this development is unlikely to have a major effect on the nature of the regime.

General elections were last held for the 250-seat National Assembly in 1984. The Government screened all the candidates for consonance with Ba'ath Party ideology. Though in theory possessing a wide range of official duties, the Assembly exercises little real authority. The most recent local elections were held in the Kurdish Autonomous Region in 1986. With the term of the National Assembly having expired, elections are scheduled for March 1, 1989.

*Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

Iraq denies charges that it violates human rights. Iraqi officials claim that the informtion on which AI and other human rights groups base their charges comes from pro-Iranian and Kurdish Iraqi exile groups in London and Paris. In its 1988 Report, AI noted several instances in 1987 in which Iraqi authorities had commented on AI reports or responded to AI inquiries, but in each case these authorities had defended their actions as justifiable. Iraq refused to permit any independent investigation, including one under U.N. auspices, of charges related to the use of chemical weapons in its campaign to suppress Kurdish rebels. Iraq adamantly denied such use.

There is no government office or official charged with investigating human rights and coordinating with other governments and international organizations on human rights. Iraq cooperates with the International Committee of the Red Cross in efforts to resettle Iranian civilian refugees in third countries. The U.N. High Commissioner for Refugees (UNHCR) in previous years sent several representatives to Iraq for brief periods to register refugees and to work for their resettlement. A UNHCR representative has been in Baghdad since April 1988.

*Section 5. Discrimination Based on Race, Sex, Religion, Language, or Social Status*

The Ba'ath Party has been committed to the equality of the sexes, and a series of laws since it came to power in 1968 has steadily improved the status of women. Such laws have protected women from exploitation in the workplace; granted subsidized maternity leave; permitted women to join the regular army, Popular Army, and police forces; and equalized women's rights on divorce, land ownership, taxation, suffrage, and election to the National Assembly. In the 1970's, the Government imposed legal penalties on families that opposed sending their women to literacy schools, and on men who were seen harassing women. However, women may still travel abroad only with the permission of their husbands. School enrollment of females has been increasing in recent years, reaching 45 percent in elementary schools and 36 percent in secondary schools in 1985–86.

Women represent about 47 percent of agricultural workers and about 25 percent of the total work force. The war accelerated the Government's drive to elevate the status of women, and some Iraqis believe it has permanently broken cultural barriers to the acceptance of women in traditional male roles. Women have become increasingly visible as architects, construction engineers, oil engineers, air traffic controllers, factory and farm managers, and Air Force pilots. Some 40,000 women were reportedly volunteers in the Popular Army in 1982.

The use of minority languages is unrestricted. Kurdish, an official language, is used in schools and media in Kurdish areas. Turcomans publish in their dialect of Turkish. The Shi'a, who make up roughly 55 percent of the population, have historically been economically, politically, and socially disadvantaged throughout the Middle East. The Government has a declared policy to raise their living standards and equalize opportunities for their economic and professional advancement. For four centuries, political power in Iraq has been concentrated in the hands of the Sunni minority. Sunni Arabs, who comprise 20 to 25 percent of Iraq's population, dominate the RCC, the Regional Command of the Ba'ath Party, and the Cabinet. However, many Shi'as hold prominent positions, and the economic status of the Shi'a has improved. Nevertheless, the Government maintains a close watch against Iranian attempts to exploit dissatisfaction among the Iraqi Shi'a, who adhere to the branch of Islam prevalent in Iran.

Although Christians sometime allege discrimination in education and jobs, adherence to their religion has not prevented many from obtaining wealth and professional advancement. The Deputy Prime Minister and Foreign Minister, a Chaldean Christian, has represented Iraq even at meetings of the foreign ministers of the Organization of the Islamic Conference. Other Christians hold important official and private positions. Citizens considered to be of Iranian origin carry special identification, and they are often precluded from desirable employment and their advancement may be impeded. Many "Iranian" families have been in Iraq for generations. Some say their forebears were not from Iran but claimed Iranian nationality to evade Ottoman military conscription.

*Section 6. Worker Rights*

a. The Right of Association

Industrial workers do not constitute a significant part of the total work force, whose principal components are agricultural workers, shopkeepers, and government employees. Under the Trade Union Organization Law of June 2, 1987, a new single trade union structure was prescribed for organized labor. Workers in private and mixed enterprises and in cooperatives—but not public employees or workers in state enterprises—have the voluntary right to join a local trade union committee. The trade union committees form trade unions which in turn are part of provincial trade union federations. At the top is an umbrella organization, the Iraqi General Federation of Trade Unions, which is organically linked to the Ba'ath Party and required to promote party principles and policies among union members. The General Federation is affiliated to the International Confederation of Arab Trade Unions and to the Soviet-controlled World Federation of Trade Unions. It is also active in the tripartite Arab Labor Organization which is currently headquartered in Baghdad.

Although workers legally have the right to strike, after providing notice to the Labor Ministry, no strikes have been reported for almost 20 years.

b. The Right to Organize and Bargain Collectively

Even before the abolition of the Labor Federation, the right to bargain collectively was not recognized. Labor legislation and practice is uniform throughout the country. There are no export processing zones in Iraq.

c. Prohibition of Forced or Compulsory Labor

The Popular Army, the militia of the Ba'ath Party, employs press-gang methods to draft recruits. It sets up roadblocks and inducts eligible men on the spot; they are sometimes not allowed to contact their families for weeks afterwards. Popular Army personnel perform duties in rear areas, freeing regular army personnel for front line duty; they also perform many functions, such as reconstruction work, which would normally be done by the civilian labor force. However, on October 30 the Government announced that the Popular Army would cease recruiting drives and begin to release Popular Army inductees who were currently in training camps. There has been no evidence of recruiting into the Popular Army since this announcement, and measures are under way to significantly reduce its size.

d. Minimum Age for Employment of Children

Children are frequently encouraged to work as necessary to support the family, a common social practice in the Middle East. The employment of children is forbidden in all enterprises other than small-scale family enterprises.

e. Acceptable Conditions of Work

The workweek in urban areas is 6 days, 7 to 8 hours a day, for workers in the private sector. Hours for government employees are set by the head of the ministry for which the employee works. Many government employees routinely work longer than 8 hours a day, some of them as much as 12 hours per day. Wages are set by the Government for public sector workers (i.e., the bulk of the employed) and do not adhere to any fixed per hour or per day rate; salaries are generally deemed low but adequate. Wages in the small private sector are set by supply and demand. Occupational safety programs are in effect in state-run enterprises, and inspectors make irregular visits to private establishments; enforcement varies widely. A new government decree to extend occupational safety and health protection was issued and subsequently withdrawn in December 1988, reportedly leading to the dismissal of the Labor Minister.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Who seeks recognition?

Mr. BYRD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, how much time do I have?

The ACTING PRESIDENT pro tempore. The majority leader has 55 minutes and the Senator from West Virginia would have such time as the majority leader or his designee yields to him.

Mr. FORD. Mr. President, I yield 45 minutes of the leader's time to the distinguished President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia, the President pro tempore, is recognized for 45 minutes.

Mr. BYRD. Mr. President, I thank the distinguished majority whip, Mr. FORD.

Mr. President, I ask unanimous consent that certain materials, including newspaper reports and the two joint resolutions on which the Senate will vote today be printed at the close of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD. Mr. President, this is my 39th year in Congress. This is my 33d year in the U.S. Senate. I have cast a total of 12,822 votes during these 39 years in Congress.

This vote today troubles me. I have cast difficult votes before: For example, in the case of the Panama Canal treaties and the Civil Rights Act of 1964. There are three or four votes that I regret having cast, one of them being my vote in opposition to the 1964 Civil Rights Act. But this vote today I think, Mr. President, may be the most important vote that I shall have cast in my career, certainly up to this point.

I represent a State that is a patriotic State. My State is second to none in the number of men who died in the Korean war and in the Vietnam war—the percentage of deaths in proportion to the eligible male population at that time.

Stonewall Jackson, one of the greatest of all generals, was born in Clarksburg, what is now West Virginia. I was born during the administration of

Woodrow Wilson in 1917 during the First World War. My mother died when I was a little less than 1 year old on Armistice Day of 1918.

So, Mr. President, coming from a State which broke away from the Old Dominion during the Civil War to become the 35th star in the galaxy of stars, coming from a State, the motto of which is "Mountaineers are always free," coming from this background, my natural instincts are to support the President today.

The spirit of patriotism has a natural force which urges me in that direction, not just because it is President Bush or not just because the President seeks a vote in support of the second resolution which will be voted on today, but because there is that spirit of patriotism that runs in the veins of the Anglo-Saxon and Germanic peoples and those from southern and eastern Europe who hewed the forests and fought the savages and plowed the fields of West Virginia.

That would be my first instinct, my "gut" reaction, my "gut" feeling, to use a somewhat familiar idiom.

But the question before the Senate today is too grave a question to be decided by the neigh of a horse or by a gut feeling. It is one which engages the heart and the mind as well as the visceral impulse, and so I have sought to bring my mind and heart and all that is within me to bear on this grave issue.

Mr. President, what is the question? The question, as I see it, is whether the Senate will stamp its imprimatur on the second resolution which authorizes the President to go to war at any time after midnight on Tuesday next, January 15, unless provoked by Iraq before that time, or whether to support and vote for the first resolution, of which I am a cosponsor, and which would say to the President, "Stay the course yet a little while; let sanctions have more time."

It is not an easy decision for me. Socrates, when asked whether it was better to marry or not, replied, "Whichever you do, you will repent it."

Mr. President, I will not repent the vote that I am about to cast, and that is that we stay the course for now, give peace a further chance to work. Its pulse beat is not dead. It is still alive. Let us not cut off the life support mechanism just yet.

There are those who say that it is up to Hussein as to whether or not we go over the brink next Tuesday after midnight. Mr. President, that is our decision and not Hussein's.

Fabius Buteo was the head of the Roman delegation that called on the Council of Carthage in the year 218 B.C. The Romans delivered an ultimatum to the Carthaginian council. The question was whether or not the Carthaginian council chose war or peace. Fabius Buteo said that within the fold of his toga he held both war and peace and asked the Carthaginian council, "Which do you choose?" The council answered, "It is your choice." Fabius then, with a symbolic gesture, said, "Then I will let fall war." And the Carthaginian council shouted, "We accept it." And so it was in this very casual way that these two great Mediterranean powers in that day chose to go to war, a war which Livy, the Roman historian, who lived between the years 59 B.C. and 17 A.D., characterized as the most memorable of all wars ever waged—the Second Punic war.

Mr. President, I think that we stand at a moment so grave and that the responsibility is so great upon us that we should not cavalierly be hurried into an action that may cost this country its treasure and its blood beyond what the cost may be otherwise if we stay the course for yet a little time.

Decisions of war and peace are the gravest choices that political leaders of our country are ever called on to make. In these decisions, our duty as leaders of a free society is to act judiciously above all else, keeping in mind our national interests as we discern those interests from the coldest facts.

Right now, the gravity of the choices facing the President and the Congress requires us to assess our national interests by a totally calm and rational standard. We ought not personalize or politicize the looming conflict. To do so would cloud our judgment at a time in our lives and in our careers that demands from us absolute lucidity.

We would make a mistake in going to war to kick someone's rear. I will not use the word that has been heard around here. We all know what is meant. We should not go to war in vengeance and indignation, or through any emotional distraction that might shorten our ability rationally to judge the outcome of our actions or the ways in which that outcome might affect our long-term national interests.

Mr. President, those who will oppose the first resolution and support the second resolution say that we are at our peak now, our legions are brimful, our cause is ripe; that "we must take the current when it serves or lose our ventures."

Mr. President, delay does not help Saddam. Delay will help the United States. We can use that time. Delay will cause Saddam to need additional spare parts. It will cost him in new equipment. It will cost him in treasure. He has no additional reservoir from which to get his manpower, nothing like that which the United States has. The United States can restore spare parts. It can restore equipment that has been cannibalized for spare parts. Saddam cannot.

We are told that the coalition may fall apart if we delay. Mr. President, I do not believe that. If a coalition will fall apart staying the course with sanctions, and the embargo, which has been overwhelmingly supported by the United Nations, then what might we expect the coalition to do if there is a war?

They say that American support may dwindle; the support of the American people may lessen. I do not believe that. I think that the support of the American people will grow if we measure our actions, let the embargo have more time, and let diplomacy work.

Mr. President, this is one Senator who, while he will not vote today to authorize war as of 1 minute past midnight next Tuesday, January 15, this Senator will vote for a declaration of war a few months down the road. I have said this to the President of the United States at the White House.

I believe the support here in the Senate would be stronger for such an authorization 6 months from today. Why not 6 months? It was earlier envisaged that it might take a year or longer for the sanctions to work. Another 6 months would not total a year.

I think the consensus would be stronger here in the Senate if we measure our actions, and be patient. There are those who say, well, there is a religious holiday coming, and we should act before the religious holiday. The Ramadan will begin, as I understand it, on March 17 and end on April 16. And then there are the intensely warm months of June, July, and August.

So there are those who say let us hurry, let us get our bid in, let us act now before the religious holiday, and before the hot months arrive.

Mr. President, Machiavelli advised the Prince to study history; to study those who made war and to study the reasons for their victories or their defeats, so that one would emulate the former and avoid the latter; and he advised the Prince to choose someone whom the Prince should emulate, as Alexander the Great did Achilles, as Caesar did Alexander the Great, and as Scipio Africanus did Cyrus.

Byron said "History with all her volumes vast, hath but one page." So, Mr. President, let us consult history.

In 218, Hannibal had just crossed the Alps and lost 20,000 of his men out of the 46,000 who left the Rhone River just 16 or 18 days before. At the battle of the Trebia, he was confronted with two Roman consular armies. The Roman military system consisted of two or more consular armies. There were two consuls, each elected for 1 year. Each consul had command of two legions. So, there were at least four legions facing Hannibal at the battle of the Trebia.

The two Roman consuls were Publius Cornelius Scipio and Tiberius Sempronius Longus. Longus wanted to rush into battle with Hannibal. Scipio advised waiting through the winter, biding their time.

Longus was impetuous and eager to fight immediately. A battle was fought. The Longus lost the battle, and, with it, 15,000 men.

Mr. President, here, too, we are confronted with a weather problem. There is no doubt about it. But that will pass in time. We can utilize that time to good advantage.

Some say the United States will suffer if we do not support the President. I took an oath, Mr. President, to support and defend, not the President of the United States, whether he be a Democrat, such as Jimmy Carter, or a Republican like Ronald Reagan or George Bush, but to defend the Constitution of the United States. That is where my responsibility lies, and I intend to do that.

I think it is better to be wise than simply tough. Patience does not damage prestige. Our prestige will not suffer if President Bush does not win this vote.

What about the future prestige of our country in the Middle East if we go to war now? As Admiral Crowe summed it up in recent hearings:

> Even in winning, we could lose. Dealing effectively in the Arab world will take all our resources of creativity and patience. And, thus, even a quick "knockout" of Iraqi forces may well unleash a cascade of outcomes and reactions that reduce our long-term ability to influence events in that region.

We are tied to the complexities of the Middle East in part because of oil dependency and energy reality, which might not be so severe if the Reagan administration had not dismantled the national energy policy that I put into place with Scoop Jackson and others in this Senate when I was majority leader during the Presidency of President Carter. But that is behind us. That national energy policy was dismantled. We have done little since to solve the energy dependency situation.

Meanwhile, we have been able to accomplish next to nothing to solve the Palestinian crisis. These and the continued stark discrepancy between the haves and the have-nots in the Middle East, fueling a growing anti-Western Arab nationalism, are in the deep contours of the Middle East landscape. Unless we roll up our sleeves on these fundamental questions in the region and work with a true international coalition to solve them, we will have no end to the series of sorry episodes that have weighed us down for more than a decade now.

War will not solve the root problems of the Middle East; we have said that, and we have known it. Only with a long-term commitment with resolve, patience, dedication, and the will to succeed, will we be able to address the complexities of the region.

It is said that sanctions are not working. Mr. President, sanctions are working. Saddam's spare parts cannot be replenished. His equipment that is cannibalized for the purpose of securing spare parts cannot be made whole again. With us, it is different.

I have been a strong supporter of the President's decisive action to respond to the defensive needs of Saudi Arabia and to punish Iraq for its invasion of Kuwait through an economic embargo. These twin goals have been largely successful up to now.

Who expected them to work completely by now? Even the President did not expect them to work so quickly. Meantime, Saudi Arabia has been safeguarded from Iraqi invasion. And the economic stranglehold being tightened around Iraq's economy has not only denied Hussein any economic benefit from the aggression, but has also begun to cripple the Iraqi economy. These actions have enjoyed substantial and continued support from the American people and from the Congress, as well as from the international community.

Mr. President, I say to those who say sanctions are not working: have we forgotten so soon the celebrations of last year when we so correctly congratulated ourselves on the crumbling of the Soviet Empire in Eastern Europe, after more than 40 years? Forty years of patience, willpower, strength, and resolve. We were patient for 40 years. What has happened to that patience?

Let us remember the lessons of history. Edward Gibbon wrote of the Battle of Hadrianople. The Roman Empire was divided into the western empire and the eastern empire. Valens was the emperor of the east. He was the brother of Valentinian, and the uncle of Gratian who was the emperor of the west. The Goths had gathered just a dozen miles from Hadrianople. Gratian, emperor of the west, was on his way to assist his uncle, the emperor of the east, but Valens was impetuous. He did not want to wait and share the glory of a victory over the Goths with Gratian, his nephew. So Valens rushed on to the field, and in one afternoon, two-thirds of the Roman Army was destroyed. Almost as many Romans were killed and captured as died at the Battle of Cannae in 216 B.C. Had Valens exercised patience until Gratian could arrive with his legions, the Romans might have won, and the Goths might have been defeated. Valens lost his life in the battle.

Mr. President, a superpower does not have to be impatient. Aristotle told the story that had been related to him by Antisthenes, a sardonic fable about the hares and the lions. The hares addressed the assembly and demanded that all should have equality. But the lions said, "Where are your claws and your teeth?"

Mr. President, a superpower has claws and has teeth. A superpower, as against this Third World power, does not have to be impatient or impetuous. A superpower does not have to feel rushed. We can afford to be patient and let sanctions work.

They say the morale of our soldiers will suffer if we give the embargo more time to work. Mr. President, we should have thought about this before we proceeded to double our forces in Saudi Arabia and terminate the rotation policy in the Middle East. Nothing damages morale more than early, large losses of life.

Mr. President, the Nation is fixated on the so-called countdown or the deadline established by the United Nations resolution demanding that Iraq evacuate its forces from Kuwait by January 15.

Such self-imposed pressures need not dominate our provisions about what actions to take in the Persian Gulf. The U.N. resolution only asks member governments to decide for themselves how best to implement the demand that Iraq evacuate Kuwait. Why are we in such a rush to go to war when many avenues of diplomacy are apparently still being explored by the United Nations, by the French, by the Soviet Union and others?

Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator from West Virginia, the President pro tempore, has 13½ minutes remaining of this time.

Mr. BYRD. I thank the Chair.

Mr. President, the sanctions are working. Nobody disputes that. Granted, they have not yet accomplished the goal of driving Saddam out of Kuwait. But who would expect them to have done that in these few short months. I heard the distinguished Senator from Georgia [Mr. NUNN] say yesterday, I believe, that Saddam Hussein had not been able to sell one drop of oil. Oil is the backbone of the Iraqi economy, and without the sale of oil, Hussein's currency is going to dry up. He will not be able to buy anything after yet a little while. So the pressure on Saddam increases.

Mr. President, we ourselves could use that time; we could use the time for another 6 months. Let Ramadan pass. Let the hot months of June and July and August pass. We could make good use of that time.

I recently read that an American general said that our forces are not ready yet to go on the offensive. A little more time would enable our forces to get ready. I cannot believe that our forces would not benefit from additional training in the desert, that they might become better acclimated to that harsh climate. A little more time, and all the buildup that we have read about can then be in place.

Mr. President, I have been disconcerted by reading that there is still a divided command in the desert; that we have not yet unified all of the allied forces under one command. Mr. President, I think it would be a mistake to

go on the offensive until there is a unified command. I am not a military man. I never served in any war. I built ships in World War II. I was a welder in shipyards in Baltimore, MD, and Tampa, FL. But common sense would tell me, there should be only one commander at the top.

Again let us resort to history. Hannibal, who has been proclaimed by some as "the greatest soldier that the world has ever seen," knew that under the Roman military system there was a divided command. There were two consuls. Each had two legions. And there was jealousy between the two consuls. Hannibal knew this. He did not have this problem. Hannibal exercised a single command; there was one brain and one will behind his planning, his designs, and his actions.

At the battle of Cannae, which took place on August 2, 216 B.C., Paulus and Varro, the two Roman consuls, were at variance. Varro wanted to meet Hannibal on the plain. Paulus wanted to met Hannibal in a hillier region. They daily rotated their commands and on August 2, it was Varro's day to command all of the Roman legions. Both Livy and Polybius, the Roman historian and the Greek historian, respectively, agree that there were eight Roman legions, 5,000 men in a legion, 40,000 Romans with an equal number of allies, totaling 80,000 foot soldiers and horsemen, but the wind, the Sun, and the dust were in the faces of the Romans that afternoon. The Roman armies were devastated. It was Hannibal's greatest victory in his 15 years in Italy. That was the lesson of Cannae. That was the lesson of a divided command.

Fabius Maximus initiated a policy of *cunctatio*, "putting off" or avoiding battle with Hannibal's forces, knowing that Hannibal, like Saddam Hussein, could not replenish his resources. He could win battles, but he could not take walls and earthened works around cities.

Knowing that Hannibal would run out of "spare parts"—he had lost his elephants, and, in time, he lost his Nubian horsemen, his excellent cavalry—Fabius Maximus implemented his policy of *cunctatio*, patience, avoid a battle just now, let Hannibal's forces decline by attrition. In the long run, the policy of avoiding battle with Hannibal proved to be effective.

Mr. President, a majority of the American people do not believe that we should rush into war immediately. I now read from the Washington Post of January 11, this paragraph:

> While most Americans appear willing to go to war at some point after Tuesday if Iraq continues to occupy Kuwait, the latest Post-ABC poll continues to show that only a minority of Americans want that war to begin when the deadline expires.

Mr. President, something should be said about the cost of a war in treasure. We are going to end up paying for most of Operation Desert Shield ourselves, as we will discover when the supplemental appropriations measures are submitted. We will end up fueling our deficit with a war and borrowing from the Germans and Japanese at Treasury bill auctions to fund our budget deficit because they would not provide the money up front to help us.

Our projected deficit, as of now, for fiscal year 1991 is $320 billion. This is an American operation with a superficial covering of internationalism. It is a bitter pill for the American people to swallow, coated with the noble embroidery of international collective burden sharing, and they will be swallowing the economic consequences of such a war for years to come.

According to the Veterans' Administration, 72,000 World War I veterans are alive today, after 73 years; 8.6 million World War II veterans are living; 3.9 million veterans of the Korean war are living; 7.7 million Vietnam veterans are alive. Society will be paying for health care and pensions for these veterans for many years to come, as we should.

For fiscal year 1991, the Veterans' Administration will provide in pension payments, readjustment benefits, and support for the Home Loan Guarantee Program in the amounts broken out by specific war service: World War I, $737 million; World War II, $11.3 billion; Korean war, $3.3 billion; Vietnam, $8.3 billion; total, $23.637 billion. So, if war comes, the U.S. Government will be paying the costs for decades to come.

Mr. President, there is a serious question of burden sharing here. I was provoked and insulted and embittered when I read in the Washington Post of Saturday, January 5, an Associated Press story headlined "Japanese Application to Gulf Ended."

And I now read therefrom:

> Japan's lone aid team in Saudi Arabia has returned home, and officials were unsure today whether the government would send more.
>
> The seven doctors and nurses who made up Japan's second medical team all had left by Dec. 28, the Foreign Ministry said today, ending a mission plagued by too few volunteers and what critics say is the Japanese people's unwillingness to consider Iraq's occupation of Kuwait their problem.
>
> Both missions drew only a total of two dozen volunteers. Two ministry officials who accompanied the second team are the only Japanese personnel still among the more than half-million U.S.-led troops massed in the Persian Gulf region.
>
> Critics say Japan's inability to put together a 100-member medical team as promised in September reflects an insular mentality that has undercut government efforts to do more than send $4 billion to help pay for the troop deployment and aid poor states in the area that have suffered from boycotting Iraq.
>
> "We are still not sure whether we really can . . . make a meaningful contribution," said a Foreign Ministry official, speaking on condition of anonymity. He said another medical mission was possible but "has not been worked out yet."
>
> In a poll last month, 62 percent of Japanese questioned opposed sending anything more than financial aid to the gulf.

So, Mr. President, while the American people will send their doctors to the Persian Gulf, while the American people will do without adequate medical care, will do without their medical personnel to a high degree, the Japanese will not even send a volunteer team—a volunteer medical mission to the Persian Gulf.

Mr. President, the United States is working nearly alone in this effort. It is clear that many, if not most, of our major allies in Europe do not share our enthusiasm for this adventure. Money is not pouring into our Treasury in a genuine burden-sharing act by our allies. The administration is about to embark on the second phase of "Operation Tin Cup." We have to go around begging for contributions for this effort.

I salute and congratulate the President of the United States and Secretary Baker for the leadership that they have demonstrated, for their dedication, for their skill, and for their success to a point, in marshaling the strength of the United Nations behind this effort.

But the total amount of cash and in-kind contributions provided by our allies as of the last report from DOD is less than $5 billion, an embarrassingly small sum. According to that report, the Germans have provided some $272 million and the Japanese some $426 million. Together, the two economic giants of Germany and Japan have hardly spoken eloquently with their pocketbooks. They have only opted to hold our coats, while we take on Hussein.

Mr. President, I think this is a shame and a disgrace, that Germany and Japan, two countries which will benefit far more than will the United States, two countries whose dependence on the oil from the Middle East far exceeds our own need, will stand by and cynically watch American men and women shed their blood in the sands of the Arabian desert and refuse to help to finance, from their treasuries, the cost of this effort.

Mr. President, I have difficulty finding the words adequately to express my feeling that such Nations would stand by. It is a monstrous disgrace and the American people will remember it.

Mr. President, Francis Bacon wrote of the words that Croesus spoke to Cambyses, that "peace was better than war because in peace the sons did bury their fathers, while in war the fathers did bury their sons." How appropriate at this moment.

Mr. President, let Hussein get no comfort from the vote today. I anticipate that the resolution offered by Senator NUNN and others will not carry.

But, as the chairman of the Appropriations Committee, I can assure Mr. Hussein that there will be no division here if war comes.

I pray that the President will exercise patience and take time. He has it within his hands. But Saddam must know that we will all stand together and that, whatever the cost, the Senate will do its duty. We will not let down our men and our women in the Middle East.

Mr. President, I know what it is to lose a grandson, and I know that there are many fathers and mothers and grandparents and wives and brothers and sisters who pray each night that their sons and daughters, their relatives, will come back home safely. I know what it is to lose a grandson. The greatest sorrow of my life was the loss of Michael. Let us hope for the best.

So, Mr. President, in the words of the Epistle to the Hebrews: "let us run with patience the race that is set before us."

EXHIBIT 1

[From the Washington Post, Jan. 11, 1991]

MOST BELIEVE WAR INEVITABLE, POLL SHOWS

While most Americans appear willing to go to war at some point after Tuesday if Iraq continues to occupy Kuwait, the latest Post-ABC poll continues to show that only a minority of Americans want that war to begin when the deadline expires. According to the survey:

WASHINGTON POST-ABC NEWS POLL

Q. Do you approve or disapprove of the way George Bush is handling the situation caused by Iraq's invasion of Kuwait?

[In percent]

| | Approve | Disapprove |
|---|---|---|
| January 9 | 69 | 29 |
| January 6 | 67 | 30 |
| November 15 | 59 | 36 |
| October 14 | 64 | 31 |
| August 20 | 75 | 21 |

Q. As you may know, the United Nations Security Council has authorized the use of force against Iraq if it doesn't withdraw from Kuwait by Jan. 15. If Iraq does not withdraw from Kuwait, should the United States go to war with Iraq to force it out of Kuwait at some point after Jan. 15, or not?

[In percent]

| | Jan. 9 | Jan. 6 | Dec. 18 | Dec. 2 |
|---|---|---|---|---|
| Yes | 68 | 63 | 55 | 63 |
| No | 29 | 32 | 30 | 32 |
| Don't know | 3 | 5 | 15 | 5 |

Q. How long after Jan. 15 should the United States wait for Iraq to withdraw from Kuwait before going to war to force it out? (Asked only of those who said that the United States should go to war with Iraq.)

[In percent]

| | Jan. 9 | Jan. 6 |
|---|---|---|
| Immediately | 39 | 29 |
| Less than 1 month | 43 | 49 |
| 1–3 months | 12 | 13 |
| 4 months or more | 2 | 2 |
| Don't know | 4 | 7 |

Q. Just your best guess, do you think the United States is going to get involved in a war with Iraq, or not?

[In percent]

| | Jan. 9 | Jan. 6 | Nov. 15 | Oct. 14 | Aug. 20 |
|---|---|---|---|---|---|
| Yes | 86 | 72 | 71 | 69 | 66 |
| No | 12 | 23 | 22 | 28 | 29 |
| Don't know | 2 | 5 | 7 | 3 | 5 |

Q. Do you think the United States has done enough to seek a diplomatic solution to the Persian Gulf situation, or not?

[In percent]

| | Jan. 9 |
|---|---|
| U.S. has done enough | 71 |
| U.S. has not done enough | 27 |
| Don't know | 2 |

Q. Do you think additional talks between the United States and Iraq would produce a diplomatic solution to the Persian Gulf situation or not?

[In percent]

| | Jan. 9 | Jan. 6 |
|---|---|---|
| Yes | 35 | 49 |
| No | 58 | 44 |
| Don't know | 7 | 7 |

Q. The Bush administration opposes making any concessions to Iraq to get it to withdraw from Kuwait, including an international conference on Arab-Israeli problems. Some people say such a conference would be a concession that would reward Iraqi aggression by linking the Arab-Israeli dispute with Iraq's invasion of Kuwait. Other people say such an agreement would be worth it if it got Iraq to withdraw from Kuwait without a war.

Do you think the United States should agree to an Arab-Israeli conference if Iraq agreed to withdraw from Kuwait, or not?

[In percent]

| | Jan. 9 |
|---|---|
| Should agree | 66 |
| Should not agree | 30 |
| Don't know | 4 |

Note: Figures do not add to 100 percent on the first question due to rounding. Jan. 9 figures are based on a Washington Post-ABC News poll of 511 randomly selected adults 18 years of age and older conducted nationwide Jan. 9. All other polls are based on samples ranging from 515 to 1,057 persons. The Jan. 6, Dec. 2, Nov. 15 and Oct. 14 polls are Washington Post-ABC News polls. The Dec. 18 poll is a Washington Post poll. The Aug. 20 poll is an ABC News poll. Margin of sampling error is plus or minus 4 percentage points for the Jan. 9 poll and ranges from plus or minus 3 to 5 percentage points for the other polls. Sampling error is, however, only one of many potential sources of error in these or any other public opinion polls. Interviewing was conducted by Chilton Research of Radnor, PA., and ICR Survey Research Group of Media, PA.

[From the Washington Post, Jan. 5, 1991]

JAPANESE MISSION TO GULF ENDED

TOKYO, January 4.—Japan's lone aid team in Saudi Arabia has returned home, and officials were unsure today whether the government would send more.

The seven doctors and nurses who made up Japan's second medical team all had left by Dec. 28, the Foreign Ministry said today, ending a mission plagued by too few volunteers and what critics say is the Japanese people's unwillingness to consider Iraq's occupation of Kuwait their problem.

Both missions drew only a total of two dozen volunteers. Two ministry officials who accompanied the second team are the only Japanese personnel still among the more than half-million U.S.-led troops massed in the Persian Gulf region.

Critics say Japan's inability to put together a 100-member medical team as promised in September reflects an insular mentality that has undercut government efforts to do more than send $4 billion to help pay for the troop deployment and aid poor states in the area that have suffered from boycotting Iraq.

"We are still not sure whether we really can . . . make a meaningful contribution," said a Foreign Ministry official, speaking on condition of anonymity. He said another medical mission was possible but "has not been worked out yet."

In a poll last month, 62 percent of Japanese questioned opposed sending anything more than financial aid to the gulf.

S.J. RES. 1

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) the Congress is firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait.

(b) The Congress authorizes the use of American military force to enforce the United Nations economic embargo against Iraq; to defend Saudi Arabia from direct Iraqi attack; and to protect American forces in the region.

(c) The Congress believes that continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained, but does not rule out declaring war or authorizing the use of force at a later time should that be necessary to achieve the goal of forcing Iraqi troops from Kuwait.

(d) The Congress pledges its full and continued support for sustaining the policy of increasing economic and diplomatic pressure against Iraq; for maintaining our military options; and for efforts to increase the military and financial contributions made by allied nations.

(e) The Constitution of the United States vests all power to declare war in the Congress of the United States. Congress will expeditiously consider any future Presidential request for a declaration of war or for authority to use military force against Iraq, in accordance with the following procedures:

**SEC. . CONGRESSIONAL PRIORITY PROCEDURES FOR CERTAIN JOINT RESOLUTIONS.**

(a) DEFINITION.—For purposes of this Act, the term "joint resolution" means any joint resolution which is introduced in a House of Congress after the President has made a request under section 1(e) and which consists solely of a declaration that a state of war exists between the United States and Iraq or an authorization for the use of the Armed Forces of the United States against Iraq.

(b) CONSIDERATION OF RESOLUTIONS.—Section 258A(b) of the Balanced Budget and Emergency Control Act of 1985 (2 U.S.C. 901 et seq.) shall apply to the consideration of any joint resolution under this Act, except that—

(1) notwithstanding paragraph (2) of that section, the Majority Leader of the Senate may move to proceed to the consideration of a joint resolution at any time;

(2) the time for consideration of a joint resolution in the Senate shall be limited to not more than 20 hours during which time the time for debate on any amendment thereto shall be limited to not more than 2 hours, and the time for debate on any amendment

to such an amendment shall be limited to not more than 1 hour;

(3) if, during the consideration of the joint resolution under paragraph (2) of this subsection, the Minority Leader has not had the opportunity to offer an amendment, he may, at the expiration of the 20-hour period and the disposition of all pending amendments, offer an amendment which may amend language previously amended, on which there may be 2 hours of additional debate, which amendment shall be subject to one amendment thereto, on which there may be an additional 1 hour of debate;

(4) the total time for consideration at any stage of the proceedings in the Senate of all amendments between the Houses of Congress and motions with respect to all such amendments shall be limited to not more than 3 hours (and the time for consideration of any such amendment or motion shall be limited to 30 minutes), and the total time for consideration of a conference report on a joint resolution shall be limited to not more than 3 hours;

(5) any amendment between the Houses of Congress with respect to a joint resolution, and any amendment to such an amendment, shall be germane;

(6) upon the expiration of the 3-hour period described in paragraph (4) of this subsection with respect to consideration of amendments between the Houses and upon disposition of any pending questions, no further amendments shall be in order and only the following motions shall be in order and shall be decided without debate; motions to concur, to disagree, to insist, to recede, to table, to request or agree to conference, and motions to appoint conferees;

(7) in the event that conferees are unable to agree within 24 hours after the House that requested conference was notified that the other House has agreed to conference, the conference shall be deemed to be discharged, and it shall be in order to consider any amendment or amendments in disagreement;

(8) in paragraph (3)(C)(i) of that section, the phrase "or to the order under section 254" shall be deemed instead to read "or to a declaration that a state of war exists between the United States and Iraq or to an authorization for the use of the Armed Forces of the United States against Iraq"; and

(9) the following provisions shall not apply:

(A) in paragraph (2) of that section—

(i) the phrase "On or"; and

(ii) the phrase "(excluding Saturdays, Sundays, and legal holidays)" the first place it appears; and

(B) paragraphs (3)(C)(ii), (5), and (6) of that section.

S.J. RES. 2

Whereas the Government of Iraq without provocation invaded and occupied the territory of Kuwait on August 2, 1990; and

Whereas both the House of Representatives (in H.J. Res. 658 of the 101st Congress) and the Senate (in S. Con. Res. 147 of the 101st Congress) have condemned Iraq's invasion of Kuwait and declared their support for international action to reverse Iraq's aggression; and

Whereas Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

Whereas the international community has demanded that Iraq withdraw unconditionally and immediately from Kuwait and that Kuwait's independence and legitimate government be restored; and

Whereas the U.N. Security Council repeatedly affirmed the inherent right of individual or collective self-defense in response to the armed attack by Iraq against Kuwait in accordance with Article 51 of the U.N. Charter; and

Whereas, in the absence of full compliance by Iraq with its resolutions, the U.N. Security Council in Resolution 678 has authorized member states of the United Nations to use all necessary means, after January 15, 1991, to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area; and

Whereas Iraq has persisted in its illegal occupation of, and brutal aggression against Kuwait: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This joint resolution may be cited as the "Authorization for Use of Military Force Against Iraq Resolution".

**SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.**

(a) AUTHORIZATION.—The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF MILITARY FORCE IS NECESSARY.—Before exercising the authority granted in subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States had used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions cited in subsection (a); and

(2) those efforts have not been and would not be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

**SEC. 3. REPORTS TO CONGRESS.**

At least once every 60 days, the President shall submit to the Congress a summary on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council in response to Iraq's aggression.

The VICE PRESIDENT. The Senator's time has expired.

Mr. LEAHY. Mr. President, we are going to vote today, and I am glad of that.

The Constitution makes it very clear that the Congress and only the Congress can declare war. By the same token, the Congress also has the responsibility, if it is going to withhold the right to go to war, to stand up and speak. If we did otherwise we ignore our responsibility.

It is very clear to me, after 16 years here in the U.S. Senate, there is no vote that I have cast, no vote that any of us has cast, that is going to stay more in the minds of the people we represent than this vote today. Whichever way we vote, everybody is going to remember how we vote.

Some of us said they wished they could pass this by. If we did, we would violate our own duty and our own oath to the Constitution.

I said before that I strongly support the Mitchell-Nunn resolution. I am a cosponsor of that. War is unpredictable. Churchill said it was like "riding the back of a tiger." One does not always get off at the place one might want to choose. And nothing could be truer of a possible war with Iraq.

There is no question in my mind that if there is a war, we will win. Saddam Hussein should be under no illusion about that. But I am very concerned that in this rush to go into war, we forget what such a military victory means. Does it mean that Syria and Iran become the new dominant powers in the region? Does it mean a never-ending wave of Islamic fundamentalism sweeping Egypt, Jordan, and any other Arab nation that fought along with us? Does it mean technoterrorism and bioterrorism that we could not even imagine?

We do not lose by keeping the economic stranglehold we now have on Iraq. We have an unprecedented coalition of the allies. Why lose sight of that? Why give up this enormous advantage that the United States has, something that in the postwar period we have never been able to obtain before.

As I said before, let us make war the last resort. Do not make war the first resort.

I yield the floor.

Mr. COATS. Mr. President, I rise today to voice my support for President Bush's Persian Gulf policy and to add my objections to a congressional policy of indefinite sanctions and rootless hope.

In contrast to what some in the media and Congress have argued, the President has made his case against Iraq with force and clarity. He has pursued his policy with wisdom and patience. And now the Congress must choose between increasing the pressures on Iraq that may lead to peace, or pursuing a policy of delay and division.

The world stands united in condemning Iraq's unprovoked invasion of Kuwait, a nation targeted for aggression merely because it was peaceful and wealthy. The reasons for this unified position are numerous and compelling. American national interests and those of most countries have been directly challenged by the aggressive moves of one outlaw nation.

It has been argued that our intervention in the Persian Gulf is solely because of oil, that we are willing to go to war to protect the price at the pump. This argument both oversimplifies American interests in Persian Gulf oil and overlooks our other reasons for standing up to Iraqi aggression.

If Iraq were to gain permanent control of Kuwait's oil supply, Saddam Hussein would control 22 percent of the worldwide proven oil reserves, and he would be the neighbor to an additional 49 percent located in Saudi Arabia and the other gulf countries. Iraq would thereby be in a strong position to dictate oil production rates and prices, a position reinforced by the credibility of its military threat. With his ability to manipulate the flow of Persian Gulf oil, Hussein would gain more than a mere ability to burden American drivers. He would be in a position to threaten the economic stability of the industrialized world and ultimately our national security.

We must also consider the indirect effects of Iraq's ability to control a large portion of the world's oil revenue. As Secretary of Defense Cheney told the Armed Services Committee last December, during the 1980's, while most Gulf States were investing their oil income on economic development and raising the living standards of their people, Iraq spent some $50 billion on military equipment. We have no reason to believe that Hussein's investment priorities would change in the future. He appears determined to continue to build a large and sophisticated military machine capable of coercing and directly challenging his neighbors. He already has amassed the largest military force in the region.

Saddam Hussein's geopolitical designs on the Middle East are ambitious and ominous. His goals include becoming the leader of the Arab nation, the destruction of Israel and the elimination of Western capabilities to influence events in the Middle East. His form of power politics reminds us more of the Middle Ages than the 1990's, although he clearly recognizes the importance of modern military might. While Iraq's military might is impressive today, if left unchecked it will continue to grow and diversify. In the future Hussein's arsenal will likely include nuclear weapons, intercontinental ballistic missiles, and biological weapons. At this point Iraq will no longer be merely a regional military threat but one with global reach. Unfortunately, this day may arrive sooner than we anticipate. No one can say with certainty how soon Iraq will have some form of nuclear weapons capability. And as we have seen, Saddam Hussein demonstrates little reluctance to use whatever weapons he possesses. He has stated explicitly that if he could strike at Washington he would not hesitate. I believe he is serious.

Also at stake is the future of international relations, what is now being referred to as the new world order. We have a long way to go before peaceful dialog supplants military force as a way of settling disputes and advancing national interests. Unfortunately, Iraq's occupation of Kuwait threatens to derail this process. Every potential aggressor in the world today is watching with great interest as Iraq stands up to the one power on Earth that can make this new world order a reality. If Iraq walks away from this crisis with even a partial victory the shock waves will be felt around the world and for years to come. If Iraq is not thoroughly rebuffed the message will be heard loud and clear that aggression pays.

We must also consider the impact of this crisis on the image of the United States and our role in global affairs. The United States was the only country that could have assembled a rapid and effective international response to Iraqi aggression. In many ways we are the only remaining superpower and our handling of this crisis will determine our international status. If we fail to achieve a satisfactory resolution to this crisis, U.S. global influence will be severely tarnished and we will need to rethink our entire approach to foreign and defense policy.

Some have argued that our role as the leader of a military coalition aligned against an Arab country threatens to damage our relations in the Middle East and our ability to influence the peace process. I believe the opposite is true. One reason that Middle East peace has been so elusive is because Arab radicalism has been an obstacle. This radicalism threatens not only Israel but also moderate Arab States who may be inclined to join us in forging lasting peace in the region. Our fight against Saddam Hussein is a fight against radicalism, which, if successful, should strengthen the forces of moderation and peace, just as our failure would embolden those who seek a militant solution to Middle East problems.

In his attempt to resolve the crisis caused by Iraq's invasion of Kuwait, President Bush has explored every reasonable and honorable route to peace. He has instituted sanctions, built an international coalition to apply military pressure, and pursued diplomacy—all with commitment and patience. Seldom have decisions of this importance been made with more care, caution and consultation. Secretary of State Baker's meeting with the Iraqi Foreign Minister has been a final symbol of his sincerity and commitment to exploring all reasonable options.

Secretary Baker's meeting with Foreign Minister Aziz makes it increasingly clear that a diplomatic solution may be beyond reach. The United States and its allies have tried all feasible channels to convince Saddam Hussein that he must withdraw from Kuwait or risk being expelled by military means. Aziz' cynical attempt to avoid even mentioning the invasion of Kuwait during his press conference on Wednesday, and his attempt to link every aspect of Iraqi aggression to Israel, makes it clear that the Iraqis have no intention of pursuing a serious political solution to the gulf crisis.

Even if Iraq had been more interested in diplomatic interaction, I am skeptical that such a path could have led to a satisfactory solution. The United States entered the process with a list of minimum demands upon Iraq—an unconditional withdrawal from Kuwait, the restoration of the legitimate Kuwaiti government, the release of all hostages and respect for regional stability. There is no room for the United States to compromise on these goals. Charles Krauthammer stated it succinctly: "A conditional withdrawal, which is what a 'diplomatic solution' is all about, means aggression rewarded and Saddam rewarded."

If anything, United States demands need to be expanded to include the elimination of Iraq's nuclear, chemical and biological weapons programs and a significant reduction in its conventional military forces. Some have even advocated the removal of Saddam Hussein from power as a worthy U.S. objective. Ironically, a diplomatic solution would more than likely lead to a situation in which the source of the problem would remain unchanged or be strengthened. Even if U.S. goals are not compromised their achievement will still be restricted to the symptoms of the problem.

If a diplomatic solution offers little or no promise, as is now increasingly apparent, we are left with two options—relying on sanctions to break down Hussein's will to resist or resorting to military action to force him from Kuwait. Neither option is free of risk.

Many Members of Congress have suggested that pursuing a sanctions-only policy will be easy and risk-free. Nothing could be further from the truth.

Sanctions alone are unlikely to produce Iraqi compliance with stated United States goals within the next several months. Most experts have estimated that it may take a year or two. In its hearings on this matter late last year, the Armed Services Committee heard from former Secretary of Defense Schlesinger, a panel of experts on the Iraqi economy and a number of other witnesses with informed opinions regarding sanctions. Those who advocated continuing a policy of sanctions admitted that this would take at least a year to work. What we could expect from this reliance on sanctions was not at all clear, however. No witness could state with any degree of certainty that

sanctions will lead to Iraq's withdrawal from Kuwait.

It is increasingly clear that even if sanctions succeed in badly damaging the Iraqi economy over the next year or so, they may still not produce our stated goals. CIA Director William Webster informed the House Armed Services Committee in December that: "Our judgment has been, and continues to be, that there is no assurance or guarantee that economic hardships will compel Saddam to change his policies or lead to internal unrest that would threaten his regime." Webster reiterated this view in a letter that was submitted for the RECORD yesterday. According to Webster "The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period." Hence, even if sanctions appear to be working in purely economic terms, they might fail politically. Even if they do succeed in forcing Iraq to comply with the United Nations demands, this will only take place after a year or more.

Unfortunately, a policy that assumes a year or two for sanctions to work ignores the tremendous pressures that this would place upon the international coalition, U.S. military forces deployed in the Gulf region and the American people.

There are signs that a protracted wait-and-see policy may be as corrosive upon the international coalition as on Iraqi forces. Representative SOLARZ, who is hardly known as a consistent supporter of U.S. military intervention abroad, has recently written that "The prospects for the success of the sanctions are less likely than the prospects for the collapse of the coalition if we wait for the sanctions to be given more time to work." This sentiment was reinforced by a House Armed Services study released in December by Representative Les Aspin. The Aspin study documents that sanctions are not working politically even though they are beginning to impact upon the Iraqi economy.

During his testimony to the Senate Armed Services Committee last November, Henry Kissinger expressed the view that the most we could expect from the sanctions is the beginning of a diplomatic discussion, which would tend to reinforce Saddam Hussein's view that he will ultimately stare down the United States. When I questioned Dr. Kissinger on his view of the long-term implications of our following such a policy, he stated: "I believe that radical governments or policies would then emerge in many of the countries now associated with us." He then stated that: "This will lead to a high possibility of conflict between the remaining moderate Arab nations and the radical nations, as well as the near certainty of an Arab-Israeli conflict in which there is a high possibility that this time nuclear weapons might be involved."—perhaps within 2 to 3 years.

I am convinced that continuing sanctions indefinitely will produce at most an ongoing diplomatic process. Iraqi Foreign Minister Aziz was clear what this would bring—a link, even if only implied, between Iraq's unprovoked aggression and Israel's attempts over the years to defend itself against Arab radicalism. Let there be no mistake. If we withdraw the military threat against Iraq—and that is precisely what the Mitchell resolution will do—Saddam will succeed in forging this linkage, especially among those Arab countries who currently support our policy. Saddam knows well that a militant stance toward Israel is the one thing that might unify the Arab world. Granting him a reprieve from the threat of military action gives him time and incentive to redirect Arab animosity in the direction of Israel.

It is also clear that we could not maintain a ready military capability in place in Saudi Arabia for a year or two without significantly reducing the size and readiness of our current deployment. In other words, a long-term sanctions policy is not really consistent with the maintenance of a credible military threat. Ironically, without a credible military threat present, it will be much easier for Saddam Hussein to withstand the impact of sanctions, especially their impact on his military readiness. Reducing our military commitment to the crisis, moreover, this would send the wrong signal to all members of the coalition, especially the Arab members, who would have to give serious thought to making separate accommodations with Iraq.

If the President of the United States is denied by the Congress the authority to use force against Iraq at this point his foreign policy-making powers will be severely damaged. This has implications for all future Presidents, Democrat and Republican alike. Our ability to intervene in the interest of global stability will be hindered, tyrants around the world will have reason to believe that the President's hands are tied, and our involvement in United Nations peacekeeping mission will never again carry the same weight.

Over the last five months President Bush has put together the most impressive show of global unity in history. The United States has been the clear leader in showing that a new world order can be achieved. After this unprecedented demonstration of patience, consultation and vigilance, the Congress risks sending a very unfortunate message—that the United States is unwilling to back its words with force, except when directly attacked. In so doing, we would abdicate our leadership role in building this new world order, and indeed may undermine it altogether.

Passing the Mitchell resolution will also send the message that the use or threatened use of force shall no longer be a tool of American diplomacy. If the President does not possess a credible threat to use force he also lacks an ability to influence global events. Our allies and foes alike will never again know whether American resolve is strong, whether we are willing and able to achieve stated objectives. We will invite aggressors the world over to harbor the belief that the United States will never again involve itself in a situation that threatens to involve Americans in combat.

We also risk undermining the United Nations just when this institution is becoming more relevant and effective in dealing with global instability. In the case of the current crisis, when President Bush has assembled an unprecedented coalition in support of our policy, the Congress is now threatening to undermine the United Nations by saying that the United States cannot participate in implementing its solemn resolutions.

Finally, we must face the fact that a protracted sanctions policy means mass starvation in Iraq and Kuwait, not among those responsible for perpetrating hostilities but among the most innocent of civilians. Will American public opinion be willing to accept a continuous stream of images of women and children starving and dying due to a lack of medical supplies? Even though the embargo permits the shipment of humanitarian supplies it is unlikely that they will reach their intended recipients. In the end, moreover, even if sanctions succeed in driving Iraqi forces from Kuwait there may not be a Kuwaiti population left to inhabit this rich piece of land other than those installed by Iraq. It would be a Pyrrhic victory indeed if we saved the country yet sacrificed the population.

This brings me to the last remaining option—the use of military force. Make no mistake, it is peace I am seeking, not war. War is the business of hate and death. It is the prelude to sufferings we cannot count. I heard a Senator rise on this floor to say that Congress is calloused and hardened because our own sons and daughters will not be affected. I wish the Senator had been more careful. It is hard for me to verbalize my outrage at statements like that. I have a young daughter, and her fiance is on his way to the Middle East right now.

Unfortunately, most of those who advocate an indefinite sanctions policy have also misrepresented President Bush's policy and stated intentions. Authorizing his use of force does not mean that war is inevitable or that the administration has abandoned sanctions. If anything, authorizing the use

of force may be the only remaining way of making a sanctions policy viable. This may be the last hope for a political solution. It may be that Saddam Hussein is engaged in an extremely high-risk, high-stakes game of chicken, hoping that the United States will flinch before he does. Denying the President the authority to use force will send the signal to Baghdad that the United States has indeed been unable to stand up to his challenge.

It has been argued here today that if we only wait another year or so Iraqi forces will be significantly worn down and that the threat facing our forces at the time will be diminished. Yet for this to be true a credible military threat must be maintained against Iraq. If we announce to the world in the coming days that we have decided to set aside the military option for a year, Iraq's military will be strengthened in its resolve to withstand sanctions. CIA Director Webster confirmed yesterday that "Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength." It is only by linking the credible threat of military force with sanctions that Iraq's military will be significantly worn down. And, unfortunately, by denying the President a congressional authorization to use force we will effectively undermine this credibility.

Whether we ultimately engage in military conflict with Iraq or simply use the credibility of a military threat to speed the effectiveness of sanctions, the President needs congressional support. I therefore urge my colleagues to support the President's request for a congressional resolution in support of U.N. Resolution 678, which would authorize the use of force after January 15. The time for debate is rapidly coming to an end. Any extension of this discussion will only be divisive and contrary to the national interest. I believe that the time has come for Congress to vote, up or down, on granting the President the authority to pursue any means necessary to achieve our goals in the Persian Gulf, goals that are widely supported throughout the United States and the world. We have avoided our responsibilities for long enough.

Now is not the time to enter into a bitter, partisan debate on the constitutional authority of the Commander in Chief. However one comes down on this issue, it is clear that the President is now requesting congressional authorization, a sign of solidarity that is needed to unify the Nation behind the President in pursuing a peaceful solution or, in the end, executing a rapid military campaign to achieve our goals. President Bush stated clearly during his news conference on Wednesday that it is not too late to send a signal of unity. I agree and urge my colleagues to join me in supporting the President and the national interest.

The VICE PRESIDENT. The Senator from Hawaii.

Mr. INOUYE. Mr. President, we are on the threshold of conflict; we are at the edge of the battlefield.

I am here to implore my colleagues: Withhold! Give pause before making the irrevocable decision to cross that threshold.

The Constitution of the United States of America, in article I, section 8, charges the Congress with the authority to declare war. With this awesome authority comes grave responsibility. It is the Congress which directly represents the people; it is to the Congress that the people have delegated the power to decide the question of war or peace.

The Founding Fathers of our Nation were wise and practical men, steeped in the traditions of democratic debate and hardened by the rigors of war. They understood, all too well, the intoxication of executive power and the dangers inherent in government by decree. They knew that, from time to time, even the most thoughtful leader would be tempted by the exigencies of the moment and act alone, preferring the expediency and decisiveness of Presidential action to the deliberate and thoughtful process of Congress. To guard against this threat to popular sovereignty the Founding Fathers were explicit in vesting the people's representatives with the sole power to move the country from peace to war.

No less a figure than Alexander Hamilton stated: "It is the peculiar and exclusive province of Congress when the Nation is at peace to change that state into a state of war; whether from calculations of policy, or from provocations, or injuries received; in other words, it belongs to Congress only to go to war."

Mr. President, I have read the arguments regarding the inherent powers of the Commander in Chief and I know there have been instances when Presidents have committed U.S. forces to combat without first receiving the assent of Congress. Most frequently these lapses have occurred when U.S. forces in the field were reeling under the armed assault of a foreign foe and were, in fact, already at war. I believe, however, that these were exceptional circumstances which in no way negate or diminish the authority of this body nor its responsibility to the people of the United States. It may be that our predecessors were not sufficiently vigilant in defending the constitutional authority of the Congress to declare war. There is no reason, however, why we in this Chamber today must repeat the errors of the past. To meet our responsibilities, we must insist that the Congress must give its explicit authorization for the use of force before the President can enter into battle.

Mr. President, half a world away and beneath the cloudless skies of Arabia, two great armies stand face to face, preparing for total war. For the moment, the guns stand silent. The eyes of history are upon us. To this point, only a volley of words have been exchanged between the diplomats of Iraq and the United States. Now, however, the conflict may take a deadly turn. We have time to pause, to measure our response to Iraq's provocation and consider the long-term consequences of the decision we are about to make. The decision to send our legions into combat—to cross the threshold of conflict—is a decision which is now entrusted to our care. Once we choose to take that fateful step, then, and only then, can the President perform his wartime function as Commander in Chief.

Mr. President, I approach the task before us with a heavy heart—a heart burdened by the knowledge that, early last year, this body had numerous opportunities to answer Saddam Hussein's threats off the field of battle and yet chose to do nothing. Standing on this very spot, I warned the Senate of Saddam's treachery and the danger which his arsenal of unconventional weapons posed to United States interests. Over a year ago I was the first Senator to propose a comprehensive sanctions bill against Iraq that would have ended all trade and commerical ties between our two countries.

In this Chamber, and in hearings going back nearly 4 years, I spoke of Iraqi-sponsored terrorism, human rights abuses and the $1.2 billion in U.S. taxpayer credits which flowed to his regime every year. In April 1990 I acted to stop a Commerce Department aerospace trade mission to Iraq, a mission intended to sell more of the very military equipment and advanced technology which Saddam Hussein now has arrayed against our forces. For the last 3 years I have worked to end United States Export-Import Bank financing for the sale to Iraq of chemical agents which could have had a weapons application.

Unfortunately, Mr. President, my efforts to gain wide sponsorship of a comprehensive Iraq-sanctions bill fell on deaf ears. There were those who saw in Saddam's congenial demeanor a man of peace. They ignored his personal history of brutality, and the documented savagery of his regime. They believed him when he professed his benign intentions toward the countries of the region.

Mr. President, 6 months ago Saddam Hussein was a leader unknown to most Americans. Today his deeds are known to all. He has captured our attention,

sparked our outrage, and aroused our patriotism. He has dashed our hopes for a new world order and has awakened fears that disorder will follow from the breakup of cold war alignments. Saddam Hussein has become the new bully on the block, brandishing his weapons of mass destruction as if they were toys and brutalizing those he claims to champion.

In vain, Saddam Hussein has tried to convince the world that his invasion of Kuwait was undertaken on behalf of the Palestinians, a claim belied by the fact that his threat to attack Israel with chemical weapons would surely kill hundreds, if not thousands of Palestinians. At the same time, his support of Palestinian terrorist organizations, his use of chemical weapons against women and children in Kurdish villages, and his brutal occupation of Kuwait demonstrates a vicious contempt for human life which belies any claim to moderation.

The threat posed by the Iraqi invasion of Kuwait extends far beyond the Middle East. Hussein's attempt to control a major portion of the region's oil supply continues to have a detrimental effect on the global economy. The price of basic commodities, food, fuel, and shelter has risen at an alarming rate, cutting deeply into the incomes of poor Americans and plunging the Nation into its worst recession in a decade.

For the people of the Third World, for the impoverished nations, Hussein's liberation of Kuwait has had an even more disastrous effect, setting back plans for modernization of their economies and forcing many nations in Asia and Africa to turn to international relief organizations and the multilateral banks for emergency assistance. When we speak of the danger Saddam Hussein's control of oil poses to the world, we do not mean that Americans will have to drive smaller cars or stand in gas lines. That is true, but of greater consequence is the starvation and malnutrition which will accompany agricultural shortfalls as petroleum based fertilizers become too costly for Third World farmers. We speak not only of gaslines, but also of foodlines.

The community of nations has been correct in its repudiation of Saddam Hussein and his wanton rape of Kuwait. If left to stand, his conquest will provide an example to other countries whose despotic leaders harbor hidden designs on their neighbors or who seek the readjustment, through intimidation, or settled international boundaries. Moreover, the world can not be seen to countenance the taking of hostages by allowing those who would engage in such practices to escape unpunished.

Mr. President, those who know me, know that I am not one to shrink from a fight or retreat from the field of battle. The defense of freedom, I believe, is a duty which falls to every individual who cherishes our way of life. My generation paid a terrible price to safeguard our Nation—a price which tragically has been paid many times since. It is for this reason that I feel compelled to counsel caution as we move ever closer to the January 15 deadline set by the United Nations for the withdrawal of Iraqi forces from Kuwait.

To be cautious in this endeavor is to recognize that future generations will sit in judgment of our success or our failure. So, too, in months and years hence, will the American people stand in judgment of those who stood shoulder-to-shoulder with our service men and women under arms. It is clear to everyone in this Chamber who the countries are which share our ideals and which are prepared to sacrifice both blood and treasure to assure a successful outcome in the deserts of Arabia.

So far, the tally of contributions toward Operation Desert Shield has been disappointing—particularly from the European nations whose dependence on Middle Eastern oil far exceeds our own. With a total population of 280 million people, surely a united Europe is able to muster more than the meager 40,000 troops which it has deployed in the region, principally on ships and on air bases, far from the front lines. Surely Germany, can do more to ameliorate the harm caused by its companies which served as the principal conduit for the chemical technology now arrayed by Iraq against our forces. Where is the materiel support—airplanes, trucks, tanks, armored vehicles, artillery—found in abundance in European arsenals and no longer needed for the defense of the Continent now that the Warsaw Pact has dissolved?

To Japan, whose economy is nearly 100 percent dependent on imported oil, and whose wealth derives in large measure from exports to the United States and the Middle East, Americans must pose a similar set of questions. Likewise, Saudi Arabia, in whose defense our troops were first deployed, must recognize that it cannot continue to reap windfall profits, estimated at $13 billion since the start of the Iraqi invasion of Kuwait, and yet contribute only a fraction of that amount to the support of American forces.

Mr. President, after the dust has settled, and the soldiers of Operation Desert Shield have gone home, the citizens of our great land will begin to tally up the costs and reassess who our friends and allies really are. I fear that the enthusiasm Americans have for a new world order based upon European unification, a reunited Germany, and a more worldly Japan will be radically transformed, if the countries of the Marshall plan, OPEC and the Pacific Rim do not take a more active role in supporting our common interests.

Mr. President, the power which the United States and our allies are now prepared to unleash against Iraqi forces is truly awesome. A devastating and humiliating defeat for Saddam Hussein can be the only possible outcome. At the same time, it is a tragic illusion to believe that the United States will not suffer casualties. Just how numerous those casualties will be is impossible to say. Yet, we owe it to our forces in the field—young men and women—to ensure that we have done everything possible to avert conflict before we ask them to make the supreme sacrifice. We owe it to humanity to ensure that the terrible power of United States and allied weaponry is not indiscriminately unleashed on the civilian population of Iraq, which is itself held hostage to the despotic rule and maniacal ambitions of Saddam Hussein.

I am not convinced that war is inevitable. Where others see only despair after the failure of the Geneva talks, I see a faint ray of hope. I was pleased to hear Secretary Baker say that he and the President welcomed the peace mission of United Nations Secretary General Perez de Cuellar. This is a hopeful sign, but alas, the Secretary General's trip may come too late to avert war.

Mr. President, while I believe that the establishment of a withdrawal deadline is useful in focusing world attention on the need for a rapid resolution of this crisis, the decision whether or not to go to war remains of our choosing. I note that the Secretary of State pledged that the United States would not attack Iraqi forces in the process of withdrawal.

Clearly, January 15 is not the ultimate deadline. The ultimate deadline occurs when Iraq again miscalculates the resolve of the American people and attacks. Similarly, time runs out for Saddam Hussein when it appears that the political coalition and military might arrayed against Iraq begins to erode. Then, and only then, is the United States compelled by circumstance to deny Iraq the spoils of its wanton aggression.

It is not a sign of weakness to refrain from the initiation of warfare while there is a reasonable hope that a peaceful outcome can be achieved—an outcome which deprives Iraq of the ability to repeat its misadventure in the future. Nor is it unreasonable to hope that the Secretary General's mission might prove successful or that economic sanctions combined with the weight of global diplomatic isolation will force Hussein to back down.

Mr. President, if after the passage of this resolution the President of the United States comes to the determination that U.S. forces will face a greater danger or heightened threat to their safety and security because sanctions are not working, he may return to the Congress and ask for immediate consideration of a resolution authorizing the use of force. I am confident that

under those new circumstances we, in the Congress, would respond positively to his request.

Mr. President, these are extraordinary times, requiring patience, perseverance and clear vision. There should be no doubt as to the justness of our cause or the firmness of our resolve. We are a nation that has long shed our blood to reverse the conquests and oppression of others—and we will do so again. The invasion of weak States by the mighty will forever be the rallying cry for free peoples everywhere. The outrage which we, in this chamber, felt upon learning of Iraq's invasion of Kuwait on August 2, has since been shared by most nations of the world. Together, we stand committed to a reversal of these events at the earliest possible moment.

My colleagues, the hour for action is nearly upon us. As the men and women of Operation Desert Shield gird for war, we at home must remain united, firm in our resolve to support them through the difficult weeks and months ahead. I believe that we should withhold our swords until it is clear beyond any reasonable doubt that economic and political sanctions will not work. But then, if Mesopotamia, the ancient cradle of civilization, must once again become a cauldron of conflict, then let it be for the principles which the countries of the United Nations reaffirmed in 12 Security Council resolutions—let it be for the peace and stability of a region vital to American national interest.

Mr. President, in years to come, Americans may be singing songs of glory about this war in the desert, but let it be forever remembered that many of those who did participate in that war may just remember pain, brutality, and ugliness.

The VICE PRESIDENT. Who yields time?

Mr. DOLE addressed the Chair.

The VICE PRESIDENT. The Senator from Kansas.

Mr. DOLE. Mr. President, we are going to be voting here in just a few minutes. I want to say, first, I think it is an honor and privilege for me to follow the distinguished Senator from Hawaii in this debate. He talked about his generation, and I am part of that generation. In fact, the two of us spent about 3 years together in Battle Creek, MI, in Percy Jones Hospital. He was one of the greatest patients of all time, as I recall.

Also there as a patient was our late distinguished friend, former Senator Phil Hart. So I guess when you ask the question how can you look someone in the eye or the parents and say, "This is worth it," I guess that has always been a question in any war.

To some of us, we see it differently. Sanctions, without a credible military threat, in my view, are not going to work for a long time. But it also seems to some of us that the best way to have peace is for Saddam Hussein to clearly understand the consequences.

Someone sent me a note yesterday saying that they had it on very credible authority that Saddam Hussein was waiting for the Senate vote. He still had some hope that he would prevail, not that anybody wants him to prevail, but that the outcome would mean to him he was going to have a little holiday. Nobody knows how long the holiday would be because there is not any deadline in the Nunn holiday resolution. It is not 1 day, 3 days, 3 months, 3 years.

I think everyone would agree that sanctions without a credible military threat would never have any severe impact on Iraq or Saddam Hussein.

I have said to the President of the United States in a meeting with Republicans and Democrats that we need to pursue every avenue for peaceful solution.

I have said to the President of the United States, when I look into the eyes of a young man in the desert in Saudi Arabia I see his parents, maybe his children, his spouse, and if we talk about burden sharing as we have in the dollar terms, when do we start counting the deaths; how many Egyptians? How many Americans? How many Saudis? How many British? This is the real burden sharing.

I have implored the President, who also has been there in World War II, that what we are attempting to do in the Congress of the United States is to strengthen his hand for peace, not to give him a license to see how fast we can become engaged in armed conflict. As far as this Senator knows, there is nothing in the U.N. resolution that says on January 15 you have to do something. But I think on January 15 Saddam Hussein will understand that if he wants peace, he can have it.

Mr. President, I know that everyone in this Chamber wants Saddam Hussein to get out of Kuwait, and some have additional demands they would make on Saddam Hussein.

I happen to believe that the resolution we are about to vote on does exactly the wrong thing. As I have indicated, it actually gives Saddam Hussein a holiday from the threat that we might use force, if I tell you, well, on January 15 we are going to let sanctions work some interminable length of time—not 6 months.

There is nothing about 6 months. The distinguished President pro tempore indicated 6 months which might be a reasonable time. Maybe 1 month is a reasonable time.

We have all had our experiences with sanctions in other parts of the world, generally without any military threat at all. It would seem to me that the pending resolution wipes out this credible threat unless we are going to maintain 400,000 men there and all the military threat we have up until some day in the future, maybe this year or next year or the next year.

I have always thought if you had sort of a holiday, as Saddam Hussein would have, he probably would not just take the holiday; he would probably dig in deeper and make preparations so he could inflict even more casualties on the United States and on our young men and other forces from other allied nations in this period. So it is a two-edged sword.

It seems to me we have to think about the ultimate result. Do we save lives by waiting 6 months, or waiting a year, or do we by our votes today indicate to Saddam Hussein "now it is up to you"?

President Bush did not start this war. I must say I have been a little astonished to hear some on this floor criticize President Bush without ever mentioning Saddam Hussein. Saddam Hussein can end this today. He can end it tomorrow.

So I want to vote for peace. I would like to have it both ways. This Senator would like to figure out how I could tell this group one thing and this group something else, but I have not been able to figure that out. Maybe some have.

But sooner or later there is going to be a moment of truth. I do not think the time will ever come that I could look some parent in the eye and say, "Well, I think it is fine; I can justify sending your son and risk his life anywhere in the world." Maybe such an occasion might arise.

So I hope, Mr. President, that we are going to demonstrate today that the President of the States is the Commander in Chief.

The Congress of the United States certainly has a role to play. I said last November and December we ought to have been here debating then when the policy was being formulated instead of coming in at the 11th hour after having been AWOL for 3 or 4 months and try to change the direction of the policy President Bush has so patiently and successfully put together.

This is not the United States versus Iraq. It is the entire international community with just a few exceptions versus Saddam Hussein and Iraq.

Let us not pull the rug out from under the President at this last moment, at the 11th hour, when the pressure is building on Saddam Hussein by the minute. Let us not give him any relief by our votes in the Congress.

I do not question anybody's motives, anybody's patriotism. We all have the same objective. We all have the same goals. We all want to send a signal. But I think you should ask any neutral observer what would happen if somebody imposed a deadline, told me I had until a certain time to do something, and somebody else said, "Well, we are going to give you another period of time, nobody is going to say how long, but

don't worry about the deadline because we are going to let sanctions work in the next month, or 2 months, or 6 months, or 12 months, or 2 years, or 3 years, or 10 years."

I think we know where the votes are. If we do not, we ought to get some new counters. Nobody is going to be swayed by what anyone says here. But I think it is important that we state our views. The Senator from West Virginia talked of 20,000 votes cast by the Senator from West Virginia, this being the most difficult.

Mr. BYRD. Twelve thousand eight hundred.

Mr. DOLE. I do not have quite that many, but this is a very difficult vote, and when I vote no I want Saddam Hussein to understand that I want peace, and I want him to understand that we are preparing our President, as we will on the next vote, to use force if necessary. I want our President to understand this is not some hunting license, that this is to strengthen his hand for peace, not war but for peace. That is the message I believe will result after all the voting is done this afternoon.

Mr. President, I thank the Chair.

The VICE PRESIDENT. Who yields time?

Mr. NUNN addressed the Chair.

The VICE PRESIDENT. The Senator from Georgia.

Mr. NUNN. Mr. President, just one point on the minority leader's excellent presentation. The January 15 deadline was supposed to be on Saddam Hussein and not on the United States. The President, after the United Nations made its decision to approve the deadline, made that distinction clear, but that seems to have faded from memory, that we did not view it as a deadline on us, we viewed it as a deadline on Iraq and not on the United States.

Mr. President, many of us strongly believe that we should be patient, that the embargo's real impact will begin to be felt intensely in the spring of this year, only 2 or 3 months away, and that by the summer of 1991 Iraq will have lost at least 70 percent of its gross national product. We are worried in this country about a recession involving some 3 to 5 percent of our gross national product, as we should be. We are talking about 70 percent of Iraq's gross national product disappearing by the summer. Iraq is isolated and suffering from the embargo, and time is on our side.

Iraq is uniquely vulnerable to the embargo. We have cut off close to 100 percent of its oil exports. We have cut off over 90 percent of its imports. Our Nation has the naval power to continue to block Iraq's oil shipments indefinitely, even if the coalition itself weakens.

Iraq is already desperately short of hard currency. And as CIA Director Webster states, by summer of this year, the sanctions will have severely degraded Iraq's air force and its air defenses, and it will also degrade its very considerable armored forces.

Our military forces have done their job, and they have done it well. They have successfully enforced the embargo. They have defended Saudi Arabia. And we are all very proud of our men and women in uniform, in the reserves as well as active forces.

In short, Mr. President, we are playing a winning hand. I see no compelling reason to rush military action.

Of course, there are no guarantees on economic sanctions. There are also no guarantees on war. I find it puzzling that some of those who believe Saddam Hussein and the Iraqis are so tough that they will indefinitely endure a disastrous embargo and a wrecked economy also believe that a war with Iraq will be short, and that its military will quickly collapse.

The VICE PRESIDENT. I say to the Senator from Georgia that the time on the resolution has expired.

Under the standing order, both leaders have an additional 10 minutes. But the time on the resolution for the majority has expired.

Mr. MITCHELL. I yield to the distinguished Senator from Georgia such time as he may use.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. NUNN. I thank the leader. I thank the Chair.

Mr. President, to repeat, I find it puzzling that some who believe Saddam and the Iraqis are so tough that they will indefinitely endure a disastrous embargo and a wrecked economy also seem to believe that a war with Iraq will be short and that its military will quickly collapse. One or the other of those premises is wrong.

If sanctions and diplomacy are to succeed, do we need to continue the threat of war? Of course we do. That is why this resolution we are about to vote on specifically authorizes President Bush to use military force to protect Saudi Arabia, to use force to protect our military forces in the field from any type threat or any preemptive attack, and to use force to enforce the embargo.

We have also provided expedited procedures to ensure that the Congress will, within 24 hours, act on any future Presidential request to give the President full authority to take offensive action for the purpose of liberating Kuwait.

In short, the threat of war will continue to pose a clear and present danger to Saddam Hussein so long as his forces occupy Kuwait.

Mr. President, we have had many closed hearings and a lot of debate about the promise and the risk of continuing sanctions. We have not had nearly as much debate about the risks of war.

For example, we have not heard much from the administration about what happens in the Middle East once we win, and we will win. I know of no analysis that has been presented to the Senate which even looks at the painful downside of war and its aftermath.

No one in the administration has given us any estimate of how long a war will last, how many casualties we are likely to suffer, and what is the likely aftermath. What will be the effect on Islamic fundamentalism throughout the region? What will be the effect on terrorism? Will friendly Arab nations be destabilized over time?

I hope that within the administration this analysis has been made in a very thoughtful way. But we have not yet seen it in the U.S. Senate.

Mr. President, I did not agree with the decision on November 8 to forego a rotation policy and to build up American military forces to a level that simply cannot be sustained. I did not agree with the abandonment of the initial policy of using the economic embargo, coupled with the threat of military force, to require that Iraq get out of Kuwait.

However, I want to point out in closing that I commend President Bush for recognizing Congress' constitutional role in this important area, and for requesting that a debate and a vote be taken on this crucial question. I commend President Bush for his superb job of rallying the international community, and I commend President Bush for his prompt action in defending Saudi Arabia, and for working skillfully through the United Nations to impose the most successful embargo since World War II.

Mr. President, Saddam Hussein and the world should not be misled by this debate. When the final votes are tallied today, and the results are announced, America's position in the Persian Gulf will be stronger, not weaker. The President has followed the Constitution of the United States. He has followed his oath, and those of us on both sides of this debate are grateful to him for that.

This can only strengthen President Bush's hand and the hand of our Nation, not only in this conflict but in confrontations to come.

I continue to hope and pray that war can be avoided. If, however, war does occur, speaking for myself, this debate will be set aside, and I will support our American military forces with whatever they need to prevail.

I thank the Chair.

Mr. MITCHELL addressed the Chair.

The VICE PRESIDENT. The majority leader has 5 minutes 38 seconds remaining.

Mr. MITCHELL. Mr. President, first I want to say that every Member of the Senate firmly shares the convictions expressed by the Senator from Georgia with respect to the support of Amer-

ican military personnel, our men and women, in the event that hostilities break out. That support is firm and unshakable.

Two themes have reoccurred throughout this debate from both sides. First, the Senate is unanimous in insisting that Iraq leave Kuwait. Iraq's invasion of Kuwait is brutal and illegal, should have been and was condemned, and must be reversed. It will be reversed.

This is not a debate about that objective; it is a debate about how best to achieve that objective. In its simplest form, the question before us is whether Congress will give to the President an unlimited blank check to initiate war against Iraq at some unspecified future time, under circumstances which are not now known and cannot be foreseen, or whether while not ruling out the use of force if all other means fail, we will now urge continuation of the policy of concerted international economic and diplomatic pressure.

The arguments for and against sanctions have been made in detail. I simply restate my firm conviction that the best course now for the President and the Nation is to stay the course, to continue the policy the President himself so clearly established at the outset of this crisis. That policy is hurting Iraq's economy and reducing its military capability. It offers the best prospect for a peaceful solution; or failing that, for weakening Iraq's military force.

In short, the policy of continuing international diplomatic and economic pressure against Iraq offers the best hope now for achieving our common objective at the lowest cost in lives and treasure.

The second recurring theme in this debate is that no Senator wants war. We all know that to be true. No Senator wants war. That is not the issue. The issue is whether by our votes we authorize war immediately—war with its great costs, war with its high risk, war which could be avoided, war which may be unnecessary. That is the issue.

Let no one be under any illusions about the differences between these two resolutions. They are fundamentally different. One authorizes immediate war. The other does not. That is the difference. That is the central issue we are voting on today.

Those Senators who vote for the second resolution are voting to authorize war immediately. That is the very title of the resolution. "Authorization for Use of Military Force Against Iraq." I understand the argument of those who support that resolution, that they hope its passage prevents war. But the reality is that if that hope is not realized, if immediate war does occur, passage of that resolution will have been an essential prerequisite for that war under our Constitution and our democratic system. The essence of democracy is accountability, and if immediate war occurs, that resolution and those who voted for it must share that accountability.

The President has submitted to the Congress a written request for authorization to use military force. That is the title of the resolution. In the current circumstances, clearly, it would be of such a scope and intensity that can only be described as war. So the second resolution is, plainly, by its own words, and by the circumstances which exist in the Persian Gulf, an authorization for war. Of that there can be no doubt or dispute. That is what we will be voting for or against today.

I urge my colleagues to vote against authorizing an immediate war.

I have discussed two things we have heard a lot about. Let me close by discussing something we have heard little about. It is this question: In the event of war, why should it be an American war, made up largely of American troops, American casualties, American deaths? The first resolution, the Nunn resolution, directly addresses this concern by supporting "efforts to increase the military and financial contributions made by allied nations." The second resolution does not mention the subject.

Certainly, the United States has a high responsibility to lead the international community in opposing aggression.

The VICE PRESIDENT. The Chair will inform the majority leader that the time has expired.

Mr. MITCHELL. Mr. President, I ask unanimous consent that I be permitted to complete my statement, and that a time comparable to that which I use be assigned to the Republican leader for his use in the debate.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, the United States has a high responsibility to lead the international community in opposing aggression. But this should not require the United States to assume a greater role and a greater responsibility than other nations with an equal, or even greater, stake in the resolution of this crisis. That is what is happening, and it is wrong.

It may become necessary to use force to expel Iraq from Kuwait. But because war is such a grave undertaking, with such serious consequences, we should make certain that war is employed only as a last resort. War carries with it great costs and high risk.

The possibilities of spending billions of dollars; a greatly disrupted oil supply and oil price increases; a war widened to include Israel, Turkey, or other allies; the long-term American occupation of Iraq; increased instability in the Persian Gulf region; longstanding Arab enmity against the United States; a return to isolationism at home. All of these risks are there.

But the largest risk, the greatest risk, the most profound risk is that of the loss of human life. How many people will die? How many young Americans will die? And for the families of those young Americans who die, for every one of us, the truly haunting question will be: Did they die unnecessarily? No one will ever be able to answer that question, for if we go to war now, no one will ever know if sanctions would have worked, if given a full and fair chance.

I urge my colleagues to vote for the first resolution, the Nunn resolution, to vote for continuing economic sanctions and diplomatic pressure. I urge my colleagues to vote against the second resolution, to vote against an authorization for immediate war.

Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. The Republican leader is recognized.

Mr. DOLE. I have nothing further. I will ask that any time we may be allowed be transferred to the next debate.

The VICE PRESIDENT. Without objection, it is so ordered.

The joint resolution is before the Senate.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The VICE PRESIDENT. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mr. CRANSTON] is absent because of illness.

I further announce that, if present and voting, the Senator from California [Mr. CRANSTON] would vote "aye."

The VICE PRESIDENT. Are there any Senators in the Chamber desiring to change their vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 1 Leg.]

YEAS—46

| | | |
|---|---|---|
| Adams | Dixon | Lautenberg |
| Akaka | Dodd | Leahy |
| Baucus | Exon | Levin |
| Bentsen | Ford | Metzenbaum |
| Biden | Fowler | Mikulski |
| Bingaman | Glenn | Mitchell |
| Boren | Grassley | Moynihan |
| Bradley | Harkin | Nunn |
| Bumpers | Hollings | Pell |
| Burdick | Inouye | Pryor |
| Byrd | Kennedy | Riegle |
| Conrad | Kerrey | Rockefeller |
| Daschle | Kerry | |
| DeConcini | Kohl | |

| | | |
|---|---|---|
| Sanford | Sasser | Wellstone |
| Sarbanes | Simon | Wirth |

NAYS—53

| | | |
|---|---|---|
| Bond | Graham | Nickles |
| Breaux | Gramm | Packwood |
| Brown | Hatch | Pressler |
| Bryan | Hatfield | Reid |
| Burns | Heflin | Robb |
| Chafee | Heinz | Roth |
| Coats | Helms | Rudman |
| Cochran | Jeffords | Seymour |
| Cohen | Johnston | Shelby |
| Craig | Kassebaum | Simpson |
| D'Amato | Kasten | Smith |
| Danforth | Lieberman | Specter |
| Dole | Lott | Stevens |
| Domenici | Lugar | Symms |
| Durenberger | Mack | Thurmond |
| Garn | McCain | Wallop |
| Gore | McConnell | Warner |
| Gorton | Murkowski | |

NOT VOTING—1

Cranston

So, the joint resolution (S.J. Res. 1) was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The majority leader.

## ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, for the information of Members of the Senate, under the previous order there will now be 2 hours and 10 minutes of debate on Senate Joint Resolution No. 2, the Warner-Dole resolution.

In addition, an additional 3 minutes will be allocated to the distinguished——

Mr. HARKIN. Mr. President, point of order. The Senate is not in order.

The VICE PRESIDENT. The Senator from Iowa makes a valid point. The Senate is not in order.

The majority leader will be recognized momentarily when the Senate comes to order. Those Senators who desire conversation at this time, either cease conversation or please retire from the Chamber.

The majority leader is recognized.

Mr. MITCHELL. Mr. President, under the previous order there was to have been a period of 2 hours and 10 minutes of debate on Senate Joint Resolution No. 2, the Warner-Dole resolution, to be divided 80 minutes under the control of the distinguished Republican leader, 50 minutes under the control of the majority leader. Three minutes will be added to that time, to the time of the Republican leader, giving him a total of 83 minutes. And 50 minutes will be controlled by the majority leader.

At the conclusion of that time we will vote on the second resolution, the Warner-Dole resolution.

Mr. DOLE. Will the majority leader yield?

I think, just so Senators may know, in order they may speak on this side, if I can name just three or four up front, then we can contact others. Time under the order slipped a bit. We have 1 hour and 10 minutes starting at noon. It may be a little after.

Mr. MITCHELL. I think it will slip a little bit because we expected to start this at about 11:30.

Mr. DOLE. If there is no objection, Senator HATFIELD will be the first at 15 minutes, Senator LOTT with 5 minutes, Senator ROBB with 5 minutes, Senator SHELBY with 5 minutes, Senator LIEBERMAN with 5 minutes, and that will get us started. Then I am going to try to squeeze some of the others.

Mr. MITCHELL. Mr. President, if I might make clear, we had anticipated that this debate would begin about 11:30 and we had allocated 30 minutes to the Democratic side to be followed by the 1 hour and 10 minutes to which the Republican leader has just referred.

So there is no confusion, we are going to begin with Senator KENNEDY for 5 minutes, Senator ADAMS for 5 minutes, Senator DIXON for 10 minutes, Senator KERREY of Nebraska for 5 minutes, and Senator PELL for 5 minutes. They will be followed by the speakers to which the Republican leader has just referred, and then we will come back to the Democratic side originally scheduled to begin at 1:10 but obviously now approximately some 25 minutes later than that.

That is the order we will proceed in now, under the previous agreement worked out between the Republican leader and myself.

## AUTHORIZING USE OF U.S. ARMED FORCES PURSUANT TO U.N. SECURITY COUNCIL RESOLUTION

The VICE PRESIDENT. Under the previous order, the Senate will now proceed to the consideration of Senate Joint Resolution No. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 2) to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

The Senate proceeded to consider the joint resolution.

The VICE PRESIDENT. Will the Senate please come to order?

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, by a narrow margin, the Senate has refused to give sanctions more time to work. I regret that vote, but our cause is not yet lost.

By also voting against the Dole resolution, the Senate still has time to stop this unseemly rush to war.

I urge the Senate to reject the Orwellian argument that the only real hope for peace is for Congress to threaten war. That is brinkmanship of the worst sort, and the U.S. Senate should not be an accomplice in it.

In truth, it may well be that the last best hope for peace is being played out now in other places, in the diplomatic initiatives underway by other nations.

It is said that the United States, with all our ideals and all our heritage and all our history, has now become the country that beats the drums of war, while other nations hold forth the olive branch of peace. Perhaps, as has been said, we are all poor players strutting on a stage. But why does the United States have to play the role of war?

In these fateful final moments, before we rush to cast a vote for war, it is wise to pause, to ask where we have been, and how the Nation got where we are today. Before we rush ahead toward war, it is wise to pause, to ask where we have been, and how the Nation got where we are today. In truth, we are over compensating now, for mistakes we made for years about Iraq, and especially in the recent past.

Saddam Hussein was a brutal dictator long before his invasion of Kuwait. And yet two successive administrations have repeatedly remained silent about his tyranny. Instead, again and again, they sought ways to cooperate with him, when they should have been confronting him.

In 1981, President Reagan made overtures to Iraq to counter Soviet influence in the region. In 1982, he removed Iraq from the list of terrorist-supporting nations, and we began providing agricultural credits to Saddam Hussein.

The Reagan administration also encouraged the flow of arms to Iraq, in an effort to reduce the influence of Iran during the long and bloody war between those nations. Over the past decade, we provided $1.5 billion in computers, electronic equipment, and machine tools to Iraq—much of which undoubtedly was used by Saddam to build up his war machine.

The administration looked the other way when Saddam used poison gas against Iranian troops, and against his own Kurdish population in Iraq. The Reagan administration, and later the Bush administration, consistently opposed our efforts in Congress to impose economic sanctions against Iraq because of its brutal record on human rights.

As late as 1 week before the invasion of Kuwait, the Bush administration was actively resisting efforts in Congress to impose sanctions against Saddam. On the eve of the invasion, our diplomats were telling Saddam that the United States had no interest in Iraq's boundary dispute with Kuwait.

We paid a high price for that mistake on August 2—and so did the people of Kuwait. But it makes no sense to pay an even higher price now in blood for that mistake.

Failure to stand up to Saddam over the last decade brought us to this crisis. The administration underreacted then. But that is no excuse for over-

reacting now, by abandoning reasonable possibilities for peace and rushing recklessly into war.

President Bush's decision last August to send American forces to prevent further Iraqi aggression was the right one. Our sanctions are making Saddam pay a heavy price for his aggression against Kuwait.

Iraq's billion dollar oil industry has been shut down. The Kuwaiti oil fields are worthless to Iraq. The thousands of foreign hostages seized by Saddam are free and home.

How then can President Bush make a persuasive case that our current policy is not working, when there is a good chance not only that it will continue to work, but that it will achieve all our objectives, with no high cost in U.S. lives? There is no reason whatever to shift to a policy of war.

Saddam has made it clear that he will attack Israel as soon as war begins. The administration claims that the Arab coalition against Iraq will be difficult to hold together to continue our sanctions policy. But it will be even more difficult to hold the coalition together when war begins.

Even without the involvement of Israel in the war, the prospect of American forces killing throusands of Iraqis may well alienate all the Arab nations, and encourage worldwide terrorism against Americans.

Why risk that prospect now? Our policy of economic sanctions has not failed. There is no justification for abandoning it now. There is no reason whatever to shift to a policy of war.

Many of us regret that Congress did not have this debate 2 months ago, when President Bush changed course so precipitously, and put us on this headlong path to war. But our failure to act responsibly 2 months ago is no excuse for acting irresponsibly now.

January 15 is an artificial and entirely arbitrary deadline. It is not an acceptable deadline for war. There is still time for the Senate to stop this senseless war before it starts. We have the time—we must not lack the will.

President Bush lit the fuse for war on November 8, and the fuse has been burning steadily for the past 2 months. In 3 more days, the fuse will reach the powder. The Middle East may explode in war, unless the Senate puts out the fuse.

Since the crisis began last August, President Bush has tried many times to explain his policy. But he has never been able to convince the American people that any of our vital interests now at stake are in such imminent danger that we must hurry into war.

In fact, the principal reason driving the President's policy of war can be spelled out in three other letters: O-I-L—oil. Does anyone anywhere in this country seriously believe that 400,000 American troops would be stationed in the Persian Gulf on the brink of war today if there were no oil wells in Kuwait?

Not a single American life should be sacrificed in a war for the price of oil.

Not a single drop of American blood should be spilled because American automobiles burn too many drops of oil a mile.

Not a single American soldier should lose his life in the Persian Gulf because America has no energy policy worthy of the name to reduce our dependence on foreign oil.

The Europeans understand that point. So do the Japanese. They are willing to pay a very high price in dollars for their oil, but not a price in blood.

Why can the United States not understand that point? Why are we the only nation in the world that is willing to send hundreds of thousands of its sons and daughters to the Middle East to die for oil? Are everyone else's priorities wrong? Or is it America whose priorities are wrong?

The other major rationale for war that President Bush often cites is the need to stop aggression.

It is too bad that President Bush did not think of that last July, when Iraqi troops were massing on the border of Kuwait.

In one of the worst miscalculations in the history of modern American foreign policy, the Bush administration told Saddam Hussein—and we told it to him point blank, face to face—that the United States had no opinion about Iraq's border dispute with Kuwait. That miscalculation gave Saddam Hussein all the green light he needed to invade his rich but helpless neighbor.

President Bush prides himself on his ability in foreign policy. Undoubtedly, he felt embarrassed by Saddam's invasion of Kuwait. But wounded Presidential pride is not a rationale for war.

In expressing his determination to roll back Iraq's aggression, President Bush has frequently compared Saddam to Hitler. But that comparison is a gross exaggeration that has far more differences than similarities. Baghdad is not Munich. Iraq is not Germany. Kuwait is not Czechoslovakia. Saddam Hussein is not Adolf Hitler.

It is true that Saddam is a ruthless and brutal Third World dictator who must be stopped. But that is no excuse for not making every reasonable effort to stop him peacefully, before we resort to war.

We have not met that high and essential standard for using military force. Now is not the time for war. We have gone a few extra miles for peace. But we have not gone the last mile for peace. And until we do, the U.S. Senate should never never never vote for war.

Mr. ADAMS addressed the Chair.

The PRESIDING OFFICER (Mr. KOHL). The Senator from Washington is recognized.

Mr. ADAMS. Mr. President, today is a historic day for the U.S. Senate, as we all recognize. Today we are being asked to cast one of the most difficult set of votes of our entire lives. We will decide today whether our Nation goes to war in the Persian Gulf. Let us not call it anything else. Let us call it what it is. This is a difficult choice for most, and for some it may be a choice that will alter their political future. That is the way the Constitution intended it. Our Founding Fathers believed that war was such a momentous decision that it should be decided by the elected Representatives of the American people. They did not believe that decision should be left to the Executive alone.

I regret that the first resolution was defeated. I supported it. It was a resolution that showed that we would continue with economic sanctions and stop Saddam Hussein and not go to war.

The Founding Fathers did not ever intend that we rush this Nation to war. James Wilson, one of the participants at the Constitutional Convention, confirmed that when he said, "This system will not hurry us into war. It is calculated to guard against us."

I think we are being hurried into war. The first resolution would not have done that. This resolution will and the statements of our administration officials indicate that war is imminent in the Middle East.

This is the first time since the cold war that Congress is exercising its warmaking power. These powers come from the Constitution and it was for that reason that last Thursday, along with Senator HARKIN, I pressed that the Senate begin debating whether or not we should go to war in the Persian Gulf. I believe that with this week's debate and today's vote, Congress has shown courage to reassert its constitutional rights, and may we never give them up again.

I want to commend the majority leader for making this debate and vote possible. It has been difficult. It has been very difficult. But he did it, and I want to also commend him on his remarks and join in his remarks. He is accurate. And I join in the remarks of the Senator from Georgia [Mr. NUNN]. I have been in constant communication with them now for 2 months since the President escalated this peacekeeping force into a force for war. They have carried out their promises and they have carried out their basic responsibilities to see that we had information, that we had the debate, and now we are at the crucial vote, the vote of whether or not to authorize this Nation to go to war.

I think it is essential that we do this today before the bullets fly. Those who have voted for it have no excuse of, simply, we must support our forces in the field. They are making a cold and calculated decision that this Nation

should be authorized, the President should be granted the right to go to war. That is what this next vote will be and that is why I have waited until now in this debate—since I have already spoken on the first resolution—to say, please, please, please, dear God, do not vote to send us to war. That is what this next vote is.

I want to clarify my position. I supported the President's original policy. I think it was a brilliant policy. I supported his gathering the coalition and putting together the U.N. sanctions. I supported the defense for us to defend Saudi Arabia. I condemn the subsequent destruction of Kuwait. I strongly oppose and condemn Saddam Hussein, his aggression and his cynical ploy to link his aggression in Kuwait with the Arab-Palestine conflict.

But we are winning with our existing policy. We have protected Saudi Arabia and 90 percent of the oil supplies, and even more if they wish to pump more. We have won that with the sanctions and the U.N. resolutions. The hostages are out. We have won.

So when people say that the sanctions are not working, look at the results. The final part of squeezing Saddam Hussein and making certain that he withdraws from Kuwait is very important and is being done. I oppose President Bush's new offensive policy provoked by the rapid escalation of troops.

Mr. President, the choice between the resolutions of Mitchell and Warner are clear and unequivocal. It is a choice as to whether we exhaust the diplomatic option and give sanctions a chance to work or go to war now.

Mr. President, I ask unanimous consent to print in the RECORD letters that I have received from my constituents as a result of both town meetings and voluntarily.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE MAYOR,
*Seattle, WA, January 11, 1991.*

Hon. BROCK ADAMS,
*U.S. Senate, Hart Senate Office Building, Washington, DC.*

DEAR BROCK: I want to commend you and your colleagues in the Congress for taking up the debate on the question of war in the Persian Gulf. The importance of this issue cannot be overstated—the course we take, as a nation, could mean life or death for thousands of men, women and children, and will profoundly affect the future course of world events.

This is an issue that demands the fullest debate possible, both within the Congress and by the American people. I strongly believe any decision to use military force in the Persian Gulf should occur only with the overwhelming support of both Congress and the American public, and only after our nation has truly exhausted every other nonmilitary option.

Clearly, neither of these conditions have been satisfied at this time. I strongly believe that the United States should not take offensive military action against Iraq at this time. We must give economic sanctions and negotiations time to work.

I understand and respect the President's goal of removing Iraqi forces from Kuwait and restoring that nation's rightful government. Iraq's unprovoked invasion of a sovereign nation represents the most serious breach of our fragile international order, and this aggression should not be allowed to stand.

But agreeing with the President's ultimate objective does not mean we must agree with the means he has selected. Once military action starts, it will be very difficult to stop. War will bring enormous costs to our nation:

According to one estimate, war would result in 10,000 American and 35,000 Iraqi deaths, over 150,000 American and Iraqi wounded, and 100,000 civilian casualties in Iraq.

A military strike against Iraq could quickly escalate into a war involving the entire Middle East region, and threaten the delicate political balance of the region.

Iraq has vowed that, if attacked, it would attack Israel immediately, a move which could threaten the very survival of Israel and raises the unthinkable specter of nuclear war.

The cost of any military conflict will fall most heavily on minority and low-income Americans, who are disproportionately represented in our armed forces.

As Mayor of the City of Seattle, I hope you will also consider another very real consequence of choosing military action over continued sanctions and negotiations—the terrible economic and financial cost to our nation, at a time when more resources are needed to address critical domestic problems.

Already, the build-up of U.S. forces in Saudi Arabia is costing our nation $2–4 billion each month. That cost could rise to over $1 billion per day in the event of war.

Obviously, while financial concerns are not the only considerations in such a profound international situation, they are an important factor to consider. Seattle, like every other major city is facing a wide range of challenges, including homelessness, education, health care, crumbling infrastructure and a rising tide of drugs and violence. Unfortunately, federal aid to cities has been slashed, even as our needs have increased and the federal government has shifted more and more responsibilities to the local level.

I urge you to do everything possible to avoid the need for a military solution to the crisis, so that our scarce federal dollars can be used to address the pressing problems in our cities and our nation as a whole.

Finally, I want to stress that this letter is not intended, in any way, to undercut or criticize the President of the United States or the proper role of the Congress in debating this critical issue. As so many people have said during the past few weeks, this is not a Republican or Democratic issue, it is an issue of vital importance to our entire nation.

I am convinced that any U.S. policy—especially a military policy—will only be successful if it has the full understanding and full support of the American people.

At this time, I sense the American people are deeply divided over the question of using military force against Iraq, and the people of Seattle are no exception. Every day brings more rallies and meetings and expressions of concern over the prospect of war. This evening, for example, community meetings are scheduled at over 20 sites all across Seattle.

It is ironic that the United Nations deadline for war falls on January 15, the birthdate of Dr. Martin Luther King, Jr., the greatest voice of peace and non-violence in our Nation's history.

As you weigh what is one of the most difficult decisions any of us will ever have to make, I hope you will remember the words of Dr. King:

". . . Violence never brings permanent peace. It solves no social problem; it merely creates new and more complicated ones.

Violence as a way of achieving . . . justice is both impractical and immoral. It is impractical because it is a descending spiral ending in destruction for all. The old law of an eye for an eye leaves everybody blind. It is immoral because it seeks to humiliate the opponent rather than win his understanding; it seeks to annihilate rather than to convert. Violence is immoral because it thrives on hatred rather than love. It destroys community and makes brotherhood impossible. It leaves society in monologue rather than dialogue. Violence ends by defeating itself. It creates bitterness in the survivors and brutality in the destroyers."

Sincerely,

NORMAN B. RICE.

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NO WAR

BELLEVUE, WA,
*January 11, 1991.*

To: Senator Brock Adams.
From: Richard Fria.
Subject: Testimony regarding Iraq crisis, given on Jan. 10, 1991 at town meeting.

SENATOR: I wish to thank you for your sincere and diligent efforts in leading America away from war. My position is that we should resist war at all costs. I respectfully request that Congress demand our rights as Americans to be heard and that Congress be the only authority to declare war in accordance with our Constitution. I implore Congress to prevent one man from having the power to send tens of thousands of Americans to their deaths as is the case in Iraq! I encourage Congress to pursue the enforcement of sanctions and peaceful negotiations aimed at settling this crisis. We must exercise patience and wisdom.

Before Congress takes this historical vote I request answers to the following questions. I hope that in considering these questions, reason will prevail:

1. Why did Congress wait to reconvene and address this pressing issue? We've known for over a month that an additional 250,000 troops were being rushed to that area. We've for some time now. Congress needs to be accountable to America for waiting until this late date to rush into last minute debate. This has only served to further exacerbate the crisis.

2. What's the rush? Why do we recognize such a deadline at the risk of tens of thousands of American lives? Doesn't reason indicate that America should exercise as much patience as is required to avoid such massive casualties?

3. How has America gotten into a position wherein one man, the President, and the rest of the world have dedicated 400,000 American lives to this cause while Americans have had virtually no say in the matter? Doesn't democracy demand that Americans have a say in this matter with so very much at stake?

4. Everybody talks about January 15 and what will happen then. Why hasn't anybody asked what happens after that? What happens when and if Iraq leaves Kuwait? Can Kuwait defend itself? The obvious answer is no. Who, then, will defend Kuwait? Will

America do it? Will we leave American forces there in perpetuity to be constantly exposed to terrorist attacks? How many troops will that take? . . . and how many will be lost?

5. The experts predict oil will go to $60 per barrel, should war break out. Such a price escalation will have a monumental effect on the world economy. Americans should ask themselves, are we prepared to sacrifice our jobs? . . . our mobility? . . . our economy? . . . life in the free world as we know it? Make no mistake, these risks are very real.

6. Are we prepared for a whole new generation of walking wounded? Are we prepared to pay the medical bills and assure that these vets get proper treatment? America has done a less than admirable job of caring for the last generation of walking wounded. We can't even care for our elderly. Who will care for the motherless and fatherless children? Who will care for the parents who will lose their children? Who will ask God's forgiveness for the pain, grief and sorrow that will result?

As Congress and Americans ponder these questions we should also consider the long term solutions. I challenge this Congress to lead this nation to the formation of a comprehensive national energy policy with the end goal of eliminating our dependency on foreign oil, thereby assuring that this type of crisis will not ever again happen. I challenge this Congress to provide bipartisan leadership to achieve this goal with the fervor we demonstrated for space exploration in the 1960's!! If we were to dedicate the $30 billion we are about to spend on this crisis to alternative energy research and public awareness we will have made an assertive start!!

I thank you for hearing my pleas. I am proud to live in America where a person's voice can be heard.

Respectfully submitted,

RICHARD T. FRIA.

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[Gray Panthers Project Fund, Jan. 10, 1991]

STATEMENT ON PERSIAN GULF CRISIS TO SENATOR BROCK ADAMS

We are all hostage to the so-called diplomacy of two heads of state and their emissaries who met yesterday in Geneva, Switzerland. We are treated to the spectacle of two earnest men who talked right past each other from biases reflecting each of their Nations' history and very different ethnic and moral foundations, informing each other of their leaders' narrow stands. This is diplomacy?

Both presidents speak from a strong sense of the righteousness of their causes—and each no doubt considers that God is on his side.

First I speak as a citizen of this country and also of this small and beleaguered planet. Geographical and political boundaries fade in the glare and destructive power of bombs. Increasingly I am convinced that these leaders do not represent their citizens. It is absolutely wrong that, in spite of all the rhetoric and U.N. resolutions, a devastating conflict can hang upon the decisions of two such bull-headed and stubborn men.

Born during World War I, I have lived to see too many wars, and the horrible costs to individuals and nations, and damaging political and personal tolls. Practically speaking, I fear this country is dangerously near bankruptcy from a monstrous national debt, grossly bloated military spending that results in billions lost in blunders such as the stealth bomber; the savings and loan swindles, failing banks, homeless families and untreated ills. I feel helpless and hopeless, without significance and choice—how long can "we, the people" handle this? We—who have learned from history and been a part of it—do not want to be doomed to repeat it!

Speaking for National Gray Panthers as national vice chairperson, our stand was clearly conveyed to the President and Congress in mid-November: "Using war to solve conflict in the nuclear age is totally unacceptable even when countries such as Iraq commit acts of aggression against their neighbors. Sacrificing lives to protect the special interests and a foreign monarchy is morally outrageous and a repudiation of democratic principles. Under the auspices of the United Nations, the United States should support a negotiated settlement."

Thank you for this opportunity to be heard—even though today's effort here may be "too little and too late."

MARGARET LUEDERS.

Mr. ADAMS. Mr. President, I simply will close by saying this is a vote that we now take to authorize our Nation going to war immediately. The results, in my opinion, will be catastrophic to peace in the Middle East. We must each vote our conscience. All I have left today after these days and weeks of work is just a prayer that we make the right choice.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIXON. Mr. President, when Saddam Hussein went into Kuwait, we were home in August of last year on our work break in our respective States. I was doing townhall meetings in my State of Illinois. When the President announced that he was drawing the line in the sand at the Saudi Arabian border and imposing sanctions, I supported that position in those townhall meetings in my State. I said at those townhall meetings that the sanctions, coupled with talks and diplomatic efforts, could peacefully resolve this situation.

For many months, the President took the position that he would not enter into talks because of the presence of Saddam Hussein in Kuwait and that Hussein would have to leave Kuwait before talks could take place.

We began Armed Services hearings on November 27. We had 2 weeks of those hearings. I attended all of those hearings, and the evidence was overwhelming at those hearings that the sanctions were working; that Saddam Hussein and the Iraqis were feeling the bite of those sanctions. With every witness, I urged that we undertake talks with those sanctions to resolve the problem in the Mideast.

I was pleased, Mr. President, when on the last day of the hearings, the President of the United States indicated that he would undertake talks.

Mr. President, as we debate this issue today, talks are still going on through efforts of the United Nations and our friends in the European Community. But it was also clear in those Armed Services hearings that after November 8, when the President announced the augmentation of forces in the Mideast, that the augmentation was an engine driving us toward war. We had to give up a rotation policy and we went to the United Nations which finally authorized through a resolution the use of force after January 15.

I was involved in the debate with my friend, Senator AL D'AMATO of New York State, on "Crossfire." When we talked about that U.N. resolution in that debate, I referred to that as an act by our allies and friends where they said, "America, you go fight; we'll hold your coat." Regrettably, to this day there has not been sufficient burden sharing by our allies and friends.

On January 3, Mr. President, Secretary of Defense Dick Cheney and Secretary of State Jim Baker came to meet with us, the Members of the Senate, in a secure room here in the Capitol. At that time, I said to Secretary Cheney, "I understand that there is a possibility that sanctions and the talks may not work. If that happens, I would support the use of force. We have massive air power, overwhelming in that region. The Iraqis have a few Mirage and a few Mig airplanes. Don't chew up our young people on the ground in Kuwait. If we have to use force, give us your assurance you will use our massive air power. He will sue for peace in days."

The Secretary said, "We can't discuss battle plans."

Yesterday, the Secretary called me again and asked me to consider a favorable vote on this resolution, and I told him again, "Mr. Secretary, if the sanctions and the talks have failed, I could support massive air power. Give me your assurance that's the way we will do it, not with our young people on the ground."

He said, "I can't do that."

And later in the day, yesterday, the President of the United States called me and asked me to vote for this resolution. I said, "Can't we work out a compromise by which some of us could stand in support of you by use of air power without committing our ground forces there?" And he made no such commitment.

Now, let me tell you something. My dear friend and young Congressman, JERRY COSTELLO, from my home 21st Congressional District in Illinois has a boy on the ground there in Kuwait in the 82d Airborne.

My best friend and neighbor lost his son as a lance corporal in Vietnam. Mr. President, I was a young State Senator in Illinois in those years. I was trying a lawsuit and I went home to my house to get a medical file for my lawsuit, and while I was there the doorbell rang. I came down the steps and opened the door to my house. There stood a marine major in resplendent formal uniform and a marine sergeant, and they asked for my friend. They said, "He is not home next door." I knew

what that meant, Mr. President. I told them where his place of business was, and they went there.

When my friend had emotionally recovered, to some extent, he later told me that he was sitting in his office and he saw that marine major and that marine sergeant walking through his place of business, and he jumped up from his desk and he ran to the door and he said, "My God, they have killed my son. My God, they have killed my son."

Mr. President, sanctions and talks can work if we are diligent and we assiduously pursue that course, but if they do not, massive air power in a matter of days can bring this villian to his knees to sue for peace.

But this resolution—this resolution—gives the President of the United States unlimited power—to use U.S. Armed Forces at midnight, January 15—and simply send a letter to the Speaker of the House and the President pro tempore of the Senate.

I do not want us to send our young people on the ground against a numerically superior army of 1 million people with a Republican Guard of excellent soldiers and battle-hardened people who fought for 9 years in that region. I do not want our young people on the ground.

I would support massive force in the air. I have said that to the President of the United States. I have said it to the Secretary of Defense. I have said it to the Secretary of State. I have said it to the country.

Mr. President, I pray for peace. I fear war.

If it is war, I pray the President has heard my words and he uses our massive air power to emerge successfully.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. KERREY. Mr. President, that was a very moving speech by the senior Senator from Illinois. I want to commend him for that address.

President Bush will get the authorization he needs to use whatever force is necessary to drive Iraq from Kuwait. I supported an alternative authorization which has failed. It would have given permission for the use of force to contain Iraq and maintain a naval blockade, and for time to allow the economic sanctions to have a greater effect.

I will vote against the Warner resolution because I do not believe we should give the President permission to launch a military attack under the current circumstances. However, let there be no doubt of this: If the President chooses to go to war, I will support our soldiers completely.

Prior to this vote I have made statements about President Bush's conduct and the arguments he has made in defense of his policy. These statements help explain my vote against what the President believes he needs to wage a war against Iraq.

First, the President is wrong to have threatened Iraq with war. The basis of the threat was the belief it would force Iraq to withdraw. The language of threat—"Just watch me" or "We'll kick his ——"—bore a greater resemblance to that of a little league football coach than a Commander in Chief. The justification of the threat—show our resolve to Iraq—was made necessary by the President to involve the Congress other than as a receptacle for notification. I believe these threats and the assumptions which necessitated them simultaneously stiffened Iraq's resolve and weakened America's.

The President's commitment of United States forces to Saudi Arabia in August to defend Saudi Arabia enjoyed near unanimous support with very few negative comments. Perhaps this caused the President to believe that he could pursue his policy without consultation.

His decision to change that commitment to an offensive force in November without consulting with Congress caught almost everyone by surprise. There was a sea of change of attitudes at home with most of us having very little information which would guide our answers when citizens asked us questions.

Here is where he should have called in Congress to ask for their support. He should have told us why he believed this action was necessary and asked for our support. Post decision notification, meetings, photo opportunities and gatherings to discuss the situation, all of these occurred after the most important decisions had already been made.

Paul Gigot wrote yesterday in the Wall Street Journal about a similar incident in our past when an American President saw the need to use force to defend a far away U.S. interest. The moment occurred after World War II when America's tendency was to withdraw from the commitments which had cost us so dearly.

In 1947, President Truman saw a danger of Communist expansion and aggression in Greece and Turkey. He approached a Republican Congress to ask for their support. Senator Robert Taft would not give it. Senator Arthur Vandenberg of Michigan replied, "Mr. President, if you will say that to the Congress and the country, I will support you, and I believe most of its Members will do the same."

Like Mr. Gigot some of my colleagues have used Senator Vandenberg's position as an example of what should guide Senators today. It would be much easier for us to do so if President Bush would follow the example of President Truman.

President Bush did not approach the Congress to say I have a difficult decision to make, this is why I believe it is right, and I hope you will support me. Instead, he made the decision to deploy American forces, defended his right to do so, and suggested that those of us who criticized this decision were endangering the troops he had sent.

The President was also wrong to compare Saddam Hussein with Adolf Hitler. His brutality and barbarous behavior are not in dispute. Those of us who believed President Carter was right to build a foreign policy upon moral judgments about human rights are pleased to see former critics of these policies now making the arguments in defense of them.

His military threat is also not in dispute. Nor is our need to confront that threat with force. I must insert at this time my strong objection to statements made by some proponents of this resolution that those of us who are advising patience are presenting the policy of Neville Chamberlain at Munich.

Not only have we learned the lessons of the thirties that you must meet aggression head on if you are to stop it. I have not heard a single Senator arguing that we should ignore Iraq's aggression. However, we have also learned the lessons of the forties, sixties, seventies, and eighties. We know from experience that forceful patience can work. We know in the Middle East that force alone is not enough.

Although it might generate political support, the Adolf Hitler analogy provokes the wrong image and the wrong policies. It provokes a defense from supporters of force that should be unnecessary.

Further, I tell you this: I believe the Winston Churchill quotes which have been offered as a justification for war are the least persuasive of all. If I hear one more Winston Churchill quote given as if they had relevance in this situation, I may ask the Sergeant at Arms to install motion sickness bags at our desks.

This is not Munich in 1938, it is 1991 and all of us understand the difference. In 1938 a majority was unwilling to confront the aggression of Adolf Hitler; in 1991 Congress is almost unanimous in its willingness to do so. In the case of the Third Reich it took every ounce of every American's energy to contain and defeat them; in the case of Iraq they have been completely contained with considerably less force.

President Bush is also wrong to respect only one memory of Vietnam—that of the professional military officer—as he formulated his policy. I understand and respect the nonincrementalization military plan the support of which is the sole reason the President says this will not be another Vietnam.

At the very least there are two other Vietnam memories which should be respected by the President but appear not to be. The first, is you must be confident the American people will support the war if a speedy end does not

occur. And you must consider what the impact of the use of force will be on the political, social, and economic stability of the people who live in the war's theater. Again, respect for these two memories need not prevent us from forcefully confronting Saddam Hussein or others who will most assuredly follow.

Finally, the President is wrong when he predicts this action will provide the basis for a new world order based upon respect for international law. At best this conflict will determine to what ends the United States will go to protect and defend an economic interest.

Some have argued that Congress should merely get behind the President and support his request for permission to use whatever force necessary. I wonder how these individuals reconcile this position with their understanding of the President's need to present treaties for ratification to the Senate after he has negotiated them with other nations. Surely, the decision to go to war is on a par with a decision which is made to prevent one.

I have listened most carefully to those who argue that a vote against the President will encourage Saddam Hussein to resist us more. For emphasis and in conclusion, if war is what Iraq wants and if the President makes the decision to attack, the Commander in Chief and our soldiers, sailors, air force, and marines will have my support.

Let me emphasize again that I oppose this resolution. I believe it is wrong policy; I believe it gives the President too much authority. But let me make it clear that if the President chooses military action against the nation of Iraq, I tend to support our soldiers, sailors, air force, and marines entirely.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. PELL. Mr. President, these votes are particularly difficult for me as, since having participated in the 1945 founding of the United Nations in San Francisco, I have always been a great believer in collective security.

But true collective security means an equal, proportional sharing of the load and of the bloodshed by the various nations. This is certainly not the case here, as the United States would carry a disproportionately large share of bloodshed and the load.

Moreover, time would also allow us to obtain a more equitable sharing of the human and financial burden of enforcing the objectives of the United Nations, not just the objectives of the United States.

It is intolerable to my mind that we should go to war when 90 percent of the casualties will be American and when the bulk of the financial cost will be shouldered by the United States taxpayer, and realizing, at the same time, that the majority of Americans are not concerned about replacing or restoring the Emir of Kuwait to his throne.

Accordingly, I oppose going to war against Iraq at this time. We have in place comprehensive, very effective economic sanctions; actually, according to our witnesses, the most effective set of universal sanctions that have ever in history been applied against a single nation.

These U.N. sanctions will produce one of three results. First, they may persuade Saddam Hussein to withdraw from Kuwait. That would be the best. Second, they may inflict sufficient pain that the Iraqi people will overthrow Saddam Hussein. Or third, at least they will over time degrade Iraq's military capabilities so that any military operation to liberate Kuwait will be far less costly in terms of lost American lives.

We should recognize that time is on our side, not Iraq's. Time is helping degrade the war machine of the Iraqis. Time is wearing away at the enemy more than it is with us.

So let us give sanctions the necessary time to bring Iraq to its knees. We owe this to every young man and young woman now serving our Nation in the Persian Gulf, and those who are still destined to go there. In general, it seems to me, this would be a very unwise measure.

I yield the remainder of my time to the majority leader.

Mr. HATFIELD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 15 minutes.

Mr. HATFIELD. Mr. President, I came to the floor today hoping, as this fateful day has arrived, that we would have a choice between two resolutions, one that would clearly state the proposition for peace, as against the one that we are about to vote upon which states the proposition for war.

I was terribly disappointed that that first resolution did not give us that option. The first resolution, you will recall, on page 1, says the Congress authorizes the use of American military force to enforce the U.S. economic embargo against Iraq, to defend Saudi Arabia from direct Iraqi attack, and to protect American forces in the region; clearly an authorization for war.

So consequently I find myself in a situation of having to vote against both of the resolutions, because in my reading of them, they do not offer us the alternative of peace.

Mr. President, let us not deceive ourselves into thinking that the White House policy up to this point is not our policy too. We in the Congress can complain all we want about the lack of sufficient consultation with Congress in the development of the current policy. We can talk until we are blue in the face about our constitutional power to declare war.

But let there be no mistake. This Congress has been a full, if confused at times, partner in the White House policy ever since we ourselves refused to uphold the War Powers Resolution early last fall, and instead, adopted a concurrent resolution congratulating the President with the policy at that time which only served as an invitation to the White House to follow the policy that had been started.

Now, more than 3 months later, we are face to face with the prospects of war. Well over half a million United States and Allied troops are now staring across the desert at a similar number of Iraqi troops. Well over 1 million men and women are at this very moment poised with their fingers on the triggers of some of the most lethal weapons in human history.

As complicated as the geopolitics of this situation may be, the question we are constitutionally obliged to answer could not be more simple. Are we willing to give the go-ahead for war?

I cannot overstate the seriousness of that question. Saddam Hussein is a ruthless dictator who currently is enamored of his leading role on the world stage, and seems very eager to martyr himself and even his people.

Moreover, with our acquiescence, if not our outright support, he has undertaken the largest weapons purchasing program in Third World history, and it has paid off handsomely for him.

Iraqi troops are equipped with thousands of tanks, with Exocet and Scud-B missiles, and with chemical and biological weapons. And I hope the next time we are on this floor debating the sale of sophisticated weapons systems. The next time we are on this floor debating whether to pour more weapons of mass destruction into the developing world—I do hope my colleagues will remember that fact. These are not sticks and knives—if our troops are sent into battle, they will be face-to-face with some of the best weapons money can buy.

Moreover, Congress does not have the authority to determine how war will be waged. When it comes right down to it, we have the power to declare war. That is it. Once we give the White House our blessing, the President—as our Commander in Chief—will have the authority to fight in any way he chooses to fight, and with whatever weapons he chooses to use.

We have all heard the President's promise: This will not be "another Vietnam." We also all know that that is a thinly veiled code for "we will hit them with everything we have. Straightaway. No hesitation." The obvious implication is that this war will be quick and easy and clean.

Indeed, the Pentagon is now doing everything possible to give us the impression that war will come in a tidy little package.

Even the words are neat and tidy—body bags are not body bags anymore. That is too messy. That conjures up all the wrong images—images of blood and pain and suffering. Now body bags are "human remains pouches." There, America, does that make you feel better? Your sons and daughters and mothers and fathers will have their faces blown off—their limbs torn apart—their chests ripped open: but they will not come home in body bags. They will come home in neat and tidy human remains pouches.

Mr. President, war is not quick and easy and clean. It is horrible.

It is agonizing. And in the midst of battle, war is often as random as it is violent. Innocent people lose their lives: the children and the spouses and the parents of people like you and me lose their lives simply because they happen to be in the wrong place at the wrong time.

To my colleagues who are prepared to give the White House their blessing for war: I beg you—do not avert your eyes. Stare it in the face, and expect its horrible images to be replayed over and over and over again. Let us not be conned into thinking that war will be quick and easy and clean.

Maybe it will all be over in a matter of hours—or a matter of days—or a matter of weeks at the outside. Even if it is, Mr. President, at what cost? At what cost in human lives? How many lost lives can we accept; 100, 1,000, 10,000? And who decides? Who decides how many lost lives a family can accept? Who is prepared to tell a grieving widow that her husband's life was part of the loss we deemed acceptable? We are told that the loss of life would be minimal. Minimal compared to what? The loss of life in war—no matter how short it might be—would not be minimal when compared to the alternative.

Even in the very best case scenario, the loss of life would be unacceptable. But what happens when the war does not go the way we want it to? Maybe war will not last for a matter of days. Maybe this war will drag on for months. Or just maybe, this war will drag on for years. And what happens if the alliance is torn apart by the shifting sands of war?

And what happens then? What happens when the war to which we gave our blessings does not unfold the way we wanted it to unfold?

What happens when domestic public opinion—which even now is sharply divided over whether or not the United States should go to war with Iraq—begins to plummet? What happens when a tidal wave of anti-Americanism sweeps across the Arab world? What happens when the President comes to us and asks to have the draft reinstated.

For those who find it uncomfortable to oppose a war before it starts, let me only tell you from very personal experience that this is nothing compared to how you will feel when we are in the midst of war.

Raising questions now may garner some criticism. But consider the implications of giving our approval to war now and then having second thoughts when it does not unfold the way we want it to unfold.

Once we have given the White House a green light—explicitly or implicitly, sooner or later—there will be no turning back short of cutting off funds. And, again, I tell you from very personal experience, there is nothing more difficult than being forced to choose between funding a war you do not support and cutting off funds for a war to which our troops are sacrificing their lives.

If we are going to send our troops into combat, we must be prepared for the worst case scenario. We must be so sure of our objectives—so sure that our national security depends on removing Iraq's military from every last inch of Kuwait—that we are willing to initiate a war and commit this Nation's young people to it, no matter how long it takes and no matter what the cost. We must be able to look at our young men and women now on the frontlines and tell them that their lives are a legitimate price to pay.

Mr. President, I am not prepared to do that. I am not prepared to do that now. And I will not be prepared to do that in the future. Not 6 months from now. Not 12 months from now. Not ever.

God knows that I hate what Iraq has done to Kuwait—and to the Kuwaiti people. Nobody could look at the pictures of Kuwait City and hear the stories of suffering and violence and destruction without being profoundly moved. But Mr. President, even the most brutal human rights violations of one nation do not justify an offensive strike by another nation.

Indeed, it makes a mockery of the exceptional work done by organizations like Amnesty International to use their documentation of human rights abuses as a convenient justification for launching an attack that will very certainly cause even more suffering.

When it comes right down to it, this is about oil—about our dependency on the oil reserves that lie under Iraq and Kuwait and the whole of the Arabian Peninsula. We must be honest about the real motivations behind this policy, and then we must all ask ourselves one basic question:

Does Iraq's invasion of Kuwait constitute such a grave threat to the national security of the United States that we are willing to spill the blood of the Nation's children to reverse it?

I cannot in good conscience say that it does.

If we want to avoid war, then we ought to say so. Right here—and right now. And instead of playing this dangerous game of "maybe now, maybe later", it is my view that we ought to bring our troops home once and for all. I am deeply saddened that neither resolution offered here today reflects that point of view.

This Nation is obviously deeply divided over the question of war. This Congress is deeply divided over that question, and well we should be—we are a reflection of the American people, and our skepticism is their skepticism. But if we are this divided now, think how divided we will be when the shooting starts—and when our young people begin coming home in those "human remains pouches" that are not so neat and tidy after all.

Before I close, I want to make something very clear.

I do not question the sincerity of anyone in the Congress or in the White House. I know in my heart that everyone here and everyone in the White House understands the seriousness of the issue now at hand and has thought it through very carefully. Nobody wants war, and I do not suggest that those who are willing to line up behind the January 15 deadline are doing so because they are somehow eager to send our young people into combat.

That said, however, it is very obvious to me that this is not a war our Nation should fight. This is not a war we—as a nation—are prepared to fight.

Not for oil or pride or anything else. Not now. Not ever. We may have thefirepower, Mr. President, but we do not have the will. As deeply as some people believe that war is our only option, many others believe that war is not an option at all. And we owe it to our troops—to their families—to our Nation—and ultimately to ourselves to say so before we pass the point of no return.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. LOTT. Mr. President, since the Iraqi invasion of Kuwait, the world has united to condemn, in judgment, the Iraqi Government. President Bush has sought every possible diplomatic or political solution. The world and America now demand resolution of the chaos created by Saddam Hussein. Hussein seeks "just and dignified treatment." That was what his Foreign Minister told Secretary of State Jim Baker just this week. Yet he has consistently displayed a character void of human decency, dignity, and justice.

The situation is clear now. In fact, to quote the former Assistant Secretary of Defense Richard Perle, "If America fails when the issues are so clear, the aggression so unambiguous, the value so fundamental, the international community so united, how will America fare in a far more common condition of confusion, divided opinion, ambiguity and moral uncertainty?"

The world is united—and I have to commend President Bush for the effort

that he made through the United Nations and with personal diplomacy, personal contacts with leaders all over the world to bring the world together, unite against the aggression of one man, really, Saddam Hussein.

Now the world is watching, watching this body, to see what the U.S. Senate will do under these conditions at this time. Hussein is watching. He is watching, and he is waiting to see if the Senate will support the request of our President.

Are we united? That is the question. Are we united as people, as a government, in support of the President and with the President?

I have to say of the last vote, that was a very important vote; it was a difficult vote. I know that every Senator has given a lot of prayerful thought to it, debated it in his or her mind, and wanted to do the right thing. It was a close vote.

I too, support the sanctions. I supported them from the very beginning. But they have been in place now for 4 to 5 months, and so I have to ask the question, are sanctions enough? I think the answer is no. Will they alone work? I think the answer is no. If they were really sanctions on Hussein, maybe they would, but they are sanctions on the people of Iraq.

I do not think he cares about the people. but sanctions should stay in place. They will stay in place. The President is not going to lift them. We are not going to ask that he lift them. We want them to stay in place. But what is at stake now with this vote is unity or chaos.

Again, Hussein is watching. Will the Senate authorize the use of all necessary actions, including force, to bring this matter to a conclusion? I trust it will, that the Senate will not tie the hands of the President. This vote is the last rose of peace. We have tried everything else as a Nation and as a Government through our President. I'm reminded of a quote from the Roman poet Horace which is a fitting commentary on the vote we face today. I use an aberration of that passage in which he said, let us continue our effort to find where the last rose lingers. This is where the last rose of peace lingers. This is a vote that does not say "let us go to war now." This is a vote that says we are unified, we are together with our President and with the world against this aggression. If we speak together with one voice in unity, that is our best last hope for the rose of peace.

What is the alternative now? What if the Senate votes down this very important resolution? We then after 3 days of debate day and night will have voted down a resolution on the sanctions and voted down a resolution that would authorize all necessary actions to bring this to a peaceful conclusion.

How will that look? What kind of chaos will that create? What will we do? We would probably continue the sanctions, or would we? Would we begin to withdraw troops, because without the option of the serious threat of force or, in fact, force, we would not need that many troops in the Persian Gulf region? And should we begin to withdraw them, what would Hussein do? He dances in the streets of Baghdad tonight because the Senate would have created total chaos and uncertainty about what is happening.

My colleagues, vote for this resolution, vote for unity, do not allow chaos to set in. Now is the time to stand up and be counted.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, this of course is a difficult and heartfelt moment for all of us in this Chamber. We appreciate the gravity of the decision we have. It goes to the heart of human nature and to each of our hearts.

Mr. President, I believe it is also a defining moment in the history of our country, indeed, in the history of our world. All of us feel the weight of the burden of decision. But I make my choice today to support the President of the United States, to give him not a compulsion to go to war, but an authorization to commit our troops to battle should he determine it necessary to protect our national security. Mr. President, by doing so, we do not pass the buck of responsibility. In fact, we in the Congress share in the responsibility of leadership and that is part of the price of public service.

A lot has been heard in this Chamber about the consensus here of how important it is to stop Saddam Hussein, how evil he is, what a threat he is to world and American security.

War is justified. That is what we are saying by supporting this resolution. We are not ordering the war, we are putting our confidence in the Commander in Chief who under article II, section 2 has the responsibility to make the decisions of when and how to go to war.

Mr. President, much has been said about the head of State of Iraq and why his brutal and outrageous behavior justifies our stand. Not enough has been made about the head of State of the United States of America.

President Bush and I are of different parties, we disagree on issues. But I stand here today, as difficult as this decision is, to support this resolution with full confidence in doing so because of my measure of this particular man who is our President. He is strong. He is balanced. He is seasoned in world diplomacy. He has been through war. He has seen men die at his side. He is not hungry to go to battle, but he feels, I believe, the responsibility of leadership of our country and the world, a responsibility to protect our national security. And I know that he will exercise the authority that we will give him with this resolution with the greatest care for human life, international order, and the peace of the world.

I hope and pray, as I am sure the President does, as we pass this resolution it will be taken as a sign that Americans stand together with their President to advance the cause of peace; that it will convince Saddam Hussein that peace is the only rational course to take. I hope and pray that our act today in concert with actions by other nations around the world will finally reach into the mind of Saddam Hussein and lead him to the decision to spare the world and his people the tragedy and horror of war.

Beyond that hope, this resolution carries meaning for the conduct of world affairs for years to come. It is our opportunity to draw a line not just in the sand, but a line between morality and immorality, between civility and barbarism, between law and anarchy.

We pass laws here in the Congress, throughout this country, in our cities and towns, to express our aspirations for an orderly society. It is one of the reasons we form governments and we give people authority to carry out those laws to punish wrongdoers, to punish criminals and, if necessary, to remove them from society. The community of nations is not so carefully ordered. But through international agencies and alliances, over the years we have attempted to establish some norm of international order and civilized behavior. This is such a time. Mr. President, this is a moment of extraordinary opportunity for the United Nations and the rule of law in the world.

The nations of the world have spoken clearly. Will we now in the Congress of the United States not join them in that expression of desire for order? Now it is our turn. We have a standard that we can set for global conduct and send a message to those like Saddam Hussein who take advantage of the weak and use arms at any cost of human life to achieve their evil intentions. Let us not lose this opportunity to set that standard lest all standards begin to erode, lest lawlessness abound throughout the world.

The world looks to us at this moment of decision.

Mr. President, I ask unanimous consent for one additional moment.

The PRESIDING OFFICER. Is there objection to an additional minute of time? Without objection, it is so ordered.

Mr. LIEBERMAN. The world looks to us at this moment of decison for a sign how the leading Nation of the world will act. Let us here in this Chamber act with decisiveness, with firmness, with the highest regard for the rule of

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law, and the highest contempt for the aggression and barbarism and tyranny that is represented by Saddam Hussein.

Finally, a word about our men and women in the Persian Gulf in whom we place the ultimate responsibility. It is a difficult thing, painful, the hardest decision I have ever made to cast a vote that may mean war. But let no one believe that a vote against this resolution is a vote for permanent peace. In fact, I believe, a vote against this resolution endangers our troops further.

Our men and women in the Persian Gulf await a sign from the Congress of the United States. All the communications I have received from them say that. Where do we stand in this hour of decision? Let us show them that we stand with our Commander in Chief, behind them. They are heroes. No men and women have ever served America's interests in a greater way. And I promise them when they return from the Persian Gulf—and with God's help, all of them will return—we will all stand by the side of the road and cheer as they march by.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. SHELBY. Mr. President, the gravity of the issue of which we speak today cannot be overstated. Our Nation stands on the brink of war. Hundreds of thousands of American men and women are poised on the Saudi-Kuwaiti border facing over 500,000 Iraqi troops. We are quickly approaching the January 15 deadline imposed by the United Nations Security Council authorizing the use of force if Iraqi troops refuse to withdraw from Kuwait.

Americans are concerned over the possibility of war. I share this concern. A war with Iraq will mean the loss of American lives. It is my sincere hope that bloodshed can be avoided. That is why I have supported economic sanctions as a means to pressure Saddam Hussein into leaving Kuwait. I have supported diplomatic initiatives, most recently the talks between Secretary of State, James Baker, and Mr. Tariq Aziz, the Iraqi Foreign Minister. I have supported United States troop deployments to Saudi Arabia as a means by which pressure can be applied to force Saddam Hussein from Kuwait. I have also supported United Nations resolutions as part of a worldwide effort to convince Saddam Hussein of the hopelessness of his position. I pray that diplomatic initiatives that will take place over the next few days will achieve a peaceful resolution to this crisis.

However, every attempt at pressure, every diplomatic initiative has ended in disappointment and futility. It has become clear to this Senator that Saddam Hussein has taken over Kuwait and has no present intention of leaving. Therefore, I believe it is time for Congress, after months of hearings and factfinding missions, to make its position known. It is my hope that the Congress will be united.

Whatever differences of opinion that I, or other Members of Congress, may have over the current gulf policy, none of us have forgotten that it is Saddam Hussein alone who is responsible for this crisis. Saddam must be stopped because he invaded a sovereign nation and now threatens all other nations in this region. He must be stopped now, before he possesses nuclear weapons capabilities.

The Congress is united in the proposition that there will be no linkage between the occupation of Kuwait and the Palestinian issue. Iraq did not invade Kuwait because of any concern for Palestinians. Iraq invaded Kuwait for hegemonic reasons and oil. It was only later, as an attempt to drive a wedge in the United Nations coalition, that the Palestinian issue was raised by Iraq.

There has been unity of opinion in Congress concerning the need for our allies to more equitably share the burden and costs of this crisis. There are other nations, primarily Germany and Japan, whose vital interests are affected more than ours, but they have provided little help thus far in this crisis. This lack of cooperation should not deter the United States from its present course. However, I believe that it should be duly noted and not forgotten when this crisis ends.

Committees of Congress have held numerous hearings about the gulf crisis. We have received testimony from senior administration officials and a wide range of experts. All of these witnesses have condemned the invasion of Kuwait and praised the administration's stand against Iraqi aggression.

The choice this body faces today is between the continued reliance on economic sanctions or a congressional validation of U.N. Resolution 678 providing for the use of military force if Iraqi forces do not withdraw from Kuwait by January 15, 1991. Also, this body sends a critical message to Saddam Hussein with its vote for or against the use of force. Will Saddam Hussein see that America is divided with the President on one side and the Congress on another? I believe that if we let such a perception appear in the minds of Saddam and our allies we would be making a grave mistake, now is the time for America to speak with one voice.

Mr. President, I ask unanimous consent for an additional 3 minutes.

The PRESIDING OFFICER. Is there an objection to an additional 3 minutes?

Mr. DOLE. Two minutes.

Mr. SHELBY. That is fine.

The PRESIDING OFFICER. Two minutes.

Mr. SHELBY. When all is said and done, debated and examined, our next votes in the Senate will be very personal. Mr. President, now is the time to make this very personal choice. I have not reached my decision lightly. Last January, I met with Saddam Hussein in Baghdad. I came away from that meeting with the feeling that Iraq's leader was a man who could not be trusted. His invasion of Kuwait certainly justified my feelings.

As a member of the Senate Armed Services Committee, I attended many hearings where a wide range of views on the gulf crisis were presented. I recently traveled to the Middle East with the majority leader in order that I might determine for myself the exact nature of this crisis. I have spent the last 4 days criss-crossing my home State enlisting the views of the people of Alabama on the issue before us today.

Mr. President, I have come to the conclusion that a policy, based on economic sanctions will not, by itself, result in the outcome that we all desire. Nor do I believe that continued diplomatic activity, without the threat of force, will convince Saddam Hussein to pull his troops out of Kuwait.

The only way that the world community can now convince Saddam Hussein of the insanity of his actions is to show a united front. It has been Saddam Hussein's intransigence that has led us to this point, not the President's and not the United Nations'. We must now stand behind our President, our troops—exposed in the Saudi Arabian desert—and the nations of the world in sending a message to Saddam Hussein that we will take whatever steps are necessary to force his troops out of Kuwait should he not consent to a peaceful withdrawal by January 15.

Mr. President, this is not a Republican or a Democratic issue. This is an American issue. That is why I have cosponsored and will vote for the resolution sponsored by the distinguished senior Senator from Virginia and supported by many of my colleagues from both sides of the aisle. As I cast this vote, my hope remains that the possibility of a peaceful solution to this crisis is not outside our reach. The choice now lies with Saddam Hussein. I pray that he chooses peace.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia [Mr. ROBB].

Mr. ROBB. Thank you, Mr. President. My views on this matter are well known to most Members so I will use my brief allocation of time to rephrase the question before us. Can we trust the President of the United States to act in this matter in the best interests of the United States of America in his capacity as Commander in Chief of our Nation's armed forces? I believe that we can and we should, and I believe the consequences of not doing so would be devastating.

First, this is not and should not be a partisan issue, and I commend the

leaders on both sides of the aisle for keeping it from becoming one.

Second, we agree on the objectives required by the U.N. Security Council resolutions. To be certain, there are widespread differences of opinion regarding the mass additional commitments of U.S. troops immediately after the November election and whether sanctions have had adequate time to work. But those questions are largely moot at this point.

The additional troops are on the scene, or soon will be, and the President has achieved international agreement that Iraq must be out of Kuwait by January 15. To give even the appearance of tying the President's hands at this late date would send the wrong message to Saddam Hussein, the wrong message to our allies, and the wrong message to the international community in this first real test for the United States in the post-cold-war era.

I believe we should commend the President for putting together a truly extraordinary coalition and for giving the United Nations a chance to play a responsible role—even if we do not believe that most of our allies are carrying anything like as much of the burden as they should. And we should commend the President for consulting widely and frequently with Congress, even if he has not agreed with all of our often contradictory advice or agreed with the vast majority of Members who believe his authority to engage in certain types of military operations is more limited than he believes.

Giving the President the authorization he has asked for—and which he has already received from the international community—does not require him to commit our troops on January 15, or on any specific date thereafter.

And even if many Middle Eastern leaders are correct in their belief that Saddam Hussein will not believe we have the will to use force until we strike—that still does not "require" the President to commit our infantry and armored units—where our losses could quickly become unacceptable under almost any definition—in the first days of fighting—or hopefully ever.

To the contrary, most scenarios involve taking down high-priority targets without committing ground troops in the initial phases.

The President could then, having shown Saddam Hussein the strength of American resolve, reassess the situation and revert to a containment and sanctions strategy if he believes it would be in our best interests.

We can and should take the President to task if we disagree with him on a whole variety of matters here at home, from the budget to the rest of the domestic agenda, but in the great issues of war and peace we ought to make every effort possible to speak with one voice or at least with the strongest majority voice possible.

On balance, most of us would give the President very high marks for the way he has handled the gulf challenge to date.

Yet, now that we have reached a truly critical stage I believe it would be a fundamental mistake, to give even the appearance of withdrawing our trust and our support.

There is no question that the risks are great. And I do not want to minimize the potential consequences if we are "wrong."

We cannot escape responsibility for the action we are about to authorize—and we should not.

We are risking thousands of American lives, and that fact weighs on the conscience of every member here, particularly those of us who have known the inhuman brutality of combat firsthand.

But sometimes we have to take the risk because the "consequences" of not taking it are so much greater.

To each of us as individuals, some family members, or values, or principles are so precious that we'll risk dying to protect them—and I believe the same ought to be true as well for this democratic experiment we call America.

Secretary Baker's description of the force we may have to apply is right; if it is sudden and massive, we hope it will also be "decisive." And if Saddam Hussein understands that we have not only the capability but the will to carry out such an attack if necessary, maybe he will act rationally in the first instance and we will be able to bring the troops home soon. And maybe future Saddam Husseins will act rationally when they look back on how the free world responded to the first real challenge to the concept of collective security in the post-cold-war era.

Let us give peace a chance by giving the President the authority he believes he needs to achieve it.

Mr. President, I thank you, and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SYMMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. SYMMS. Mr. President, I ask the Republican leader if he can yield me 6 minutes?

Mr. DOLE. I yield 5 minutes.

Mr. SYMMS. I thank the Republican leader for the 5 minutes.

The PRESIDING OFFICER. The Chair recognizes the Senator from Idaho for 5 minutes.

Mr. SYMMS. Mr. President, I thank the leader. I am pleased to have the opportunity to address the Senate following my friends from the other side of the aisle. And I compliment the Senators from Virginia and Connecticut and Alabama for their willingness to recognize that it is very difficult for a committee to set military policy.

Mr. President, I think the time for us to debate whether there is a war going on or not has already passed. We are already at war in the Persian Gulf, in a sense, an economic war. It is a defensive position we have taken.

I believe none of the Senators, certainly this Senator, want to sow the destruction that will come from the actual infliction of combat in that region. We are all sensitive to that.

But having said that, I would also say that America is, again, confronted. We are now at a crossroad in our destiny. There are those who say why should this be the Americans? The reason it is the Americans who have to shoulder the biggest part of the responsibility is that we are the only people in the world who are capable, the history, the wealth, the military preparedness, to confront a Saddam Hussein. There is no one else who could put a coalition together, except the President of the United States of America, George Bush.

Mr. President, history often repeats itself. I believe it was George Santayana who said, "Those who cannot remember the past are condemned to repeat it."

The problem of vital interests is that they are often difficult to recognize at the time, but so obvious later with hindsight. For example, the breakup and annexation of Czechoslovakia by Nazi Germany in 1938–39 was not deemed a vital interest of Britain, France, or the United States at the time.

In the face of this potential sacrifice, it is paramount that we have a clear understanding of the national interests and policy objectives that would be served by our commitment to combat in the gulf region. Equally important, we need to have an understanding of the consequences for our long-term vital interests should we decide to accept some form of the status quo with Iraqi occupation of sovereign Kuwaiti territory. Would such an acceptance really matter in the international scheme of things as far as the United States is concerned?

Acceptance of this naked aggression assured peace in the short run at what seemed a small cost—after all, Czechoslovakia was part of the Austrian empire prior to WWI, and Germany had just annexed a willing Austria in 1937. Some who favored peaceful compromise even spoke of legitimate German territorial claims.

It just made sense to sacrifice this small country for peace in our time as Mr. Chamberlain put it. It was particularly easy for the United States to avoid involvement in this unpleasant business—after all it was a European affair that did not affect our vital interests. Even the imminent U.S. Ambassador to Britain at that time, Jo-

seph Kennedy, supported the Chamberlain policy and passionately counseled against U.S. involvement in European affairs that risked bringing the United States into a conflict with Nazi Germany. This view, I might add, reflected the majority of American public opinion at that time.

The question is "Do we face a similar situation with Iraqi occupation of Kuwait today?" I had hoped economic sanctions would work, and there will be no need for a military solution. But what if they do not and the will to take action declines? Will there be a bigger bill in blood to pay at a later time if this aggression is not dealt with today? Finally, does the violation of this small, and some would say overly wealthy, country really matter?

Mr. President, I remind my colleagues that as we are having this debate today, Lithuanians fighting for democracy are being crushed by the Soviet army. Time magazine's "Man of the Decade" is now starting out the 1990's running as "dictator of the decade" as he crushes democratic resistance and democratic ideals in Lithuania. People asked me when I was at home in Idaho last week: Why are we not doing something about Lithuania? Why are we worrying about Saddam Hussein in the Persian Gulf?

Mr. President, it is very clear, and I said to my constituents and I say to you, it is clear why we cannot do anything about Lithuania. The Soviet empire still has thousands of nuclear weapons targeted on the United States which we have no defense against. So we cannot do anything about it. But we can do something about the travesty that is taking place in the Persian Gulf.

If we stand aside now and if we believe that economic sanctions are going to stop this, I remind my colleagues that 300,000 Iraqis lost their lives, at a minimum, in an aggressive war with Iran. That is of a population of 16 million people, Mr. President. For the United States of America, this would be similar to our losing 4½ million of our citizens in a conflict. A country that can stand that kind of tragic loss over an 8-year war and still view their leader, Saddam Hussein, as a hero, what makes us think that a year from now they will not be able to withstand the economic sanctions?

I appeal to my colleagues that it may make them feel good somehow to think that we can have economic sanctions.

The passage of the Dole-Warner resolution is not going to mean that President Bush is instantly going to interfere and instantly launch the attack, but it shows solidarity and it shows that we will use our force, if necessary, and that way we hope we can achieve peace.

Mr. President, our distinguished Republican leader said the other day that this debate may well be the most significant issue we deal with this year. I agree, but would go one further. I also believe the matter before us could be the most important and decisive issue some of us will face in our political careers.

But I firmly believe that if there is one obvious way to achieve a peaceful settlement, it is to show congressional support for President Bush's numerous and extensive efforts to resolve the conflict.

That is why I have chosen to vote against the Mitchell-Nunn resolution, and support the Dole-Warner alternative legislation which gives the President the authority to use military force to achieve our objectives.

I believe it is a just and sound policy that, as elected officials, we should support. It is in our vital interests to do so.

The debate throughout the last few days has come down to two important policy decisions. Do we give the sanctions more time, or do we give the President the authority to use military force if he deems it to be the only viable solution to resolve the crisis.

My decision favors the latter position. Not because the President and I share the same political party.

My decision is based on the fact that the United States has set a course, one that we all supported in the beginning, to resolve this matter. That was and still is to not allow Saddam Hussein's actions to go unchecked or unchallenged.

Should his aggression be rewarded through our capitulation, should he go unchallenged, the threat to not only the Persian Gulf region but the international community will have increased significantly.

At some time—when it seems to be a matter of debate—Saddam Hussein will possess nuclear weapons. If he doesn't have the capability now, then when: 6 months, 1 year, 18 months. Is it at that point when those who support the Mitchell-Nunn proposal would say "sanctions haven't worked and now is the time to use our military force?" I ask my colleagues: are you entirely comfortable with that situation? Do you believe a man who has demonstrated his complete disregard for human life by using chemical weapons on his own people would hestitate unleashing a much more devastating weapon on someone else?

I hope everyone has had the opportunity to review the Amnesty International report on human rights violations by Iraq in occupied Kuwait. Let me just quote one of the first paragraphs of Amnesty's press release that accompanied the report:

> In its first comprehensive report on human rights violations in Kuwait since the invasion on August 2, Amnesty International details how Iraqi forces have tortured and killed many hundreds of victims, taken several thousand prisoners and left more than 300 premature babies to die after looting incubators from at least three Kuwait City's main hospitals.

It gets worse from there.

Tell those people who are suffering on a daily basis under the Iraqi occupation of Kuwait that we are going to give sanctions more time. Thank God those who advocate waiting for sanctions to work "someday" do not have to live and survive under Saddam Hussein's torture and oppression today.

So if we are supposed to let these sanctions work a little longer, let us all sit back in the confines of our safe borders and wring our hands of this terrible situation. Let us all shout from our shorelines what a ruthless and brutal dictator Saddam Hussein is. But as the most powerful Nation on earth, as the Nation that stands second to none in being able to mobilize man and industry to fight for freedom, let us not do anything about it.

If that is the case, then we should have never gone there in the first place, and we should bring our men and women in uniform home. Home not only from the Persian Gulf, but from the areas where they are deployed around the world. For that matter we may as well dismantle our military, sparing the national guard to stop any civil insurrection, because we do not need them any longer.

No, Mr. President, this Senator believes we still need a strong military. This Senator believes in the peace through strength initiative. This Senator believes we have obligations to protect and defend freedom here and abroad. We are bound morally, politically and economically to be in the gulf.

President Bush has taken a course of action that is just and sound. He has now come to Congress to seek a resolution of support which gives him authority to use force, if necessary, to resolve this matter. I will vote to support him in his endeavors.

Now is not the time to tie the President's hands, or run for our own political cover. The votes we cast on this issue will be tough—for everyone. But when all is said and done, we must stand united in our collective decision and resolve. Let the politicking end with a vote to support the President.

The best way we are going to achieve a peaceful withdrawal of Iraq from Kuwait is to support the President. Give President Bush the ability—give the United States the credibility—to confront Saddam Hussein, to give him a clear-cut choice: Get out now and in peace, or face the ultimate and massive power of a U.S. military attack.

Mr. President, I ask unanimous consent to print in the RECORD the Heritage Foundation background on Saddam Hussein and the crisis in the Persian Gulf.

There being no objection, the information was ordered to be printed in the RECORD, as follows:

[From the Heritage Foundation, Backgrounder, Nov. 23, 1990]

SADDAM HUSSEIN AND THE CRISIS IN THE PERSIAN GULF

INTRODUCTION

The outcome of the crisis in the Persian Gulf will be decided to a large extent by the decisions of one man—Saddam Hussein. The ruthless Iraqi dictator precipitated the crisis by ordering the August 2 invasion of Kuwait. He has brought the United States to the brink of war by holding thousands of hostages in Iraq and Kuwait and refusing to heed United Nations resolutions calling on Iraq to withdraw unconditionally from Kuwait. Saddam, more than any other leader, has the power to determine whether the crisis will be resolved through diplomacy or through war.

Given Saddam's repeated ability to surprise his neighbors and the U.S. with sudden shifts in policy, it is difficult to predict his future actions. Yet a study of his past, his character, his policies, and his long-term goals sheds light on what he might do next.

Saddam is a born survivor. He escaped poverty through a street gang, became an assassin, organized the death squads in the late 1960s that propped up a narrowly based regime and used his control of the secret police to consolidate his personal power. Once installed as Iraq's supreme leader in 1979, Saddam brought to Iraq's foreign policy the tactics that served him in good stead throughout his political career: intimidation, conspiracy, terrorism, and the use of force.

Adept in Intimidation. Saddam, say those who long have observed him, is a ruthless opportunist with a predatory personality. He is quick to grab for what he wants and slow to relinquish it in the face of strong opposition. Adept in the art of intimidation, Saddam himself is not easily intimidated. Economic sanctions alone, therefore, are not likely to compel him to withdraw Iraqi troops from Kuwait because such an ignominious withdrawal would jeopardize his political leadership and personal survival.

Rejecting Face-Saving Solution. Only the credible threat or actual use of force will compel Saddam to relinquish Kuwait. Once he is convinced that war is imminent, Saddam probably will try to head it off and keep the U.S. off-balance by proposing a partial Iraqi withdrawal from Kuwait, which would split the anti-Iraq coalition and give him a face-saving escape route from his own adventurism. As such, Washington must reject such a Munich-like diplomatic "solution" because it would enable Saddam to reap the fruit of his aggression and increase his destabilizing influence in the Middle East. Allowing Saddam to score a diplomatic victory in Kuwait will make it more difficult and most costly to halt Iraqi aggression in the future, when Iraq has developed more lethal weapons of mass destruction, including nuclear, biological, and chemical weapons.

The U.S. therefore must press for a United Nations Security Council resolution calling for the use of force against Iraq unless Iraqi troops immediately and unconditionally withdraw from Kuwait. The longer the stalemate continues, the more time Saddam Hussein has to undermine the solidarity of the anti-Iraq coalition and find support for a face-saving settlement that will leave him free to launch future aggressions.

SADDAM'S EARLY LIFE

Saddam Hussein was born on April 28, 1937, to a landless peasant family near the town of Tikrit, 100 miles north of Baghdad on the Tigris River. Many details of his early life remain murky because of conflicting biographical accounts. Saddam (whose name translates as "one who confronts") grew up without a father, either because his father died before his birth (the official story) or because he abandoned his family (according to a personal secretary who later broke with Saddam). After Saddam's strong-willed mother, Subha, remarried, the young Saddam was constantly abused by a scornful stepfather, Ibrahim Hassan, a crude peasant who complained of Saddam: "He is a son of a dog [a particularly virulent insult in Arabic]. I don't want him."[1] Saddam did not begin his formal education until age ten because his stepfather preferred him to take care of the sheep.

In 1947 Saddam was sent to live with his mother's brother, Khayrallah Tulfah, in a working-class neighborhood of Baghdad, the Iraqi capital, where many Tikritis lived. Khayrallah was an ardent Iraqi nationalist who was cashiered from the Iraqi army for joining an abortive anti-British and pro-Nazi uprising in 1941. Khayrallah was probably the strongest influence on Saddam's early political views, infusing him with a hatred of British colonialism and the British-installed Hashemite regime that ruled Iraq after independence from Britain in 1932. Perhaps trying to emulate Khayrallah, Saddam applied to enter the Baghdad Military Academy, but failed the entrance examination. Although he never served in the army, Saddam developed a love of military uniforms and guns. Years later, after gaining power, he named himself a "Field Marshal."

Street Muscle. Saddam left school at age sixteen and became the leader of a street gang of poor Tikritis living in Baghdad. He killed his first man at the age of sixteen, by some accounts; others claim he may have been only twelve. In 1956, Saddam, then age nineteen, like most of the Arab world, was electrified by Egyptian leader Gamal Abdel Nasser's ability to transform a military defeat at the hands of Israel, France, and Britain into a political triumph in the Suez crisis. Saddam was inspired by Nasser's efforts to unify the Arab world. In 1957, Saddam joined the radical Baath (Renaissance) Party, which was dedicated to restoring Arab glory through pan-Arab unity, secular nationalism, and socialism. Saddam's gang gave the Baath Party street muscle. Saddam's political career was propelled by his ability to orchestrate and execute political violence.

The tiny Baath Party was relegated to the political sidelines when General Abdul Karim Qassim overthrew Iraqi King Faisal II in 1958. Saddam's first political murder is believed to have been the killing of a communist supporter of Qassim, who also happened to be Saddam's brother-in-law.[2] Saddam boldly led an abortive assassination attempt on General Qassim on October 7, 1959. Saddam, then 22, was wounded in the leg, and dug the bullet out with his pocket knife, according to an official account. Saddam then fled to Syria and ended up in Cairo where he spent four years on the Egyptian payroll being groomed by the Nasser regime as a future leader of the pan-Arab cause.[3] While in Cairo, Saddam married his uncle Khayrallah's daughter, Sajida, and finally finished high school at the age of 24. In the meantime, he was arrested twice by Egyptian police, once for threatening to kill a fellow Iraqi student because of political differences and once for chasing another student through the streets of Cairo with a knife.[4]

SADDAM RISES THROUGH THE SECRET POLICE

Saddam returned to Iraq after the Baath Party overthrew General Qassim in February 1963 and joined the internal security forces. He became an interrogator and torturer in the *Qasr-al Nihayyah* ("Palace of the End"), a Baathist torture chamber in the palace where King Faisal and his family were executed in 1958.[5] The Baath Party, weakened by factional cleavages, was ousted on November 18, 1963, by the Iraqi army. Saddam was arrested in October 1964 and jailed for almost two years. He concluded that the Baath Party henceforth should maintain strict unity and distrust ambitious army officers who had a tendency to purge non-military conspirators after a successful coup.

Torture and Terror. Saddam escaped from jail in 1966. He then founded the Baath internal security forces, the *Jihaz Haneen* ("instrument of yearning"). This dreaded organization assassinated the party's enemies, monitored the loyalty of party members, and purged dissenters. The Baath Party returned to power in a coup in July 1968, in which Saddam's security forces quickly purged non-Baathist army officers. Saddam's cousin, General Ahmed Hassan al-Bakr, became President, but Saddam quickly became the strongman of the regime. As head of the internal security apparatus, Saddam crafted the Arab world's most ruthless police state. His secret police routinely tortured political dissenters—even children, to extract confessions and information from their parents.[6]

Saddam's political power base has always been the internal security services which he staffed with members of his own family and clan or neighbors from his home town, Tikrit. This "Tikriti mafia" became the core of Saddam's regime as he continuously purged rivals and potential rivals from the Baath Party. So many high-ranking members of the regime hailed from Tikrit that Saddam banned the public use of the laqab, or surname indicating place of origin, to obscure the disproportionate number of "al-Tikritis" (people from Tikrit) in his inner circle.

Saddam ousted his cousin, Al-Bakr, from the presidency on July 16, 1979, and ruthlessly consolidated total control over Iraq. Claiming that he had uncovered a plot by pro-Syrian Baathists, Saddam purged up to 500 party members. At a meeting of hundreds of party cadres, Saddam read the names of 22 high-ranking party members, who then were led off to be executed. Several senior officials were shot shortly thereafter by a firing squad composed of Saddam and his surviving colleagues.

Ruthless Purges. Saddam himself is said to have killed 22 men.[7] He personally executed his own Minister of Health, Riyadh Ibrahim, a longtime compatriot, in the middle of a Cabinet meeting in 1982 when the hapless minister suggested that Saddam temporarily step down from power to allow a negotiated solution to the Iran-Iraq war. Soon after, the minister's dismembered body was delivered to his wife's front door in a sack.[8] Saddam's use of terror, even against his own associates, inspires fear in Iraqis and has assured his domination of Iraqi politics.

Saddam may be understood best as a gang leader. He used his gang to gain control of the secret police, which he then used to gain control of the Baath Party, through which he rules Iraq. He now seeks to become the undisputed leader of the Arab world. Fittingly, his favorite movie is said to be *The Godfather*, which he has seen many times.[9]

SADDAM'S PERSONALITY CULT

The Iraqi dictator sits at the center of a web of state, party, military, and secret police organizations. As President and Chairman of the Revolutionary Command Council, Saddam controls all government bureaucracies. As Secretary General of the Regional Command of the Baath Party, he leads 50,000 Baath Party members and 1.5 million sympathizers. As Commander in Chief of the armed forces he leads Iraq's one-million-man army. And through his powerful "Special Bureau," he keeps close tabs on Iraq's many competing intelligence and internal security agencies.

Giant portraits of Saddam dominate government offices and all public places. Iraq's state-controlled television periodically flashes Saddam's "internal sayings" on the screen. His birthday is an Iraqi national holiday.

To strengthen his claim to leadership, Saddam has exploited symbols of Iraq's historical glory. He has encouraged comparisons to Nebuchadnezzar, the powerful leader of ancient Babylon, who conquered Jerusalem and brought the Jews to Babylon. He is reconstructing the walls of Nebuchadnezzar's Babylon, putting his own name on every tenth brick, as a testament to Iraq's pre-Islamic glory.[10] He has invoked Saladin, the brilliant military and political leader who defeated the Crusaders and conquered Jerusalem in year 1187. Although Saladin also was born near Tikrit, Saddam neglects to recognize that Saladin was a Kurd, the ancestor of the 3 to 4 million mountain people in northeastern Iraq whom Saddam ruthlessly has repressed.

Demanding Deference. Saddam rules with what seems a messianic sense of mission. He seeks to restore the Arab world to what he believes is its rightful place in the world as a Third Superpower. He is quick to take offense at those who do not accord him the respect he feels is due. Since 1986, public insults of Saddam have been punishable by death. Even when dealing with foreigners, Saddam demands deference. According to an unnamed diplomat who has met with him, Saddam habitually holds his hand extremely low when greeting visitors to force them to bow as they shake hands.[11]

Because he lacks personal charisma and is not an articulate speaker, he prefers to communicate to his countrymen through a surrogate, often a television announcer who bears a striking resemblance to Saddam, who reads Saddam's speeches. Saddam lives and works in isolation, shunning contact with his people, probably out of fear of assassination. He is believed to have survived several attempts on his life and is heavily guarded during his rare public appearances.

Saddam is extremely distrustful, even of his closest associates. When he goes on one of his infrequent foreign trips, he brings his own food, a food taster, and his own chair, apparently fearful of sitting on a poisonous needle. When the lights momentarily flickered out at the February 1990 Arab Cooperation Council summit, Saddam dove under a table, apparently fearing an assassination attempt.[12]

SADDAM'S GAMBLES

Saddam has not had the same success imposing his will on neighboring countries as he has had with Iraq. When revolutionary Iran, after Ayatollah Ruhollah Khomeini's 1979 revolution, threatened Saddam's regime by stirring unrest among Iraqi Shiites, who make up about 55 percent of Iraq's 18 million people, Saddam responded by invading Iran in September 1980. Saddam, expecting a quick and easy victory, badly miscalculated the strength of Iranian resistance. Iraq became mired in a bloody eight-year war with Iran that took the lives of up to 500,000 Iraqis and left Iraq $80 billion in debt. Although Saddam eventually won a military victory in 1988 by using illegal chemical weapons on the poorly prepared Iranians and Iran's Kurdish allies inside Iraq, he had little to show for his victory. The Iranians were forced to accept a ceasefire, but refused to negotiate a peace settlement.

Saddam was unable to provide war-weary Iraqis with a "peace dividend." High world oil prices in the early 1980s and generous loans from the Arab Gulf states, had enabled Saddam to coopt many Iraqis with a guns and butter policy that combined massive military spending with huge economic development projects. But the fall of oil prices after 1985 reduced Iraq's oil revenues and reduced the Iraqi dictator's ability to finance ambitious economic development schemes. Although Saddam's pervasive police apparatus precluded organized opposition, Iraqis are believed to have grown increasingly disenchanted with Saddam's harsh rule.

Blocking Coups. Particularly worrisome for Saddam was the growing restiveness of Iraqi army officers, who had seen at close range the terrible price that Iraqis had paid for Saddam's military miscalculations. Saddam surely realized that the biggest threat to his rule came from the army, which had staged thirteen coups d'etat between 1920 and 1979. To block possible coup attempts, Saddam constantly purged high-ranking officers and executed hundreds of officers suspected of disloyalty. Baath Party commissars monitored military affairs down to the battalion level. Secret police were infiltrated into the ranks. And an elite Presidential Guard unit was recruited primarily of diehard loyalists from the Tikrit region. War heroes who threatened to become potential rivals of Saddam Hussein were forced out of public view or placed under house arrest. Even Minister of Defense Adnan Khayrallah, Saddam's cousin, brother-in-law and closest friend as a young boy, fell victim to Saddam's suspicions. Khayrallah, who directed Iraq's military effort in the final months of the war, died in a mysterious helicopter accident in May 1989 believed by many to have been arranged by the Iraqi dictator.[13]

Following the August 20 1988, ceasefire with Iran there were a growing number of reported coup attempts against Saddam. The Iraqi internal security forces sniffed out and foiled several plots, including an attempt to shoot down Saddam's plane and an attempt to bomb the presidential reviewing stand during a military parade.[14] There have been four credible reports of coup attempts this year alone, including an abortive car bomb attack to be launched on January 6 during Iraq's "Army Day" celebrations.[15] Saddam became so distrustful of his own military that he closed officers clubs this July and purged three top military leaders, including Iraq's most celebrated war hero, Lt. General Maher Abdul Rashid.[16]

Miscalculation in Kuwait. Saddam's August 2 invasion of Kuwait was more a mark of economic and political weakness than a sign of military strength. Saddam in effect tried to make the annexation of Kuwait Iraq's "peace dividend" from its war with Iran. By seizing Kuwait's oil wealth, Saddam tried to score a personal triumph that would discourage challenges to his rule, quiet grumbling about his fruitless war with Iran, and reverse growing resentment of his brutal dictatorship by exploiting Iraqi nationalism and irredentism. In additon to halting the erosion of his domestic power base, a successful annexation of Kuwait would strengthen Saddam's claim to the leadership of the Arab world. It would give him additional financial resources, in the form of Kuwait's 94 billion barrels of oil reserves and $100 billion in foreign investments, to accelerate his ambitious military, nuclear, and development programs. Having conquered Kuwait, Saddam would loom large as the "new Nasser"—a strong leader who could stir the Arab masses by championing their long-held dreams for Arab unity and restoring Arab honor by standing up to Israel and the West.

Saddam once again grossly miscalculated the implications of aggression. Although Kuwait swiftly succumbed to his onslaught, Saudi Arabia, which he probably expected could be intimidated, uncharacteristically boldly chose to resist the expansion of Iraqi power. The Saudis staunchly backed Kuwait and invited American, British, French, Egyptian, Syrian, Pakistani, Bagladeshi, and Moroccan troops (listed in descending order of the strength of committed military forces) to help defend Saudi territory. This unlikely coalition, supported diplomatically in the United Nations Security Council by the Soviet Union and Mainland China, imposed an economic embargo on Iraq on August 6, and threatens to use military force to comple Iraq to withdraw from Kuwait.

SADDAM'S STRETEGY

Since the August 2 invasion, Saddam cautiously has sought to consolidate Iraq's control over Kuwait while avoiding a provocation that could trigger a war with the multinational forces assembled in the Persian Gulf to curb Iraqi aggression. Saddam in early August ordered Iraqi ship captains to permit their ships to be boarded and searched by the blockading naval forces enforcing U.N economic sanctions. Iraqi warplanes carefully avoid entering Saudi airspace or challenging American or Saudi air forces in the Persian Gulf.

Meanwhile, Iraq steadily consolidates its control over Kuwait. Baghdad declared on August 8 that Kuwait had been annexed as an Iraqi province. Iraqi troops began taking foreign hostages in Kuwait on August 13 to be used as shields to deter attacks on Iraqi strategic and economic targets. Iraqi troops have terrorized Kuwait's population, driving 500,000 of Kuwait's 750,000 native citizens out of the country.[15]

Thousands of Iraqi peasants and urban poor have been settled in Kuwait.[15] Iraq has organized some of the 350,000 Palestinian refugees in Kuwait into a pro-Iraqi force, and has permitted radical pro-Iraqi Palestinian terrorist leaders such as Abu Nidal and Abu Abbas to set up headquarters in Kuwait City.

Saddam's strategy is to tighten his grip on Kuwait while buying time to sow disunity in the unwieldy anti-Iraq coalition. He probably reckons that the longer the stalemate drags on, the more likely is it that the U.N.-mandated embargo will spring leaks and the anti-Iraq coalition will crumble. By stringing out the crisis, Saddam apparently hopes to deflect attention from his own aggression to the Westen military presence and strengthen political constraints in the U.S. and the West against military action by stressing the high costs of war. Meanwhile, Saddam tries to drive wedges into the anti-Iraq coalition by exploiting Arab-Israeli dispute, selectively releasing hostages and offering free oil to countries that violate the U.N. economic embargo.

One Iraqi ploy is the attempt to link the Persian Gulf crisis with the Arab-Israeli conflict. By doing this Saddam hopes to focus Arab attention on the U.S.-Israeli axis to undermine the anti-Iraq coalition. Saddam offered on August 12 to withdraw his troops from Kuwait if Israel withdrew from occupied Arab territories and is Syria withdrew from Lebanon. Although the U.S., Israel, and most Arab states have rejected this linkage, the October 8 riots in Jerusalem that resulted in the deaths of seventeen Palestinians aided Iraq by diverting the attention of the Arab and Muslim countries. Saddam escalated his propaganda attacks on Israel on October 9 and announced that Iraq had developed a new missile, the Hijara ("the stone"), capable of hitting Israel, like the stones of the Palestinian rioters in Jerusalem. Saddam knows that nothing unites the Arab world like an anti-Israeli stand, so he attempts to thrust himself to the head of an anti-Israel crusade.

Appealing to Arab Masses. Saddam has appealed to the Arab masses over the heads of Arab rulers opposed to his invasion of Kuwait. Iraq set up a radio station on August 13 that calls on Egyptians to rise up against Egyptian President Hosni Mubarak, who has taken a pro-Kuwaiti stand, Iraqi radio charges meanwhile that the U.S. military presence in Saudi Arabia is a U.S.-Israeli plot to control oil, that Israeli personnel are in Saudi Arabia masquerading as Americans, that U.S. soldiers massacred pro-Iraqi Saudi demonstrators, and that U.S soldiers have brought AIDS, alcohol, pork, and prostitutes to Saudi Arabia.[19] Although Saddam is a secular socialist who brutally crushed Iraqi Muslim fundamentalist groups, he now poses as a defender of Islam against the infidel West. Saddam calls for liberation of the Holy Places in Mecca from occupation by "unbelievers and the Jews."[20] Although this charge appears specious in the West, the Saudis were nervous enough about the gullibility of Arabs to invite Muslim religious leaders to Mecca in September to certify that the Holy Places had not been violated.

At the forefront of Saddam's efforts to shatter the anti-Iraq coalition have been the Western hostages held in Kuwait and Iraq, now estimated at about 2,000, including some 900 Americans. Baghdad announced on August 17 that it was moving hundreds of hostages to strategic and economic facilities in Iraq to deter attack and to raise the domestic political pressures on the U.S. and other states to postpone military action. Iraq initially demanded a U.S. pledge not to attack as a precondition for releasing these hostages.

When this failed to bring U.S. concessions, Iraq began selectively to release hostages to lure foreign leaders to Baghdad and weaken the unity of the anti-Iraq coalition. The Iraqis believe that the subsequent procession of fawning foreign dignitaries to Baghdad, including former West German Chancellor Willy Brandt, former Japanese Prime Minister Yasuhiro Nakasone, and former U.S. Attorney General Ramsey Clark, gives Iraq the opportunity to put its case before the world and reduce the chances of an attack against Iraq. Saddam Hussein announced only last week that Iraq would free all remaining hostages in small groups beginning on December 25 and continuing to March 25, "unless something should occur to disturb the atmosphere of peace." Saddam's manipulation of the hostages is designed to paralyze the anti-Iraq coalition and preclude concerted military action against Iraq during the winter months, which are the most favorable months for military operations due to lower temperatures and reduced numbers of sandstorms.

SADDAM'S FUTURE POLICY

Saddam is trapped in a dilemma of his own making. He cannot bow to international pressure and withdraw unconditionally from Kuwait because this would be political suicide. It would shatter his carefully cultivated aura of invincibility, raise anew strong doubts about his judgment and leave him vulnerable to future coups by disgruntled army officers. Yet he cannot sit tight in Kuwait if that means war with the U.S., for such a war would be military suicide.

Saddam is unlikely to be pushed out of Kuwait solely by economic sanctions. Although the U.N. economic embargo is beginning to pinch, it will not develop a painful bite for several more months. Saddam can divert scarce food and other supplies to his army, while allowing Iraqi Kurds, Kuwaitis, and Iraq's 2,000 Western hostages to starve slowly for the benefit of Western televison cameras.[21] The international consensus in support of the embargo will dissipate when it becomes clear that Saddam is willing to starve more people to retain Kuwait than the U.N. is willing to starve to liberate Kuwait. Saddam took the Iraqi people hostage long ago.

Stalling for time. Saddam has proved himself a tough-minded master of brinkmanship. He thus surely will cling to Kuwait until convinced that this will lead to a war that he cannot hope to win. Saddam apparently is not yet convinced that war is imminent. One of his closest associates, his son-in-law General Hussein Kamel, who is the Ministry of Industry and Military Production, recently told a diplomat: "We have nothing to worry about from a war with the U.S. The Americans are not prepared to pay the price of a war with Iraq."[22] Iraqi officials believe that the U.S.-led coalition is a fragile marriage of convenience that will weaken and dissolve over time. They speak of a "French and Soviet axis" that eventually will end the "U.S.-imposed Gulf crisis."[23] Iraq will therefore continue stalling for time to wear down the resolve of the anti-Iraq coalition and drive wedges between its members.

Surprising Flexibility. Yet Saddam has shown flexibility in the past when confronted with an unfavorable situation. For example, in March 1975 he struck a deal with Shah Mohammed Reza Pahlavi of Iran to accept Iran's territorial claims in a border dispute in exchange for an end to Iranian military aid to Iraq's Kurdish rebels. Later, Saddam withdrew his territorial claim on Iran's oil-rich Khuzestan province, called "Arabestan" by the Iraqis, in a vain bid to end the Iran-Iraq war in 1982, after Iran had halted Iraq's invasion and pushed Iraqi forces back to the border. Twelve days after invading Kuwait, Saddam demonstrated tremendous flexibility by suddenly bowing to Iran's terms for a peace treaty and withdrawing its troops from Iranian territory. This concession to Iran, Iraq's bitter historical enemy, must have been unpopular with the Iraqi people, a factor that is likely to make Saddam all the more determined to reject a humiliating forced withdrawal from Kuwait.

Saddam will abandoned Kuwait only when convinced that holding on to it will trigger a disastrous war that threatens his regime's political and physical survival. Convincing Saddam of this is difficult for Washington, given its need to maintain a broad international consensus, particularly within the U.N. Security Council, for sustained economic and diplomatic pressure on Iraq. When U.S. Air Force Chief of Staff General Michael Dugan threaten this consensus by publicly threatening to "decapitate" Iraq's leadership, Secretary of Defense Richard Cheney sacked him on September 17. This action probably was perceived in Baghdad as a signal that the U.S. was not serious about its threatened use of force.

Saddam Hussein is a calculating risk-taker who surely now continually is gauging not only the capability, but also the willingness, of America to use force. He doubts American will power, not American firepower. According to an unnamed Arab ambassador in Baghdad, Saddam will not consider withdrawal unless he "see the red eye" (the determination) of his opponent.[24] George Bush recently has shown Saddam this "red eye" by expressing anger over the plight of Kuwaitis and the esti⅓mated 900 American hostages held in Iraq and Kuwait. Moreover, the Bush administration has escalated the pressure on Iraq by announcing on November 8 the commitment of over 400,000 troops to the Persian Gulf by early next year. Washington also is preparing to push a resolution through the U.N. Security Council supporting the use of force if Iraq fails to withdraw from Kuwait.

Soviet moves may play a key role in determining Saddam's future policies. According to an unnamed Iraqi official close to Saddam, the Iraqi dictator believes that the Soviet reluctance to countenance a war over Kuwait is one fo the strongest constraints on U.S. willingness to go to war. Saddam has given specific instructions that he is to be closely informed of every Soviet move.[25] Soviet President Mikhail Gorbachev's waffling on the question of military force, particularly his statement on October 29 indicating that military solution was unacceptable in the Persian Gulf crisis, can only have emboldened Saddam. But if Moscow should signal Saddam that it accepts the need for military force, perhaps in a U.N. Security Council Resolution supporting the use of force to enforce previous U.N. resolutions, then Saddam's calculus concerning Kuwait may suddenly change.

Fall-Back Position. Once he is convinced that a war is imminent, Saddam probably will seek to forestall military action with a timely diplomatic initiative. Baghdad already quietly has staked out a plausible fall-back position that could resolve Saddam's dilemma through a partial withdrawal from Kuwait. Significantly, when Kuwait was annexed as Iraq's nineteenth province on August 8, a swathe of northern Kuwait that the Iraqis named the Saddamiyat al-Mitlaa, was incorporated into Iraq's Basra province. According to maps distributed to Iraqi embassies, this territorial enclave consists of Kuwait's Northern Province, which contains approximatley one-third of Kuwait's territory and one-fifth of its oil.[26] Refugees fleeing Kuwait report that border posts and a concrete wall are being constructed along the new border.[27] If Saddam concludes that he cannot hold Kuwait without a war, he may offer to withdraw to this new boundary, which essentially corresponds to the historic boundary of the Ottoman Turkish province of Basra. Baghdad may have been preparing Iraqis and other Arabs for such a partial withdrawal by leaking reports on October 18 that Saddam had a dream in which the Prophet Mohammed called on him to leave Kuwait.[28]

Such a diplomatic settlement would allow Saddam to save face by leaving him in control of Kuwait's northern oil fields and the

strategic islands of Warba and Bubiyan, which guard the access channels to Iraq's naval base at Umm Qasr. This should be absolutely unacceptable to the U.S. It would give Saddam a "war dividend" of up to 20 billion barrels of Kuwaiti oil reserves and improved access to the Persian Gulf. As dangerous, it would boost Saddam's prestige as a strong Arab leader that faced down the Western powers. This would enhance his influence and strengthen radical anti-Western forces throughout the Middle East.

Uncomfortable Saudis. Secretary of State James Baker repeatedly has ruled out "partial solutions" to the Persian Gulf crisis that would involve Kuwaiti concessions to Iraq in exchange for a partial withdrawal. But other members of the anti-Iraq coalition may not reject such an outcome, especially if the stalemate over Kuwait drags on without an end in sight. Saudi Arabia, in particular, is uncomfortable with the prospect of an open-ended presence of hundreds of thousands of American troops. While such a huge military force safeguards Saudi security in the short run, it undermines Saudi political stability in the long run because it undercuts the chief source of legitimacy of the ruling dynasty—the guardianship of Muslim holy places in Mecca and Medina. The Saudis privately have pressed Washington for a swift and decisive resolution of the crisis. They are believed to be concerned about the possibility of anti-Western protests during *Ramadan*, the Muslim month of fasting which begins in March 1991 and during the *Haj*, the Muslim pilgrimage, which begins in June.

If the Saudis conclude that Washington is incapable of decisive military action and that Saddam will survive this crisis, then they increasingly will be tempted to strike a deal with Iraq. Saddam knows this and continually denigrates U.S. staying power to remind the Saudis that Iraq will remain a neighbor long after U.S. troops have returned home. When Saudi Defense Minister Prince Sultan hinted on October 21 that a territorial compromise could be worked out between Iraq and Kuwait after Iraq had withdrawn, Iraqi radio stations trumpeted the apparent softening in the Saudi position. Although Saudi King Fahd subsequently disavowed the statement, saying that it was taken out of context, some unnamed U.S. government analysts concluded that: "Sultan was telling us that time is running out. The U.S. better get going or else we [the Saudis] will have to make our own deal."[29] Saudi and Iraqi diplomats remain in contact in many world capitals.

Partial Withdrawal. Even if Baghdad finds no takers for a negotiated partial withdrawal, it could still throw a monkey wrench into the deliberations of the anti-Iraq coalition by unilaterally withdrawing from southern Kuwait and Kuwait City. Many countries wavering over the question of whether to go to war to liberate Kuwait would be even less likely to go to war to liberate a province of Kuwait. The Kuwaiti government, intimidated by its powerful northern neighbor, and despondent over its abandonment by much of the world community, might eventually accede to the new territorial arrangements, allowing Iraq to escape from U.N. economic sanctions. Even after a withdrawal, Iraq will retain tremendous leverage over Kuwait through its control of radical Palestinians living in Kuwait and its ability to destroy Kuwait's oil facilities and southern oil fields through sabotage.

By staging a partial withdrawal from Kuwait, Saddam could minimize the chances of war, while retaining oil-rich strategic territory that would give him a resounding victory that would shore up his own narrow base of power within Iraq and enhance his stature in the Arab world.

CONCLUSION

Time is working against both the U.S. and Iraq in the current crisis. The U.N. embargo is weakening Iraq economically and undermining Iraq's military potential. But Saddam Hussein is unlikely to relinquish Kuwait out of humanitarian concern for his own people, particularly if doing so leaves him vulnerable to overthrow by his own army, which is still seething over his miscalculated invasion of Iran.

On balance, America loses more from the passage of time than Iraq. Although the military buildup in the Persian Gulf strengthens U.S. diplomacy, the passage of time dissipates the sense of Iraqi threat, throws up new issues that strain the ad hoc anti-Iraq coalition and increases the natural reluctance of a free democratic people to resort to force. As an Arab leader confronting Western forces on Arab soil, Saddam can score easy propaganda points that undermine the political stability of American allies like Egypt, Saudi Arabia, and the United Arab Emirates. The longer the stalemate continues, the more Saddam can exploit visceral Arab nationalist, radical revolutionary, and Muslim fundamentalist currents in the Arab world. And the closer Saddam gets to attaining nuclear and biological weapons that will greatly raise the costs of any conflict.

High Stakes. To halt the sense of drift in American policy George Bush and James Baker should clearly explain the stakes in the Persian Gulf to the American people. Saddam Hussein, a brutal dictator armed with weapons of mass destruction, has made a lunge to dominate the Persian Gulf, the strategic storehouse of two-thirds of world oil supplies. What is at stake is not the price of oil, but access to oil, which Saddam is fully capable of taking hostage to blackmail oil-dependent industrial democracies. If Saddam succeeds in looting Kuwait he will use the plundered assets to accelerate the development of his nuclear, missile, and biological weapons programs. This will make him much harder to deter and much costlier to defeat in a future crisis. An Iraqi triumph in Kuwait will radicalize the Middle East, threaten the stability of U.S. allies in the Arab world and ultimately could trigger an Arab-Israeli war that could threaten the survival of Israel, America's closest friend in the Middle East.

Although the risks of forcing Iraq out of Kuwait are significant, the risks of allowing Iraq to digest Kuwait are even greater. The U.S. must work to strengthen the unity of the anti-Iraq coalition to deny Saddam a diplomatic victory that would permit him to extract political, economic or strategic benefits from his aggression. The Soviet Union, responsible for providing Saddam with up to 85 percent of his military arsenal, bears a special responsibility for restraining Saddam. Bush should press Gorbachev to cosponsor a U.N. Security Council Resolution that will authorize military operations to liberate Kuwait similar to the ones that liberated South Korea in 1950–1953, if Iraq fails to withdraw totally and unconditionally within five days of the resolution's passage.

Credible Threat. Saddam will not withdraw his troops from Kuwait unless credibly threatened with overwhelming force. Confronted with such a formidable global alliance, Saddam might relinquish Kuwait and risk the wrath of his own countrymen, rather than risk a war that he and his regime would not survive. But if he fails to withdraw, a United Nations mandated war against Iraq would be preferable to a Munich-like settlement that would reward Iraqi aggression and leave Saddam Hussein free to plot future aggressions.

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FOOTNOTES

[1] Judith Miller and Laurie Mylroie, *Saddam Hussein and the Crisis in the Gulf* (New York: Random House, 1990), p. 27.

[2] Saddam reportedly was incited to do this by his uncle Khayrallah. Miller and Mylroie, *op. cit.*, p. 29.

[3] Yossef Bodansky and Vaugh Forrest, "Saddam Hussein," House Republican Research Committee, Task Force on Terrorism and Unconventional Warfare, October 3, 1990, p. 4.

[4] Miller and Mylroie, *op. cit.*, p. 30.

[5] Miller and Mylroie, *op. cit.*, p. 31.

[6] Amnesty International, "Iraqi Children Innocent Victims of Political Oppression," April 1989.

[7] David Pryce-Jones, "The Conquering Hero," *The New Republic*, September 24, 1990, p. 19.

[8] David Korn, "Blood Baath," *The New Republic*, October 29, 1990, p. 13.

[9] Miller and Mylroie, *op. cit.*, p. 24.

[10] Peter Mansfield, "The Arab Nation and Saddam Hussein," *Middle East International*, August 31, 1990, p. 26.

[11] *Wall Street Journal*, September 12, 1990.

[12] Miller and Mylroie, *op. cit.*, p. 40.

[13] Adnan Khayrallah also sided with his sister, Saddam's wife, in a bitter family feud over Saddam's public affair with Samira Shahbandar, the ex-wife of the chairman of Iraqi Airways, Saddam's eldest son, Uday, avenged his mother's honor by publicly beating to death the presidential food taster, who had introduced Saddam to Shahbandar. Efraim Karsh, "In Baghdad, Politics is a Lethal Game," *The New York Times Magazine*, September 30, 1990, p. 40.

[14] The Guardian (London), March 24, 1989, p. 14.

[15] *Washington Post*, August 16, 1990, p. A34.

[16] Laurie Mylroie, "Saddam Was in Desperate Trouble," *The Wall Street Journal*, August 10, 1990, p. A10.

[17] *The Economist*, October 20, 1990.

[18] *Middle East International*, August 31, 1990, p. 8.

[19] *The New York Times*, September 16, 1990, p. 2.

[20] *The Washington Post*, October 5, 1990, p. A30.

[21] See: James Phillips, "Can the Embargo on Iraq Succeed?" Heritage Foundation *Backgrounder* No. 789, September 5, 1990.

[22] *The New York Times*, November 4, 1990, p. 2.

[23] *The Wall Street Journal*, November 2, 1990, p. A10.

[24] *The Wall Street Journal*, November 2, 1990, p. A10.

[25] John Burns, "To Manipulate the World, Mystify It," *The New York Times*, November 4, 1990, p. 2.

[26] Oil Daily, *Energy Compass*, London, October 26, 1990, p. 3.

[27] *Wall Street Journal*, November 2, 1990, p. A10.

[28] See: Foreign Broadcast Information Service, Near East and South Asia Daily Report, October 23, 1990, p. 25.

[29] *Middle East Policy Survey*, November 2, 1990, p. 3.

Mr. SYMMS. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. Who yields time to the Senator from New York?

Mr. DOLE. I yield 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. D'AMATO. Mr. President, today the Senate has taken a step toward peace in the Middle East by sending Saddam Hussein a strong signal that the American people will not tolerate the taking of Kuwait as an appetizer followed by Israel as the main course. By backing our President, we have let Saddam Hussein know that the Amer-

ican people speak with one voice in their resolve to see his forces removed from Kuwait.

We are about to give the President the authority he needs to bring about peace. If we had failed to authorize the use of force in the Persian Gulf, Iraq's bold gamble would have paid off. Saddam Hussein would have been able to wait for the inevitable fracturing of the allied coalition. Our partners in that coalition, seeing a lack of American resolve, would inevitably have begun to cut their deals with Saddam Hussein.

Instead, we have sent a clear signal to Hussein. He must now stare into the abyss of certain defeat if he chooses the path of war. Even a reckless leader may be sobered by the view. Hopefully, he will now see that withdrawal is his only option.

I commend all those who voted against the resolution which would have stripped the President of congressional support at this crucial juncture. I would especially like to commend those of my colleagues on the other side of the aisle who resisted partisan pressure and supported the President.

Saddam Hussein must now finally face grim reality. His armed forces, and perhaps his country, face certain ruin if he pursues a policy of war. The road to peace, however, is still open. We must all pray that he chooses it, having no other viable option.

Let this vote not be a signal to our allies that this is a free ride. They better do more, and must do more. In the next few weeks, this August body should pass the D'Amato-Pressler resolution to get the Saudis to pick up the cost of Operation Desert Shield.

Saddam Hussein is like a glutton—a geopolitical glutton.

He is sitting down at a big banquet table, overflowing with goodies. And let me tell you—like every glutton, he is going to have them all.

Kuwait is just the appetizer—

He is gobbling it up—but it is not going to satisfy him.

After a noisy belch or two, he is going to reach across the table for the next morsel.

What is it going to be? Saudi Arabia? It could be. The UAE? Who knows? I do not. But I do know two things, with absolute certainty.

He is going to keep grabbing and gobbling.

And the main course, somewhere on that menu, is the State of Israel.

The Israelis know that. That is one big reason Prime Minister Shamir within the past 48 hours has again stated his unequivocal support for President Bush's policies.

What is a little hard for me to understand is how some of Israel's strongest supporters in this body have joined into this chorus of "let's give Saddam some more time."

Saddam has already had too much time. I am not talking just about these past 5 months. I am talking about years and years in which we—the United States—ignored his brutality, condoned his repeated aggressions against both his neighbors and many of his own people, and actually subsidized his regime.

It is time to blow the whistle on Saddam Hussein.

It is time to let this grisly glutton know the free lunch is over. It is time for him to pay the bill.

The VICE PRESIDENT. The Senator from California is recognized for 5 minutes.

Mr. SEYMOUR. Mr. President, I rise for the first time today as a Member of the Senate, and I am deeply honored to address this distinguished body of leaders.

I have been advised that a new legislator's opening days of Senate service should be devoted to reflection, learning and listening. Yet upon entering this room, I have also walked with you, my new colleagues, into an international crisis that brings us to the brink of war. Despite the fact that I am, indeed, a rookie here, I have an obligation to the citizens of California to present my views today. I would also add that I am personally saddened by the fact that mine will be the only vote cast from California on this issue, and extend what I am sure is the shared wish of this body to our colleague Senator CRANSTON for a full and speedy recovery.

Mr. President, Yogi Berra once said that "you can see a lot just by watching." And just by watching over the past 2 days, I have seen that more issues about this crisis unite us rather than divide us.

No one has disputed the fact that Saddam Hussein has committed an act of unconscionable and intolerable aggression against Kuwait—an act which cannot remain intact. No one has questioned Saddam's ambitions to control more than half of the world's proven oil reserves. No one has underestimated the destructive potential of Iraq's chemical and biological weapons of the Iraqi Army's willingness to use them against innocent civilians throughout the Middle East.

In summary, Mr. President, no one has challenged the hard fact that Iraq's invasion of Kuwait poses a large and long-term set of strategic, diplomatic, and economic problems for the United States and its allies throughout the world.

It seems to me, therefore, that the main questions before this body are how to stop a dictator from brutalizing innocent people anywhere he decides to send his army, and second, how to frustrate his desire to control a significant supply of the energy resources upon which so many Western economies depend.

If Saddam Hussein succeeds in consolidating Kuwait and intimidating or destabilizing other Middle Eastern States, including Israel, tyrants from other continents of the globe would be encouraged to attack other nations.

Mr. President, we all know the consequences of our inaction on both of these accounts. If Saddam Hussein realizes his goal of manipulating the entire oil supply of the Arabian Peninsula, nations from The Netherlands to Japan would face the risk of economic collapse.

So both moral principle and practical politics present compelling reasons to favor the reversal of Saddam Hussein's murderous and violent rape of Kuwait. In this current crisis, the civilized norms of international relations and the sovereign political and economic rights of nations have become mirages in the Kuwaiti desert.

Senators from both sides of the aisle have already engaged in an extensive debate about economic sanctions. But what does recent history teach us about the effectiveness of sanctions in averting conflicts and stopping injustice? It teaches us, Mr. President, that embargoes can postpone a tyrant's ability to realize his goals, but not his will to ultimately secure them.

American and European sanctions did not stop the Axis powers of World War II from trying to absorb the lands that they invaded.

They did not stop the Soviet Union from covertly or overtly challenging the self-determination of nations for decades after 1945.

They did not stop Fidel Castro from bankrolling Communist movements in this hemisphere.

They did not stop Syria or Libya from sponsoring terrorist organizations that have killed men and women all around the world.

They will not stop Saddam Hussein from supplying, feeding, and digging his army into Kuwait. He has starved and gassed his citizens in the past to free resources for his soldiers and squelch opposition to his warfighting policies. He has rationed food, resettled entire villages, stolen spare parts from civilian transportation systems, and emptied his gas stations to fortify the Iraqi military.

Along with these measures and the riches of a plundered Kuwait, as well as his unlimited potential to repress dissent, Saddam has enough resources to sustain his occupation until one of two events occur:

First, we face the potential future breakup of the Desert Shield coalition as a result of the domestic political concerns of many governments throughout the world. The Saudis cannot host such a large contingent of Americans indefinitely, and the Egyptians, Moroccans, Turks, and Syrians cannot fully support this effort if we

only offer them a stalemate which no one can predict will end.

Furthermore, the idea of formally or informally linking Saddam's withdrawal from Kuwait with an international conference on the Israeli-Palestinian conflict has already gained support in some Western European capitals barely 5 months after the economic embargo on Iraq went into effect. The Arab League States, including all of our current Desert Shield allies, have long supported this agenda.

We cannot tolerate this approach, Mr. President. Not only would it extend an award to the Iraqis for their militarism, but it would also spell the end of the coalition against Saddam as well as link two morally and historically distinct issues. Israel can never be expected to sit at a negotiating table across from other countries still officially in a state of war with her.

Second, Mr. President, none of us in this country wishes to maintain our troops in the Saudi desert over an unknown period of time with an unclear mission. We want to bring our forces home from the gulf as quickly as possible.

The evidence that we have today, Mr. President, clearly suggests that the Iraqis can evade sanctions long enough for either the Desert Shield coalition to fall apart or for America to be politically and economically weakened by our burdensome commitment in Saudi Arabia.

I support with every fiber of my being the peaceful alternatives for solving this crisis. None of us wants to see American lives lost. I would have been proud to join my colleagues in casting my first vote as a U.S. Senator to applaud the U.N. Secretary General's mission of peace to Baghdad. We cannot and should not close the door on a diplomatic plan to force Saddam out of Kuwait while the guns still remain silent.

A settlement now, however, that allows Iraq to retain its tools of military and economic aggression will precipitate a bloody, protracted, and possibly unwinnable war in the future. The Middle East and the Western World could suffer Baghdad's boundless ambitions for only so long.

I pointed out at the beginning of my remarks the common ground that we as Senators share on the goals of U.S. policy. One of these goals is that the multinational coalition should and will prevail against Iraq. But a peace agreement making concessions to Saddam today would only postpone the violent storm of tomorrow.

The resolution that the distinguished Republican leader will offer makes the most sense to me in the face of Iraq's senseless behavior during the last 5 months.

It reinforces the mandate not of one President or of one party, but of 12 United Nations General Assembly measures.

It does not make war inevitable nor even encourage it. Rather, the Dole resolution would send a unified congressional signal to Saddam Hussein that the multinational coalition may consider military action at any time after the 15th of January if Iraq does not pull out of Kuwait and only if the diplomatic alternatives for securing this result have all been exhausted.

And to those who rightfully want to protect the constitutional prerogatives of Congress, I will say this. I am not a constitutional expert; I am not an attorney. I have in the past few days, however, listened, learned, and reflected.

I believe the Dole resolution is a prudent exercise of the Senate's responsibility against the intransigence of Iraq and on the advice of both the President and the United Nations.

Now is not the time for partisan politics. Now is the time for Republicans, Democrats, and people of all parties and philosophical persuasions to unite as Americans behind our President and send a clear message to Saddam Hussein that our resolve is firm and that we speak with one voice.

Those democratic institutions that last the longest, Mr. President, jealously guard both diversity and dissent in society as a matter of eternal law. Yet to prosper, a free people must also unify in a crisis and know the time when a protracted debate can send a mixed signal to a dangerous adversary. Congress and the American people, I believe, have drawn near to this time.

In closing, I would like to add a personal note. I have been deeply touched in the past few days at the tremendous kindness and consideration offered by my new colleague and I thank you from the bottom of my heart. To my constituents in California, I thank you as well for your opinions, your thoughts, and your prayers.

I am honored and humbled to be here, and will do my utmost to protect American lives and work for a durable peace.

Thank you, Mr. President, and I yield the floor.

The VICE PRESIDENT. The Senator from Utah is recognized for 6 minutes.

Mr. HATCH. Mr. President, after listening to the debate, I want to raise a couple of profound concerns that I have had.

We need to focus on the long term threat we face if Saddam Hussein prevails in this conflict, if we were to wait for our sanctions to work and our coalition falls apart in the meantime. We need to look not only at the present but also the future.

What would we face down the road? We would confront an Iraq under Hussein that would dominate the entire Middle East. We would see an assault on the moderate Arab States and on Israel. There would be a wave of subversion, intimidation, terrorism, and open aggression.

Unless we face up today to the challenge posed by Saddam Hussein, we will have to face him alone in the future. President Mubarak—who has built on the legacy of Sadat and the Camp David accords—has run enormous risks in standing with us. King Fahd—who has worked with the United States not only in this crisis but also on other issues such as Afghanistan—has staked the future of his country on our reliability and steadfastness. We can stand together with our allies, or we can stand alone if we let down our allies.

Who will suffer if the United States fails to step up to this issue? Certainly the moderate Arab States would. But just as certainly, Israel's survival would be called into question. Four million people to whom we have a profound moral and strategic commitment and with whom we have had a longstanding partnership would be put at risk.

As we debate, many people of Israel are sealing a room in their apartment or house with an air tight caulking. They know the risk of chemical and biological weapons in the hands of Saddam Hussein. They know he poses a mortal threat to the future of their country and their nation.

I do not understand why some on the other side of this resolution who consider themselves to be friends of Israel cannot see these simple facts. They do not speak about this danger. They ignore it. But the people of Israel do not have that privilege. They face a mortal peril, both in the short-term and the long-term. Yet many on the other side of this resolution have had no solution to offer besides waiting for sanctions to work, waiting to act until the threat becomes unmanageable.

There are two aspects of that threat that I would like to focus upon in my brief remarks as a senior member on the Intelligence Committee—the threat of Iraqi-sponsored terrorism and the threat of Iraq's weapons of mass destruction.

We all know that the world's most vicious terrorists have taken up residence in Baghdad. But while we have been waiting and debating, they have been preparing for cold-blooded killing. Our embassies and bases on three continents have been cased by likely terrorists. Terrorists are on the move, and weapons and equipment are being put into place. Iraq stands at the center of these actions, providing the crucial support—false passports, sophisticated equipment, vast sums of money—that only a state sponsor of terror has available.

But this threat will not diminish over time. Instead, it will grow. Those who would put off the need to confront Hussein would simply endanger more

lives and would simply cause more innocent deaths at the hands of Iraqi's terrorist allies.

The same is true of the threat of Hussein's weapons of mass destruction. He has already killed thousands with chemical weapons. More ominous, he already has produced biological agents, such as anthrax and botulinum toxin, and has almost certainly developed deliverable biological weapons. If we give him time, he will develop weapons capable of not only killing a few soldiers in their bunkers but also wiping out entire major metropolitan areas. I do not want either to occur.

But it gets worse. Hussein's well-advanced nuclear weapons program could develop a crude nuclear device within a few months. Some Members have argued that this device would be so crude and so unweildy that it could not be delivered on any aircraft in the Iraqi Air Force. But a crude device can kill noless than a sophisticated one. Let us also remember that determined men, driven by hatred, can act in unpredictable ways. If we give him time, for example, there's nothing to stop Hussein from putting that kind of device in Kuwait City and detonating it and when our troops have entered its gates. There is no end to the kinds of scenarios that can be devised by a ruthless and cunning leader like Hussein, and I fear for the nations in that region if we do not deal decisively and promptly with the dangers posed by the Iraqi nuclear program.

Today, we have the chance to reverse all of these threats. They can be dealt with through diplomacy from a position of strength. The President needs our decisive support to succeed in backing Hussein down without the use of force. If Hussein will not relent, we must endorse the President's course to expel Iraq from Kuwait by all available means including force. If we fail, a high price will be paid in the death of innocents and even nations.

Mr. President, I reserve the remainder of the time for the majority leader.

Mr. NICKLES addressed the Chair.

The VICE PRESIDENT. The Senator from Oklahoma is recognized for 4 minutes.

Mr. NICKLES. Mr. President, first I would like to compliment our colleague, Senator SEYMOUR, for his initial speech. I think he did an outstanding job. Certainly this is difficult not only for him but for all Senators because we are talking about a very serious issue, about the authorization of force.

Mr. President, I support that authorization and resolution by my colleague and friend, Senator DOLE, requested by the President of the United States. I have heard many of my colleagues, even those who have debated in favor of the previous resolution, state that Saddam Hussein and the Iraqis had to leave Kuwait; that his aggression could not be allowed to stand.

I happen to agree. I have a little disagreement on how we accomplish it.

We have heard people say, let us rely on the use of sanctions and hope that the continued use of sanctions would force him out of Kuwait. Unfortunately, I do not think that is the case. It might possibly work if he really cared about his people. I do not think that is the case here. If he really cared about his people why would he initiate and wage a war against Iran where over 1 million lives were lost?

He cares very little about his people. He cares about his ego. He cares about power. He cares about being the world Arab leader. He cares about fomenting hatred. He has a great desire to expand his power and even this conflict against other countries, including the nation of Israel which he stated time and time again that he would attack.

Mr. President, if this resolution fails, this will be a great victory for Saddam Hussein. A great victory because he stood up to the United States. If this resolution fails, the world will be a loser. The international coalition that President Bush has assembled will be a loser. It will disintegrate.

This resolution is vitally important. If we hold any hope for peace without military conflict, in my opinion this resolution has to pass because the only way that Saddam Hussein will leave Kuwait is if he really believes that the use of force is imminent.

Mr. President, I do not think sanctions will work. I do not really think that we want to have several hundred thousand troops of the United States in Saudi Arabia for 6 months, or for a year, or for 2 years. I do not.

I have talked to some Oklahoma families and some Oklahoma troops in Saudi Arabia. I have great compassion and great respect for the sacrifices they are making. I want to limit those sacrifices.

I certainly want to limit the loss of life not only for the United States but for the Iraqis. But we have to stare Saddam Hussein down. He has to know that the use of force is imminent.

In my opinion it is the only way whatsoever that he will move out. The decision is his. The international community has spoken and spoken loudly. I hope and pray that Saddam Hussein will hear the message and believe it. I hope he will change his mind. I hope he will reverse his earlier decision and withdraw from Kuwait. The decision is his.

I pray that he will make the right decision. I pray that our leaders will make the right decision and that there will be a peaceful resolution. This is an authorization. This is not a declaration of war.

This Senator happens to think that we should authorize for and give the President some authority so we can add some real strength to our position. It is not a declaration of war. If war breaks out—and I hope and pray it does not—I think the President should request, and I think Congress should come back with, a declaration of war.

I yield the floor.

The VICE PRESIDENT. Who yields time?

Mr. PRESSLER addressed the Chair.

The VICE PRESIDENT. The Senator from South Dakota is recognized for a period of 5 minutes.

Mr. PRESSLER. Mr. President, I rise to say I believe that this is a resolution of peace. Historically, every time a dictator has been appeased, it has resulted in war and death. The most obvious historical example of this is Chamberlain in 1938, and many more. I look upon this as a resolution of peace.

Mr. President, I have opposed sending more troops to Saudi Arabia. I support the United Nations replacing our troops there. Senators have had different opinions on many areas of Persian Gulf policy. The ultimate point is, however, if we were to take away from President Bush his authority at this critical moment, it would strengthen the hands of Saddam Hussein. And that would be a very negative step.

Let us look at the negotiating position the President of the United States is in. This Congress could have acted on January 3; it could have acted in December. Instead, Congress has waited until the last minute. If we are to take away the authority of the President of the United States to negotiate effectively at this moment, we would be giving Saddam Hussein a completely free ride.

I also point out that this resolution will be adopted today by both Houses of Congress, both Houses controlled by Democrats. We are witnessing a bipartisan foreign policy being formulated, somewhat in the tradition of Arthur Vandenberg, in the sense that both the President and the Congress will be on record, the Democratic Congress will be on record. I note that the resolutions in both the House and the Senate that are headed for passage are cosponsored by leading Republicans and Democrats.

So what is occurring here in an historical perspective is very important, because a dictator is being confronted. We are not appeasing him. We are strengthening the hand of our President to negotiate. None of us favor war. All of us want to get rid of Saddam Hussein. Those are things in common. But history has shown that we would move toward war much faster if we follow an appeasement course here.

So, Mr. President, I conclude by saying that I shall vote for the Warner-Shelby-Dole resolution, which is the resolution favored by the President of the United States. I predict it will be passed here shortly in the Senate. I think it is a step toward peace. If we do

not pass this resolution, we will have a much higher chance of having a war.

Some groups across the country are interpreting this as a declaration of war vote. That is not the case at all. In my judgment, we will be moving toward peace much more by the passage of this resolution. This should be called a resolution of peace, because it improves the likelihood that war will not break out if we pass it.

Mr. President, I yield back the remainder of my time.

Mr. COATS addressed the Chair.

The VICE PRESIDENT. The Senator from Indiana is recognized for 5 minutes.

Mr. COATS. Mr. President, in 1937 Winston Churchill rose in the House of Commons to announce a bit of prophesy rooted in history. "Want of foresight," he said, "unwillingness to act when action would be effective, confusion of counsel until the emergency comes—these are the features which constitute the endless repetition of history."

There are certain historical lessons on meeting aggression we would be blind to ignore.

The most important is both simple and primary. Firmness, consistency, unity, commitment—these are the things that have historically tamed and reversed aggression. Weakness, dissention, indecision, hopeful illusion—these are the things the practitioners of aggression depend upon. And their appetite is not easily sated.

Another British leader in that period before World War II, Duff Cooper, made the point, "Lack of decision is the worst fault from which a policy can suffer. It is of first importance that we should know our minds; it is of almost equal importance that the world should make no mistake about our intentions."

Make no mistake, it is peace I am seeking, not war. War is the business of hate and death. It is the preclude to sufferings we cannot count. I heard a Senator rise on this floor to say that Congress is calloused and hardened because our own sons and daughters will not be effected. I wish the Senator had been more careful.

I do not presume to know the impact on other Senator's families, the sons and daughters, fiances or friends, that this war will bring. I do not think other Senators should presume to know the pain and suffering and anguish that goes into making a decision that commits American men and women to possible death and to certain turmoil and struggle and agony. I do not think they should presume to know what goes into a Senator having to make that very, very difficult decision.

But the slim chance that remains to us for the peace we want is to convince Saddam Hussein that the world community and the United States, including the Congress, are united in our purpose and resolve. Any vacillation will obscure that message, calling into question whether we mean what we say. The integrity of that message is now in the hands of the Congress.

We have only seen the beginning from this man if our national policy is indefinite delay and hope against hope. It's been said that criminal methods, once tolerated, are soon preferred. In Churchill's words once more, "This is only the first sip—the first foretaste of a bitter cup which will be offered to us year by year."

What is our policy to be? Is it to irresponsibly hope for the best while Hussein promises the worst? Is it to endanger the future for the sake of the moment? Is it a public declaration of our strident indecision?

What will we have earned? I believe we will be left with a shameful peace that will lead, inalterably, to a more bitter and bloody war. Choosing peace and delay, I fear we will get delay and war at far greater human cost.

In my opinion, there is only one ultimate justification for a vote for war—namely, that a vote for peace promises a false hope, that a vote for delay only makes the ultimate result more terrible.

The majority leader said that if we do not delay, no one will ever know if delay would have saved American lives. But it is equally true that, if we simply postpone what most believe to be an inevitable conflict, no one will ever know how many lives might have been saved had we acted now.

Hussein is a man who claims leadership of the whole "Arab nation." He is a dictator who claims succession to the ambitions of King Nebuchadnezzar. He is a leader seeking nuclear weapons and funding terrorism. He is a general who has brutalized his neighbors and his people with vicious efficiency. He has shut and locked the door of compromise and lost the key.

After World War II, a harsh historical judgment was pronounced on the architects of delay. Yes, they tried to give peace a chance. But, in the words of one historian, "They were too easily swayed by the perils of the moment, too little governed by the dangers of the future."

Mr. President, I hope and pray such an epitaph will not be written about this Senate.

Mr. HELMS addressed the Chair.

The VICE PRESIDENT. The Senator from North Carolina is recognized for 3 minutes.

Mr. HELMS. Mr. President, there are certain occasions in the history of nations when the people are called upon to reaffirm the integrity of the national interest.

This is one of those occasions.

The President has dispatched over 400,000 American military personnel to the Persian Gulf to protect the national interest. We must support the President in the course he has laid out.

On August 27, 1787, the Constitutional Convention meeting in Philadelphia adopted without debate the words of article II, section 2, clause 1, that the President is "Commander in Chief of the Army and Navy of the United States * * *." He is also the head of the militia of the several States, if federalized.

Thus the Constitution made the President the only Commander in Chief of the Armed Forces of this Nation. The President is therefore obligated to protect the interests of the United States, to defend the rights of its citizenry, and to preserve the national security by whatever means are necessary.

Thirteen years later, at the beginning of the second decade of the Constitutional Republic, Congressman John Marshall, before he was appointed Chief Justice, declared on the floor of the House of Representatives that "the President is the sole organ of the Nation in its external relations, and its sole representative with foreign nations."

There is no historical evidence that Chief Justice Marshall ever changed his mind. The phrase "sole organ of the Nation in its external relations" was emphatically restated by the U.S. Supreme Court in 1936 (U.S. versus Curtiss Wright Corp.). This view has never been repudiated by the Court.

On the other hand the Constitution fails to provide for 535 other Commanders in Chief.

Article III, section 8, clauses 11–16, specifically enumerate the war powers of the Congress in the Constitution. Congress is given the power: First, to declare war; second, to raise and support armies; third, to provide and maintain a navy; fourth, to make laws regulating the Armed Forces; and fifth, to support the militia of the Federal States. These specific powers encompass the sole authority of the U.S. Congress with regard to war.

Thus Congress can in no way limit or authorize the President's constitutional authority as Commander in Chief. Congress has attempted to do that in the War Powers Act, an act which I strongly opposed at the time of its passage in 1973, and which no Chief Executive has ever accepted; but I believe that the War Powers Act is plainly unconstitutional. I have consulted many distinguished constitutional authorities on this point, but most especially our late distinguished colleague, Senator Sam Ervin of North Carolina. There were 18 of us who voted against the War Powers Act, and now only Senator THURMOND and I remain in the Senate. Nor can Congress authorize or restrict the President's war power by any of the resolutions which have been proposed or circulated in the past few days.

In the short time that the Convention spent debating the subject, the Founders made a careful distinction between making war and declaring war. James Madison and Elbridge Gerry were responsible for enlarging the Presidential prerogative to enable the Chief Executive to meet the demands of national security.

As Madison warned in Federalist No. 48, encroachments by one branch upon another branch will upset the delicate balance of the tripartite constitutional system. Thus, it is exceedingly important to hold the branches to their intended functions with respect to the conduct of American foreign relations.

What the Framers originally intended, Mr. President, was to make a careful distinction between declaring war and making war. The Constitution is silent on whether the President is required to make war after Congress declares war; at the same time, it is silent on whether the President is prohibited from making war if Congress has not declared war. Clearly, common sense requires that the President seek the agreement and cooperation of Congress in any endeavor that commits the lives and fortunes of the American people. And the President has done so.

The powers to declare and make war are inherent powers of national sovereignty. The President has welcomed the cooperation of the United Nations and our allies in the United Nations who have supported us with diplomacy and by conducting troops. But the U.S. Constitution is superior to any obligations which we may or may not have undertaken by assenting to the U.N. Charter. No treaty can compel us, either in fact or in intention, to set aside any provision of the U.S. Constitution. The power to declare and make war therefore remains with the United States, and has not been delegated to the United Nations.

The U.N. resolutions, therefore, provide a framework for U.S. diplomacy, ratifying the individual bilateral relationships which the United States has with each of the members separately. They are a sign or symbol of the international support and common agreement which the President has organized through his leadership, merely ratifying the assent of our allies to our broad policy. There is nothing in them which requires the President or the U.S. Congress to perform any acts.

So the burden falls upon Congress, and it falls upon this body to demonstrate the solidarity which the Nation needs in time of crisis. The President's leadership has been superb. His toughness and courage have called upon a moral strength in the Nation which skeptics said no longer existed. Unless these virtues are nourished and cherished, this Nation, as a nation, will disappear from the field of history.

There are, of course, practical problems. There are sacrifices that will be required. There will be a price to pay. But there will be overwhelming practical problems, sacrifices not of our choosing, and prices too high to pay if we do not follow the course which the President has outlined.

Of course, there is a role for constructive criticism. But the naysayers who deny our national interest, who speak for delay when they really mean never, and who are more interested in narrow political advantage than in the national advantage—there is no room for these if the inner heart and soul of our Nation is to flourish.

So let us get down to the particulars.

Secretary Baker's 7-hour meeting in Geneva made clear that President Bush and Secretary Baker have exhausted every reasonable diplomatic effort to resolve the crisis in Kuwait. The Iraqi refusal even to receive the President's letter in a diplomatic forum demonstrates a complete lack of good faith in the peace process.

It is now time for the American people to rally around the President, and support the 400,000 American troops now poised in the gulf. These 400,000 American troops in the Persian Gulf are in a situation fraught with danger.

For the past 5 months the American people have been subjected to a cacophony of carping criticism and second-guessing that, intentional or not, has persuaded Saddam Hussein that the will of the American people is weak when vital principles are at stake. The only hope for avoiding hostilities—if there is a hope—is for Saddam Hussein to be convinced beyond a doubt that the American people stand behind their President.

Politics must stop at the water's edge. This is no time for posturing politicians to strut across the TV screens, presuming to second-guess the Commander in Chief. I have not agreed with all aspects of the President's program—for example, I felt that more support by our allies should have been nailed down at the outset—but I communicated my concerns to him privately. I have issued no press releases, nor have I consented to go on television to differ with the President. Now that the critical moment has arrived, it is time for all of us to stand united behind him.

On August 8, in response to the request by Saudi Arabia, the President sent United States troops to the gulf. The President stated four goals:

First, the immediate and unconditional withdrawal of Iraqi forces from Kuwait;

Second, the restoration of the legitimate Government of Kuwait;

Third, the security and stability of the Persian Gulf; and

Fourth, the protection of the lives of American citizens abroad.

All four of these goals are directly related to the national interest of the United States. The principle of national sovereignty is the very basis of our independence and national survival. It follows from the rule of national sovereignty that legitimate governments have the right not to be disturbed by foreign aggression. These principles are of particular importance to the United States when the victim whose sovereignty is violated is a country such as Kuwait, which has a key role in economic and diplomatic relationships with the United States.

President Bush is to be commended. He has not deviated from his original purposes. His forthright stand has protected American lives in Kuwait and Iraq. Moreover, he has demonstrated that we are willing and able to protect the security and stability of the Persian Gulf.

All Presidents in modern times have made the security and stability of the Persian Gulf a paramount interest of our foreign policy. Our interest is not, in the first place, economic. But the oil supplied by the gulf is indeed a major element in our own national security and stability. If we allow aggression to disrupt our relationships with friendly governments, the strength and independence of the United States is threatened.

The President's action in August was therefore action in the defense of the Nation. Presidents have taken similar actions 216 times, solely on their constitutional authority as Commander in Chief. When U.S. troops are sent abroad in defense of the Nation against specific challenges to our national sovereignty and independence, this Senator believes that the issues involved are too important for public squabbling.

Some have argued that the sanctions imposed upon Iraq must be given time to work. They have already worked. They have demonstrated that the whole world is standing together against the aggression of Saddam Hussein. The world does not turn upon economic issues alone, and it is difficult to imagine that a tyrant who has killed 500,000 of his own people for political reasons will be persuaded ultimately by an economic squeeze. Besides, Saddam Hussein has stolen almost $7 billion in gold and cash from the Kuwait central bank, and he has the economic cushion to resist the squeeze.

The U.S. Constitution was carefully crafted to allow much room for judgment. And in matters of war, the power to declare war does indeed lie with Congress. Nobody, nobody disputes that. But Congress has used that power only five times. On the other hand, the power to make war clearly belongs to the Commander in Chief, and we do not have but one Commander in Chief at a time.

The President has a duty to seek the support of Congress, and he has done that. I have sat in on endless meetings since this crisis began. But the Con-

gress has a duty to close ranks and abandon partisanship, just as it did 50 years ago when another tyrant threatened the freedom and security of the world.

I thank you, Mr. President, and I yield back the remainder of my time.

The VICE PRESIDENT. The Senator from Wisconsin is recognized for 4 minutes.

Mr. KASTEN. Mr. President, I rise today in support of President Bush's position on the crisis in the Persian Gulf. He has shown firm, principled leadership on this issue—and all Americans and all Members of the House and Senate can be proud of his efforts to achieve a peaceful solution.

The President should be commended for his patience and perseverance to reach a lasting peace in the Middle East. He should be applauded for his insistence on consulting many Members of the Senate including myself—on both sides of the aisle. Mr. President, this vote is clearly a vote of support for the dedicated, patriotic Americans now in the desert on this mission. It's a vote that says: We're with you—or we're not.

The President has been very effective in his handling of this crisis. He has created and held together a world-class coalition encompassing 28 nations and over a quarter of a million soldiers. This coalition is dedicated to achieving a peaceful withdrawal of Iraqi forces from Kuwait.

These forces, our last best hope for the preservation of peace and international order, deserve our strongest possible support.

Mr. President, within the last 48 hours I was in the Egyptian desert with some of our brave soldiers. Particularly, I was honored to visit Wisconsin's very own—the 128th Air Refeuling Group. I am pleased to have been a part of that unit at one time, and I was in the desert working with and visiting with the people that make up our proud forces. There were roughly 240 of them—all dedicated to serving their country from Wisconsin, of whom I am very proud—a group of average Americans like you and me—spoke in one voice as they made it clear: They need our support now, more than ever.

The President has been successful in assembling this coalition because our national purpose has been clear. Our purpose is this: To resist aggression and to promote a world order in which both peace and freedom are secured.

The resolution now before us is designed to make clear to Saddam Hussein the following: Any illusions that he may harbor about the lack of U.S. determination to act promptly and vigorously against his aggression are absolutely wrong.

Hussein knows that all Americans dislike the prospect of war. We are, after all, a peaceful nation.

Diplomacy is America's first and best defense against aggression.

But what Hussein possibly does not understand is that while diplomacy is both our first and best defense, it is not our only defense. The American people believe in freedom, and we are willing to fight for peace once we are convinced that all the diplomatic alternatives have been exhausted.

The President has been concentrating diplomatic and economic pressure on Iraq for over 5 months.

In August, the President formed an international coalition to stop this Iraqi aggression. The Iraqis remained in Kuwait.

The President convinced the United Nations to impose economic sanctions against Iraq. Iraq still refused to budge.

In November, the President convinced the United Nations to endorse the use of all necessary means to force Iraq to withdraw from Kuwait by January 15. Today, Iraq is no closer to compliance than it ever was.

The President is now asking us in the U.S. Congress to help him keep his options open. Make no mistake: He is not asking for war. His priority, and that of the American people, myself included, is peace.

He is asking us to strengthen his hand as he makes a valiant effort to achieve a peaceful solution. I will vote to approve this request, because I think it is truly the last chance for peace.

My decision to fully support the President at this critical point in American history is made with a heavy heart. The prospect of war looms larger every day, as Saddam Hussein continues to ignore a united world's offer of a peaceful settlement.

This leaves us with a truly unfortunate prospect—but one that might well be necessary.

Virtually everyone agrees that Saddam Hussein's act of aggression against a sovereign country must be reversed. It is also clear that there are two possible ways to accomplish this. One option, which we have been trying without success for almost half a year, is diplomacy backed by economic sanctions. The second, the choice we must face today, is the use of military force.

As we debate this crucially important issue, I am reminded of a similar situation that occurred half a century ago. I have had the opportunity over the last few years to visit the small Baltic countries that were victimized by the Soviet Government in 1940—and face the prospect of further victimization by that same power even as we in this country are distracted by the gulf crisis.

In 1940, the Soviets illegally incorporated the Baltic States into the U.S.S.R. The world community failed to challenge that aggression. The Lithuanians, Estonians, and Latvians paid the price, and they continue to pay it today.

If the West had acted in time to deter that Stalinist aggression, the Baltic States would be free today, instead of being threatened by yet another Kremlin crackdown.

The occupation of the Baltics proves that silence in the face of aggression carries a terrible price, a price that continues to be paid by future generations.

Let's confront our responsibility in the face of today's aggression.

The President is asking for our help. He wants to continue on the path of peace, while retaining a credible threat. If his path is unsuccessful, if Iraq does not back down, we must give him the options he needs to stop this Iraqi dictator.

Let no one mistake the true meaning of this resolution. The President is as dedicated as any of us to the preservation of peace. But if Saddam Hussein insists that he will not give up his conquered territory in a peaceful manner, the President must have the power to join our allies in taking all necessary actions.

That is what this resolution is all about. It gives us a last chance for peace, and it backs up the world's commitment to stop Saddam Hussein.

I recognize that for each of my colleagues, this is a vote of conscience. I am not trying to convince those of my friends in this chamber who are opposed to the resolution. All of us have heard the debate. And we have made our decisions in the privacy of our own hearts.

What I am doing is trying to explain how I came to my own decision. I believe that rewarding aggression is wrong. I believe that the President is making every conceivable effort for a peaceful solution. And I believe he needs our continued support if he is going to be successful in preserving peace.

That's why I will be voting yes on the President's resolution.

The VICE PRESIDENT. The Senator from Alaska is recognized for 3 minutes.

Mr. MURKOWSKI. Mr. President, much of the debate heard in Congress over the past few days has focused on the use of sanctions to drive Saddam Hussein out of Kuwait. It is the opinion of this Senator from Alaska, that the very success of the sanctions is threatened. Many of my collegues want the President to give sanctions more time to work, time to weaken Iraq's economic and military capability and to persuade Saddam Hussein he must leave Kuwait.

I have been an advocate of the use of sanctions, and I remain an advocate today. The sanctions put into effect through the members of the United Nations are the tightest this world has ever witnessed, and truly an extraor-

dinary diplomatic achievement thanks in large part to our President, and as vice chairman of the Intelligence Committee, I have learned much about the impact that the last 5 months of sanctions have had on Iraq. There can be no question that sanctions are having a debilitating effect on the Iraqi economy.

A vote in favor of the Dole/Warner resolution, of which I am an original co-sponsor, is not a vote to abandon sanctions. The policy of President Bush has been, and is today, a policy to restore the legitimate government of Kuwait through all available peaceful means. It is Saddam Hussein alone who has not taken steps toward assuring peace.

I deeply fear that if we fail to give the President strong support for his request to use "all necessary means," we will undermine his ability to pursue sanctions, as well. For those who believe in the use of sanctions, as I do, the only responsible action to take now is to grant the President his request for a realistic threat of force. Only by maintaining that threat can we hold our coalition together and bolster the impact of sanctions.

If the President is denied the authority he seeks, we can be certain that tomorrow Saddam Hussein will declare that he has triumphed over the United Nations, the President and this Congress and will invite other Arab Nations to join him. At that point the coalition and the sanctions themselves will be in grave jeopardy.

Ultimately the President must decide whether sanctions will be effective in removing the Iraqi army from Kuwait. I have full confidence in the President's ability to make that judgment, and know he will not make that decision lightly.

Some observers will note that the relatively close vote on the previous resolution will question the strength of the President's support in this body. I am pleased to learn that 250 members of the House have just voted to support our President. I am certain that when this debate is over, every Member will declare his complete support for the President and for the Armed Forces if—God forbid—it becomes necessary to actually resort to force.

I yield the floor.

The VICE PRESIDENT. The Senator from Rhode Island is recognized for 3 minutes.

Mr. CHAFEE. Mr. President, President Franklin Roosevelt said:

> The will for peace on the part of peace-loving nations must express itself, to the end that nations that may be tempted to violate their agreements and the rights of others will desist from such a course. There must be positive endeavors to preserve peace.

Today, the U.S. Senate is given the opportunity to make that a positive endeavor to preserve peace. We are about to vote on whether to stand with our President and virtually all the nations of the world, who are resolved that Saddam Hussein must voluntarily leave Kuwait by January 15, or be forced out.

The world, I believe, has seen enough of Saddam Hussein's actions since August 2 to know that time may very well not be on our side—to know that the only factor Saddam finds persuasive is the conviction he will be attacked if he does not yield to the requirements of the United Nations.

Iraq has swallowed whole a helpless, unharmed neighbor, has swept it off the map and tortured its citizens. Saddam Hussein, unchecked, threatens to impose a frightening level of control over the world's economy—and the world's stability.

Just last year the Berlin Wall came down and we believed we were on the threshold of a new, more peaceful era.

This year, instead, we find ourselves face-to-face with a ruthless despot who, if allowed to benefit from his heinous acts, along with those who may take courage from his example, will make the world a very treacherous place indeed.

It does no good for us to make threats or set deadlines, unless our impassioned statements are supported by a capacity and a will to wage war, if necessary.

Furthermore, should we fail to approve this resolution to back up the United Nations, I do not know what nations in the world would ever believe in the constance and reliability of the United States in the future.

The new world order, where the great and the small shall be unthreatened, may be elusive, but it is worth striving for.

The PRESIDING OFFICER (Mr. LEAHY). Who seeks recognition?

The Senator from Delaware is recognized for 3 minutes.

Mr. ROTH. Mr. President, our country is faced with a threat posed by a man who has the personal ambition and the proven ruthlessness to try and dominate a region of the world that is of vital importance to us. A man who, instead of investing in the economy of his country and pursuing peaceful relations with his neighbors, has used his country's resources to build a personal military machine, replete with chemical, biological and, soon, nuclear weapons—all with the sole purpose of extending his domination over his own people and as many neighboring countries as possible.

Already, he has used his military might internally to destroy opposition. He has used it externally against Iran and now Kuwait. And he will continue to use it to try and destroy any leader, Arab or non-Arab, or any country, Arab or non-Arab that stands in the way of his ascendancy. When Saddam Hussein took over Kuwait he sent a punitive message to OPEC nations that he would be the enforcer as to how much oil is to be pumped from the region. Despite the deceitful arguments he's now trying to peddle to the world, he did not take over Kuwait to improve the lot of Palestinians. It was a ruthless act of aggression to promote his own interests.

Because of the importance of the Middle East to the world, and especially the world economy, it is clear that if Hussein were to become the dominant force in the region he would have a tremendous negative impact on our quality of life, and he would eventually threaten our very security. Make no mistake about it, our vital interests are at stake. We need to stand prepared to defend our interests. And we should not be embarrassed to do so. Saddam needs to be dealt with now while the world has the will to act, and while we have friends in the region like Egypt, Saudi Arabia, and others, who are willing to take a stand against him.

Of course, Mr. President, a peaceful solution is the preferred solution. I have urged the President to continue every effort to achieve a diplomatic solution—especially a solution that will bring lasting stability into the region. But it is also my strong feeling that the best hope for a peaceful solution with people like Saddam is international isolation and the credible threat of force. The only way for that threat to be credible is to have the force assembled and for the Congress to authorize the President to use it as a last resort. In other words, the best chance we have of avoiding war in the Middle East is to stand united here at home—to prove to this tyrant that democracies can be resolute when their interests and security are threatened. Right now Saddam Hussein is playing off the divisiveness in this nation; he is banking on the possibility that President Bush will not have the support he needs to protect the interests of the country he leads. It is a horrible mistake—a mistake that has caused Hussein to miscalculate his actions time and again. But unless we end this debate and support our President, it is likely that Hussein will continue his dangerous gamble. Saddam must not get conflicting signals as to our resolve in opposing his aggression. Our Arab friends who are most directly threatened by his aggression must know that we stand with them. The men and women in our Armed Forces must know that they have our full support and that they will not be undercut and second-guessed back home if they have to undertake their difficult and dangerous mission.

Mr. President, this is a "pay me now or pay me later issue." Either we deal with this man at the moment—when his allies are few and his foes many—or we will have to face him later in a far more dangerous form. There are those

who argue that we should wait a year or so and hope that sanctions will weaken Saddam. I understand their argument and, frankly, there would be merit to it if the economic pain would seriously weaken the Iraqi military. However, according to recent testimony before Congress this may take years, and human nature being what it is, it is likely that in that time the world coalition will weaken—especially as it's hard to imagine how the coalition might be stronger than it is now.

The time to support the President as he carries out the U.N. resolutions is now. The coalition awaits our response. It is true that decisions to authorize force are always difficult and should never be taken lightly. It is true that this will be a difficult vote for many to make, since none of us wants war. But we must remember, that the vital interests of our country are our responsibility, and our citizens expect us to defend them. President Bush is experienced and skilled. His advisors are some of the best and brightest our country could hope to be offering counsel right now. We must give the President the authority he has asked for and put our trust in him to use it wisely as he discharges the obligations of his office.

Clearly, this is a turning point in our history. Indeed, it is a turning point in world history. The end of the cold war has presented us with a great opportunity for peace, freedom, and economic growth—not only here at home—but for all nations. If we deal with Saddam successfully and eliminate his capacity to dominate the Middle East, it will allow that growth and opportunity to occur. It will also have the additional benefit of sending a signal to any other dictator, bent on the accumulation of personal power, to think twice before he follows similar policies of expansion and aggression. And that, Mr. President would do more than anything else to contribute to peace in the world.

It has been said quite often recently that America is slow to anger. Perhaps this is one of the fundamental blessings of democracy—that everyone has a right to voice an opinion and stand fast for principles and ideals. However, dictators like Saddam Hussein are quick to take advantage of the disagreement and debate inherent in democracy as they work their treacherous strategies. It is time to take this final card from that tyrant. Our quarrel is not with the people of Iraq. It is with Saddam Hussein and his army. It is time to give our President the authority he needs to face him. Standing strong, prepared, and united is the only chance we have of avoiding war in the Persian Gulf.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

The Chair will advise that the time allotted to the distinguished Republican leader has also expired.

The Republican leader.

Mr. DOLE. Mr. President, it is my understanding we sent someone to ask the distinguished majority leader to extend that time, but I think I have 13 minutes, counting my leader's time.

I yield 4 minutes of that to the distinguished Senator from South Carolina [Mr. THURMOND]. We will have additional time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 4 minutes.

Mr. THURMOND. Mr. President, during the past 2 days, this Chamber has witnessed an historic debate, the outcome of which will have consequences on the current crisis in the Middle East and on our Nation's future role as the world leader.

Mr. President, I want to congratulate my colleagues for their sincere and sometimes very personal statements on the crisis and the pending resolutions. In my judgment, we have demonstrated to the world the meaning of democracy and that we can debate issues without rending the fabric of civility.

Regardless of the outcome of today's votes, this Congress has let its voice be heard. Although some Members of the Senate did not speak in unity with the President's policies and the United Nations' goals, we did make one point very clear—a point which Saddam Hussein must remember. That point, Mr. President, is that sooner or later Saddam Hussein will leave Kuwait—by force or through diplomatic negotiations. Whichever way it is accomplished one thing is clear: The strength of our military force will be the critical factor.

Mr. President, both resolutions before this body have the common goal of bringing about the withdrawal of Iraqi forces from Kuwait. However, the resolution sponsored by Senator MITCHELL and the chairman of the Senate Armed Services Committee, Senator NUNN, was the worst signal we could have sent—it decouples the most effective means of removing Saddam Hussein from Kuwait—the dual elements of Economic sanctions and the credible threat of force. As Frederick the Great observed over 200 years ago: Diplomacy without arms is like music without an instrument. Mr. President, the bipartisan resolution, which authorizes the use of force, increases the pressure on Saddam Hussein by one more notch. It does not mean that we will go to war on January 16—as many of my colleagues who oppose the resolution have implied.

Mr. President, there is risk in both proposals. I believe that the President has evaluated these risks. As one of my constituents wrote me:

> President Bush is in a better position to know. He believes that appeasing aggression only makes the world more dangerous. He knows that our opponents will not be convinced by words alone. He needs the authority to use military power when and where he determines it will succeed.

Mr. President, I hope my colleagues on both sides of the aisle will join in demonstrating our solidarity with the President and the United Nations and vote for the bipartisan resolution to authorize the use of military force against Iraq's occupation of Kuwait.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 3 minutes on the time of the Republican leader.

Mr. LUGAR. Mr. President, so long as Saddam Hussein and the rest of the world has any doubt about the resolve of the United States to use military force, the chances for miscalculation and tragic error loom much too large.

The most certain path to peace left is the credibility of the United States.

Our country is the only remaining world superpower. We face an awesome challenge to our diplomatic skills and perhaps to our military efficiency.

We were shocked that Iraq has attempted to destroy the nation of Kuwait, but our President responded by calling upon every world leader to establish a vital new interest in international law. Only he could have played that leadership role.

By enlisting an international payment plan to stop Iraqi aggression, President Bush has provided an emergency fair-share means to rally collective political and economic will.

Eventually, Germany and Japan, among others, will define their constitutional ideas on the use of military force abroad. For the moment, only the United States could have moved 400,000 troops to the Persian Gulf and provided sufficient reason for Iraq to surrender the fruits of aggression.

We are a reluctant superpower and many Americans will argue that we should not be involved all over the world in maintaining peace and advancing our ideals.

In truth, we have no choice. The world is a dangerous place. Our freedom and our opportunities to live in peace will be based on our success in fostering and supporting a growing number of countries that share our ideals.

The unity and staying power of the American people represented by our votes must be clear. We pray that this clear and unified voice may still be heard and lead to peace.

In the worst case brutal war the resolution of the American people to win is of the essence. Our votes today express our determination to prevail.

The moment of accountability has come. I have supported President Bush as he has sought peace in international law, and I will support his request that he be authorized to use military force.

Mr. DOLE addressed the Chair.

The VICE PRESIDENT. The Republican leader.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senator from Pennsylvania [Mr. SPECTER] have 3 minutes; the Senator from Wyoming [Mr. SIMPSON] 3 minutes; the Senator from Virginia [Mr. WARNER] 6 minutes; and this Senator 6 minutes. That will be 18 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. SPECTER. Mr. President, I support the Dole resolution because I believe that, if the United States allows a backdown of U.N. Resolution 678, we will fight a more destructive war at a later date. Had this issue been brought before the Senate, Mr. President, back in November before U.N. Resolution 678 was adopted, this Senator would have preferred to give sanctions a longer period of time and would have preferred not to have a cutoff date of January 15. But if this Congress does not today support the President and U.N. Resolution 678, then we will be backing down and it will be a victory for Iraq.

In my judgment, the best way to secure peace is for the Congress to play a firm card. One year ago tomorrow, Mr. President, on January 13, 1990, this Senator and Senator SHELBY had the opportunity to meet with President Saddam Hussein. While President Saddam Hussein was poorly informed about U.S. policy and Western attitudes, it was clear in my mind that he was not a madman. He does not want to die, and he does not want to commit suicide, and he does not want to see his country destroyed. So if the option of force is present, it seems to me, as a judgment call, we have the best opportunity to avoid war.

As we have been trying to figure out what is on the mind of President Saddam Hussein, whether he is going to seek to involve Israel and have an Arab-Israeli war and try to have our coalition disintegrate, I believe that President Saddam Hussein has also been trying to find out what is the state of mind of the U.S. Congress.

If we back away from U.N. Resolution 678, Mr. President, then I think it is inevitable that the coalition will disintegrate. With the very fragile coalition which we have today, the economic sanctions will evaporate, because when countries like Turkey lose millions of dollars a day by keeping the spigot shut on Iraqi oil, why should they continue the economic sanctions if the United States backs away from resolution 678? Therefore, the best chance for peace is to vote for the Dole resolution.

The VICE PRESIDENT. The Senator's time has expired. Who yields time?

The Senator from Wyoming is recognized for 3 minutes.

Mr. SIMPSON. Mr. President, the debate on these resolutions has been most powerful, one very seriously and maturely conducted by Members of this body. We could not possibly be more serious in our intent and our resolve to see Saddam Hussein out of Kuwait. Our only honest differences have to do with how we accomplish that goal most expeditiously and with a minimum risk of conflict. We now have an opportunity to express fully and clearly that resolve. Now is the time to make an uncomplicated and positive statement that Saddam Hussein will not be able to misinterpret in any way.

The Dole-Warner resolution does not mandate war. In fact, the real irony is that only by authorizing the President to use force can we hope to avoid warfare. The Dole resolution says only, once again, to Saddam Hussein, what the United Nations has said to him time and again, meeting the promise held at the moment of its creation, and what the entire international coalition has said to him and what our steady President has said to him. It says powerfully he must leave Kuwait or force can be used against him to bring that about.

This resolution does not present us with some doomsday scenario, some Dr. Strangelove script. It does say with a splendid clarity and unalloyed exactitude and for all the world, most importantly for Saddam Hussein, that the U.S. Congress stands resolutely by the side of our fine President and stands powerfully committed to taking whatever action is necessary to pull his taloned claw away from the slitted throat of Kuwait. It gives to our President, the international coalition, and the United Nations yet another credible option, a credible course of action, and another action to pursue.

Saddam Hussein will understand that the threat of force is so very real, and he will never have that understanding unless we, the Congress of the United States, tell him just that, without any mental reservation or purpose of evasion whatsoever, as is the phrase in our oath of office. Only by making him so absolutely certain that this has been a commitment of ours and by giving it to him eyeball to eyeball in the tough, bully style that he seems to love, only then can we have any real hope of avoiding war. I thank the Chair.

The VICE PRESIDENT. Who yields time? The Senator from Virginia is recognized for 6 minutes.

Mr. WARNER. Mr. President, I rise to support the resolution which the distinguished Republican leader and a number of those on the opposite side of the aisle have presented to the Senate. In consultation this morning with the President's senior staff, we are advised that the President will sign Senate Joint Resolution 2. My plea at this moment, for those who have voted for Senate Joint Resolution 1, is to ask them to search their conscience and seek a basis on which to join us in supporting Senate Joint Resolution 2.

Almost each and every speaker on behalf of Senate Joint Resolution 1 has couched his remarks ever so clearly to point out those areas on which this body is in unanimous or nearly unanimous agreement. The majority leader has noted that we are unanimous in seeking fulfillment of the goals of the U.N. resolutions. Senator NUNN has indicated that these votes today will strengthen the hand of our President and that the Congress will stand united behind the President after these votes are completed. I hope and pray that that will be the case. No Senator wants war; indeed, our President, above all other citizens in this Nation, does not want war.

A vote of conscience—we have heard that phrase so many times from the first day we joined the Congress of the United States. But it is this debate, for me, which has defined that term and given it meaning, unlike any other debate that I have experienced in my 12 years. I fervently believe each Senator will cast on this next vote the purest of votes of his or her conscience.

I agree with the Republican leader. This is not a vote for war. We in the Congress of the United States speak for the people. That is our first and foremost obligation. This resolution is a resolution of national resolve for peace.

Mr. President, each of us in searching his own conscience, I am sure, has gone to the Bible. I go to Corinthians 14:8 which reads, "For if the trumpet give an uncertain sound, who shall prepare himself to the battle?"

Our President, through his Secretary of State, endeavored to present a letter setting forth ever so clearly the positions that our President has taken in clear and unmistakable terms. The letter was rejected. The letter was not accepted. So now we, the Congress of the United States, have the chance to send our message in the clearest of terms, and it is a message that he cannot refuse to hear.

Mr. NUNN. Mr. President, I believe that the majority leader has 2 minutes that he will permit me to have. Perhaps the Senator from Virginia and I could have a dialog that will not take over about 3 minutes.

The VICE PRESIDENT. Who yields time?

Mr. MITCHELL. I yield the Senator from Georgia 2 minutes.

The VICE PRESIDENT. The Senator from Georgia is yielded 2 minutes.

Mr. NUNN. Mr. President, I ask my good colleague from Virginia two or more questions about this resolution which may be important at least for our colleagues to understand. That is on page 3, section 2(b), line 4. This says that before the President exercises his authority granted in subsection (a),

"The President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that." And then it cites a series of things that he has to determine.

Could the Senator from Virginia tell us what "determination" means? Is that an oral or written determination? How would he describe it?

Mr. WARNER. Mr. President, this is a subject which my distinguished chairman and I have discussed, and I have discussed it with the President's advisers today.

First, let me make it clear that this particular section is wholly unrelated to the War Powers Act.

If signed by the President—and I am assured that he will sign Senate Joint Resolution 2—it will become new, precedent-setting law.

The form of the determination required by this section is to be decided by the President. The President may decide if the determination is to be in writing, oral, or both. No decision has been made by our President, as we speak, with respect to the use of force or to exercise the authority contained in Senate Joint Resolution 2.

However, the President's senior staff has indicted that the following procedure is likely to be adopted. The President will request of the Secretary of State and the Secretary of Defense a complete and comprehensive report as regards the matters described in section 2(b) of Senate Joint Resolution 2. The President will carefully review those reports and make his determination. If his determination is that the provisions of section 2(b) have been met, he will forward that determination to Congress, most likely in writing, and likely to be accompanied by copies of those reports from the Secretaries of State and Defense. Let me note further that the term "peaceful means" used in section 2(b)(1) embraces reasonable efforts to obtain compliance with economic sanctions.

Mr. NUNN. I thank the Senator from Virginia for clarifying that.

One other question on page 4, which is the final page of this resolution. This would be section (2) on line 3. This sentence says, "Nothing in this resolution supersedes any requirement of the War Powers Resolution."

When I look at the War Powers Resolution itself, Section 3 of the War Powers Act requires that "The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities."

Could the Senator tell me whether the intent of this resolution is to pick up that specific section of the War Powers Act?

Mr. WARNER. Mr. President, let me make clear my understanding that the President intends to act in accordance with the Constitution of the United States.

Direct to the Senator's question, in section 2(c)—and that is a section which, indeed, refers to the War Power Resolution—I have been advised that the President would sign Senate Joint Resolution 2, which I mentioned, if it were presented to him, but in doing so he would not depart from the position taken by all Presidents, Democrat and Republican, since the enactment in 1974 of the War Powers Resolution with respect to the War Powers Resolution's constitutionality.

I would refer my distinguished colleague to the Presidential position taken with respect to the legislation enacted regarding use of armed forces in Lebanon. I understand from my research that situation establishes a precedent in some respects for what we are discussing today.

Mr. NUNN. I thank the Senator from Virginia.

Mr. WARNER. If I may conclude, the authority in Senate Joint Resolution 2 is provided consistent with the process contemplated by the 1974 War Powers Resolution, but it is not provided pursuant to any requirement of that resolution.

The VICE PRESIDENT. The time of the Senator from Georgia and the Senator from Virginia has expired.

Mr. NUNN. I thank the Senator from Virginia.

Mr. MITCHELL. Mr. President, I yield 5 minutes to the Senator from Connecticut, and 3 minutes to the Senator from New York, 2 minutes to the Senator from Connecticut, 2 minutes to the Senator from Minnesota, 2 minutes to Senator KERRY of Massachusetts, and 2 minutes to Senator SIMON.

I apologize. Let me go through that again so there is no mistake: The Senator from West Virginia 5 minutes, the Senator from New York 3 minutes, 2 minutes each to the Senators from Connecticut, Minnesota, Senator KERRY of Massachusetts, and Senator SIMON.

Mr. ROCKEFELLER addressed the Chair.

The VICE PRESIDENT. Who yields time? The Senator from West Virginia is recognized for 5 minutes.

Mr. ROCKEFELLER. Mr. President, I have thought as we all have long and hard about the votes that are being cast today. The question before us, whether to authorize immediate war or not, is a profound one and a very difficult one. Ultimately, I reached the judgment that it is potentially premature to commit our forces to battle.

I voted for the resolution by our majority leader and Senator NUNN, and I will vote against the resolution put forth by the minority leader. I have firmly supported our President's determined effort to reverse Iraq's brutal and illegal occupation.

Along with the people of my State and all Americans, I was proud to see our Nation lead other nations throughout the world against the barbaric actions of Saddam Hussein. We were told by President Bush that it would take time, that it would take patience, and the commitment of our troops and resources. I fully agreed that we should follow that course and lead an all-out effort of sanctions, economic blockade, pressure, and diplomacy to force Iraq out of Kuwait.

I deeply regret that President Bush changed his course so abruptly when in early November he doubled the commitment of U.S. troops in the Persian Gulf and later persuaded the U.N. Security Council to set the date of January 15 as the deadline that could then trigger an attack on Iraq.

I worry in fact, Mr. President, that President Bush has underestimated the capacity of the United States and, indeed, underestimated his own capacity. We knew back in August and September that it would not be easy to get Iraq out of Kuwait. We knew that it would take great strength and great leadership on our part and on the part of our President to keep the alliance together and to pursue every avenue for resolving the crisis in a peaceful manner. In October, we were told by Secretary of State Jim Baker that we must "exercise patience" and focus our efforts on the sanctions.

It is by no means weakness to stay on that course, and to exhaust every alternative before moving to offensive military action. President Bush should have faith in the resolve of the American people to support the pursuit of a peaceful solution, and in his own ability to keep the alliance together against a common enemy, and in favor of collective goals.

It may well become necessary to use force to expel Iraq from Kuwait. But I simply cannot conclude that it is the necessary or wise action at this particular time. In fact, I share the views of many others—including numerous top-level military commanders and security advisers from previous administrations—that time is, in fact, on our side. An unprecedented worldwide embargo is crippling the Iraqi economy.

In shunning the sanctions as a means to expel Iraq from Kuwait, the administration has argued that there is no guarantee that sanctions will succeed. Of course there is no guarantee. The American people or the people of our allied nations have not asked for a guarantee. But we do and they do ask for a course of action that seeks success without shedding American blood.

One day of diplomacy, Mr. President, is not the equivalent of exhausting every option. Let us continue pursuing every diplomatic, political, and other nonmilitary means of resolving this dispute. And, if military action proves necessary, the American people deserve

to know that every conceivable preparation has been made and is complete to assure a decisive and quick military victory.

Mr. President, if an exhaustive search for peace does not succeed, I will support offensive action against Iraq. I believe, however, that we should pursue the alternatives first to achieve our common goals.

I thank the Chair and yield the floor.

The VICE PRESIDENT. Who yields time?

Mr. MOYNIHAN addressed the Chair.

The VICE PRESIDENT. The Senator from New York is recognized for 3 minutes.

Mr. MOYNIHAN. Mr. President, when I spoke Thursday in support of Senate Joint Resolution 1, the Mitchell-Nunn resolution, I remarked that on our way to the establishment of a New World order we somehow relapsed into the modalities of the cold war. I would ask for a moment to expand on that theme.

Thirty years ago come Sunday a week, John F. Kennedy delivered his inaugural address as President on the west front of the Capitol, a few yards from here. The cold war was at its most intense. Many thought—wrongly, as it turned out, but let us be generous and say sincerely—that the Soviet Union had opened a lead on the United States in intercontinental ballistic missiles—the ultimate weapon of destruction. World communism was at its apogee; declaring its progress to be irreversible; asserting itself to be the next stage in history. The next and last stage.

President Kennedy responded in terms of ultimate defiance. The United States, he said, would: "pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and success of liberty."

Ten days ago, on January 2, we heard President Bush speak in just such terms of ultimate commitment: "Standing up against this aggression—no price is too heavy to pay for it."

The aggression, of course, is the Iraqi invasion of Kuwait. The Senate fully agrees that this aggression must not be allowed to stand. We have so stated. Nor will it be allowed to stand. But as we go about this collective exercise—an exercise under chapter VII of the U.N. Charter—what possesses the President to declare that "no price is too heavy to pay for it!"

No price?

Five million Arab civilian casualties, for example?

Conflagration in the Middle East?

The exhaustion of American military resources?

It is enough simply to ask the question to realize the answer. The answer being that we are prepared and ought to be prepared to pay some price, but not any price.

The problem is that the cold war mode of decision making does not admit of such proportionality. Or does not do so readily. The tiniest issues roar to the fore with armageddonic fury. In this case it all happened in a flash on November 8. A defensive/deterrent deployment which enjoyed the full support and admiration of the Senate became a full-scale offensive deployment. In an instant, a million men and women in arms faced each other in the Arabian desert. The largest massing of forces since World War II. Soon the paraphernalia of the cold war was fluttering all about us. The intelligence community knew things that if only the rest of us knew we would understand what must be done, but unfortunately, what they knew was classified. Terror alerts were broadcast by the State Department. The Federal Bureau of Investigation commenced loyalty investigations of Americans based on their ethnic origins. This is not the place to address the matter, but there was much of this in the Red scares of the past.

And now the Senate is about to authorize the use of force to carry out this mission.

By the end of the day, the President will have all the power he has wished. I wish him well; I wish our forces well. Certainly our cause is just. I ask only if our response is proportional.

It happens that just 30 years ago come Thursday, Dwight D. Eisenhower gave his farewell address to the American people, which contained this still echoing passage:

> Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions. Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.
>
> This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every State house, every office of the Federal government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.
>
> In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.
>
> We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

Why is it that we seemingly cannot give economic sanctions a chance?

At least a dozen times since this crisis began I have said on the floor of the Senate or in the Committee on Foreign Relations that economic sanctions are not "a kinder, gentler" form of diplomacy. They can be brutal. Iraq is being punished right now—severely—for its violation of the U.N. Charter. And as I said Thursday, Iraq will leave Kuwait. One way or another.

Nor am I opposed to the use of force. The Charter of the United Nations explicitly provides for the use of U.N. forces to defeat aggression. I have come to this floor time and again to plead the case for international law, and in doing so have time and again rejected the notion that law, to use the phrase of John Norton Moore, is a system of negative restraint, a system that tells us what we cannot do whilst others are free to do as they please. Time and again I have invoked the widsom of Alfred Rubin to the effect that only ignorance could account for the view that force has no role in a regime of law. Force enforces law.

What I have pleaded for, however, is a sense of proportionality. I plead that we recognize that indeed this is the first crisis of the post-cold-war era. The end of the cold war came so suddenly, almost silently, that somehow our behavior in crises hasn't had time to change.

Nor, indeed, need it, in the sense that the end of the cold war set loose forces that will bring about such change. To the contrary, our victory in the cold war is most readily seen to validate the arrangements by which we fought it, and if anything, strengthen those arrangements.

Mancur Olson has described with great insight the processes whereby defeat in World War II freed West German and Japanese societies of all the accretion of veto groups and choke points and pressure groups that make for inefficiency in a fully developed society. What President Dwight Eisenhower called "the industrial-military complex" is but one instance of what Olson calls "coalitions in the distributional struggle." In that sense, Britain lost the war by winning. We could do the same now if we let the cold war institutional sclerosis rest undisturbed.

The United States stands at once invincible and vulnerable. No one can match or approach our military strength; by contrast, our economic strength at the end of the cold war is more problematic. Certainly there is no threat to our liberty posed by Iraq. Iraq violated international law. The Security Council had decreed that this violation must be reversed. This is a task for the world community, no doubt with American leadership.

Iraq should be under no illusions. If, after a sufficient period, economic sanctions fail, or if it attacks U.S. troops or our allies in the region, we will destroy the Iraqi forces. We have the will and the capacity to do so. In particular, Saddam's blustering threat that he will attack Israel if war begins only hardens our resolve to see that he gains nothing from his aggression.

While the al-Sabah family of Kuwait was voting against the United States 88 percent of the time in the United Nations, the only democracy in the region—Israel—voted with us 92 percent of the time. For 42 years Israel has been a friend of the United States. For 42 years Israel has been a model of democracy, civil liberties, and religious tolerance in a turbulent and violent region. While Saddam Hussein's opponents were being imprisoned, tortured and executed, Arab citizens of the State of Israel were sitting as members of the Knesset. We must utterly repudiate Saddam Hussein's attempts to link his illegal acts to the effort to resolve the conflict with the Palestinians. And let none doubt that we will come to Israel's aid if it is attacked.

A further question I asked on Thursday was whether America really has an interest in the return of the al-Sabah family to its throne. The al-Sabah's have a rich history of poisonous anti-American, anti-Israeli rhetoric and behavior. To take but one example, in 1984 at the Inter-Parliamentary Union, the Kuwaiti representatives introduced a resolution denouncing Zionism as a form of racism and condemning the United States in virulent terms for supporting Israel. The Kuwaitis would not even refer to Israel by name, stating at one point:

> [T]he racist regime in occupied Palestine and the racist regime in South Africa have a common imperialist origin and the same racist structure, and * * * both are organically linked in their policy aimed at the repression of the dignity and integrity of the human being * * *.

Only the forceful intervention of the U.S. delegation at the I.P.U., led by our dear colleague, the late Claude Pepper, prevented the resolution from being brought to a vote.

A final point which I made Thursday which I would repeat with as much force as I can muster: The important American interest at stake in this crisis is in establishing a world in which the rule of law is respected and enforced, not by America alone, but by the international community. Yet going to war at this time would jeopardize, not achieve this goal. The international community has not yet agreed to go to war with Iraq. That is not what Security Council Resolution 678 said. What the international community has agreed to do is to help enforce an economic embargo. And it is doing so with great effect. It would be desperately unwise to truncate this absolutely vital experiment in collective security before the results are in.

If we use force now, it will not be a collective response to aggression. It will be us versus them. Bush versus Saddam. It will be a bipolar conflict with a demonized adversary in the mode of the cold war. We will be playing the role of the world's policeman as if the United Nations is still paralyzed by that cold war. There is as yet no United Nations flag in Saudi Arabia, unlike Korea.

Not only would the use of force at this time be essentially unilateral, but the consequences of the use of force for the region are also most uncertain. Those who believe that it would be in the interests of the United States and our allies in the region to "take out Saddam" now, should recall the wise words of the great Prussian chief of staff Helmuth von Moltke: "No battle plan ever survived contact with the enemy." Another great commander—Dwight Eisenhower—meant the same thing when he said "Every war is going to astound you." That is why President Eisenhower also spoke of "The courage of patience."

If we launch a war in the Persian Gulf the results will be uncertain, and perhaps, astounding. Would Jordan emerge with a radical government? Will Israel be attacked? What will the effect of a war be on the stability of Saudi Arabia? So long as there is reason to believe that the United Nations economic embargo of Iraq will avoid the necessity of answering these questions, I believe that patience is both the wise and the courageous step.

The United Nations Charter provides the means to deal with Iraq's weapons of mass destruction. Chapter VII of the charter allows the Security Council to impose sanctions to rid the world of "any threat to the peace" as well as to correct a "breach of the peace." I believe that the world now recognizes that these weapons are a "threat to the peace" and that it will work to contain and eliminate them through sanctions, restrictions and inspections.

I return to the matter of proportionality. David C. Unger has said of our Nation in the aftermath of the cold war that "We've had no real experience just living among [other] nations." Nor have we had much experience in using our immense array of armaments in a mode proportionate to the strength of our adversaries, more likely than not to be wretchedly poor or wretchedly governed Third World regimes. Let me close with an excerpt from a letter I have received from that most distinguished of American law professors, Charles L. Black, Jr., sterling professor of law emeritus at Yale University, and now adjunct professor of law at Columbia University.

> Very little is being said among us about the Iraqi people—except for repetition of the Wilsonian incantation that "we have no quarrel with them." But if we have no quarrel with them, we ought to consider what it is that at worst, we may be moving toward doing to them. * * * [W]e may pulverize them, kill tens or hundreds of thousands, of them, leave their country—as Tamerlane did—a wasteland.
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> Now we might think we have to do that to some peoples at some times—or at least that is the modern assumption. But before we ever should do such a thing, we ought prayerfully to consider, and reconsider prayerfully again and again, whether, first, our own national safety is so plainly and massively and imminently at stake as to make such action proportionate, and secondly, whether some other means should not be long tried, tried seventy times seven times until shown beyond doubt, by full experience, to be ineffective. The people who are planning this war haven't done anything like that. No such absolutely imperative national interest has been made—or, I dare say, can be made—to appear. The full, patient trial of alternatives is treated with thinly veiled impatience by those who are managing this thing.

And that is the final point. Ruhl J. Bartlett, that most eminent of diplomatic historians, a beloved teacher and friend, writes to remind me that "the authority of the President is to conduct foreign policies, not to control and determine them." That is a responsibility shared with the Congress. At least we can agree that that condition has now been met; or will have been shortly. In that sense we are transcending the cold war mode—when Presidents were in a position of having to respond to the onset of a nuclear attack in a matter of minutes, with no time even to think, much less to consult Congress. It is not the worst outcome of this long week.

Mr. DODD addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut is recognized for 2 minutes.

Mr. DODD. Mr. President, first of all, let me just make one observation at the outset; that is, I have heard a number of comments over the last several days that support for the Mitchell-Nunn proposition or failure to support the Dole-Warner proposition is somehow a reflection of lack of support for the servicemen and women who are defending our interests and the interests of others at this very hour in the Persian Gulf.

Nothing could be further from the truth. There was no debate today about the preparedness or the admiration we have for these men and women who are standing guard, prepared to do their job should they be called upon to do so in the coming days. But just as they are doing their job, we are here on this Saturday doing ours, as the Constitution requires, to make the decision on whether or not this Nation ought to go forward. That is what the Dole-Warner proposition asks—to engage in military conflict in the Middle East.

Mr. President, I would note the primary opposition to that particular proposition has been reflected in the

Mitchell-Nunn proposal, that there are other alternatives available to us, and that war at this particular moment is not necessary.

But there is another reason as well, Mr. President. History dictates caution because the Middle East is rife with conflict. No other region in the world in the post-World War II period has been in such a state of conflict as the Middle East—five wars against Israel including the war of attrition, the Suez crisis, Lebanon, Ethiopia, Sudan, Yemen, the Iraq-Iran war, the conflict with Kuwait, terrorism, assassinations—this is the Rubik cube of the world. And before we go charging over into military conflict, we ought to take a moment and recognize the historical framework we are about to enter militarily before that decision is made.

Mr. President, I would hope that history would guide us in these coming days and that we recognize the dangers before we engage in military conflict prematurely. Conflicts in that part of the world have served primarily to shift the balance of power and create new bullies.

The VICE PRESIDENT. The Senator's time has expired.

The Senator from Minnesota is recognized for 2 minutes.

Mr. WELLSTONE. Mr. President, I have sat in on many administration briefings. There have been so many graphs and charts and figures about planes and bombs and economic sanctions. But I have asked the questions over and over and over again: Can you tell me how long will the war last? What will be the casualties? What will be the loss of life? And the silence is deafening. Not one graph, not one chart, not one set of figures.

This administration is unable or unwilling to provide us with information about the most precious commodity of all—life. And yet it asks for a blank check to initiate war. We must not give this administration that blank check.

I hope I am wrong. But I speak with a sense of foreboding. I am chilled. I believe that if we rush to war, it will be a nightmare in the Persian Gulf. Our country will be torn apart and, Mr. President, very little good will happen in the United States of America or in the world for a long, long, long time.

Thank you.

The VICE PRESIDENT. The Senator from Massachusetts is now recognized for 3 minutes.

Mr. KERRY. Mr. President, I do not believe our Nation is prepared for war. But I am absolutely convinced our Nation does not believe that war is necessary. Nevertheless, this body may vote momentarily to permit it.

When I returned from Vietnam, I wrote then I was willing personally, in the future, to fight and possibly die for my country. But I said then it must be when the Nation as a whole has decided that there is a real threat and that the Nation as a whole has decided that we all must go.

I do not believe this test has been met. There is no consensus in America for war and, therefore, the Congress should not vote to authorize war.

If we go to war in the next few days, it will not be because our immediate vital interests are so threatened and we have no other choice. It is not because of nuclear, chemical, biological weapons when, after all, Saddam Hussein had all those abilities or was working toward them for years—even while we armed him and refused to hold him accountable for using some of them. It will be because we set an artificial deadline. As we know, those who have been in war, there is no artificial wound, no artificial consequence of war.

Most important, we must balance that against the fact that we have an alternative, an alternative that would allow us to kick Saddam Hussein out of Kuwait, an accomplishment that we all want to achieve.

I still believe that notwithstanding the outcome of this vote, we can have a peaceful resolution. I think it most likely. If we do, for a long time, people will argue in America about whether this vote made it possible.

Many of us will always remain convinced that a similar result could have come about without such a high-risk high-stakes throw away of our constitutional power.

If not, if we do go to war, for years people will ask why Congress gave in. They will ask why there was such a rush to so much death and destruction when it did not have to happen.

It does not have to happen if we do our job.

So I ask my colleagues if we are really once again so willing to have our young and our innocent bear the price of our impatience.

I personally believe, and I have heard countless of my colleagues say, that they think the President made a mistake to unilaterally increase troops, set a date and make war so probable. I ask my colleagues if we are once again so willing to risk people dying from a mistake.

The VICE PRESIDENT. The Senator's time has expired.

The Senator from Illinois is recognized for 2 minutes.

Mr. SIMON. Mr. President, I confess that I am more depressed than at any time in my 17 years on Capitol Hill, because we are moving, inching in the direction of perhaps wasting thousands of lives needlessly. But let no one, and particularly no one at the White House, mistake what has happened. The vote of 53 to 46, and the next vote we are taking, shows a deeply divided Congress and a deeply divided America, and it is the smallest vote for the authorization of force in the history of this country since the War of 1812.

We should not hastily move on this. I have heard references to the Korean war. The difference during the Korean war is that all the leaders of Congress were unanimous in supporting the President in what was happening. Two days before our troops got to South Korea he asked for the reauthorization of the draft, and there were four votes against it in the House, not a single vote against it in the Senate.

We are in a very different situation. If we get into a war, one of the things that I have not heard talked about on the floor is that a disproportionate number of those whose lives are going to be shed are minorities; 26 to 33 percent of those over there in Saudi Arabia are minorities. There is not a single African-American or Hispanic-American here in the U.S. Senate.

The VICE PRESIDENT. The Senator's time has expired.

Mr. MITCHELL. Do I have any time left, Mr. President?

The VICE PRESIDENT. Four minutes remaining.

Mr. MITCHELL. I yield an additional 1 minute to the Senator from Illinois.

The VICE PRESIDENT. The Senator from Illinois is recognized for 1 additional minute.

Mr. SIMON. Washington, DC, in reserves over in Saudi Arabia, has more than 48 States on a per capita basis.

Finally, many of you here are old enough, along with me, to remember the days when people said, "Let us go to war with the Soviet Union. It is going to happen inevitably. Let us move in and get it over with." We were firm and tough, but patient, and we won. We won without firing a shot. Let us do the same in the Middle East.

Mr. BROWN. Mr. President, the goals of any resolution adopted by this body must be to prevent war, to prevent the loss of American lives in the Persian Gulf and to strengthen the prospects for a just and a meaningful place in the region.

Our Constitution requires Congress to make a decision on whether to declare war in the Persian Gulf. Some in this body would like to dictate the President's strategy, by eliminating the real threat of force.

You can be certain a similar debate is not being waged in Baghdad. There is no constitutional authority, no law of the land, no checks and balances, just the lawless power of Saddam Hussein—a power gained by torture and assassination.

Iraq's invasion of Kuwait violated international law and sovereignty of another nation. Kuwait's borders and separate status have been recognized by the world, including the Arab League, since 1961, and even by Iraq since 1963.

Saddam's continued occupation of Kuwait will enable him to develop the

military capability to directly threaten areas outside the Persian Gulf, including Africa, Europe, Asia, and the United States.

Saddam has arbitrarily arrested, illegally imprisoned, and tortured thousands of Kuwaiti civilians and military personnel since he invaded their country August 2, according to the group, Amnesty International. Hundreds of unarmed civilians, including children, have been executed.

Independent reports document that Saddam Hussein ordered the execution of the childern of anyone who dares oppose him.

Yet at the same time, American television showed him visiting foreign children and patting them on the head.

These same children were a few of the thousands of American, European and Asian citizens Saddam had captured to use as shields to protect his military installations.

If Saddam is allowed to continue to occupy Kuwait, Kuwaiti oil will bankroll his armaments binge—more arms, more missiles and eventually technology to build nuclear weapons—all to invade and intimidate other sovereign nations in the Middle East. Unchecked, he might soon develop the capability to attack even stronger nations and perfect his ability to repel any attack.

Saddam's chemical and biological arsenal is massive—and tested. He has slaughtered thousands of Iranians and whole villages of minorities within Iraq, but even today the threat extends beyond the limits of these two countries.

The Iraqi military has developed and used sophisticated ballistic missile technology. Iraqi ballistic missiles were first used in 1980 on Iranian border towns. Since then, Iraq has more than tripled the range of its ballistic missiles.

Saddam already threatens parts of Europe and the Soviet Union with his existing ballistic missile arsenal. With technological development financed by Kuwait oil and the added threat that Saddam might directly purchase the weaponry, chemical, biological, or nuclear weapons could reach the United States.

President Bush's efforts to use economic sanctions and diplomatic initiatives to compel Saddam Hussein to leave Kuwait deserve the praise and support they have received from Congress and world leaders.

My hope has been that economic sanctions and diplomatic contacts would convince Saddam to restore Kuwaiti sovereignty. Namely, that these efforts show that the world is committed absolutely to his withdrawal from Kuwait.

The CIA Director reported in a January 10 letter to House Armed Services Committee Chairman LES ASPIN that the sanctions have shut down much of Iraq's civilian economy, but have had little effect on Saddam's military and its combat capability.

The CIA states that Saddam's million-man army—his most valuable military asset—has been least affected by the sanctions. The fortifications of Iraqi troops in Kuwait are some of the most extensive since World War I. The longer Kuwait is occupied, the stronger the defensive fortifications will become. This could offset any slight erosion in his combat readiness caused by the sanctions.

CIA Director William Webster, further stated:

> Our judgment remains that, even if sanctions continue to be enforced for an additional six to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq.

Furthermore, if we demonstrate weakness in any way, it stands to reason sanctions will look more and more like swiss cheese as other nations begin to feel their pinch.

Diplomatic initiatives have failed to convince Saddam to comply with the U.N. resolutions and withdraw from Kuwait. He refuses to negotiate.

The United Nation has passed 12 resolutions condemning the Iraqi invasion of Kuwait. Resolution 678, the most recent, authorizes the use of "all means necessary" to restore Kuwait's sovereignty.

President Bush proposed 15 separate dates for meetings between Secretary Baker and Saddam, and between Foreign Minister Aziz and himself. It is ironic that the only meeting day Saddam offered was today, January 12. Saddam has refused every proposal and only permitted a brief meeting between Baker and Aziz.

Wednesday's Baker-Aziz meeting brought home for the world Saddam's unwillingness to leave Kuwait, even if it requires that he starve the peoples of both Kuwait and Iraq.

Diplomatic efforts, even though coupled with sanctions, have not worked.

Today, we must send a clear message to this brutal dictator that he is running out of time. Congress has an essential role in this crisis. Our founding fathers vested in the Congress the voice of the American people to declare their message to their enemies. The separate constitutional responsibilities of the President and Congress ensure the enemies of the United States our President is acting with the undeniable support of the American people.

Thus far, our message to Saddam has been clear—the United States Congress strongly supports President Bush's actions to restore Kuwait's sovereignty and to defend Saudi Arabia.

Congress is on record several times in support of the President's actions:

In a congressional resolution passed last August (S. Con. Res. 147);

In a continuing resolution passed in October (Public Law 101-403);

In a defense authorization bill (Public Law 101-510); and

In a defense appropriations bill (Public Law 101-511).

A decision to commit American troops to battle is a very serious one, and must have the full support of the American people.

In addition to securing the consent of Congress, the President must share our burden with our allies. The administration's efforts to distribute the burden of the gulf crisis among the many members of the coalition are the first steps in the right direction. The Defense Department reports that 80 percent of the incremental cost of Desert Shield will be borne by our allies. In addition, the multinational coalition has committed more than 245,000 troops, 64 warships, and more than 650 combat aircraft.

That's a start, but it is not enough. Congress and the administration must ensure that our allies meet their pledges. Our economy cannot afford the money necessary to act as the world's sole policeman.

The United States cannot tolerate the loss of American lives in a war where our allies are not willing to make the ultimate sacrifice. The American people expect and deserve continued efforts by the administration to ensure the multinational coalition is truly multinational.

I have heard from many Coloradans on this issue. They are deeply concerned about the possibility of war. They don't want war. It is a feeling that I share. No one wants war. The issue before us today is what is the best way to avoid war.

Should the United States Senate assure Saddam Hussein that we will not use force to end his occupation of Kuwait? Clearly, if we give him that assurance he is unlikely to withdraw. If Saddam believes that we may use force, he would be a fool not to withdraw from Kuwait.

Passage of the Nunn resolution would make it much less likely Saddam will withdraw from Kuwait. It adopts what can be called the "General George McClellan strategy": assemble and overwhelming military force, incur the expense, but don't use your strength.

In this case, the resolution takes the McClellan theory one step further by assuring the enemy in advance that we will not use our strength.

If peace is our ultimate goal, it is in our interest to leave Saddam Hussein with the impression that conquest of his neighbors will not go unanswered.

Mr. HATCH. Mr. President, I have been listening to the debate on the floor over the last 2 days, and I wanted to raise some questions about two of the main arguments of those who oppose endorsing the President's right to use force in the present crisis.

First of all, I have heard many members say in effect that we should not

care about the fate of Kuwait. Some say that the invasion of that country on August 2 did not matter, that it merely represented the takeover of one nasty little country in the Middle East by another slightly larger and slightly nastier country. Others have argued that no one and nothing in Kuwait are worth the life of even one American soldier. Still others have argued that the United States shouldn't be in the business of restoring distant emirs to their thrones.

Those statements demean the stakes in this conflict. They seek to give the impression that nothing of larger importance hangs in the balance. But they're wrong. In fact, they could not be more wrong, more mistaken, more misguided.

If we want to understand the real stakes, we should ask ourselves some fundamental questions:

Do we want Saddam Hussein to rule the Middle East? If he faces down the United States in this confrontation, the shadow of his brand of radicalism will fall on every moderate Arab State in the region and will ultimately threaten Israel.

This has happened before. In 1956, Nasser faced down Britain and France in the Suez crisis. He took on the dominant colonial powers in the region. And he prevailed, largely because the United States failed to back up its allies. But the result was a disaster. He became the hero of the Arab world. He became more emboldened in pushing his radical Arab nationalism throughout the region. He sought to subvert other Arab States, such as Jordan and Yemen. He facilitated a steady stream of Palestinian guerrilla operations against Israel and stoked the flames of anti-Israel hysteria throughout the Arab world. And finally he organized a coalition of Israel's neighbors—Jordan, Syria, and Egypt—and instigated a crisis that provoked the 1967 Arab-Israeli War.

By comparison with Hussein, Nasser was a moderate nationalist. But the point is that a failure to stand up to aggression led to further aggression. Backing down before a dictator like Hussein will lead to a larger conflict and more casualties down the road.

Do we want Saddam Hussein to add the revenues of Kuwait's oil fields—which used to produce 1.6 million barrels per day—to his coffers? Think about where that money will be put. It will not benefit his people. Rather, he will funnel it into the same place his oil revenues have always gone: the Iraqi military, the Iraqi support for terrorism, and the Iraqi effort to develop weapons of mass destruction, including biological and nuclear weapons.

Do we want Saddam Hussein to continue to build up a world terrorist threat? We have all read the press reports about the threat of Iraqi-sponsored terrorism.

He has recruited the world's most vicious terrorists to his cause. Abu Nidal, the man behind the Rome airport massacre, is in Baghdad. Abu Ibrahim, the man behind the Pan Am 103 bombing, is in Baghdad. Abul Abbas, the man behind the *Achille Lauro* hijacking, is in Baghdad.

While we've been waiting for sanctions to work, they've been planning for coldblooded killing. It's not secret. It's all been reported in the media. Many of our embassies in Europe, the Middle East, and Africa have been surveiled by probable terrorists. Many U.S. military facilities have also been cased. Reports have been flowing in from dozens of our embassies of the movement of terrorists, the preparation of terrorist operations, the coordination of a worldwide terrorist campaign.

Those who argue that Hussein's aggression does not matter, that its effects are inconsequential, should remember that an Iraqi victory will not be the end of this story. Having prevailed, he will become ever bolder. And the result will be terrorist attacks against Americans, not only abroad but also right here at home in the United States.

Do we want to see Saddam Hussein continue his programs to develop weapons of mass destruction? Is this the kind of leader who should hold in his hands the fate of thousands and perhaps millions of people?

He already has chemical weapons, both blistering agents such as mustard gas and nerve agents. He has used them against Iranian troops. He's used them against his own people. He's already killed over 5,000 innocent Kurdish civilians in northern Iraq.

But it's worse than that. He already has biological agents, such as anthrax toxin, and has probably developed deliverable biological weapons. Some of these biological toxins are so potent that they have the capability of not only killing a few soldiers in their bunkers but also wiping out entire major metropolitan areas.

But that's not even the worst of it. Saddam Hussein has a well-advanced program to develop nuclear weapons. We don't know a great deal about how far they have come. We know that he could develop a crude nuclear device within 6 months or so. Some Members on the floor have argued that this device would be so crude and so unwieldy that it could never be delivered. But the devices that were detonated over Hiroshima and Nagasaki were also primitive compared to today's weapons. Those who died suffered no less because they were not killed by a more sophisticated weapon.

Moreover, he does not need a plane or a missile to deliver such a weapon. If we find sanctions don't work after a protracted period—which would be the case if we adopted that course—and if we then decided to use force to retake Kuwait, all Hussein would have to do would be to plant this weapon in Kuwait City and detonate it after our forces entered its gates.

More is at stake in Kuwait than the fate of that country. As we vote on this issue, let us have not illusions about the importance of this conflict to the rest of the world.

In listening to this debate, I have heard another disturbing argument reiterated again and again: Give the sanctions more time, bring Hussein to his knees by depriving him of hard currency and spare parts, and squeeze the Iraqi economy for 1 year, 2 years, or even longer.

Those who make this argument completely misunderstand the kind of man we face in Saddam Hussein. He is a brutal dictator, not a cautious accountant. He is the butcher of Baghdad, not a prudent economist. He wants to control the Middle East, not maintain a favorable balance of payments.

The point I want to make is that waiting is not the safer course. It carries profound risks, incalculable costs, and the potential of defeat. Let's just contemplate the risks of waiting, the danger of not taking on Hussein as soon as we are in a position to prevail.

First of all, it means more casualties among our troops. Many who oppose the President believe Iraq will grow militarily weaker over time. But the opposite is true. He has used the 6 months he has had so far to build the world's most daunting border fortifications. But he's not done. If we wait, there will be more and denser minefields. There will be more coils of razor wire. There will be more tank traps and fire ditches. There will be more dug-in tanks and infantry bunkers. And our forces will have to cross and destroy these obstacles at a price of Americans wounded and killed.

Those who argue that because of the embargo the Iraqi military will see its equipment deteriorate, that if we have to use force we are better off waiting until the opponent weakens are also mistaken. The fundamental strength of the Iraqi armed forces—the armor and infantry—will be only mildly affected. He will not use up spare parts when there is no threat of attack. And there's no threat of attack if the other side is whiling away the time waiting for sanctions to work.

Second, if we wait, we will see more innocent civilians die in terrorist attacks. Hussein will have the time to sow more seeds of terror, to hatch more plans for maiming and killing innocent people around the world. This threat is real. It is imminent. Most ominous, it is growing. The threat of terrorism is not new, but if we wait, the scale of the threat—which is already

unprecedented—will become unmanageable.

The lesson of the 1980's was that state sponsorship was central to successful terrorist operations. Assistance with false passports and documents, terrorist devices and materials, and logistics and intelligence—all of these are central to success. In Saddam Hussein, the world's terrorists have found a beneficent godfather. He has provided terrorist groups with an unprecedented boost in supplies and money—which, in turn, has generated an unprecedented surge in their ability to kill and maim. As this body debates whether we should give sanctions more time, let us remember that with every passing week Hussein puts into place more pieces of his international terrorist network. More time, means more casualties.

Third, if we wait, Hussein will have time to further develop his weapons of mass destruction.

He will build more missiles armed with chemical weapons—against which our troops in the field have the thinnest of defenses.

He will develop more means to deliver his biological weapons. And we cannot rule out the possibility that he will choose to turn such weapons over to his claque of terrorists, who could in turn unleash them on the cities of the West.

Finally, he will keep working feverishy on his nuclear weapons program. Many Members expressed complacence about this threat, arguing this danger lies in the distant future and should not be part of our current calculus.

But that's foolhardy. We really don't know how soon Iraq will develop usable weapons. It could be 10 years, 5 years, perhaps even less than 1 year. I have spent 6 years on the Senate Select Committee on Intelligence. I have nothing but the highest respect for our intelligence officers and analysts. But these kinds of estimates are exceedingly soft. I am not criticizing the intelligence community. That uncertainty is inevitable. These projections are always prefaced by the phrases like "our best intelligence indicates that" or "we are confident that." They are never prefaced by the words "we know that" or "we are certain that." Just in the course of the last couple of months, the timeframe for the development of an Iraqi nuclear device has been reduced to as little as 6 months. I am simply saying that we should not bet the lives of millions of people that our intelligence estimates are dead on target.

These are just some of the costs and risks that the President's opponents fail to consider. We cannot afford to be so shortsighted. All of these troubling might not come about, but if any do, the costs will weigh heavily on the consciences of those who urged delay.

As the Soviet Union has declined as a major power, the United States has emerged as the world's only genuine superpower. As Winston Churchill once said, such awesome power carries awesome accountabilty for the future.

Today, that accountability lies here in the Halls of Congress. If we back the President, we will put the kind of pressure on Hussein that could lead to a peaceful settlement. But if we fail to back the President, Saddam Hussein will calculate that he can wait us out. It will make war inevitable, and war will come at at time when Iraq has best prepared itself to inflict maximum casualties on our troops and on innocent civilians around the world.

In conclusion, I must say that I have been distressed by the exploitation for partisan political purposes of this momentous issue by those who have opposed the President. I had hope that this debate would rise above such considerations. But some of the President's opponents have contrived a resolution that pretends to be an endorsement of the President's policy but that in its closing lines does not seek to deny him authority to spend U.S. funds to support offensive actions.

The import should be clear to all of us. If the President were to exercise his authority as our Commander in Chief and to liberate Kuwait, they will grab part of the credit. But if things were to go wrong, some in the House will seek to impeach him. Is that bipartisan? Is that a high-minded approach to the Nation's security? Or is that barely concealed partisanship and the pursuit of political advantage. Let history judge.

Mr. CRAIG. Mr. President, I recently received a letter from some folks in Idaho whose son is serving in Operation Desert Shield. They are proud of their son and his commitment to serve. They told me "he is willing to give his life for his country and for what his country stands for." And went on to request what is right and just: that if there is to be war, let it be fought by the military; let strategy, not politics, direct the way.

Mr. President, that letter brought home to me the reality of the need for national resolve, better than all the eloquent debate I have heard here in the last few days, or the weeks of discussion and editorializing I have absorbed since last summer:

> It is your obligation [Mr. CRAIG] to our son, ourselves, and the brave men and women serving in Operation Desert Shield to make the war quick and decisive.

In the Persian Gulf we face a situation that will have a lasting impact on future behavior between nations. Maybe because of our desire that it be so, many Americans seem to believe that just a little aggression will go away if we ignore it. Can that be true?

We are told to learn from the lessons of history, so let's take a look at some of those lessons. World War II tells us that a little aggression, left unchecked, will grow. From Vietnam we know that a war cannot be won if it is controlled by politics instead of military strategy and national resolve. We also learned that we will lose any struggle we are not committed to winning. Recent history also tells us that, in the gulf, we are dealing with an irrational tyrant who uses violence against his own people as well as others. The more power Hussein is allowed to usurp, the more dangerous he becomes, and the more real peace is placed at risk.

Certainly, there have been instances when internal and external aggression have gone unchecked. However, many of those instances occurred during the cold war era, when the delicate balance of power between the United States and the Soviet Union posed a constant threat of escalation into a nuclear war. Today, we are joined by the majority of nations in this world including the Soviet Union and many of the Arab nations.

Furthermore, the causes of the situation we face today are complex and multifaceted. Certainly, economic considerations play a part. The best interests of the civilized world would be compromised by Hussein's potential control of 66 percent of the world's proven oil reserves. At risk is more than just a question of quality of life. Control of the Persian Gulf would bring to Hussein, personally, a vast amount of wealth and economic power, giving him further influence over the major economies of the world. With what we know of Hussein, the man, this would be especially threatening to the free world.

One of the most important facets of today's crisis—and one too often ignored—is whom we are confronting. We do not confront a man of reason. We do not confront a man of trust. We do not confront a man who shares our beliefs in international law, personal freedom and human dignity. Instead, we are confronting a man who has freely used aggression, and his rhetoric tells us that he will continue to do so unless he is stopped. We have heard the many accounts of the atrocities in Kuwait—some may be occurring as we debate this issue today. We have heard of the horrors he has committed against his own people and the Kurds. We have seen his blatant disregard for fellow Arab nations through his actions and continual threats against neighbors in the region.

Mr. President, Saddam Hussein is not a man to ignore. He has proven to us, and the rest of the world, that he is untrustworthy and will stop at nothing to achieve his goals.

If we are truly committed to lasting, meaningful peace, Saddam Hussein's unprovoked atrocities cannot be ignored. To allow Hussein any sort of victory would send the wrong message—a message that naked aggression

and annexation of another nation is an acceptable means of furthering narrow national interests.

But beyond these obvious and substantial questions lies an equally important issue: do we deal with Hussein now, or later?

I am gravely disappointed that no progress has been made in diplomatic efforts to resolve this crisis, though I am not anxious to see those efforts cease, we must accept the fact that diplomacy cannot work if one party to the conflict is not willing to make an effort. Iraq's refusal to accept President Bush's letter to Hussein was not a positive sign that the Iraqis are sincerely in search of a peaceful settlement. Given Hussein's track record, I fear that a real threat of force is the only voice to which he will listen.

Some think that we should accept the linkage of this problem with the Palestinian question. But Iraq did not invade Kuwait to solve the Palestinian problem; they did so for their own narrow national interests. Combining the Arab-Israeli conflict with the Persian Gulf crisis is not a compromise but a reward to Hussein for his unprovoked use of force.

Some have expressed concern about the low level of commitment of manpower and materiel by our allies. While I share that concern, I am convinced that unity among America's leaders will be an effective tool in pursuading those allies to match our own effort.

We have watched our every diplomatic effort fail. History and the experts of current times tell us that sanctions alone will not solve this crisis. The time may soon come when we must face the fact that this man speaks with force; he will listen only to the real threat of force.

It is for these reasons that I am committed to oppose Saddam Hussein and his unprovoked invasion of Kuwait. A statement of national resolve must be passed so that Hussein will know that we, as a nation, join the rest of the world in opposing his belligerent actions. If a credible threat is to be posed, then Hussein must know that we are prepared, we are resolved, and we will take action to carry out the U.N. resolution.

I will support a resolution that will make force an option for the President if diplomatic means become exhausted. I am deeply troubled about the potential loss of life, should the last option be taken. But we cannot leave our men and women in the Persian Gulf as pawns of a political battle on Capitol Hill. We must have national resolve.

Let us not tie the hands of the President. Let us not leave these men and women as political pawns in the desert. Let us ensure that if force is the only option, it is quick, strategic, and decisive. Let us support the Warner-Dole resolution.

Mr. GARN. Mr. President, members of my staff recently sent several holiday care packages to Saudi Arabia. A grateful soldier sent us the following letter:

> The amount of support we have received here is overwhelming. I never knew the American people cared so much. I love the United States of America and the freedom it stands for. I will continue to defend freedom at any cost—my life, if that is what it takes.

This letter sends me many messages. First, the American people do care about what is going on in the Persian Gulf. I know my constituents care. They have made their voices heard loud and clear. Utahn's are frustrated because they cannot understand the brutal behavior of the Iraqi Government. The are frightened by what may happen next. Their apprehension is reinforced and probably heightened by the fiery words they are hearing through the media everyday. Dan Rather's "Countdown to Confrontation," for example, sends the message that we are on an undeviating course toward war on January 15, and that our days of peace are almost over and the days for conflict are almost upon us. While it is true that we have sent a deadline for an Iraqi pullout in Kuwait, I do not believe President Bush has set January 15 as the modern day version of D-day.

Our efforts now are efforts for peace—not for war. Why are we here now. Is it because we are chomping at the bit to go to war? Is it because we want to send the American people the message that war is our only option? Is it because we want to see the soldiers, like the ones who wrote a letter to my staff, give their lives for us? We are here because we want to work for peace. We want to show our support for the President. We want to authorize the President to use force—if necessary. Our only hope for peace is to have a solid, unified American position—the administration, the Congress, and the American public all shouting in unison with all of our strength: We will not let Saddam Hussein, a ruthless dictator, stay entrenched in Kuwait and we will do what is necessary to get him out. Does this mean war? No, it means we are prepared for war and if necessary, we will commit troops to combat. It means we are willing. But, we hope the strength of our unified message will help bring Hussein to his senses and help him see that we will take nothing less than his complete withdrawal from Kuwait. The majority of the world community has endorsed the President's efforts. Can we do any less and expect Saddam Hussein to receive a credible message? I think not.

The second message brought to mind by this young soldier's letter is the principle of freedom. We hear people saying we should not be involved in the Persian Gulf and that we should let the people there fight their own battles. We heard the same message prior to World War II, until piece by piece Hitler dominated Europe and finally our own borders were threatened. While Hitler promised he would go no further Hussein has stated his clear intention that he wants to unify the Arab world and he has proven his willingness to use force in order to obtain his goals. Let us take Hussein at his word and give the President the tools to address the problem.

The final message is perhaps the most important. We have hundreds of thousands of Americans whose lives are in the balance as we debate how to achieve peace. "I will give my life if that's what it takes," wrote the young soldier. That is not what we want. We do not and cannot take their commitments and sacrifices lightly. Remember that what we want is peace. We want to give the President the power he needs to let Hussein know that his aggression will not be tolerated. President Bush has worked diligently to obtain consensus within the community of nations, but this solidarity will ring hollow without the support of the U.S. Congress and thereby the American people.

Mr. HEINZ. Mr. President, up to this point I have confined my remarks largely to the shortcomings of the Nunn-Mitchell resolution. I would like to briefly explain why I believe voting for the Warner-Dole resolution is the responsible course of action for myself and for the Senate.

At the outset let me make it clear that conferring on the President congressional authority to use force if necessary does not under any circumstances mean that we want to encourage the President to go to war.

No rational human being should ever welcome going to war. Just as any course of action that rewards aggression or plays into the hands of the aggressor should be rejected, so, too, should every alternative to war be explored and pursued. And many have been.

But, the one alternative we have not tried and seriously tested is showing unambiguous purpose and unmistakable resolve. For months those of us in Congress, and that includes the Senate, have been sending mixed and confusing signals that convey the impression of anything but firmness and resolve.

At one time or another many of us have said: "Let's give economic sanctions the time to work."

At one time or another many of us have said: "The President must not go to war without congressional authorization to do so."

At one time or another we have all questioned why the vast majority of forces in the gulf must be American, why it is mainly American lives that must be risked and why, even if no war takes place, the American taxpayer must be put at risk.

And, as any sensible person would say at one time or another, we have all said that we want to avoid the casualties and terrible costs of war.

At one time or another many of us have rejected—and properly so—the notion that this conflict is about oil. I know of almost no one, including myself, who believes that we should shed the blood of even one American serviceman to prevent the price of gasoline from increasing from $1.30 to $1.70 per gallon.

At one time or another we have all acknowledged that the political boundaries in the Middle East are almost all arbitrary divisions drawn by the winners of the two World Wars, and that these countries, like Kuwait, lack the authenticity that we like to associate with a nation-state. Indeed it often seems that the Middle East is a region of warring tribes and villages, bent only on pursuing the vengences and vendettas of a thousand years. Why, we ask, should we side with one tribe against another in a tempest-tossed region where we have no blood ties to speak of and where religion, language, and traditions are utterly alien to most of us.

These are the questions we have raised, the opinions we have expressed, the issues we have debated.

Why? Because in a democracy we have the right—and the obligation—to debate these questions, opinions, and issues, freely and openly. And we should never hesitate to do so.

We are used to differences of opinion in the American political process. But despots and dictators do not necessarily understand that free debate implies any lack of resolve, or that difference of opinion means an inability to come to a clear and strong conclusion.

I believe we are dealing with a despot who thinks America has no will or staying power, that this is a man who has no comprehension of the democratic process and that Saddam Hussein will interpret every sign of hesitation or procrastination as confirmation that he has nothing to fear. And we all at one time or another have taken positions or made statements that he has taken to give him aid and comfort.

And so he can believe that the January 15 deadline means little or no increased risk to him and no reason to withdraw from Kuwait.

There is no doubt in my mind that if Iraq does not withdraw from Kuwait that the United States and our allies will go to war with Iraq. It may be sooner, it may be later, but it will happen if Saddam Hussein remains intransigent. And I am convinced that Saddam Hussein, if he gets a signal from the Senate and House that betrays any lack of resolve, will sit tight, not believing that he would then ever be put to the ultimate sanction of war.

Now is the time to make it clear to Saddam that the Congress and the American people share a sense of purpose and resolve, to disabuse him once and for all of the notion that our open and free debate means a free ride for his aggression and ambitions.

That is why I say that the time has come for us to fully commit ourselves to the one remaining alternative to war, namely demonstrating a purpose so clear and a resolve so strong that Saddam Hussein cannot be in doubt about the terrible consequences he will inflict on himself and his people because of his own disregard for human rights, international law, and any standard of civilized conduct among people and nations.

Mr. AKAKA. Mr. President, last week I took the Senate floor and stated that I would not support any action by any administration that unnecessarily or prematurely commits American soldiers to offensive military operations wherever world conflicts may occur.

This morning I voted against war and in favor of Senate Joint Resolution 1, which would have continued the application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait. Regretfully, it failed.

This afternoon Mr. President, we find ourselves at a critical crossroads in our Nation's history. The Bush administration—in keeping with article 1, section 8 of the Constitution—has come to Congress and requested specific authorization to initiate offensive military actions in the Persian Gulf if Saddam Hussein's army isn't out of Kuwait by the U.N.-imposed deadline of January 15, 1991.

As we consider the President's request today, there are two very important issues which must be addressed. One issue is procedural. It has to do with a very fundamental constitutional prerogative. That is, which of the three branches of our Federal Government has the responsibility and authority to declare war?

The second issue—related to the first—is substantive. Will the Congress, as duly elected representatives of the American people, authorize our President to send troops into battle in the Persian Gulf to achieve the commonly held objective of restoring the territorial integrity of Kuwait as a nation state in the Middle East?

Concerning the procedural issue, I am very pleased that the Bush administration has chosen to avoid a constitutional confrontation between the executive and legislative branches of government over this matter. The wording of the Constitution and the matter. The wording of the Constitution and the accompanying historical records appear to be quite clear. However, the practice of this and previous administrations with respect to American troop deployments and offensive engagements has—over time—been troubling to congressional leaders and constitutional scholars.

Under the Constitution, war powers are divided. Congress has the power to declare war and raise and support the Armed Forces (article I, section 8), while the President is Commander in Chief (article II, section 2). It is generally agreed that as Commander in Chief, the President is empowered to repel attacks against the United States.

During the Vietnam war, however, when the United States found itself involved for many years in an undeclared and unpopular war, Congress sought to reassert its authority to decide when the country should become involved in a war or the use of armed forces that might lead to war. As a result, On November 7, 1973, it passed the War Powers Resolution (Public Law 93-148) over the veto of President Richard Nixon. This legislation asserted Congress' exclusive authority and denied the President's authority to decide for war or peace.

Only last week, President Bush was holding steadfastly to the view that he had the authority to use force without a declaration of war by Congress and without any explicit authorization.

Needless to say, the American public breathed a collective sigh of relief when the President changed his view and recognized the constitutional imperative that he must obtain congressional approval to iniaite offensive military action in the Persian Gulf. This was a welcomed development and coincided with my cosponsorship of the Harkin resolution (S. Res. 8) which reaffirms the widely accepted legal view that it is Congress and Congress alone that has the power to declare war.

Let me turn now to the substantive issue of whether Congress should respond in the affirmative to the President's request that it approve the "use of all necessary means" to get Iraqi forces out of Kuwait.

I supported the President's decisive action to send U.S. military forces into the Persian Gulf under the auspices of the United Nations. There is no question that this action was necessary and appropriate in the face of the Iraqi invasion and occupation of neighboring Kuwait. Such unprovoked aggression by any nation should not be tolerated in a world governed by laws. The respect for international boundaries is fundamental to the maintenance of world peace.

Following Iraq's illegal takeover of Kuwait, the United Nations has adopted 12 resolutions over the past 5 months in an attempt to resolve the crisis peacefully and without the use of force. The center piece of the U.N. initiatives was an agreement to apply economic sanctions against Iraq which would result in its peaceful withdrawal from Kuwait.

The Bush administration has also been successful in assembling a multinational commitment of military force to deter further aggression by Iraq in the region. This development was critical because the situation in the Persian Gulf must not be seen as an American problem alone. It must be seen as a U.N. problem to be solved jointly by nations in league with one another.

Mr. President, it is important to note that in a crisis of this magnitude, this is the first time in the history of the United Nations that we've had a unified view of what must happen in the Persian Gulf. Achieving our objectives peacefully, even if it takes longer is always preferable to a military action and the accompanying bloodshed and anguish of war.

And that brings me to the questions at hand: Do we authorize the President to go to war to force the Iraqi Army out of Kuwait?

Clearly Mr. President, Iraq's invasion of Kuwait was outrageously immoral, and contrary to all precepts of international law. But is the immediate commitment of our troops into battle the proper the action to take given the situation at hand? Is war waged by 430,000 American men and women on behalf of Kuwait necessary or appropriate at this point in time? Is this the only policy option available to us to address this blatant act of aggression by Saddam Hussein and his Iraqi Army?

Mr. President, as I have said before, we should not shrink from the use of force. But war is not our only option, and I believe the use of force should never be a first-choice option. Force must only be used as a last resort and only to the degree necessary to accomplish the immediate objective at hand.

Based on the discouraging results of last Wednesday's meeting between Secretary Baker and Iraqi Foreign Minister Aziz, diplomatic initiatives to date have not been successful. Nevertheless, I have not given up on a peaceful solution to the gulf crisis. If there was a glimmer of hope that an immediate diplomatic and political solution might still be on the horizon—thus avoiding the possibility of a military confrontation—it was contained in Secretary Baker's comments that he welcomes the continued diplomatic efforts by the U.N. Secretary General Javier Perez de Cuellar. These 11th-hour diplomatic initiatives must continue to go forward.

Recent diplomatic setbacks aside, we have creditable evidence that the economic sanctions are working, Mr. President. Last month our Senate Foreign Relations Committee heard testimony that the sanctions have produced a 50-percent drop in Iraq's gross national product. This is three times the impact of any other economic sanctions this century and 18 times the impact that experts say is necessary to accomplish the political objectives of the sanctions.

Without the oil revenues Iraq has been unable to obtain replacement parts and supplies for its massive military war effort. Their equipment is running down, their economy is in shambles, and the morale of their troops is deteriorating.

It must be understood that patient diplomacy and the steady forceful pursuit of economic sanctions go hand in hand toward attaining a peaceful resolution of the crisis. Mr. President, with time on our side, I believe the U.N. blockade and embargo is the best weapon we can use to accomplish our objectives without resorting to the use of force.

As I stated earlier, we should not shrink from the use of force. But if force is eventually required, wouldn't it be better to face a rundown Iraqi Army in 12 or 18 months rather than its heavily equipped and well-supplied army of today?

And what about the cost, Mr. President? Not just in billions of dollars but in the lives of the men and women serving in our Armed Forces in the gulf. If we commit our troops to war now, Mr. President, conservative estimates are that it will result in the loss of thousands—perhaps even tens of thousands—of American lives. Is this bloodshed necessary? Can this tremendous loss of life be avoided?

Balance the commitment to war and the devastating impact it will have on the lives of American soldiers against the commitment to sanctions and the devastating impact they will have on the military capability of the Iraqi Army, and you must conclude that the pursuit of sanctions, not war should continue to be the first-choice option we use in our confrontation with Iraq.

There is one last issue, Mr. President, that also needs to be addressed. It has always been my belief that the primary responsibility for containing Saddam Hussein should fall to the United Nations and those countries most directly threatened by Iraq. This is in keeping with my view that the Persian Gulf crisis must not be seen as an American problem alone. Other nations with more at stake than the United States now must be prepared to step forward and equalize the risk and commitment to the objectives at hand.

In this regard, reports circulating earlier this week which indicate that some of the nations that have sent troops to the gulf may not be committed to actual combat—that they too would prefer to stand behind the sanctions as the best option to pursue at this point in time.

If this is true, then why is President Bush asking the American people to risk so much by rushing into a war with Iraq? The perception of the world community must not be that the United States is the hired gun of other nations. Nor can it be that we are a country that accepts and bears the burdens of fighting a war for those whose resolve may not be as great as ours.

Mr. President, it is for these reasons that I believe an offensive engagement by U.S. troops in the Persian Gulf may be unwarranted, and premature. As long as there is a reasonable basis for the attainment of a diplomatic settlement through the steady and persistent pursuit of sanctions, I cannot vote to authorize the President to go to war. Diplomacy and sanctions—not war—are the proper course for the United States to follow.

In conclusion, Mr. President, there is no disagreement between Congress and the Bush administration over what we are attempting to achieve in the Persian Gulf. The brutal, ruthless, unprovoked, and unprincipled Saddam Hussein must withdraw his army from Kuwait. Where we differ is the means we use to accomplish that objective.

I say no to war and yes to the steadfast, patient, united, multinational continuation of the economic sanctions against Iraq. I firmly believe that the embargo, the blockade, sanctions, and diplomacy should be used to attain a peaceful resolution of the crisis we face in the gulf.

And therefore, Mr. President, I cannot support Senate Joint Resolution 2 and I intend to vote "no."

The VICE PRESIDENT. Who yields time?

Mr. DOLE. Mr. President, I think I have 6 minutes; is that correct.

The VICE PRESIDENT. The Republican leader has 4 minutes remaining.

Mr. MITCHELL. Mr. President, I yield the remaining 3 minutes of my time to the Republican leader.

Mr. DOLE. Mr. President, we are not going to change any minds. I think everybody's mind has been made up. But I think in addition to a lot of hopes, there is a real world out there. I am not certain any of us can predict with certainty, if there should be a conflict, how many lives would be lost, how much of a cost, how long it would last.

I do believe that our best chance for peace and best hope for peace is to strengthen the President's hand in every way that we can.

The Senator from Illinois just indicated it is going to be closely divided. That is unfortunate. I wish it were not. I wish we could get consent, after the vote, to do it on a voice vote that everybody would support. I said I would not ask for that consent.

I am not so concerned about the message we send to the White House. I am more concerned about the message we send to Saddam Hussein. Somehow he has been forgotten in this debate. He started it. He can end it right now.

I agree with the majority leader that there is not one Senator in this body who wants war, not one on either side

of the aisle who wants war. I assume, by the same token, there is not one who does not want peace and a peaceful settlement.

Some have strong convictions following one path and some have strong convictions on another path, but I think the bottom line is that this is not a blank check, as far as this Senator is concerned. I intend to use my influence, if any, in every way that I can to find some peaceful way to resolve the current crisis.

It just seems to me that when we authorize, we do not mandate. We do not say that it has to be today, tomorrow, or next week. We authorize. I believe President Bush understands that it is an authorization. It is only an authorization.

After we vote, there will be a vote in the House on this same resolution. It is going to be a massive vote of support for President Bush, true bipartisanship in the House of Representatives, and I commend them for that.

I commend my colleagues on the other side who will support this resolution. I would encourage those who may have voted for the Nunn-Mitchell resolution to support this resolution. It is not contradictory. It demonstrates again that the primary message coming from the Congress today is to Saddam Hussein. The last time I checked, he was the real villain in this piece.

Mr. President, for many reasons, this is a very important vote. It is a very important time in history. The Senator from Connecticut pointed out that things in the Mideast are always difficult.

But if we postpone it for 6 weeks or 6 months or 1 year, is it going to be any less difficult? If we have a conflict at that time, will there be fewer casualties, or more? Will the stakes be higher or lower?

It seems to me that if we could encourage more of our colleagues—and I know that everyone has the same goal, and that is for Saddam Hussein to get out of Kuwait. But if he draws the same conclusion as the Senator from Illinois has drawn, that America is divided, that Congress is divided, he may think he is going to get a free ride; he is going to be rescued, maybe, by the Congress; we are going to throw him an anchor. But if we throw him one, I want it to go down.

Mr. President, I would hope my colleagues would support this resolution, the resolution offered by the distinguished Senator from Virginia [Mr. WARNER], the distinguished Senator from Connecticut [Mr. LIEBERMAN], and others of us on both sides of the aisle. This is the time. Oh, there will be other times, but this is the time to send the message. There is not much time left.

There is not much time left, and to President Bush I say, as I said earlier, this is to strengthen your hand; this is to give you every resource we can in the final 48 or 72 hours to send the message that we want a peaceful settlement.

And to Saddam Hussein, again, to underscore that same message, plus to send him an additional message that Congress has acted. We have had bipartisan debate, and we have had some partisan debate. But we are going to have a bipartisan result in the House of Representatives and the U.S. Senate.

So for all of us who want peace; for all of us who want to strengthen the President of the United States, along with 82 percent of the American people, the vote on this resolution should be yes.

Mr. President, I yield the floor.

Mr. MITCHELL. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

UNANIMOUS CONSENT AGREEMENT—HOUSE JOINT RESOLUTION 77

Mr. MITCHELL. Mr. President, I ask unanimous consent that if the Senate receives House Joint Resolution 77, the House companion to Senate Joint Resolution 2, the Warner-Dole resolution, from the House, and if the Senate has passed Senate Joint Resolution 2, at that point, the House Joint Resolution be deemed read three times and passed and the motion to reconsider be laid upon the table.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, for the information of Senators, this will be the last vote of the day. The Senate will continue in session following the vote in a period of morning business in which Senators will be permitted to speak.

And I now ask unanimous consent, Mr. President, that following the vote there be a period for morning business with Senators permitted to speak therein.

The VICE PRESIDENT. Without objection, it is so ordered.

PROGRAM

Mr. MITCHELL. Under the previous order, the Senate will be in session Monday, beginning at 12 noon, for the purpose of introducing bills, resolutions, and making statements with respect thereto, and we will have a further announcement beyond that on Monday.

Mr. DOLE. All bills?

Mr. MITCHELL. Let me make clear that on Monday, all bills of any kind, not just limited to the current situation. The Senators should be prepared to introduce their legislation; then they are free to speak with respect thereto at that time.

Mr. STEVENS. If the majority leader will yield, what about the remainder of the week?

Mr. MITCHELL. No decision has been made with respect to that. I will consult with the Republican leader, as I have every day for the past few weeks, on Monday, and we will make announcements on a day-to-day basis at that time.

I ask the Senators' patience and understanding in that regard, given the circumstances which now exist.

Mr. DOLE. Let me ask one additional unanimous-consent request, and that is that Members may supplement their remarks today.

Mr. MITCHELL. Mr. President, I so request.

The VICE PRESIDENT. Without objection, it is so ordered.

All time has expired.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The VICE PRESIDENT. The question is on the passage of Senate Joint Resolution 2.

The Chair reminds occupants of the galleries that demonstrations of approval or disapproval are prohibited.

The clerk will repeat the votes of Senators as they are recorded.

The question is, Shall the joint resolution pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from California [Mr. CRANSTON] is absent because of illness.

I further announce that, if present and voting, the Senator from California [Mr. CRANSTON] would vote "No."

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 2 Leg.]

YEAS—52

| | | |
|---|---|---|
| Bond | Graham | Packwood |
| Breaux | Gramm | Pressler |
| Brown | Hatch | Reid |
| Bryan | Heflin | Robb |
| Burns | Heinz | Roth |
| Chafee | Helms | Rudman |
| Coats | Jeffords | Shelby |
| Cochran | Johnston | Simpson |
| Cohen | Kassebaum | Smith |
| Craig | Kasten | Specter |
| D'Amato | Lieberman | Stevens |
| Danforth | Lott | Symms |
| Dole | Lugar | Thurmond |
| Domenici | McCain | Wallop |
| Durenberger | McConnell | Warner |
| Garn | Mack | Wilson |
| Gore | Murkowski | |
| Gorton | Nickles | |

NAYS—47

| | | |
|---|---|---|
| Adams | Daschle | Inouye |
| Akaka | DeConcini | Kennedy |
| Baucus | Dixon | Kerrey |
| Bentsen | Dodd | Kerry |
| Biden | Exon | Kohl |
| Bingaman | Ford | Lautenberg |
| Boren | Fowler | Leahy |
| Bradley | Glenn | Levin |
| Bumpers | Grassley | Metzenbaum |
| Burdick | Harkin | Mikulski |
| Byrd | Hatfield | Mitchell |
| Conrad | Hollings | Moynihan |

| | | |
|---|---|---|
| Nunn | Rockefeller | Simon |
| Pell | Sanford | Wellstone |
| Pryor | Sarbanes | Wirth |
| Riegle | Sasser | |

NOT VOTING—1

Cranston

So the joint resolution (S.J. Res. 2) was passed.

The preamble was agreed to.

The joint resolution (S.J. Res. 2) with its preamble is as follows:

S.J. RES. 2

Whereas the Government of Iraq without provocation invaded and occupied the territory of Kuwait on August 2, 1990; and

Whereas both the House of Representatives (in H.J. Res. 658 of the 101st Congress) and the Senate (in S. Con. Res. 147 of the 101st Congress) have condemned Iraq's invasion of Kuwait and declared their support for international action to reverse Iraq's aggression; and

Whereas Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

Whereas the international community has demanded that Iraq withdraw unconditionally and immediately from Kuwait and that Kuwait's independence and legitimate government be restored; and

Whereas the U.N. Security Council repeatedly affirmed the inherent right of individual or collective self-defense in response to the armed attack by Iraq against Kuwait in accordance with Article 51 of the U.N. Charter; and

Whereas, in the absence of full compliance by Iraq with its resolutions, the U.N. Security Council in Resolution 678 has authorized member states of the United Nations to use all necessary means, after January 15, 1991, to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area; and

Whereas Iraq has persisted in its illegal occupation of, and brutal aggression against Kuwait: Now, therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This joint resolution may be cited as the "Authorization for Use of Military Force Against Iraq Resolution".

**SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.**

(a) AUTHORIZATION.—The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolution 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF MILITARY FORCE IS NECESSARY.—Before exercising the authority granted in subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions cited in subsection (a); and

(2) those efforts have not been and would not be successful in obtaining such compliance.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specfic statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

**SEC. 3. REPORTS TO CONGRESS.**

At least once every 60 days, the President shall submit to the Congress a summary on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council in response to Iraq's aggression.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## ORDER PERMITTING SENATORS TO SPEAK

Mr. MITCHELL. Mr. President, there will now be a period for morning business, with Senators permitted to speak therein, pursuant to the previous order, and I will remain for as long as any Senator wishes to address the Senate.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MITCHELL. I yield the floor.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

## SOVIET INTIMIDATION OF THE BALTIC STATES

Mr. DODD. Mr. President, we have been in debate over these last 2 days on the most serious questions, of course, wrestling with the question of war and peace in the Middle East and the involvement of our Nation in that conflict. At the same time, Mr. President, another drama is unfolding in another part of the world. But for the events in the Middle East and but for this debate, I presume it would be the subject of significant debate here in the Senate of the United States. I speak specifically of the drama unfolding in the Baltic States.

This morning's headline and photograph of people facing down tanks once again is a chilling reminder that despite the freedoms we have seen in Central Europe and elsewhere that the cold war may not be entirely over. Although the continuing intimidation of the Baltic States by the Soviet Government seems to be a subject unrelated to the Gulf crisis, there is an ominous historical precedent that may actually link these two events: The precedent of Hungary and the Suez Canal in 1956.

Mr. President, I prepared these remarks several days ago, but because of the debate on the Persian Gulf was not able to give them. I noted this morning the Washington Post in its lead editorial makes that same analogy and draws that same conclusion that we ought to be reminded of the fall of 1956 when we were preoccupied with the Suez crisis and paid little or no attention to the invasion of the tanks rolling into Budapest. Yet, today we see the photograph on the front of the Washington Post of tanks once again being used in nations that achieved sovereignty long ago being threatened by Soviet intimidation.

For a number of days now, Mr. President, the Soviet authorities have conducted a campaign of escalating steps to threaten and intimidate the independent institutions of the Baltic States, Estonia, Latvia, and Lithuania.

I do not have to remind my colleagues of the way these small and peaceful nations came under Soviet domination. It happened under one of the most perfidious deals of the 20th century, the Molotov-Ribbentrop Pact of 1939. Stalin's invasion of these countries resulted in enormous devastation and suffering with thousands of citizens—particularly the intelligentsia—deported to Siberia or killed.

Mr. President, throughout a half century, these peoples have remained faithful to their cultures, and dedicated to the idea of regaining their independence and freedom in spite of all Soviet attempts to forcibly assimilate these peoples by suppressing their cultures and by moving masses of Russians to reside in these states. In this struggle to retain their identity the Baltic Nations were helped, at least spiritually, by the consistent refusal of the people and Government of the United States to recognize as valid the annexation of these countries into the Soviet Union.

The coming into power of Mikhail Gorbachev has opened a new chapter in history of the Baltic Nations. His bold reform course has opened up the opportunity for authentic political organization and action that was unprecedented during previous Soviet history. In a few months the Baltic Nations elected genuinely representative legislations, heads of state, and administrative organs. While the central Soviet authorities repeatedly tried to interfere with this process, no violent crackdown was attempted. Many of us started to be hopeful that this gradual self-liberation would be allowed to spill over quietly into full independence and freedom for these long-suffering peoples.

Recent developments in the Soviet Union threw cold water on these expectations, however. Apparently, the reform process has reached a crossroads that is very typical of similar processes. There comes a time when marginal changes have run their course, nothing more can be accomplished by tinkering and only two stark alternatives remain: Either a reaffirmation of the reforms by a bold step ahead, or backsliding into restoration. What is happening in the Soviet Union today is the fight between these two and the Baltic States are in danger of being used as pawns in this game.

The steps taken by the Soviet Government against the Baltic States in the past few weeks are greatly disturbing. Increasingly harsh and threatening rhetoric was followed by troop movements into these states, occupation of printing plants and television facilities by military forces and the position of troops in the vicinity of the Parliament of Lithuania. President Gorbachev himself hinted at establishing his own rule over Lithuania which would mean, of course, the suppression of the legitimately chosen leaders of that nation.

This course of events painfully remind one of the fall of 1956. On that occasion the Soviet leadership took advantage of the Western World's preoccupation with the Suez invasion by Britain, France, and Israel to send thousands of tanks into revolutionary Hungary and drown the revolution in blood. No one knows if the Soviets would have invaded without the Suez conflict, but most historians agree that Suez must have worked as encouragement for the Kremlin hardliners.

Western preoccupation with the gulf crisis and eagerness to secure Soviet consent and cooperation may have a similar effect on the calculations of today's Red Square reactionaries. It is our task, Mr. President, to leave no doubt in Soviet minds that this time it may not work as smoothly as in 1956, and there would be a stiff price to pay for any such adventure.

Two days ago I wrote to President Bush to urge him to reinforce to the Soviet leadership our support for the restoration of independence to the Baltic Nations. I asked him to let Mr. Gorbachev know that violent suppression of the independent institutions set up through the exercise of the right of self-determination by the Baltic peoples would rule out any chance that we would assist Soviet economic development in any meaningful fashion. While I wrote only for myself, I certainly hope that my colleagues would agree with me. I want to note, by the way, that I was pleased by the strong reaction of the White House to the latest acts of intimidation in the Baltics. I hope they continue.

Mr. President, Mr. Gorbachev faces another test of his dedication to a peaceful development toward freedom and democracy in the Soviet Union. Our taking a strong stand on behalf of the Baltic Nations will help him to choose reason and accommodation over darkness and oppression.

Mr. President, I ask unanimous consent that the text of my January letter to the President be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, DC, January 8, 1991.*

The PRESIDENT,
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: The latest reports of renewed pressure on the Baltic states by the central Soviet authorities fill me with great anxiety. There appears to be a program of escalating threats against these small, peaceful nations whose desire for freedom and independence has been endorsed by the American people and government ever since the Baltic states' forcible annexation by the Soviet Union.

Only a few months ago it seemed that the Soviet leadership had started to realize it had to rid itself of this legacy of Stalin. It was hoped that the time was approaching when Estonia, Latvia, and Lithuania might regain their independence.

Recent developments have thrown cold water on these hopes. Threatening words by President Gorbachev and other Soviet officials cannot be dismissed as mere posturing in light of the dire warnings included in the resignation speech of Eduard Shevardnadze. The words have been followed by deeds as in last week's occupation of Latvia's major printing plant by Soviet troops and in this week's reports of paratrooper reinforcements in the Baltic to enforce Soviet draft laws.

Mikhail Gorbachev has brought changes to the Soviet Union that would have been inconceivable just five years ago. For this he deserves a great amount of credit. At the same time the Soviet reform process may have arrived at a crucial crossroads, and it can no longer be certain whether in the present phase Mr. Gorbachev still represents progress. Our admiration for much that he has accomplished in the past few years must not compel us to continue to support him, should he decide to revert to dictatorship. Moreover, under no circumstances can we regard the Baltic nations as expendable pawns in this game.

Mr. President, I suggest that, as long as the intensive harassment of the Baltic nations continues, our diplomats stationed in Leningrad should be sent to the Baltic states with increased frequency to give a tangible form to our concern.

As for the longer view, I strongly urge you to reinforce to the Soviet leadership our support for the restoration of independence to the Baltic nations. Please tell Mr. Gorbachev that violent suppression of the independent institutions set up through the exercise of the right of self-determination by Estonians, Latvians, and Lithuanians during the past two years would rule out any chance that we would assist Soviet economic development in any fashion. Mr. Gorbachev should be left no doubt on the price he would be paying for choosing oppression over accommodation.

Sincerely,

CHRISTOPHER J. DODD,
*U.S. Senator.*

Mr. DODD. Mr. President, I should also note that I understand—I will let him speak for himself—the distinguished Senator from New Jersey has proposed a resolution which I am pleased to cosponsor on this very subject matter. I do not want to second guess his remarks, as he follows me. But seeing him here reminds me that in fact that resolution is being circulated. I urge all of my colleagues to join in that resolution. I know the preoccupation of the Persian Gulf is foremost in our minds but we cannot let silence from this Chamber and silence from our colleagues prevail with the threat that is occurring in the Baltic nations.

Mr. President, I urge that my colleagues communicate their thoughts through to the White House and support the Bradley resolution.

## THE PERSIAN GULF CRISIS

Mr. WALLOP. Mr. President, I am gratified by the passage of Senate Joint Resolution 2, the Dole-Warner resolution. The President now has the authority to use military force—but for the explicit purpose of driving the Iraqi invaders out of Kuwait. I have expressed on several occasions my fear that this policy goal aimed too low, that by itself it would not serve the national interests which supporters of the resolution have persistently invoked. If the President does end up launching an attack on Saddam Hussein's forces, the outcome of the operation must not merely be the liberation of Kuwait, but the destruction of Saddam Hussein, his brutal regime, and his offensive warmaking power as well. Anything less is only a half measure. A Saddam Hussein who exits all or a portion of Kuwait with his military and political power intact becomes an even greater menace than he appears today.

There remain serious diplomatic dangers and pitfalls along the pathway to this kind of true resolution to the crisis. I fear the possibility of an 11th-hour, bogus peace effort which will deprive the President of the initiative and leverage which he now enjoys, and his ability to bring about a permanent end to the Iraqi threat. In short, I urge the President and the Congress to beware of a false peace sponsored by the Soviet Union, the result of which may ultimately confirm Richard Nixon's admonition that a bad peace can be worse than war.

Lest my colleagues dismiss my concerns as unfounded, I call your attention to last night's CNN News broadcast, which announced that a Soviet peace initiative was already under way. And I have been advised that President Bush has already met with Soviet Ambassador Besmertnykh twice in the last 48 hours.

It's clear to me, Mr. President, that the Soviets have been playing a double

game from the beginning of this crisis. And with covert Soviet help and overt Soviet diplomacy, Saddam is now in the perfect position to negotiate us out of the Middle East, definitively. Here is how it might occur.

As soon as President Bush calls Mikhail Gorbachev to tell him he has decided to attack Saddam—which he should not do but surely will—Gorbachev will tell Saddam. Very quickly thereafter, Gorbachev will go on world television to announce that Saddam has begun to withdraw from Kuwait, and to invite a number of nations, including the United States, to a peace conference. Several things will happen instantly:

First, the United States will permanently lose the option to use military force, and everyone will know it. The near-half million troops in the area will become irritants. Iraq's withdrawal will slow and stop several times before reaching Basra Province. But no one will believe that the United States—having failed to fight for the whole of Kuwait will now go to war for a part of Kuwait—especially during a peace conference.

Second, the United States will accept Gorbachev's invitation. To do otherwise would be to impeach the main thrust of Bush-Baker diplomacy. But alas, it will also become obvious that the conference will be the very thing that the Soviet Union has been trying to get for a generation, Iraq has been demanding for months, and the United States has always opposed except for a few weeks of Jimmy Carter's term.

Third, the outcome of that conference will be predetermined: The United States out of the Middle East, plus Soviet backing for the dominant Arab power, plus universal pressure in the United States to turn against Israel—which we have in some measure already begun to do. After all, since the United States will have given up the option to fight, American troops will have no reason to remain in the gulf. Saddam Hussein will inevitably be acknowledged as the dominant military power in the region. Saudi Arabia and the Gulf States must necessarily scramble to accommodate him.

Fourth, nevertheless, the administration will put the best face on it all. Following the advice that Senator George Aiken gave about Vietnam, he will "Declare victory and come home," hoping that public understanding of the costs and ill effects of our reversal in the venture can be staved off as long as possible.

Several additional effects will take a little longer, but not much.

First, the United States will be treated like a leper by the Saudis, and possibly even the Egyptians, Turks, and Arab States who have come to regret heeding the call of our uncertain trumpet and getting involved with a United States that habitually winds up leaving its allies holding the bag.

I do not so much worry about Israel, at least not for some years. Israel is protected by its military capability and reputation for certain retaliation. I worry about Moslem allies who will be the immediate targets of strengthened pro-Saddam forces in their midst.

Second, the butcher of Lebanon, Syria's Hafez Assad, will join with the butcher of Baghdad in an uneasy alliance sponsored by the most murderous regime of all, the Soviet Union.

Third, in exchange for brokering "peace," Mikhail Gorbachev will request and receive the Bush administration's tacit blessing for reimposing the rule of the KGB on his country. This seems to have already happened, in fact. Even while we have been debating Iraq's aggression in Kuwait, the Soviet central authorities have launched a new round of repression in the Baltic States. The crackdown in the Baltics is clearly the price we have paid for the dubious value of Soviet membership in the anti-Iraq alliance.

Fourth, oil prices will stay high enough to channel lots of the working world's money into the pockets of the Soviet and Iraqi regimes. The Saudis? They won't be taken over so long as they agree to restrict production and pay lots of protection money.

And finally, when it comes time to return to Europe, the Bush administration will receive quiet messages from Mr. Gorbachev that the Soviet Union would consider our return provocative. Perhaps Saddam will also tell the German Government that it can expect a break in the price of oil if United States troops don't return to Germany but go home instead.

Mr. President, I earnestly hope events like these never take place, or are confronted as they happen, and that my worries will prove unfounded. But we Americans stand to pay a heavy price if the Congress, and President, and his Secretary of State do not consider the possibilities of such a scenario. We must remain alert to the manipulations of a hidden Soviet-Iraq condominium, and determine not to be outmaneuvered or deflected from our purposes. If we fail to remain clear thinking and alert, then the debate which we have just completed, and the votes we have just cast, will not have a salutary effect on the world, but will prove to have only blinded us to the real dangers.

I thank the Chair, and yield the floor.

## THE CRACKDOWN IN LITHUANIA

Mr. WALLOP. Mr. President, after weeks of mounting evidence that the central authorities in Moscow were preparing for a crackdown on dissenting Soviet Republics, the crackdown has begun finally in Lithuania. The action of the central authorities in Moscow speaks more loudly than all the words, all the meticulously calculated PR moves, and all the extolling of perestroika and glasnost. The action of Soviet paratroopers in the small brave Republic of Lithuania speaks not of a government seeking desperately to introduce democratic reform or to induce the flowering of a free market. No, such action only confirms what many of us have understood for some time—Soviet words and Soviet deeds are two drastically different things. And to base our own policies on their words and ignore the deeds is not only myopic, but dangerous.

Mr. President, I regret deeply that the United States has not spoken out strongly and unequivocally on the side of freedom and democracy in the Soviet Union, but rather has chosen to side unabashedly with Mr. Gorbachev, has chosen to stand resolutely behind keeping whole the last predatory empire on Earth. In doing so we have positioned ourselves squarely against the traditions and ideas on which America is based.

Why has this administration chosen to look the other way? Chosen to call Soviet military action in the Baltics, counterproductive, instead of rightly and harshly condemning such action? Quite simply this: Mr. Gorbachev has given us a favorable vote in the United Nations and he has hung together with us in a fragile coalition against Iraq, and for this, we are willing to wink, willing to give up whatever leverage we may have with the Soviet Union by way of trade or credit advantages. If this is the price we must pay for Soviet compliance—to look the other way when annexed nations seek our moral support for independence and democracy, to allocate, in the face of crackdown, $900 million in agricultural credit guarantees—then, Mr. President, the price is too high. Soviet compliance with our goals in the gulf is not worth the continued oppression of a nation of freedom-seeking people. To think so would be to deny not only our own history and our own most fundamental values. No, Mr. President, to listen to, to believe, and to act according to all the talk coming from Moscow and not according to the dangerous signals of dictatorship coming from that country is to make a dangerous Faustian pact, one which we will surely come to regret, and which history will record to our shame.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. For what purpose does the Senator from Arizona seek recognition?

Mr. McCAIN. Mr. President, I request unanimous consent to speak on the

subject at hand as if in morning business for 5 minutes.

The PRESIDING OFFICER. The Chair recognized the Senator from New Jersey to speak.

Mr. MCCAIN. Mr. President, will we be going, as is normal procedure, back from one side of the aisle to the other or will we just as has happened all too often recently stay on one side of the aisle rather than go back and forth?

The PRESIDING OFFICER. The Chair will try to go back and forth. Senator BRADLEY asked for recognition and to speak on the same subject as Senator DODD, presumably.

## SOVIET MILITARY OCCUPATION OF THE BALTIC STATES

Mr. BRADLEY. Mr. President, naturally today our minds and our hearts go out to our troops in the Persian Gulf. Serious and sober decisions have been made by this body today. Naturally, they have occupied the bulk of our attention over the last several days.

But there is another event taking place in the world that merits our attention. Glasnost in the Soviet Union appears to be dying. In the last 48 hours, we clearly see what Foreign Minister Shevardnadze meant when he resigned, saying that "dictatorship was gaining ground" in the Soviet Union. For the third time in nearly 51 years, the Soviet Union has begun a military occupation of the Baltic States.

The President Ruutel of Estonia has conveyed that he has been informed that 2,000 paratroopers will be in his republic by tomorrow.

In Latvia, armored personnel carriers are rolling through the country today.

In Lithuania, over the last 48 hours there has been a sequence of events that are ominous and that cannot go uunremarked upon.

At 9 p.m. last night, Soviet troops seized a TV transmission station 20 miles north of Vilnius, the capital of Lithuania, a transmission station that is absolutely essential to the transmission of TV signals throughout the republic.

At 11 p.m. last night, Soviet troops seized the railway central headquarters in Vilnius. About 50 trains, including international trains, are stopped there.

At 1 a.m. yesterday morning, January 12, the second building of the Lithuania defense department in Vilnius was stormed by Soviet paratroopers. Two employees were seriously wounded, blood was spilled, and inside the building soldiers exploded grenades inflicting serious material damage.

At 3:15 a.m. last night, a local police unit was attacked and seized by Soviet paratroopers and the policemen were disarmed and captured.

At 5 a.m. this morning, Soviet troops surrounded the Lithuanian police.

All night last night Soviet tanks and armored carriers were moving around the center of Vilnius in an attempt to intimidate citizens.

There is no possibility to print any newspaper at this time. The Soviet authorities have taken control of the publishing and press center. New Soviet army units are arriving every day in the Republic of Lithuania. Four hundred paratroopers have just arrived from the Kaliningrad district.

Indeed, Mr. President, what we are witnessing in the last 48 hours is, as I said, the third time in 50 years that the Soviet Union is occupying the Baltic States.

What has been the reaction to this occupation?

In Moscow, according to AP Boris Yeltsin—the President of the Russian Republic, the largest republic in the Soviet Union—strongly protected the use of military force against the Baltics. He said it could produce violence in other republics and regions and unleash, in his words, "wide-scale civil conflict." Yeltsin called for an emergency session of Russia's executive council today to pass a toughly worded statement. He then met with our Ambassador Matlock to talk about the Baltic turmoil, and later Yeltsin personally delivered the statement to Mr. Gorbachev and other members of the National Federation Council meeting in the Kremlin.

That is what Mr. Yeltsin has done. The charge d'affaires of the Baltic Republics here in Washington earlier today issued a lengthy statement.

I will read but two paragraphs from this statement. This is a statement of the charge d'affaires of Lithuania, Latvia, and Estonia. It says:

> In deploying troops to forceably conscript Baltic citizens into the Soviet armed forces, President Mikhail Gorbachev has violated Soviet law. The use of the military to reassert illegal Soviet rule in Lithuania is a violation of international law. The use of force against unarmed Lithuanian citizens is a violation of all codes of human conduct and decency.
>
> Through these actions, Soviet President Mikhail Gorbachev has undertaken a course of action which in principle, differs little from what Joseph Stalin did in the Baltic States in 1940, and what Saddam Hussein is doing in Kuwait today.

Mr. President, those are but two paragraphs of the statement issued today by the three charge d'affaires of the Baltic Republics.

The European Community has already condemned this occupation. Poland has not only condemned the occupation but has referred to the status of the Baltics as independent nations.

Mr. President, what has President Bush and his administration done during this turmoil?

He spoke with President Gorbachev yesterday. On the Baltic issue he said that Soviet actions were counterproductive.

Mr. President, I would say they are a little more than counterproductive. I would say they offend the basic principles upon which this country was founded.

Further, when asked by the press why he did not say more, President Bush said that, "The Soviet Union knows where we stand." Indeed, regrettably, Mr. President, it appears that we stand for stability in the short run rather than democratic reform in the long run.

Mr. President, it is a sad irony—I should modify that to give it the benefit of the doubt—to say that it would be a sad irony if the price of Soviet support for freeing Kuwait turns out to be American acquiescence in Soviet aggression against other small illegally annexed nations.

Mr. President, it is with this background in mind that yesterday I introduced a resolution on the Baltics that was cosponsored by 24 Senators: Senators DOLE, MITCHELL, PELL, HELMS, D'AMATO, KOHL, MIKULSKI, KASTEN, GLENN, RIEGLE, DIXON, WARNER, THURMOND, SIMON, GRAHAM, MOYNIHAN, DECONCINI, METZENBAUM, MCCAIN, MACK, LUGAR, AKAKA, BRYAN, SARBANES, and GRASSLEY.

Mr. President, the resolution cosponsored by 24 U.S. Senators passed last night because I felt that it was important that the Senate go on record clearly stating our view of the events taking place in the Baltics. That resolution stated as follows:

> Whereas President Gorbachev has deployed Soviet troops to Lithuania and begun to use force to impose his rule in place of the democratically elected government of Lithuania;
>
> Whereas the United States has never recognized the forcible annexation of Lithuania, Latvia, and Estonia into the Soviet Union;
>
> Whereas these Baltic nations have been at the forefront of economic reform and real democratization among the people of the Soviet Union; and
>
> Whereas the government of Lithuania has responded with an urgent appeal for the immediate support of all democratic countries to protect the independence and democracy of Lithuania and the other Baltic States: Now, therefore, be it
>
> *Resolved*, That the Senate calls on President Gorbachev to refrain from further use of coercive tactics against the democratically elected government of Lithuania, Latvia, or Estonia. Such coercive tactics are unacceptable among the community of democratic nations and especially so at a time when the world, including the Soviet Union itself, is united in opposition to the forcible annexation of another small nation, Kuwait, by its brutal neighbor, Iraq.

Mr. President, the Senate, by passing that resolution in the early morning hours last night, has sent a clear message to the Soviet Union that it is difficult to continue progress and a relationship if the conduct of the other party includes a military occupation and brutal repression of basic democratic rights by countries that have never been recognized as being a part

of the Soviet Union by the United States of America.

Mr. President, I would hope that in some small way—and this morning my office was called by the Soviet Embassy wanting a copy of this resolution—that in some small way those of us who feel strongly about this issue—and I believe it is far more than the 24 cosponsors that I had on the resolution when it passed, and I believe it is both on the Republican and the Democratic side—that in some small way the United States Senate might put a red flag for Mr. Gorbachev before he moves further down the path envisioned and sensed by Mr. Shevardnadze when he resigned by saying that in the Soviet Union dictatorship is gaining ground.

Mr. DODD. Will my colleague yield for a second? I wanted to express to my colleague, I did not stay around all last evening. I knew the resolution had been passed. I informed my staff to put me on as a cosponsor. I do not know if they did get there in time before it was adopted. Let me commend him for achieving that result I presume late last evening.

As he points out, in the midst of all of the discussion on the Persian Gulf this issue has not been the subject of normal debate as it would be, in my view, in the absence of that. He points out correctly that it is too coincidental for this Senator's taste that we are having these chummy conversations with Mikhail Gorbachev over how to handle the Persian Gulf while tanks are rolling into Lithuania. His resolution I hope does get the attention of Soviet authorities.

I hope even maybe this small debate—I gather our colleague from Arizona and others may be talking on this—maybe this debate, a little bit of this discussion will also be heard so that before they repeat the actions of 1956 in Budapest they will understand that in fact there will be a price that will have to be paid if they use that kind of force to crush these three small nations who are seeking their freedom.

I commend the Senator on the resolution, and I apologize for suggesting that it may not have been adopted yet. I did not realize that.

Mr. BRADLEY. I thank the Senator from Connecticut for his remarks. He will be added as a cosponsor, as well as the Senator from Iowa [Mr. GRASSLEY] who sought recognition for that purpose a few minutes earlier.

Again, let me express my appreciation to one of the original cosponsors, Senator MCCAIN, for being on the floor, I think to speak about this subject, and also of course, Senator BIDEN who is subcommittee chairman for European affairs of the Foreign Relations Committee. He has also been added as a cosponsor.

Mr. FOWLER. Will the Senator from New Jersey also add me as a cosponsor?

Mr. BRADLEY. I add the distinguished Senator from Georgia as a cosponsor as well.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I rise to express my hope on the Persian Gulf resolution since I refrained during the debate. I approached this decision after talking and hearing from thousands of constitutents. It is an individual decision to make without any influence from the administration or even my colleagues.

My votes reflect feelings expressed to Iowans in many different meetings and settings in my State over the last 2 to 3 months. There is in my State a principle of Iowa politics that a representative of the people should vote in Congress the way that we speak to our constituents in Iowa. So my vote or votes today should surprise no constituent of mine. I voted as I related my principles and thought processes to my constituents.

Mr. President, we, in this Congress, have been in the process of what is one of the most urgent, if not most important debates, and decisions that most of us will ever undertake in our lifetimes.

It was with a very heavy burden that I cast my vote on what Secretary Baker has properly referred to as a "defining moment in history."

Let me say from the outset, that no matter what the result of this debate was going to be, everyone knows that the President will be overwhelmingly supported by the Congress and the American people if he decides that offensive military action is necessary. Once troops are committed, Congress will not undercut them, and it will be Saddam Hussein's greatest mistake if he fails to take this into account. And let me emphasize, that, even though my votes were with the minority, I am totally committed to support our troops under any and all circumstances. All 100 of us owe it to our men and women in uniform.

Secretary Baker's report on his failed meeting with Foreign Minister Aziz was a tremendous disappointment to all of us. I was hoping for a miracle—hoping for an answer to my prayers—but it did not happen. Now, we must continue to hope that some way—a path to peace—can be found by other means. And my prayers go out to those, such as Secretary General Perez de Cuellar, who continue the quest.

This debate today revolved around disagreements on both policy and procedure. Policywise, should the United States go to war soon after the U.N. deadline of January 15? Procedurally, the question is where does the President's authority to conduct foreign policy and lead our Armed Forces end, and the Congress' constitutional power to declare war begin?

There is no question that the President's policy of containing Iraq has been enormously successful and enjoys universal support. I differ with the President only on how to go beyond this containment policy in actually liberating Kuwait and disarming Saddam Hussein. The President appears ready to go to war. I understand the need to, at least, appear we are prepared to go to war, because a credible threat of war can, indeed, actually prevent war.

However, for the last 2 months, I have encouraged the continuation of sanctions and diplomatic efforts. The President has successfully orchestrated the most encompassing and universally supported policy of economic sanctions in history.

If it is agreed, as the President has said, that sanctions are not, and will not, work, then the use of economic sanctions will no longer be a viable option in confronting aggression in the future. If we are ready to give up on sanctions now, then we will be giving up on sanctions forever. If we cannot bring a tin-horn, Third World dictator to his knees through sanctions that are being nearly universally enforced, then sanctions will never be successful against anyone. Are we ready to accept this defeat?

I, for one, am not ready to cast the present or future use of sanctions onto the dust-heap of history, because the only next step is likely to be war.

Accordingly, I do not believe the President has made the case that sanctions are not working. As has been noted, CIA Director Webster has publicly disagreed with the President by testifying that sanctions are working and will continue to weaken Iraq's military capability. Now, I understand that Director Webster has recently modified this assessment by stating that sanctions, without a credible show of military force, will not lead to Iraq's withdrawal from Kuwait.

Well, Mr. President, I suggest that our force of over 400,000 soldiers is a credible show of force, and can therefore, along with continued sanctions, eventually help force Saddam Hussein out of Kuwait.

Mr. President, the other question that was before us revolves around the respective contrasting powers of the Presidency and Congress in making war. This question, Mr. President, will never be totally answered. There have been around 200 military confrontations of varying scale in our history and only five actual declarations of war. In nearly all of these cases, the Congress basically abdicated its power by merely going along with the President for various reasons.

Few will challenge a President's authority once troops have been committed. If Congress does attempt to challenge a President, the only arbiter—the courts—will refuse to take sides be-

cause of the political questions involved.

Even today, Congress is skirting the issue. We are not voting on declaring war, which is the power the Constitution confers upon Congress. We are merely voting, at the most, on authorizing force, and this is being done over 5 months after the conflict began. Perhaps this fulfills our constitutional duty, it is a less than courageous way of doing it. Nevertheless, this is the procedure that has been taken, and we will have to live with the consequences.

Mr. President, this is a time of questioning, but not of division. The majority leader was correct in saying that regardless of the outcome of this debate, we all agree that Iraq must leave Kuwait.

I have approached the ultimate votes with a great deal of soul-searching and even sadness. But I have not given up hope.

As a conservative Republican, it is very difficult for me to be the only Republican to differ with the President on such a major issue as war and peace. But, I only differ on how to achieve the goal of dislodging Iraq from Kuwait—not the goal itself.

Much has been said about the so-called new world order and what it means. Well, Mr. President, I certainly could never be accused of being a cold war pacifist. But I am not ready to be a new world warrior either.

Casting any partisanship aside, it appears to me that the resolution offered by the majority leader and others was a reasonable one. While it emphasized that sanctions and diplomacy should be continued, it left the door open for Congress to consider a future declaration of war or a wider authorization of force. At the same time, it authorized force to protect our men and women in the gulf. To me, this is a prudent course of action.

These decisions should be above any partisanship. Now is not the time to make something Democrat versus Republican. These are decisions of conscience. And I was just trying, after a tremendous amount of soul-searching, to do what I thought was right.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

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## BALTIC STATES

Mr. BIDEN. Mr. President, I do not want to take advantage of the suggestion of the Senator from Arizona that we go back and forth, but I will tell him that I will only be about 60 seconds.

Mr. President, I strongly support, and am pleased to cosponsor, the resolution offered by the Senator from New Jersey. I commend him for his leadership on this question.

The shocking actions of Soviet troops in Lithuania in the past 48 hours have confirmed our fears—and the dire warnings of Foreign Minister Eduard Shevardnadze—that the Soviet Union could be sliding into dictatorship.

Yet these fears and warnings go largely unnoticed in the United States, where we are preoccupied with the Gulf crisis, a crisis that prevents us from dealing with other international issues. Of course we must give due attention to the situation in the Middle East, where nearly half a million U.S. troops stand poised to heed a call to arms. But we must not let the gulf crisis prevent us from dealing with equaly important events around the world.

Indeed, I believe that the changes in the Soviet system are actually more important to the vital interests of the United States than is the liberation of Kuwait. Only when we learn this lesson can we give proper attention, and achieve proper perspective, on the revolution occurring in the U.S.S.R.

President Bush himself seems not to notice; earlier this week, the White House issued a perfunctory statement declaring that the actions of the Soviet troops were counterproductive, a shameful act of acquiescence that he will, I predict, come to regret.

Mr. President, we must send a strong, unambiguous message to Moscow that the events occurring in Vilnius are simply unacceptable. Since President Bush will not send it, the Senate must. And in hearing this message, the Kremlin must learn that the Soviet Union cannot join the Western community of nations while such repressive acts continue.

I will say no more at the moment, other than to tell the Senator from Arizona that he has probably regretted for a moment he suggested that we go back and forth, but hopefully relieved that I will not speak any longer on this subject, since I have spoken so much in the last 2 days on the previous resolution.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I thank my good friend from Delaware. Many Members of this body are not aware that we have been friends for many years, and I am always grateful for his courtesy and his friendship.

I am also grateful, Mr. President, for the leadership that the Senator from New Jersey [Mr. BRADLEY] is displaying on this issue. I think the Senator from Delaware is correct when he states that events that are transpiring in the Baltic, although overshadowed by those in the Persian Gulf, have a longer lasting and more significant impact for world peace than many of us realize.

Mr. President, I think the Senator from New Jersey is entirely appropriate in bringing this issue to this body. In fact, I question whether Mr. Gorbachev would have been able to act with the relative impunity with which he has acted in the last few days, if it were not for the fact that the attention of world and the American people has been focused on events in the Persian Gulf.

I will not take a lot of time to discuss this situation, because there is little I need do to elaborate on the remarks of the Senator from New Jersey, except to say that they are true.

I do, however, want to say that the issue is not simply Lithuania, it is freedom throughout the Soviet Union. No state is safe where tanks and paratroopers rule instead of freely elected representatives: Lithuania today, Estonia tomorrow, Latvia, Georgia, Azerbaidzhan.

If we allow President Gorbachev's actions to go unchecked, unpunished, almost uncommented upon, how can we hope that he will end the kind of behavior that we condemned so strongly in 1956 after the invasion of Budapest, and then again in 1968 in Czechoslovakia?

The Senator from New Jersey has also pointed out a fact that I am afraid most Americans do not appreciate. The United States has never recognized the incorporation of the Baltic States nations into the Soviet Union. They remain sovereign nations, and Moscow must now respect their sovereignty. We cannot again let them fall under the darkness of tyranny. The United States must make clear to Mr. Gorbachev that all the progress that we have made in the past few years is going to come to naught unless he reverses his actions.

Mr. President, we also must recognize that some of the most important leaders in the Soviet Union share this view. Boris Yeltsin, the President of the Republic of Russia, has strongly protested the use of military force against the Baltics, according to an AP wire story dated today. President Yeltsin also warned that this action in the Baltics could provoke violence in other regions and unleash wide-scale civil conflict.

Mr. President, that warning does not come from an American; it comes from Boris Yeltsin, the freely elected President of the largest republic of the Soviet Union. It also is a strong and urgent warning. President Yeltsin, with our Ambassador, said he personally delivered the statement to Mr. Gorbachev.

If Boris Yeltsin is that concerned I think we should be also. In fact, what we are seeing today is a test of whether the cold war has really ended. I have believed for some months that the cold war is over, but I and all Americans may now have to rethink that opinion. We may rapidly see a reawakening of all the tensions that characterized our relations with the Soviet Union after World War II, if something is not done.

We may see the Soviet Union turn back to authoritarianism and militarism.

We cannot simply stand aside and watch this happen. This Congress and this Government must now ask itself what flow of trade and what aid we should extend to the Soviet Union in light of its recent actions.

Mr. President, I do not want to see Soviet children starve. None of us do. I think we enacted the right policy, and executed the right actions, when we sent food and gave food credits to the Soviet Union. We should not halt that flow of food now. However, all our other aid and assistance must be reevaluated in light of these events. We cannot allow any leader of any nation, no matter how dearly we want peace, to trample on the basic human rights to which they are entitled and this Nation has so often sacrificed its young men and women in defense of in all four corners of the globe.

I not only urge all my colleagues to support the implementation of the very important resolution by the Senator from New Jersey, I urge the American people and executive branch of this Government to take notice of the tragic events that are transpiring and to do everything in our power to bring them to an immediate halt.

Mr. President, I appreciate the indulgence of my colleagues, and I yield the floor.

The PRESIDING OFFICER. (Mr. WIRTH). The Senator from Hawaii.

Mr. AKAKA. Mr. President, I ask unanimous consent to speak for 1 minute as though in morning business.

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

## THE AUTHORITY TO USE FORCE IN THE MIDDLE EAST

Mr. AKAKA. Mr. President, now that the Senate has passed Senate Joint Resolution 2 and the other body its companion measure, President Bush will have the authority to use military force in the Middle East. The people of American have now heard from the Congress and have heard from the administration, so our Nation will move forward with what the Senate and the House has voted on.

I rise today, Mr. President, only to urge President Bush to exercise patience, and give international embargos, blockades, sanctions, and diplomacy a chance to work. He owes this to our country.

I yield the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

## THE BALTICS AND THE MIDDLE EAST

Mr. RIEGLE. Mr. President, I want to comment on two or three things, and I also will attempt to be brief here. I want to begin by strongly supporting the statements of Senator BRADLEY, Senator DODD, and others with respect to expressing great concern and distress about the events in the Baltic States that have been presented here.

I mentioned these in my remarks yesterday. But clearly the assault by Soviet forces into Lithuania and the clear effort to intimidate the other captive nations that now have put in place democratic practices and governments within their respective republics is a matter of grave concern, and I am troubled that our Government is not doing much about it. I understand why. We are distracted in large measure by the events in the Persian Gulf, but I suspect as well that we are soft-peddling events going on in what is called the Soviet Union because we do not want to rock the boat with respect to the fact that the Soviets have given us some measure of support for the proposition of undertaking an American war in the Persian Gulf. So, in a sense, part of the price that we are paying, or so it appears to me, for Soviet support of our Persian Gulf policy is the fact that we seem to be doing very little to impress strongly on Gorbachev and the other military leaders in the Soviet Union that what they are doing in the Baltic States is outrageous and it is wrong and it ought to be stopped now.

I wrote the President a letter the other day, on the 10th of this month, on this subject, and that letter was signed, in addition, by Senators DIXON, KERRY, BRADLEY, D'AMATO, LEVIN, GLENN, COATS, DECONCINI, WALLOP, INOUYE, and MIKULSKI. But for the need to conclude the circulation for signatures in order to get the letter to the President, I am sure we could have gained many more. That letter calls upon the President to use the strength and leverage of this Government to work in a restraining way on the forces that are being applied in such a brutal fashion against people who only want the right to be self-governing in the Baltic States.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated January 10, 1991, to the President.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, DC, January 10, 1991.*

Hon. GEORGE BUSH,
*The White House, Washington, DC.*

DEAR MR. PRESIDENT: We are deeply concerned over this morning's reports of Soviet troop movements in Lithuania, which come on the heels of the announced deployment of Soviet paratroopers into the Baltic States to enforce conscription of Baltic citizens into the Soviet Army. This development has dramatically heightened tensions and instability in the Baltic States, and we urge you to take immediate steps to prevent a further deterioration of the situation there.

Today's disturbing events—the latest in a series of increasingly provocative and intimidating actions by Soviet officials toward the Baltic states—appear to legitimize the Baltic leaders' fears of a violent Soviet crackdown in the Baltics.

Over the past several months, calls have come from Moscow to dissolve the duly-elected parliaments of the Baltic States and impose rule by presidential decree. Soviet President Gorbachev has sharply intensified his anti-independence rhetoric, and ominously replaced the relatively moderate Interior Minister Bakatin with the widely feared and hated former Latvian KGB Chief Pugo. Soviet KGB Chief Kryuchkov has accused the nationalist movements of being "masterminded" by foreign espionage organizations "waging an undeclared war" on the USSR. And, in Riga last month, over 500 Soviet military officers from the Baltic region called for the use of "all possible measures up to and including martial law" to "defend the unity of the USSR."

This Cold War rhetoric has been accompanied by hostile actions as well. In November, anti-army protesters in Lithuania were sprayed with water hoses, fired on with blanks and beaten by Soviet soldiers. In Latvia, over a dozen explosions have rocked Riga and other cities since December, orchestrated, in the opinion of the Latvian government, by pro-Soviet forces in order to create a sense of instability and provide a pretext for introducing presidential rule. Last week, special "Black Beret" forces of the Soviet Interior Ministry occupied the central publishing establishment in Riga, placed its director under house arrest, held Latvia's vice president at gunpoint, and opened fire on a Latvian Interior Ministry vehicle.

Our government must make it absolutely clear to Moscow that our involvement in the Gulf does not in any way diminish our commitment to Baltic freedom. First and foremost, President Gorbachev must know that US-Soviet relations will suffer—including the suspension of economic benefits to his country—unless Moscow replaces its current aggressive tactics with good-faith negotiations on the restoration of Baltic independence.

Second, given our 50-year non-recognition policy, which rejects Soviet illegal occupation of the Baltic States, we view any forced conscription of Baltic citizens into the Soviet military as a blatant violation of the 1949 Geneva Convention. We urge you to raise the issue of forced conscription in the United Nations and other appropriate international forums.

Rather than appearing to reward the Soviets' use of military intimidation, we must impress upon them that, as Foreign Minister Shevardnadze so courageously stated, the greatest threat to progress in the USSR lies not in nationalism and democracy but in a return to dictatorship.

Sincerely,

Donald W. Riegle, Alan J. Dixon, John F. Kerry, Alfonse D'Amato, John Glenn, Dennis DeConcini, Daniel K. Inouye, Bill Bradley, Carl Levin, Dan Coats, Malcolm Wallop, Barbara A. Mikulski, U.S. Senators.

As I said yesterday, on the issue in the Baltic States today, we have an issue of democracy on the line. It is not democracy that is on the line in Kuwait. It has not been, is not now, and will not be in the future. That country has been ruled by a monarchy. I do not happen to care much for monarchies, but I care very much for democracies, and I would like to see more effort by

our Government in behalf of the defense of the democracies in the Baltic States. Now is the time to show that kind of concern by our Government and not be so focused alone on the Persian Gulf that we fail to respond adequately at a time of crisis in the Baltic States.

Next, if I may, I wish to comment very briefly on the votes that we have had here today because I think they require some reflection.

As I read the vote totals on S. 1 and S. 2, I draw from that that 47 Senators here today said by their votes, "Stop the rush to war."

On the other side there were 52 votes, Senators who are prepared to authorize and see our country undertake a war at this time. That division, as close as it was, says to me that starting an American war now is not a wise course of action. There is not the kind of broad consensus in the land or in this Chamber that I think is needed for a step that is as awesome and as transforming as that step will be.

Someone said in the debate earlier today that we really cannot afford to keep our military forces out there in the field much longer without using them, without throwing them into battle. As I listened to that I thought to myself that history proves just the reverse. Think about it for a minute. After World War II, in order to maintain stability in Europe, we stationed hundreds of thousands of American combat troops in that area of the world. They are there today. They have been there for some 45 years, hundreds of thousands of them. And they are there this very minute in Europe.

So regarding the idea that a policy of deploying force and keeping it in place and not starting a war is somehow bad strategy or unworkable strategy, our history is exactly to the reverse and we have seen that strategy work. We now see the Soviet Union in a form of collapse. We have not seen additional aggressive efforts taken in Europe. And the deployment of those American forces without a war, without shots being fired, over four decades, has been a strategy that worked for this country.

So we have time, I think, to give our sanctions policy, give the economic embargo, give the diplomatic efforts, an appropriate period of time to work.

We have let them work, in effect, in Europe for 45 years. So the notion that we have to rush into a war with somebody else's sons and daughters I think is a dangerous notion and I do not think it is the strategy that we ought to follow at this time.

I want to say something about the independence and courage, in my view, of the Senator from Iowa [Mr. GRASSLEY]. I used to serve in that party some years back. And in either party it is not easy to be a person who casts a dissenting vote, particularly if the President of your party is seeking your support on an issue, and particularly one of this scope and scale. It is very difficult to have what it takes to be independent enough of mind to cast a vote that you think is right, despite the pressure that is present.

I know something of that pressure because I have lived through that exact same experience in the other party. So my hat is off to Senator GRASSLEY for the strength of his convictions. I think his independence of mind and his willingness to vote his conscience under the circumstances is a real mark of the strength of that particular man.

In saying that I do not degrade anybody else's decisions or purposes, or what-have-you. But I think he deserves to be acknowledged. I wanted to make that comment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

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## THE IMPACT OF ECONOMIC SANCTIONS ON IRAQ AND CONSULTATIONS

Mr. WARNER. Mr. President, during this debate I made available to my colleagues a letter by Judge William Webster, the Director of Central Intelligence, on the impact of sanctions on Iraq. I will ask to have a copy of Judge Webster's letter printed in the RECORD with my remarks. The refined judgments in this letter are the product of 5 months of in-depth analysis by the intelligence community, and I urge all Members to study it carefully.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CENTRAL INTELLIGENCE AGENCY,
*Washington, DC, January 10, 1991.*

Hon. LES ASPIN,
*Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: This is in response to your letter of January 9, 1991, in which you ask for an updated assessment of the impact of sanctions on Iraq and on the policies of Saddam Hussein subsequent to my testimony before your committee in December. In that testimony, as you accurately noted, I observed that the sanctions were effective technically and that they were being felt economically and eventually would be felt militarily in some areas. I also testified that there was no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait.

You now ask me to: (1) address the impact of the sanctions on the economy and populace of Iraq and on the operational effectiveness of its military if left in place for another six to 12 months; (2) address the question of how Iraq's defensive abilities might be affected by the sanctions on the one hand and by having additional time to prepare on the other if sanctions are allowed to work for another six to 12 months; and (3) address the likelihood that sanctions, again if left in place for another six to 12 months, could induce Iraq to withdraw from Kuwait.

UN sanctions have shut off nearly all Iraq's trade and financial activity and weakened its economy, but disruptions in most sectors are not serious yet. The impact of sanctions has varied by sector. The most serious impact so far has been on the financial sector, where hard currency shortages have led Baghdad to take a variety of unusual steps to conserve or raise even small amounts of foreign exchange. For the populace, the most serious impact has been inflation.

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next six to twelve months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period. Iraq's infantry and artillery forces—the key elements of Iraq's initial defense—probably would not suffer significantly as a result of sanctions. Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and atillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength. Iraq's armored and mechanized forces will be degraded somewhat from continued sanctions. The number of inoperable Iraqi armored and other vehicles will grow gradually and the readiness of their crews will decline as Baghdad is forced to curb its training activities. Iraq has large stocks of spare parts and other supplies, however, which will ameliorate the effect of these problems. On balance, the marginal decline of combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications. While the military, especially the army, has been protected from the impact of sanctions by stockpiling and minimal usage, during a military action the impact would be more profound as equipment and needed parts are expended.

Iraq's Air Force and air defenses are likely to be hit far more severely than its Army, if effective sanctions are maintained for another six to twelve months. This degradation will diminish Iraq's ability to defend its strategic assets from air attack and reduce its ability to conduct similar attacks on its neighbors. It would have only a marginal impact on Saddam's ability to hold Kuwait and southern Iraq. The Iraqi Air Force is not likely to play a major role in any battle for Kuwait.

In December, during my appearance before the House Armed Services Committee, I noted that while we can look ahead several months and predict the gradual deterioration of the Iraqi economy, it is more difficult to assess how or when these conditions will cause Saddam to modify his behavior. Our judgment remains that, even if sanctions continue to be enforced for an additional six to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq. The economic impact of sanctions is likely to be increasingly serious, with conspicuous hardships and dislocations. Nevertheless, Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions, especially if the threat of war recedes significantly. He probably continues to believe that Iraq can endure sanctions longer than the international coalition will hold and hopes that avoiding war will buy him time to

negotiate a settlement more favorable to him.

We have seen little hard evidence to suggest that Saddam is politically threatened by the current hardships endured by the populace. Moreover, Saddam has taken few actions that would indicate he is concerned about the stability of his regime. Assessing the populace's flash point is difficult, but we believe it is high because Iraqis have borne considerable hardship in the past. During its eight-year war with Iran, for example, Iraq endured a combination of economic difficulties, very high casualties, and repeated missile and air attacks on major cities without any serious public disturbances.

Sincerely,

WILLIAM H. WEBSTER,
*Director of Central Intelligence.*

Mr. WARNER. Mr. President, during the course of the debate, several Senators have urged the President to continue to rely only on sanctions. They believe that sanctions are having an effect, and will have a greater effect as time goes on. The President, our deployed troops, our Nation need only to have the patience to let sanctions go on and see if they work. Under this position, the threat of force would be decoupled, and shelved.

Because the issues before us are so grave, we must seek to have as clear an understanding of the impact of all courses of action as possible. We must be particularly vigilant when assessing the impact of sanctions, because this option is inherently seductive—it offers the prospect of avoiding the difficult decision to put in place an authorization for the use of force.

Mr. President, there is no doubt that sanctions are having an impact. But how much—now and for the forseeable future. The economic embargo has reduced to a trickle Iraq's ability to import and export goods and services. It has, as a consequence, reduced the supply of domestic goods and services. Certain sectors of the Iraqi economy are performing at less than preembargo levels. Some goods have disappeared from Iraqi stores, and the price of others have skyrocketed. The financial sector has been particularly hurt.

But these are conditions with which the Iraqis can cope. Not one sector of the economy necessary for the functioning of Iraqi society has collapsed and, while the impact of sanctions will grow worse, no key sector is likely to crash over the next 6 to 12 months—if ever. DCI Webster, reflecting the considered judgment of the intelligence community, has stated: "Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the internaional resolve to maintain sanctions, especially if the threat of war recedes significantly."

Equally important, Judge Webster indicated that Saddam has taken few of the steps that a leader would take if he were concerned that the sanctions were destabilizing his regime. DCI Webster further went on to note that the Iraqis capacity to endure hardship appears high. "During its 8-year war with Iran," he notes, "Iraq endured a combination of economic difficulties, very high casualties, and repeated missile and air attacks on major cities without any serious public disturbances."

Similarly, while sanctions will slowly but surely erode some of Saddam's combat capability, it will have a negligible impact on that component of combat power on which he relies most—ground forces. Simply put, ground forces equipment does not erode quickly, and it is easily maintained by the large stocks of Iraqi spare parts and by parts that can be manufactured by the Iraqis themselves. Moreover, the impact of sanctions is offset by the simultaneous improvement in fortifications—minefields, concrete barriers, trenches capable of being filled with oil, and barbed wire.

As we project what the impact of sanctions will be on both the Iraqi economy and military, we must also realize that with each passing month, it will be more and more difficult to maintain the embargo. Leakages will grow, and they will further offset the impact of sanctions.

Aside from a strict discussion of sanctions, we must also recognize that with every month that passes, the consequences of Iraq's occupation of Kuwait grow greater and greater—as Kuwaiti's are tortured, killed, and removed from Kuwait, and as its wealth and infrastructure are stolen and destroyed. Reversing the consequences of this brutal occupation will be harder and harder, and is not fully possible even if Saddam left Kuwait today.

To wrap up, Mr. President, based on the judgments of Judge Webster and other experts, I must conclude that sanctions alone will not force Saddam Hussein out of Kuwait, certainly not in the foreseeable future. This past Wednesday, the Iraqi Foreign Minister Tariq Aziz publicly stated that Iraq will closely watch the debate in Congress. Saddam Hussein will never seriously consider leaving Kuwait unless he is convinced that the prospect of a military engagement is credible and that he faces the possibility of a decisive defeat. Congress, in Saddam Hussein's mind, holds the key.

In short, if we support the President, then he will have a powerful and persuasive tool to convince Saddam to leave Kuwait. Such support does not mean that the President will immediately attack Kuwait; it does mean that we have done our duty—we have given the President all the tools to give peace its last, and perhaps, best chance.

On one other matter, I want to bring to the attention of my colleagues, the history of the consultation between the President, and his senior advisers, and the Congress since the beginning of the Persian Gulf crisis. It can be said, I believe, that President Bush has consulted with the Congress to a degree which far exceeds any prior records of consultations between the executive and legislative branches. I commend and thank the President for this willingness to work with the Congress, and ask unanimous consent that the previously mentioned history be printed in the RECORD.

There being no objection, the history was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL HEARINGS/BRIEFINGS/MEETINGS ON PERSIAN GULF—JULY 27, 1990—JANUARY 10, 1991

| Date | Briefing/Hearing/Meeting | Briefer | Audience |
|---|---|---|---|
| White House: | | | |
| 8/28/90 | Meeting | President | Bipartisan leadership. |
| 8/28/90 | Briefing | President, Baker/Cheney/Webster, Powell | Bipartisan briefing. |
| 9/5/90 | Briefing | President | Bipartisan codel. |
| 9/11/90 | Briefing | President | Joint session of Congress. |
| 9/21/90 | Meeting | President | Bipartisan leadership. |
| 9/26/90 | Meeting | President | GOP elected leadership. |
| 10/30/90 | Meeting | President | Bipartisan leadership. |
| 11/14/90 | Meeting | President | Bipartisan leadership. |
| 11/30/90 | Meeting | President | Bipartisan leadership. |
| 12/14/90 | Meeting | President | Bipartisan Members. |
| 12/19/90 | Briefing | President | Bipartisan codel. |
| 12/20/90 | Briefing | President | Codel briefing. |
| 12/20/90 | Briefing | President | HPSCI codel briefing. |
| 1/3/91 | Meeting | President | Bipartisan leadership. |
| 1/3/91 | Meeting | President | Bipartisan leadership. |
| 1/9/91 | Meeting | President | House bipartisan leadership. |
| 1/10/91 | Meeting | President | Senate bipartisan leadership. |
| Department of State: | | | |
| 8/8/90 | Closed Briefing | Kimmitt | Full House and Senate. |
| 8/28/90 | Closed Briefing | Baker | Congressional leadership, committee chairmen, and ranking members. |
| 8/31/90 | Closed Briefing | Kelly | Codel to Middle East. |
| 9/4/90 | Hearing | Baker | HFAC. |
| 9/5/90 | Hearing | Baker | SFRC. |
| 9/11/90 | Closed Hearing | Covey | HPSCI. |

CONGRESSIONAL HEARINGS/BRIEFINGS/MEETINGS ON PERSIAN GULF—JULY 27, 1990—JANUARY 10, 1991—Continued

| Date | Briefing/Hearing/Meeting | Briefer | Audience |
|---|---|---|---|
| 9/12/90 | Closed Hearing | Covey | SSCI. |
| 9/18/90 | Hearing | Kelly | HFAC Europe and Middle Subcommittee. |
| 9/19/90 | Hearing | Solomon | HFAC Subcommittee Asian and Pacific Affairs. |
| 9/19/90 | Hearing | Eagleburger | House Appropriations Subcommittee on Foreign Operations. |
| 9/20/90 | Hearing | Pickering | SFRC. |
| 9/25/90 | Hearing | Tamposi | HFAC Subcommittee on International Operations. |
| 10/3/90 | Hearing | Bartholomew | HFAC Subcommittees on ACISS and Europe and the Middle East. |
| 10/4/90 | Hearing | Bartholomew | SFRC. |
| 10/15/90 | Closed Briefing | Kelly | HFAC Subcommittee on Europe and the Middle East. |
| 10/17/90 | Hearing | Baker | SFRC. |
| 10/18/90 | Hearing | Baker | HFAC. |
| 10/24/90 | Closed Briefing | Baker | All Senators. |
| 10/24/90 | Closed Briefing | Baker | All Congressmen. |
| 11/14/90 | Closed Briefing | Baker | SFRC. |
| 11/14/90 | Closed Briefing | Baker | HFAC. |
| 11/25/90 | Closed Briefing | Mack | Codel to Iraq. |
| 12/5/90 | Hearing | Baker | SFRC. |
| 12/20/90 | Briefing | Baker | Codel. |
| 1/3/91 | Briefing | President/Baker | Congressional leadership. |
| 1/4/91 | Briefing | Baker | House Members. |
| DOD: | | | |
| 8/9/90 | Briefing | Cheney/Powell | House/Senate. |
| 9/7/90 | Briefing | DOD | SAC Defense Subcommittee. |
| 9/10/90 | Briefing | State/DIA/CIA | HPSCI. |
| 9/11/90 | Hearing | Cheney | SASC. |
| 9/12/90 | Hearing | Wolfowitz | SSCI. |
| 9/12/90 | Hearing | DOD | House Postal Personnel and Modernization Subcommittee. |
| 9/12/90 | Meeting | Jehn/Duncan | H/S Veterans Affairs Committee. |
| 9/13/90 | Closed Hearing | Wolfowitz | SASC. |
| 9/19/90 | Hearing | Cheney/Powell | HAC Defense Subcommittee. |
| 9/25/90 | Informal Hearing | Cheney/Powell | SAC Defense Subcommittee. |
| 9/26/90 | Hearing | VAdm Donovan: Mil Sealift Command | H Merchant Marine and Fisheries Subcommittee. |
| 10/3/90 | Hearing | Wolfowitz/Bartholomew | Two HFAC Subcommittees. |
| 10/4/90 | Hearing | Wolfowitz/Bartholomew | Two SFRC Subcommittees. |
| 10/10/90 | Hearing | DOD Witnesses | H Public Works Subcommittee. |
| 10/17/90 | Closed Hearing | DIA | HASC. |
| 10/24/90 | Briefing | Cheney/Baker | House Members. |
| 10/24/90 | Briefing | Cheney/Baker | Senate Members. |
| Week of 11/12/90 | Briefing | Cheney/Powell | Nunn/Warner. |
| Week of 11/12/90 | Briefing | Cheney/Baker | Senate Members. |
| 11/13/90 | Briefing | Cheney/Powell | House Members. |
| 11/13/90 | Briefing | Cheney/Powell | 60 MOC and HASC staffers. |
| 11/27/90 | Hearing | DIA | SASC. |
| 12/3/90 | Hearing | Cheney/Powell | SASC. |
| 12/14/90 | Hearing | Cheney/Powell | HASC. |
| 1/3/91 | Briefing | Cheney/Baker | House/closed. |
| 1/3/91 | Briefing | Cheney/Baker | Senate/closed. |
| 1/4/91 | Briefing | Cheney | House freshmen. |
| 1/4/91 | Briefing | Senate freshmen invited | None attended. |
| 1/10/91 | Briefing | Cheney | H. Republican caucus. |
| CIA: | | | |
| 12/5/90 | Hearing | Webster | HASC |

Mr. WARNER. Mr. President, I wish to join other Senators in acknowledging a deep sense of gratitude to the infrastructure of the U.S. Senate, who have really been put to a true test during this extraordinary period of the last several days, particularly our new Sergeant at Arms, Ms. Pope, and her staff, and many others for providing the ability of this institution to conduct the most historic deliberation that I have participated in in my brief Senate career.

I should also like to acknowledge my appreciation to the staff of the Senate Armed Services Committee, both the majority and the minority, for the services they rendered all members of our committee during the course of the debate.

Last, Mr. President, I wish to acknowledge my deep respect for the Chairman of the Senate Armed Services Committee, Mr. NUNN, who consulted with me throughout this debate in a spirit of bipartisanship and fairness. It is a relationship that I value and one that I know will continue long into the future.

This was a difficult day for all Members of the Senate, but particularly stressful for some who stepped up and assumed the heavy burdens of leadership. That most respectfully includes our majority leader who, again, was available at any and all times for purposes of consultation, and of course my leader, the Republican leader, the Senator from Kansas, Mr. DOLE.

I have had the opportunity to work very, very steadily and closely with him throughout this debate, and I value his leadership.

This was a most grave, somber experience for all. The Senate fulfilled the awsome duty of meeting its constitutional responsibility as a coequal branch of our Government. We pray to God that conflict can be avoided.

The PRESIDING OFFICER. The Senator from New Jersey.

## THE PERSIAN GULF

Mr. BRADLEY. Mr. President, before this very important day passes, I would like to comment about what is, in my mind, the very clear irony about the decision we took today and about the events that might transpire from this decision.

When Iraq invaded Kuwait, the President of the United States embarked upon a policy, the premise of which was that he sought international justification and support for whatever actions he might choose to take in the Persian Gulf.

Indeed, having been a former Ambassador to the United Nations, he sought U.N. support for any action he might take. The United Nations passed resolutions condemning Iraq for the invasion, for the hostage taking, implementing sanctions, putting teeth in sanctions, and finally authorizing the use of force.

The underlying premise of all of these actions, indeed of the United Nations, is that what collective security attempts to do is to counter the invasion of one nation state by another nation state. Indeed that was Woodrow Wilson's dream. It was Woodrow Wilson's hope that aggression by one nation state against another could be contained and controlled by collective security through the apparatus and resolutions of the League of Nations.

The President has sought to have his policy ratified by the United Nations through those resolutions. One does not know what will happen now. Inevitably, if force is used, part of the justification for that force will be the resolutions passed in the United Nations and that use of force, at great cost, both in American lives and in billions of taxpayers' dollars, could very well achieve its stated objective, which is the get Iraq out of Kuwait.

Mr. President, the President has achieved his objective up to this point and if force is used, the resolution justifies his action. Indeed, I assume that

it is this path that leads people in the administration to talk about the emergence of what they call a new world order; in this case, an effort that might involve military force to counter aggression.

But the question occurs to me—and this is the irony at this stage—is that going to be the nature of the threat to our world over the next generation? Is the nature of the threat to our security going to come from one nation state invading another nation state?

I submit to the Senate today the thought that this will not be the nature of the bulk of our threats over the next generation. If there is one thing that we see emerging in many places of the world, it is a kind of burgeoning pluralism in which you find ethnic, racial, and religious expression blossoming; we find it bursting; we find it confronting other truths, held equally fervently by other people, equal and opposite truths, sometimes.

Frequently those disagreements become violent. Indeed, I assert that violence in our world will become increasingly ethnic, racial, and religious, and that the apparatus that was set up and conceived in the early 20th century through the League of Nations, and the United Nations and is a basis and justification for the policy that the Bush administration follows today, will become less and less relevant.

For example, Kashmir, Tibet, Hungarian minorities in Romania; anti-Semitism, conflict between Islam and Christian, racial conflict.

Mr. President, these are more difficult questions than Woodrow Wilson ever envisioned the United Nations could ever successfully address. Yet, I believe these are the questions that will fundamentally confront our world over the next generation.

So where there is some ominous feeling about what might transpire, some hope, in terms of having any action justified by the United Nations, I would like to simply note for the record that there is much more thinking that must be done. There is much more effort that has to be made to deal with what I believe will increasingly be the sources of conflict in our world.

One of my hopes is that what transpires in the Persian Gulf in the next month will not make coming to terms with those racial, ethnic, and religious conflicts more difficult. That was, in part, one of the bases of my opposition to the resolution offered by the distinguished Senator from Virginia, a belief that a massive use of force could drastically harm communication between the Arab world and the United States.

So, Mr. President, I pause to make these comments at this time only because I think that they are issues that this debate has not begun to address and that our world has to address for what we hope is a truly peaceful, stable world order.

USE OF UNITED STATES ARMED FORCES PURSUANT TO U.N. SECURITY COUNCIL RESOLUTION 678

The PRESIDING OFFICER. Pursuant to the previous order, House Joint Resolution 77, just received from the House of Representatives, is deemed read a third time and passed and the motion to reconsider that vote is laid upon the table.

So the joint resolution (H.J. Res. 77) was deemed passed.

The preamble was agreed to.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

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THE GULF RESOLUTIONS

Mr. BUMPERS. Mr. President, I spoke on Thursday evening regarding the two resolutions which we just voted on in a very highly charged and dramatic time in the Senate an hour ago. I would like to make a few additional comments about that vote.

First of all, I do not question the sincerity of a single Senator as to why he or she voted the way they did. I have never seen a time where I thought partisanship played a smaller role, even though the votes might indicate otherwise.

I think the American people mostly—though they are divided deeply over this whole issue—instinctively want to support the President, but they are not prepared to go to war.

My mail and my phone calls have been evenly divided for some time, even though for the first 4½ months of our presence in Saudi Arabia, since the invasion of Kuwait by Iraq, my mail had been running about 10 to 1 against war.

Mr. President, there is a side of me—in the interest of candor—that would like to launch at least a preemptive strike immediately to take out all the chemical and biological weapons, storage and manufacturing facilities, and to eliminate all of Saddam Hussein's nuclear facilities, even though I think he is probably a long time away from developing a deliverable nuclear weapon. I am talking about years.

Mr. ROBB assumed the Chair.

Mr. BUMPERS. But, Mr. President, my vote today was calculated on the proposition that force should be the last alternative and that constitutionally I had a duty to either agree to give the President authority to commence hostilities any time on or after next Tuesday or to join the "Wait-Just-a-Minute Club" and say let us wait a few more days, a few more weeks without giving up the option for the use of force sometime before summer sets in, and the belief that diplomacy and the sanctions ought to be allowed to at least be given every chance.

I am mildly optimistic about de Cuellar's visit to Baghdad, and I think Saddam would much rather cut a deal with the Secretary General of the United Nations or the President of France than he would with us. I think that if Saddam believes that he is going to have to leave Kuwait and all the 100 Members of this body believe that, he may be prepared to do it by negotiating something with somebody else. That is fine. President Bush, to his credit, has said that is fine with him. But whatever they agree to cannot be a condition for his withdrawal.

The other thing, Mr. President, is what do we lose by waiting 30, 60, or 90 days? The answer is we not only do not lose anything, we gain. The reason we gain is because everyday that passes because of the embargo, Saddam's military apparatus is denigrated, one more tank without a tread, one more personnel carrier without an engine, one more antidefense site that has been degraded and inoperable and highly sophisticated aircraft unable to fly for lack of spare parts. Whereas we still have 50,000 to 100,000 men on the way to Saudi Arabia. So we become stronger in the next 60 to 90 days and he becomes weaker. We lose nothing if we wait.

But to repeat the ultimate argument, it is this: When we talk about 1 to 20,000 men and women dying, I am talking about Americans.

You do not have to search your conscience very long among the 100 Senators to answer the question would it be better to take that chance, whatever it is, no matter how slight, to allow diplomacy or the sanctions or both to work and avoid that kind of bloodshed, or should we just preempt a strike right now, commence hostilities, because we know that Saddam is a tyrant. That is not a sufficient justification. There are tyrants all over the world. We have been in bed with a lot of them.

Everybody knows we would have a very difficult time maintaining 430,000 men and women in the desert for another 8 months. I do not know whether we could do it or not. General Schwarzkopf said we could but that it would be infinitely preferable to spend another summer in the sun than it would be to start the killing. That is our field commander in Saudi Arabia.

Mr. President, there is another side of me that worries about what our vital interests are. When I spoke Thursday evening in this Chamber, I pointed out I thought we understood what our vital interests were in Vietnam and we found out, after 55,000 men had been killed and 700,000 wounded, that we had no vital interest in Vietnam.

How many wars have been fought throughout history, and how many lives have been lost as a result of a premature action, maybe because of some-

body's macho feelings out on his cuff, maybe because somebody felt he had to show how tough he was and could not wait to prove it? There have been a lot of miscalculations in some of those wars, too.

Mr. President, when you start this war, everybody knows that you are going to have long-lasting terrorism all over the world. Everybody knows that it is going to cost us roughly $2 billion a day for every day combat goes on to add to our already $400 billion deficit. Everybody knows that we will incur Arab enmity as far into the future as anybody can foresee. And those are only a part of the down side.

Yet all 100 Senators, regardless of how they voted, agree that we will win the war. We are all agreed that Saddam must leave Kuwait. We are all agreed, above all else, Mr. President, that once hostilities begin, whether it is Tuesday or a month from Tuesday, or 2 months from Tuesday, every Member of Congress and certainly 100 Members of the Senate will support our troops with every conceivable weapon we can provide them to make sure they prevail and have the best opportunity in the world of prevailing. Everybody knows that we will circle the wagons once the shooting starts. That is not the issue.

Mr. President, there is another point that I must make, though it is not totally on target, as to why I voted the way I did. That is, I have not ever had it satisfactorily explained to me—and I tell you, a lot of my mail reflects that in my State a lot of people have never had it satisfactorily explained to them—why is it that it is the United States that must put up the money, the manpower and shed the blood, virtually all of it, to secure Middle Eastern oil for other countries, the contribution of which is minimal and almost nonexistent.

That is not to say we are not a world leader and must act like one. That is not to say that Saddam must be dealt with. But this coalition of Syria and Egypt, for example, is not only fragile; it may not exist once the shooting starts. There is no commitment from Syria or Egypt that they will set one foot inside Iraq. Maybe Kuwait but not Iraq. And if Israel is brought into the war and feels forced to retaliate, the point has been made over and over and over again on this floor, you can almost certainly forget the coalition. It will cease to exist.

Mubarak, Assad, no Arab leader can survive fighting on the side of Israel, or be perceived by their people as fighting alongside of Israel.

It is a very tenuous situation. The President has been applauded time and time again during the last 3 days for putting the coalition together, and I join it. I am pleased because he went to the international community, the United Nations. I am doubly pleased that he came to the Congress and said, "I need your backing, I need your support, and you have the constitutional duty to decide what my powers are." He just received authority from both Houses to commence hostilities any time on Tuesday or thereafter. While my side did not prevail, the President deserves credit for having done so.

Mr. President, what are our vital interests? Is it the restoration of an emir? Kuwait is hardly a democracy. I have heard one Senator, I believe, on the floor say they treat their camels better than they do their women.

But I harken back to the time when I was vociferously opposed to reflagging Kuwaiti tankers during the Iraq-Iran War. I was opposed to it for what I thought were cogent, compelling reasons; namely, that while we put flags on their tankers to help them get their oil past Iran and Iranian ships in the Persian Gulf, their warships in the Persian Gulf, and while we spent $20 million of American taxpayers' money to reflag Kuwaiti tankers, they would not let an American airplane land on one of their airstrips or an American ship berth in their ports. And it is hard for me to forget that.

Well, Mr. President, I hope that everything turns out well. If we go to war next week or the week after, we will never know whether the casualties we suffer could have been avoided. We will never know whether the sanctions and diplomacy might have worked if we had given it a little more time. And as I pointed out earlier, bear in mind that the time we are spending is in our favor. Time is on our side.

If de Cuellar strikes a deal with Saddam on Monday, Tuesday, or whenever, and Saddam agrees to start his withdrawal, with no conditions, and somebody comes up to me and says, "Senator, looks like your vote was wrong," I will say I am pleased. I will be happy to live with that.

But there is another side to it. If it does not, and it becomes a very dicey situation, we will never know whether war was necessary or not.

Mr. President, I must tell you that there is not a single boy or girl in Saudi Arabia that is the son or daughter of a single Member of the United States Senate, I understand there are two youngsters who are sons of House Members.

But I would be less than candid if I didn't ask a simple rhetorical question. Would the vote have been the same if we had a draft, and rich people and middle-class people and lower middle-class people and poor people were all sharing or were prepared to share in the bloodshed?

Everyone ought to ask themselves the question, and perhaps that is a debate that we might want to start in the Senate sometime in the not-too-distant future.

This is the first time we have fought a war, Mr. President, quite like this, where everybody in the Army is a volunteer. They tell me morale is high there. I hope it is, and I pray it is. And I pray for the lives of every single person there, and the well-being of their families that are still here. I pray that some sort of a truce or peace will be accomplished there in the very near future, and before these hostilities that will end God knows when.

I yield the floor.

## TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,128th day that Terry Anderson has been held captive in Lebanon.

Mr. President, I suggest that absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ROBB). Without objection, it is so ordered.

## MESSAGES FROM THE HOUSE

At 3:58 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 77. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

The message also announced that the House has agreed to the following concurrent resolution:

H. Con. Res. 32. A concurrent resolution to express the sense of Congress that Congress must approve any offensive military action against Iraq.

### ENROLLED JOINT RESOLUTION SIGNED

At 4:25 p.m., a message from the House of Representatives, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 77. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

The enrolled joint resolution was subsequently signed by the Vice President.

## MEASURES REFERRED

The following concurrent resolution was read; and referred as indicated:

H. Con. Res. 32. Concurrent resolution to express the sense of Congress that Congress must approve any offensive military action against Iraq; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

SENATE JOINT RESOLUTION 2

At the request of Mr. DURENBERGER, his name was added as a cosponsor of Senate Joint Resolution 2, a joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

SENATE RESOLUTION 12

At the request of Mr. BRADLEY, the name of the Senator from Georgia [Mr. FOWLER] was added as a cosponsor of Senate Resolution 12, a resolution calling upon President Gorbachev to refrain from further use of coercive tactics against the democratically elected government of Lithuania, Latvia, or Estonia.

## ADDITIONAL STATEMENTS

### PRESIDENT BUSH SALUTES SOUTHERN OREGON DRUG AWARENESS VOLUNTEERS AS "DAILY POINT OF LIGHT"

● Mr. PACKWOOD. Mr. President, I rise today to recognize the admirable efforts and successes of the volunteers of the Southern Oregon Drug Awareness [SODA] Program. Based in Medford, OR, the SODA volunteers provide substance abuse prevention and education to the members of their community.

Since its founding in 1981, by some 60 members of the Medford Junior Service League, SODA volunteers have been active in the fight against drug abuse. Today, SODA volunteers number more than 500 and include teachers, students, parents, and business leaders in Medford and the surrounding communities. While the backgrounds of its members vary, SODA volunteers share a common goal—to encourage young people to become involved in the fight against substance abuse by making them aware of the dangers involved in using drugs and alcohol.

Each month, Medford community representatives meet with SODA's Youth Advisory Board, Business Committee, Parents and Teachers Committee, and Task Force, to develop new methods of educating the risks of substance abuse. Each of SODA's committees have implemented numerous programs and activities over the years to target the youth in the area.

The young people on the Youth Advisory Board coordinate school activities, such as drug awareness weeks and peer assistance programs. The Business Committee educates the community on the dangers of drugs in the workplace. The Parents and Teachers Committee trains other teachers on how to discourage their students from using drugs. And, the task force coordinates and chaperones drug-free parties at local schools and community centers for young people.

In recognition of their outstanding community service, President Bush has saluted SODA's volunteers as the 264th "Daily Point of Light." The Daily Point of Light recognition is intended to call every individual and group in America to claim society's problems as their own by taking direct and consequential action, like the efforts taken by SODA.

To the volunteers at SODA—Thank you for your hard work. You are doing a fabulous job!●

## ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, I have only a unanimous-consent request regarding the Executive Calendar and then with respect to the schedule for next week. I am advised by staff that these have been cleared by the distinguished Republican leader who is unable to be present at this moment.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations:

Calendar 1. Nominations in the Navy for promotion to permanent grade of rear admiral:

Capt. David S. Bill III.
Capt. Arthur K. Cebrowski.
Capt. John J. Mazach.
Capt. Bernard J. Smith.
Capt. Ernest F. Tedeschi, Jr.

Calendar 2. James M. Myatt, to the permanent grade of major general in the Marine Corps.

I further ask unanimous consent that the nominees be confirmed, en bloc, that the statements appear in the RECORD as if read, that the motions to reconsider be laid upon the table, en bloc, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations considered and confirmed en bloc, are as follows:

IN THE NAVY

The following-named captains in the line of the U.S. Navy for promotion to the permanent grade of rear admiral (lower half), pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICER

*To be rear admiral (lower half)*

Capt. David S. Bill, III, [redacted] U.S. Navy.
Capt. Arthur K. Cebrowski, [redacted] U.S. Navy.
Capt. John J. Mazach, [redacted] U.S. Navy.
Capt. Bernard J. Smith, [redacted] U.S. Navy.
Capt. Ernest F. Tedeschi, Jr., [redacted] U.S. Navy.

IN THE MARINE CORPS

The following named brigadier general of the U.S. Marine Corps for promotion to the permanent grade of major general, under the provisions of title 10, United States Code, section 624:

James M. Myatt.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

## ORDERS FOR MONDAY, JANUARY 14, 1991

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 noon on Monday, January 14; that following the prayer and approval of the Journal there be 1 hour of leader time, with the majority leader controlling the first 30 minutes and the Republican leader in control of the remaining 30 minutes; that following time for the two leaders there be 2 hours for morning business, with the time between 1 p.m. and 2 p.m., under the control of the majority leader, and the time between 2 p.m. and 3 p.m. under the control of the Republican leader.

I further ask unanimous consent that at 3 p.m. there be a continued period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## RECESS UNTIL MONDAY, JANUARY 14, 1991

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today, and I see no other Senator seeking recognition, I now ask unanimous consent that the Senate stand in recess under the previous order until 12 noon on Monday, January 14.

There being no objection, the Senate, at 4:40 p.m., recessed until Monday, January 14, 1991, at 12 noon.

## CONFIRMATIONS

**Executive nominations confirmed by the Senate January 12, 1991:**

### IN THE NAVY

THE FOLLOWING-NAMED CAPTAINS IN THE LINE OF THE U.S. NAVY FOR PROMOTION TO THE PERMANENT GRADE OF REAR ADMIRAL (LOWER HALF), PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 624, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW:

UNRESTRICTED LINE OFFICER

*To be rear admiral (lower half)*

CAPT. DAVID S. BILL III, [redacted] U.S. NAVY.
CAPT. ARTHUR K. CEBROWSKI, [redacted] U.S. NAVY.
CAPT. JOHN J. MAZACH, [redacted] U.S. NAVY.
CAPT. BERNARD J. SMITH, [redacted] U.S. NAVY.
CAPT. ERNEST F. TEDESCHI, JR., [redacted] U.S. NAVY.

### IN THE MARINE CORPS

THE FOLLOWING-NAMED BRIGADIER GENERAL OF THE U.S. MARINE CORPS FOR PROMOTION TO THE PERMANENT GRADE OF MAJOR GENERAL, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

JAMES M. MYATT

# HOUSE OF REPRESENTATIVES—*Saturday, January 12, 1991*

The House met at 9 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

On this day, O God, we express our thoughts and feelings in prayers for peace together with the multitudes of people from all across our land and from many lands. From every background and with different voices together we pray: O God of Life, protect all life, O God of peace, grant us peace.

We specially remember, O God, the men and women of the Armed Forces who serve so far from home and family. We remember too the diplomats on every side who seek ways to avoid the anguish of conflict and who search to know the foundation for justice.

May Your good spirit, O gracious and loving God, that transcends all the barriers that are placed between nations, encourage all people of good will, so Your gift of peace will be our heritage and our treasure.

Bless us, O God, this day and every day. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. EDWARDS of Oklahoma. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 286, nays 92, not voting 56, as follows:

[Roll No. 6]

YEAS—286

| | | |
|---|---|---|
| Abercrombie | Anthony | Barton |
| Ackerman | Applegate | Bateman |
| Alexander | Archer | Bennett |
| Anderson | Aspin | Bereuter |
| Andrews (ME) | Atkins | Berman |
| Andrews (NJ) | Bacchus | Bevill |
| Andrews (TX) | Barnard | Bilirakis |
| Annunzio | Bartlett | Bliley |
| Boehner | Harris | Olin |
| Bonior | Hatcher | Orton |
| Borski | Hefner | Owens (UT) |
| Boucher | Henry | Oxley |
| Boxer | Hertel | Packard |
| Brewster | Hochbrueckner | Pallone |
| Brooks | Horn | Panetta |
| Broomfield | Horton | Parker |
| Browder | Houghton | Patterson |
| Brown | Hoyer | Payne (NJ) |
| Bruce | Hubbard | Payne (VA) |
| Bryant | Huckaby | Pelosi |
| Bustamante | Hughes | Perkins |
| Byron | Jacobs | Peterson (FL) |
| Callahan | Jefferson | Peterson (MN) |
| Campbell (CO) | Jenkins | Petri |
| Cardin | Johnson (CT) | Pickett |
| Carr | Johnson (SD) | Pickle |
| Clinger | Johnston | Porter |
| Coleman (MO) | Jones (GA) | Poshard |
| Collins (IL) | Jontz | Price |
| Combest | Kanjorski | Pursell |
| Conte | Kaptur | Quillen |
| Cooper | Kasich | Rahall |
| Costello | Kennedy | Ramstad |
| Cox (IL) | Kennelly | Rangel |
| Cramer | Kildee | Ravenel |
| Cunningham | Kleczka | Reed |
| Darden | Klug | Richardson |
| Davis | Kolter | Rinaldo |
| de la Garza | Kopetski | Roe |
| DeFazio | Kostmayer | Roemer |
| DeLauro | LaFalce | Rose |
| DeLay | Lancaster | Roth |
| Dellums | Lantos | Rowland |
| Derrick | LaRocco | Roybal |
| Dingell | Laughlin | Russo |
| Dooley | Lehman (CA) | Sabo |
| Dorgan (ND) | Lehman (FL) | Sanders |
| Downey | Lent | Sangmeister |
| Dreier | Levin (MI) | Sarpalius |
| Duncan | Levine (CA) | Sawyer |
| Durbin | Lewis (GA) | Scheuer |
| Dwyer | Lipinski | Schiff |
| Early | Livingston | Schulze |
| Eckart | Long | Schumer |
| Edwards (CA) | Lowey (NY) | Serrano |
| Edwards (OK) | Luken | Sharp |
| Edwards (TX) | Madigan | Shaw |
| Emerson | Markey | Shuster |
| Engel | Matsui | Sisisky |
| English | Mavroules | Skaggs |
| Erdreich | Mazzoli | Skeen |
| Espy | McCollum | Skelton |
| Evans | McCrery | Slaughter (NY) |
| Fascell | McCurdy | Slaughter (VA) |
| Fazio | McDade | Smith (FL) |
| Fields | McDermott | Smith (IA) |
| Fish | McEwen | Smith (NJ) |
| Foglietta | McMillan (NC) | Snowe |
| Frank (MA) | McMillen (MD) | Solarz |
| Franks (CT) | McNulty | Spence |
| Frost | Meyers | Staggers |
| Gallo | Mfume | Stallings |
| Gaydos | Michel | Stenholm |
| Gejdenson | Miller (CA) | Stokes |
| Gephardt | Mineta | Studds |
| Geren | Mink | Swett |
| Gibbons | Mollohan | Swift |
| Gillmor | Montgomery | Synar |
| Gilman | Moody | Tallon |
| Glickman | Moran | Tanner |
| Gonzalez | Morrison | Taylor (MS) |
| Gordon | Mrazek | Thomas (GA) |
| Gradison | Murtha | Torricelli |
| Grandy | Myers | Towns |
| Gray | Nagle | Traficant |
| Green | Natcher | Traxler |
| Guarini | Neal (MA) | Unsoeld |
| Gunderson | Neal (NC) | Visclosky |
| Hall (OH) | Nichols | Volkmer |
| Hall (TX) | Nowak | Walsh |
| Hamilton | Oakar | Wheat |
| Hammerschmidt | Oberstar | Whitten |
| Hansen | Obey | Williams |
| Wilson | Wyden | Yatron |
| Wise | Wylie | |
| Wolpe | Yates | |

NAYS—92

| | | |
|---|---|---|
| Allard | Holloway | Rogers |
| Armey | Hopkins | Rohrabacher |
| Baker | Hunter | Ros-Lehtinen |
| Ballenger | Hyde | Roukema |
| Barrett | Inhofe | Santorum |
| Bentley | Ireland | Saxton |
| Boehlert | James | Schaefer |
| Bunning | Kolbe | Schroeder |
| Burton | Kyl | Sensenbrenner |
| Camp | Lagomarsino | Shays |
| Campbell (CA) | Leach | Sikorski |
| Chandler | Lewis (CA) | Smith (OR) |
| Clay | Lewis (FL) | Smith (TX) |
| Coble | Lightfoot | Solomon |
| Coughlin | Lowery (CA) | Stearns |
| Dannemeyer | Machtley | Stump |
| Dickinson | Marlenee | Sundquist |
| Doolittle | Martin | Taylor (NC) |
| Dornan (CA) | McCandless | Thomas (CA) |
| Fawell | McGrath | Thomas (WY) |
| Gallegly | Miller (OH) | Upton |
| Gekas | Miller (WA) | Vucanovich |
| Gilchrest | Molinari | Walker |
| Gingrich | Moorhead | Weber |
| Goodling | Morella | Weldon |
| Goss | Murphy | Wolf |
| Hastert | Nussle | Young (AK) |
| Hayes (IL) | Paxon | Young (FL) |
| Hefley | Regula | Zeliff |
| Herger | Rhodes | Zimmer |
| Hobson | Riggs | |

NOT VOTING—56

| | | |
|---|---|---|
| AuCoin | Ford (MI) | Ritter |
| Beilenson | Ford (TN) | Roberts |
| Bilbray | Hancock | Rostenkowski |
| Carper | Hayes (LA) | Savage |
| Chapman | Hoagland | Slattery |
| Clement | Hutto | Spratt |
| Coleman (TX) | Jones (NC) | Stark |
| Collins (MI) | Lloyd | Tauzin |
| Condit | Manton | Thornton |
| Conyers | Martinez | Torres |
| Cox (CA) | McCloskey | Udall |
| Coyne | McHugh | Valentine |
| Crane | Moakley | Vander Jagt |
| Dicks | Ortiz | Vento |
| Dixon | Owens (NY) | Washington |
| Donnelly | Pease | Waters |
| Dymally | Penny | Waxman |
| Feighan | Ray | Weiss |
| Flake | Ridge | |

□ 0933

Mr. PAXON changed his vote from "present" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair would ask the gentleman from California [Mr. PANETTA] to lead the House in the Pledge of Allegiance.

Mr. PANETTA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## THE SITUATION IN THE MIDDLE EAST

EXPRESSING SENSE OF CONGRESS THAT CONGRESS MUST APPROVE ANY OFFENSIVE ACTION AGAINST IRAQ

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 27, it is now in order to consider the concurrent resolution printed in section 1 of House Report 102-1 by, and if offered by, the gentleman from Florida [Mr. BENNETT] or the gentleman from Illinois [Mr. DURBIN] or their designee.

For what purpose does the gentleman from Florida rise?

Mr. BENNETT. Mr. Speaker, on my behalf and on behalf of the gentleman from Illinois [Mr. DURBIN] and some 80 cosponsors, I offer House Concurrent Resolution No. 32.

The SPEAKER pro tempore. The Clerk will report the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 32

*Resolved by the House of Representatives (the Senate concurring)*

**SECTION 1. URGENCY OF CONGRESSIONAL AUTHORITY FOR OFFENSIVE OPERATIONS IN THE PERSIAN GULF.**

The Congress finds that the Constitution of the United States vests all power to declare war in the Congress of the United States. Any offensive action taken against Iraq must be explicitly approved by the Congress of the United States before such action may be initiated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. BENNETT] will be recognized for 30 minutes and a Member opposed will be recognized for 30 minutes. Is there a Member opposed to the resolution?

Mr. HYDE. Mr. Speaker, I am opposed to the resolution.

The SPEAKER pro tempore. Therefore, the gentleman from Illinois [Mr. HYDE] will be recognized for 30 minutes in opposition.

The Chair recognizes the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I yield myself 5 minutes, and the rest of the time I will leave in the hands of the cosponsor of the resolution, the gentleman from Illinois [Mr. DURBIN].

Mr. Speaker, this is a day for courage. There are all different kinds of courage. Courage is intertwined with one's responsibility. Those who have been in Saudi Arabia and talked to the soldiers there, on the precipice and on the eve of battle, have encountered people who experience the most travailing part of military life. That is, the expectancy that in the very near future they will go to combat.

They have been interviewed, and they have shown remarkable courage. We are glad of that. As an ex-infantry soldier man myself, I want to tell Members that they could not have told citizens anything else than what they said. They are "ready to go to war, and we are hopeful that if the war comes forward, it gets over with if it is going to be." They could not really say, "Mr. Congressman, have you exercised your part of courage? You have a responsibility. You are elected by the American people to make a decision about war and peace. I was not elected. I am just a soldier, but you were elected."

Is not this your time for courage? Is not this your time, Mr. President and Mr. Secretary of State, instead of saying as the Secretary of State has said, "not one inch will we give in diplomacy, we will tell you what you will do, and you will give in to us." Is that diplomacy?

Are there things that could be done? Obviously there are things that could be done. There are things that are of interest to both sides, of interest to our side of this difficulty and on the other side of this difficulty. Among the things that could be done, and the ones that come to my mind immediately are that there are border disputes between Iraq, between Kuwait. Perhaps some arrangement could be made that they could be handled by the World Court.

I will tell Members what I think about it. I do not care whether I have the attention of Members or not. If Members like it, fine. If they do not, they do not have to like it.

The resolution before Members now is one all Members can vote for because it is just a resolution to say that Congress is going to stand up and uphold the U.S. Constitution. The Constitution says that the Congress is a warmaking power of the public, and we must do that. That is as important, almost, as this question of whether we are going to war or not. Members can vote for all of the resolutions, or Members can vote for the Bennett-Durbin resolution, and vote for either one or the other: the Republican one, or the bicameral one, is one which does not sustain that point of view, but it does not repudiate it.

□ 0940

But you can vote the Bennett-Durbin resolution and also vote for the other resolutions, so it is not inconsistent. I want to make that point clear to you, but I do want to say something else about what is before us, because I think the overall issue before us is the sort of thing that we should carry in our hearts.

We do not have to be reelected. When I first came to Congress, I wore a ribbon, the Silver Star. I did it partly as an apology for being crippled. I have not been wearing it recently. I am not quite sure why I am not wearing it, but I do know this, that when I was given that, I was given that with a citation that said "Gallantry in Action."

Friends, there is no such thing as gallantry in action. I do not want to run down anybody else's award, but action, military action, is a horrible experience. There is no gallantry in it. There is no beauty in it. It is a horrible experience.

It is up to us in Congress to bite the bullet ourselves and to do something about seeing to it that peace and security can be secured for the benefit of everybody, and it can be done.

There are things that are unmentionable, things that cannot be linked, for instance. It antagonizes a lot of people, but the world knows that if this war ends the way it is now going, we are going to have a worse war in the future, a much worse war which may last for thousands of years.

So this question of settling the Palestine problem, protecting Israel in its boundaries and things like that are things that can be met. That takes courage, because it can defeat us to do anything about it, but that is why we were elected. We were elected to make this kind of decision. We were not elected to stay here forever. We were not elected for our salaries. We were elected to take the responsible position of Government when the opportunity comes to take it. That is what we are not doing unless we have some way to see to it that this process of trying to find a solution to this, other than combat, takes place. That is our responsibility. That is the courage that we must show today and this is the place it has to be. It is not in Saudi Arabia. It is here in Washington, DC, in this Chamber today.

So you must decide in your life. This may be the most important point in my entire life. This is a decision which we must make.

I am 80 years of age. I have been in this Chamber 43 years. Out of the 17,000 votes I have cast, the only one I really regret is the one which I cast for the Bay of Tonkin resolution. I particularly regret it, because I knew it was a declaration of war, and just as is the Solarz measure before us today. It is a declaration of war, and if you pass it, you make compliance with the things I am now asking you to vote for.

I have not spoken very eloquently from the standpoint of using good words, but I have spoken courageously and I think that is what we have to do today. We have to speak courageously. That does not mean to say that if you take an opposite position from what I take, that you are not courageous, but it means that the vote ought to be cast on the basis of what you think is best for our country, not best for the Democratic or Republican Party, not best for the President, not best for you, but what is best for our country and what is best for the world.

So take that in your hearts. Hold it close to you and realize this is a tremendously important opportunity you have here today, and cast your vote on that basis.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OBEY). Before the debate resumes, the Chair will simply say that the Chair knows in the normal course of events we have at least a low murmur going on around the House. That is not especially harmful, but on an occasion like this the Chair is going to be more rigid than normal because of the seriousness of the occasion and because every Member feels this issue so deeply and feels that he or she has the right to be heard without the accompanying tension of wondering whether or not he or she is being heard. So the Chair asks for the cooperation of the House, and if you want to engage in the normal collegial conversation, the Chair will ask you to please leave.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is extremely difficult to disagree with the gentleman from Florida [Mr. BENNETT]. He is one of the most beloved and respected people in the world, much less in this body, and it is extremely difficult to vote against something that is so important to him, and frankly, I do not think the world will stop spinning on its axis if this bill passes, because I think what it does is subsumed into the Solarz resolution, so its mandate is accomplished if the Solarz resolution passes.

But frankly, we are passing laws. We are not voting approval or affection or esteem for anybody. We are passing laws for the country. That is why I cannot vote for this bill.

What we do here today cannot change the Constitution, what it means, what it says, what it does. We can express our views on it, of course, but we cannot change it.

I suggest to you there are some distinctions that need to be made in the Bennett-Durbin bill that are not made.

It requires that any offensive action taken against Iraq must be explicitly approved by the Congress. The distinction between offensive action and defensive action is crucial.

I would suggest to you that a very good case, one that I believe and accept, can be made that our situation in the gulf is not offensive action, that the war was started when international law was flouted by Iraq when they occupied Kuwait. They broke the U.N. Charter. They have violated international law and therefore only in the most tactical sense can our response to that be offensive, but in a legal and strategic sense I suggest it is not offensive, but defense.

Now, as to declaring war and making war, there are distinctions of which history gives us many examples but I think that to vote for the Bennett resolution, however much one would like to, muddies the waters; but in any event, it does not achieve anything because the Solarz resolution is an explicit request from this Congress for the authority that the Bennett resolution says the President must get.

Now, so much for that.

Mr. Speaker, this is a soul wrenching issue, the whole issue that we are dealing with today and yesterday. Despite the fact that it has been overwhelmed by speeches, it is nonetheless a soul wrenching issue.

I heard the gentleman from Georgia, Mr. JOHN LEWIS, recite the great spiritual, "Ain't gonna study war no more." No one can ever hear that without being gripped, being gripped in the soul, but you know, "if men were angels," Madison said, there would be no need for government. If men were angels, there would be no need for West Point or Annapolis and the Air Force Academy.

□ 0950

But our freedom has been won by men who did study war and who defended it and are still willing to defend it.

I do not think we should be less than proud of them.

William Bullitt, our first Ambassador to the Soviet Union, appointed by President Roosevelt, said:

> To beat our swords into plowshares while the spiritual descendants of Genghis Khan stalk the Earth is to die and leave no descendants.

What he said then is true today. Important vote? Yes. This is a very important vote.

And I can remember in my 16 years in this Chamber some important votes. I remember my first year here, I sat in the back of the Chamber at 2 o'clock in the morning and we were debating cutting off all funds from the army of the Republic of Vietnam. We had gotten out and now the question was would we permit them to defend themselves against the Vietcong and the North Vietnamese? We cut out every dime. We did not give them anything. And I remember that.

I thought that was an important vote, and I remember John Conlan, a Member from Arizona, standing here and saying, "My God, it is Dunkirk over there." But this body was unmoved. We cut out every nickel to defend South Vietnam after we had decided it was too costly—and it may well have been.

But when the issue was defending themselves, we were not there—we turned our back.

The result was boat people, reeducation camps, Pol Pot; not a heck of a lot of moral dividends from that.

And some of the same voices that have been arguing against supporting the President here, I remember them arguing against our deployment in 1983 of intermediate nuclear weapons in Europe, they were shaken when the Soviets walked out of the arms control talks, and they charged we were bringing our country to the brink of nuclear war. They were adamantly opposed to it. But we hung tough, we followed through, and the result was an INF Treaty.

We have been told by people opposed to the President that war should be a last resort, not the first resort. I can agree with that. But this invasion was on August 2; since then there have been 12 United Nations resolutions. I do not think we need 24 United Nations resolutions. How many diplomatic initiatives are enough?

I wonder if ever there is a time for us to take a stand. I wonder if this is not our foreign policy Midgetman, always the next weapon, always something around the corner and down the street, but never here and never now.

Is this struggle about democracy? No.

Is this struggle about restoring the emir to the throne of Kuwait? No.

What is it about? It is about aggression, something we have seen quite enough of in this century. It is about the rule of law. It is about resisting brutal conquest, lawlessness, international banditry; it is about law and order in the world, the kind of a world we and our grandchildren want to inhabit and want to inherit now that the Communist house of cards has fallen.

It is about collective security. We have reached an historical breakthrough, an unprecedented standing together of 27 nations. It is about whether we as the last superpower left standing will step up to the terrible, awesome responsibilities of world leadership.

Something else I remember, and I know my friend Mr. BENNETT remembers it and so does Mr. GIBBONS, and that is the Great Depression of the 1930's. I remember that.

Boy, I remember when unemployment was not 4 or 5 percent, it was 24.9 percent. Hunger, joblessness, cold, frustration, despair; but they were orderly suffering people in those days. They waited in line for their bowl of soup then.

This next depression, if it hits this country, there will be broken glass. There will not be an orderly group of hungry Americans, cold Americans. It will be chaos.

So need we be embarrassed about worrying about a worldwide depression? Do we need to apologize about that? I do not think so. I do not think so.

Giving Saddam Hussein a stranglehold on the jugular vein of the world's economy is something I think we ought to think about, because a worldwide depression will inevitably result.

But there are other reasons, perhaps more salient, for supporting the President.

Nuclear proliferation: How many of us are terrorized by the thought that more and more countries are joining the nuclear club? Does anybody doubt

for a second that Saddam Hussein is working to get a nuclear weapon and that he will use it?

Biological warfare: You can carry in your hands enough anthrax to destroy a whole metropolitan area, and you can smuggle it in in diplomatic pouches.

Chemical warfare: He has destroyed over 5,000 of his own people, not to mention Iranians by using it on them.

That is what Saddam Hussein is. Those are reasons to stand tough.

So much in this century the American people have sacrificed their treasure, their blood, to beat down the dictators, tear down the walls, defend human dignity. But I will tell you there is no such thing as a risk-free foreign policy.

Do you think Perez de Cuellar can talk Saddam Hussein out of his weapons of mass destruction without the credible threat of military force?

The Solarz resolution provides credibility that the United States and the United Nations must have if we are going to avoid war.

This infusion of credibility is needed now, not 6 months from now. To abandon the U.N. resolution, to abandon the President now, erodes, undermines, subverts any credibility we might have.

It is backing down, it is retreat. It is like paying a blackmailer. When does it end? It never ends.

The heart of this argument really is not a denial that military force may be necessary; we all concede that. The argument is over when? Now or later should that authority be given?

What are the consequences of voting for Gephardt? Well, we will shatter into a thousand pieces our influence in the Middle East and in the world. But support of the United Nations and the President will put us in an unprecedented position to help share peaceful settlements in the whole region.

Think of the influence we will have in trying to resolve the Palestinian-Israeli issue, which is looming like a brooding omnipresence over this whole area.

Think of the leverage and the prestige that we will have if we succeed. If we fail, I am afraid all is lost. Backing down not only strengthens Saddam Hussein, it encourages all of the embryonic Saddam Hussein's throughout the world. It shatters the brittle coalition.

Let me tell you, a coalition made up of Iran and Syria, Jordan, not to say the Saudis and Egypt, is miraculous and brittle. We have to keep it together.

Please do not forget, Saddam Hussein does not care what happens to his civilian population.

But the tragedy and the irony of all this is that we do this at precisely the time when the world is looking to America for leadership, at a time when the newly freed people of central and Eastern Europe are joyfully acknowledging the success of American policies, which regrettably many of the same opponents of the President's gulf policy once rejected, and at the precise time when the countries' representatives at the Security Council are more confident of America's ability to act for good, for peace, for freedom, for human dignity than ever before.

Now let me speak on the virtue of prudence. No one should blithely assume that anyone goes to war lightly. It is sheer demagoguery to suggest the President has mindlessly locked himself into a macho confrontation in which he is prepared to resolve at the cost of American lives.

The moral traditions of the West which emanate from the philosophy of the Greeks and Jewish and Christian theology has emphasized, for three millennia, that the supreme virtue in all policies is prudence, prudence. It is not a question of splitting the differences between opposed moral positions. It is the moral skill of applying our principles to messy human situations so that the maximum good is obtained in complicated circumstances.

Prudence ought to tell us something about our current choices, none of which are pleasant and few of which are satisfactory.

Saddam Hussein's aggression in Kuwait is part of a larger strategy of intimidation and coercion that poses grave threats to peace in the Middle East and to the legitimate security interests of the United States; not Germany, not Japan, not Saudi Arabia, but the United States.

His arsenal is offensive, it grotesquely exceeds what he needs to defend Iraq, and it has one purpose: intimidation, coercion in the service of tyranny.

Should Saddam successfully intimidate and coerce the United States and the United Nations, and anything less than Iraq's unconditional withdrawal from Kuwait will be a success for him, we may be sure that we will be faced with even more terrible choices in 2 years, 3 years, 5 years, or 10 more years.

May I say to my friends we have such limited time. If there is time at the end, I would be delighted to engage in a dialog, but I cannot now.

□ 1000

Using military force versus Iraq is not going to be easy or pleasant, but it will be far more dangerous, far more difficult and far more costly in lives in the future. Prudence should teach us that now is the time to check the aggression of this ruthless dictator whose troops have bayoneted pregnant women and have ripped babies from their incubators in Kuwait.

My friends, the spiritual descendants of Genghis Khan still stalk the Earth in Badhdad, in Vilnius, Lithuania, in Afghanistan, in North Korea, in Cambodia, and they do not respond to plowshares.

St. Augustine, who died in the year 430, had a great prayer. He said, "O God, make me chaste, but not now." The Gephardt resolution says to Iraq, "Get out of Kuwait, but not now, not now."

It has been said that democracy is always 2 years behind the tyrant, and that was certainly true in World War II. The result: 50 million people, 50 million people around the world died as a result of World War II, the most avoidable war in history had we stood firm at that time.

We can today, here, make this democracy's finest hour by standing up to the awesome responsibility of world leadership. The consequences are immense. Today the debate will finish, and the decision is here.

Support Solarz-Michel.

Mr. Speaker, I reserve the balance of my time.

Mr. DURBIN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Illinois [Mr. DURBIN] for yielding.

Mr. Speaker, I think the debate we are having here on this measure is terribly important. It goes right to our historical root and what a democracy is all about. Our forefathers and foremothers said,

> There is nothing more sacred in the public trust than committing the young lives of your citizens and committing them to a war in which they may be killed.

Mr. Speaker, that is too much power for any person to have because indeed none of us are angels, and so what we are talking about here is reaffirming that very, very basic principle that we Americans should be so proud of that are in our Constitution.

We have heard so much about this debate, that this democratic debate must be giving Saddam Hussein comfort. No, it is not giving him comfort. He must be terrorized. His people see this kind of debate and say, "There's a country that's powerful enough to allow people to criticize some of the administration's policies and not get shot." His people may want a parliament. Imagine such a thing. That would not make him feel good at all.

We know that seeing our democracy operate in a constitutional manner, as it has in many other ways, allowed Eastern Europe, the people of Eastern Europe, to finally get the same dream and the same idea and have it.

I think this debate is so healthy, so important, and I think it is going to help all over the Middle East to see how a democracy really functions, and I certainly hope this body votes for the Bennett-Durbin resolution. Our forefathers and foremothers would be shocked to know that they fought for

200 years for this principle and to think that this body would waffle and walk away from it. This is the absolute root of our foundation. If we defer on this, we count for nothing.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I thank the gentleman from Illinois [Mr. DURBIN].

Mr. Speaker, we have had 2 days and 2 nights of debate on the resolution, whether or not we should authorize the President to enter into a military conflict, and we will have more of that debate as the day progresses. I would like to, however, address my brief remarks in support of the Bennett-Durbin resolution.

Mr. Speaker, I think we have come to the floor this week because we believe that the Constitution of the United States stands above the President. It stands above Congress, it is the rule in which we all must live, and for several months now our President has acted as though he were not guided by that Constitution, that he could establish deadlines, that he could declare war, that he could move massive amounts of military might around the world without the consent of the people.

Mr. Speaker, we may not be all the people, but we are responsible to them every 2 years. The people send us here. The people are calling our offices, the people are seeing us as we return home on our streets and in our neighborhoods, and they are telling us what they want.

It is extremely important that today we establish the policy that the Bennett-Durbin resolution brings and that the President accepts that policy that no war should ever be entered into without the consent of the American people through their elected Congress.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

Mr. RICHARDSON. Mr. Speaker, this is not a vote about whether we support the President in the Persian Gulf. It is a vote about what each of us thinks is our responsibility as Members of Congress.

The Constitution has been very clear over the warmaking authority of the Congress. Yes, Presidents in the past, both Republican and Democrat, have conveniently ignored it in Grenada, in Vietnam, and Panama. Had there not been overwhelming pressure from the American people, President Bush himself might have followed the same course in the Persian Gulf.

This resolution simply reaffirms first that the American people, through their elected Representatives, have the primary authority to declare war.

I ask my colleagues, "Can you imagine 400,000 Americans engaged in war without the American people having a say?"

Mr. Speaker, we have elected a President, not a monarch, not an emir. It is very clear the Constitution says that Congress has warmaking authority.

Mr. DURBIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, enough is enough.

The Constitution clearly, unequivocally gives Congress, and only Congress, the right to declare war. Once the war is declared, the President can wage the war. But only Congress can tell the President that the time has come when U.S. troops are to go into active combat.

Yet, President's are sometimes not satisfied with that division of power. In recent decades, time and time again, U.S. military force has been used without heed to the Constitution's distinctions. Although others have done so, none have violated the Constitution as flagrantly as Presidents Reagan and Bush. Does President Bush not remember the oath he took to uphold the Constitution?

On January 3, 1991, 535 Members of the House and Senate took the oath. I hold that oath sacred. I will do everything in my power to ensure that American citizens of the Chicago metropolitan area will not be shortchanged in their representation in Congress. Among our most explicit and vital duties as Members of Congress is the power to be the sole arbiter in the question of whether to go to war. There is no chance that American blood should ever be spilled on foreign soil without our having decided that there was a good enough reason to do so or our having had the opportunity to prevent it.

No single man or woman should have such awesome power. To allow President Bush to dictate that we are to start war without being subject to Congress' determination on the question is to elevate him from President to monarch and, in many respects, to a god-like being. That is not only unconstitutional, but unconscionable as well.

The potential problems are showcased in the past. Vietnam was a morass of five presidents acting without authority from the Congress. In the early 1980's, President Reagan never asked us for permission to invade Grenada. He just did it. I still feel that it was one of the most unnecessary uses of power that could have been contrived. But try using that observation to console the families of those who died. What was done was done. Since Congress could do nothing about it after the fact, we must be on the case, to stop such frivolous military action before it occurs.

More recently, President Bush invaded Panama. Did he ask? Did he ever convince the Congress, the representatives of the people, that there was a strong enough need to march in and destroy? Of course not. Yet, such actions affect every American. They especially affected the dozens of American servicepeople who came back in body bags and the families of those people.

That must never happen again, and especially not now, in the Persian Gulf. The House must pass the Durbin-Bennett resolution today. To do otherwise would be to gift-wrap our powers and send them to the President. If we abandon this authority, will we next abandon our authority to appropriate Federal funds? What is the difference? In both cases, the Founding Fathers struck a sagacious balance of powers between our two branches of Government. To upset that balance would be to tamper with the fundamental fabric of our democracy.

Mr. Speaker, I urge all my colleagues to support the Durbin-Bennett resolution for now and all times to come.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Speaker, let me repeat a verse that was given me by a rancher, that I used yesterday. His question was, "What's the hurry?"

The verse he gave me was: 10,000 men march off to fight when 40 statesmen call it right, but had the statesmen fought instead, their impatience would have cost but 40 dead."

What is the hurry? We are told today we must send a message to Saddam Hussein, and the message must in effect be a declaration of war, in order to demonstrate that this country in the middle of an economic crisis, is willing to borrow money to send our troops to shed American blood to protect what is largely our allies' oil supply.

Two points:

First of all, this country should never choose war until it has exhausted every effort for peace; and, second, Iraq has received a message. Saddam Hussein is now stopped. We have sent the message and it was received. Dealing with Iraq later, if we must, will not be dealing with a stronger Iraq. It will be dealing with a weaker Iraq because economic sanctions will and now are weakening Iraq.

So, what is the hurry? What is the rush, statesmen?

Mr. DURBIN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Speaker, I rise in strong support of the Bennett-Durbin resolution.

My colleagues, we make a lot of hard decisions in this Chamber.

Every day we make decisions that affect people, real people, flesh and blood. Decisions that affect poverty or prosperity, life or death.

But no decision is harder to make than that to authorize the President to send American men and women to fight a war.

It is our decision to make. That is what the Constitution says.

Little more than 200 years ago, a group of men sat in Independence Hall in Philadelphia—in my district—and wrote the foundation for this great land—the U.S. Constitution.

The administration speaks out of two sides of its mouth when it comes to interpreting the Constitution.

When it suits them, they are strict constitutionists. They say that you must look to the original intent. But

when it doesn't meet their purposes, they ignore the document and its original intent.

Here, the original intent is clear.

The Framers spoke loud and clear about this division of authority.

No single person should be saddled with the responsibility to send men and women to die.

All of us have been in our districts listening to our constituents. Their voices whisper in our ear as we make this decision this weekend.

Let the people be heard.

Vote to support the Bennett-Durbin Resolution.

□ 1010

Mr. DURBIN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK. Mr. Speaker, this issue was not about nuclear and chemical and biological weapons; those weapons, the chemical and biological, as a reality, and the nuclear as a potential have been in Saddam Hussein's hands for a long time. They were in his hands when many of us in this House tried to impose sanctions against him and the Bush administration lobbied to kill them. And the Bush administration's stated policy now, as the gentleman from Illinois restated it, is that he should leave Kuwait, which would leave the nuclear and chemical weapons in his hands. They are the problems to be dealt with, but they are not the target of this administration's policy now, although they were in fact the beneficiaries of this administration's policy before.

Second, the gentleman said that democracy is certain to lag 2 years behind the tyrants. Not by my values. I celebrate democracy. I celebrate the fact that this Nation ought not to be able to make the most terrible decision that a society can make, to send its young people out to kill or be killed, which sometimes we have to do.

There is no pacifism here. This is not a case of Munich. Saudi Arabia is Czechoslovakia, if you want to use Munich, and we sent hundreds of thousands of troops with unanimity in this body to its defense. This is not Munich.

What we are talking about is, as the gentleman articulated it, should America take world leadership? That is what we take on ourselves, the burden of Americans dying, of Americans paying.

We have a multilateral force that consists of American soldiers and international cheerleaders. We have the Egyptians announcing that they will not go into Iraq. They will go into Kuwait, but if the Army goes the other way, they will not be there. We are being told by the President that America alone should take this burden on. Then the question is, who makes that decision?

We have heard it here, people saying, "Don't undermine America's policy." What are we, the Canadian Consulate? This is part of America. This is where the elected Representatives of the American people sit, and that is why we need the Bennett-Durbin resolution, to do away with the notion that Presidential policy governs in the most terrible decision we can make on loss of life, destabilization of our economy, and commitment forever, apparently, to this "we will do it all" idea. That is why Congress has to vote, and that is why we owe the gentleman from Illinois and the gentleman from Florida thanks for letting us establish this important constitutional principle.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Speaker, I thank the gentleman very much for yielding time to me.

Mr. Speaker, I have just completed reading the book, "Miracle at Philadelphia," by Elizabeth Drinker Bowen. Anyone who would read that book about those fateful days in Philadelphia in the summer of 1787, would conclude that all the Members of this House really should support the gentleman from Illinois [Mr. DURBIN] and the gentleman from Florida [Mr. BENNETT] on this resolution. We should be the ones to declare offensive action.

Having said that, let me also suggest that I support the Hamilton-Gephardt resolution because I do not know what the rush to war is all about. Why do we have to be bludgeoned into or rush into an affair that will clearly claim many American lives, the lives of men and women?

Is Saddam Hussein, for example, sailing up the Hudson River and about to lay siege to the World Trade Towers? Is he poised over in Clarksville, IN in LEE HAMILTON's district, about to come into Louisville, in my district? No, he is not. He has been stabilized.

This is not World War II. This is not Europe. This is not a situation where the world is silent and the world is asleep. The world is wide awake, and the world is vigilant. The world is poised to pounce upon this man if he fails to do the right thing and leave Kuwait.

Mr. Speaker, let us give diplomacy a chance and let us give sanctions a chance. Then and only then, if we have to, should we move with military force.

Mr. HYDE. Mr. Speaker, I yield 4 minutes to the distinguished Marine general, BEN BLAZ, the gentleman from Guam, where America's day begins.

Mr. BLAZ. Mr. Speaker, it is difficult enough to speak on this issue today. It is tormenting to speak in apparent opposition to CHARLIE BENNETT and in support of Solarz-Michel, for there are very few people I admire more profoundly than I do my friend CHARLIE BENNETT.

If you are a foe of America, you would be distressed today, for it is apparent that American resolve is being awakened. If you are a friend and a former critic of this House, you would be reassured, for the House has risen, with candor, without rancor, as it should rise, for the issue is overwhelmingly important. That message is enough.

Were we to stop today, we would be served and served well. But if we are speaking about messages, permit me, please, to sharpen the focus of the debate to a particular constituency of ours, the men and women in the Armed Forces of the United States. I yield to you and you and you on your messages to Saddam Hussein. I yield to you and you and you on your messages about politics and the economy. I give little ground to the kind of message that a soldier, sailor, Air Force man or Marine would like to hear.

In our history, World War II, because of American resolve, produced men of character such as CHARLIE BENNETT, because we were all one. In Korea we failed. We ended with a draw. I was there. I could not believe that I always had to seek permission to turn right or turn left. A draw for a soldier?

And in Vietnam we lost. That was worse. Not only did we have to seek permission, we could not shoot unless shot at. Good grief. That is committing the soldier to certain death.

In the interim years we had the All-Volunteer Force. We have devoted so much to giving them all that they need. And we applauded in this House, as they did everywhere else, when we sent them off in August. When we augmented them in September, we cheered, and when we sent reinforcements in October, we cheered.

Now we are saying, "Wait now." In effect, some of the messages are like saying, "Don't shoot unless you are shot at, and, by the way, before you shoot, call me collect."

Mr. Speaker, let me say this to my friends: I am as tormented as all of us, as all of you are. I had an opportunity to have a peaceful discussion with the President, one-on-one, on this issue.

□ 1020

He is a very tormented man as well.

But my friends, America did not seek to be the world's leader, it was thrust upon us. And it is the burden of leadership to lead.

We are not saying you must go to war. What we are saying is that if you have to fight, then you do not need to make that phone call.

Let me end by just reminding some of my friends of a story I told when I took the oath here 7 years ago. As I exited, a reporter came up to me and he said, "What was on your mind?" I indicated to him that in the 30 seconds that it took to take the oath that 30 years of my life as a marine flashed before me, and the most prominent images were those instances in which I

was asking my men to go off to war and saying it is for democracy, for our way of life, for freedom. And when the casualties came back I was burdened with so much guilt, but it was my lot as an officer to carry that burden. I was ready to carry it to death.

But in the 30 seconds during the oath, as the majesty, the nobility, and the dignity of the Chamber unfolded before me, I realized that I did give the right mission, because if this is the forum that we are trying to protect, then it was worth the sacrifice, and I am not as much burdened by a sense of guilt.

We must carry the burden of leadership. It is heavy, but the bigger burden is to send the message to the soldier, sailor, and marine that we are behind them, because in the final analysis he carries the heaviest burden of all.

I thank you, my friends, for listening to me, and I salute all of you.

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I rise in support of the pending resolution and as a cosponsor of the Michel-Solarz resolution. I see absolutely nothing inconsistent. In fact, it is entirely compatible and I think it is essential for this Congress to go on record in support and affirmation of the constitutional provision.

Mr. Speaker, I rise in support of the resolution being offered by our distinguished colleagues, Representatives BENNETT and DURBIN, House Concurrent Resolution 1. This resolution expresses the sense of the Congress that Congress must approve any offensive military action against Iraq.

The resolution further reaffirms that Congress has the responsibility and authority to declare war as granted in the Constitution.

Both Representatives BENNETT and DURBIN presented excellent and persuasive testimony on their resolution to the Foreign Affairs Committee earlier this week.

As an original sponsor of the War Powers Resolutions enacted nearly 20 years ago, I fully support the principles expressed in House Concurrent Resolution 1 and would add that these principles are incorporated in House Joint Resolution 62, which has the support of a bipartisan membership of the Congress, led by Representatives SOLARZ and MICHEL.

House Joint Resolution 62 authorizes the conditional use of force to implement U.N. resolutions and as such is the implementation of the War Powers Resolution. In section 2(c)(1) of House Joint Resolution 62, the Congress declares that this conditional authorization of the use of force constitutes the specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

In other words, under House Joint Resolution 62, force is authorized by the Congress only after the President determines that the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the 12 U.N. Security Council resolutions and that those efforts have not been and would not be successful in obtaining such compliance.

Only pursuant to the presentation of that determination to Congress and the American people, for which he will be held accountable, would the President then be authorized to use force to implement the U.N. resolutions. This procedure established by House Joint Resolution 62 is consistent with and fulfills the requirements of the War Powers Resolution and the U.S. Constitution.

In this way, the Congress is upholding the basic premise of our system of government as perscribed in the U.S. Constitution that responsibility for foreign policy and national security policy decisions, including and especially those involving war, is to be shared between the executive and legislative branches of government and not to be decided alone by any one branch or person.

For these reasons, I fully support House Concurrent Resolution 1, the Bennett-Durbin resolution and urge my colleagues to do the same.

Mr. DURBIN. Mr. Speaker, I yield 2 minutes to the gentleman from Montana, [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I rise in support of this resolution and also in support of the Hamilton-Gephardt resolution.

Rushing to war will be a mistake of historic proportions. The result of moving too quickly to war will be destructive divisions here at home and a dangerous jumbling of alliances and allegiances in the nations of the Middle East.

Moving to war quickly out of fear that the coalition of nations will not hold for the long pull indicates that the coalition may lack sturdiness and resilience because the cause itself is infirm.

This Nation must match our determination that Iraq's aggression will not stand with the restraint, caution and thoughtfulness required of a Nation that would lead the world. We urge President Bush to be both confident and wise. We hope he will rely on history for guidance, and not only the history of World War II, but other events, including Korea and Vietnam. Not all old soliders learn the lesson.

Finally, I want to express my opposition to the Solarz-Michel proposal. War by voucher system breaks faith with the Founders and abrogates our constitutional responsibilities in this Congress.

Finally, we pray for the young men and women under arms in the Middle East. We pray for President Bush and we urge on him thoughtfulness, caution, and wisdom.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from New York, [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I rise today in strong support of the resolution introduced by our colleagues Mr. BENNETT and Mr. DURBIN. This important resolution reasserts the clear constitutional prerogative of Congress to make the ultimate decision to commit the Nation to war.

There are two very distinct issues before the House today. One issue—about which there is deep and passionate division here in Congress—concerns the wisdom of various strategies to restore the sovereignty of Kuwait. For my own part, I am convinced that we have not yet exhausted all available economic and diplomatic avenues, and that our best option is to stay the course of sanctions and diplomatic pressure.

But there is another important issue before the House today—an issue of profound constitutional import. It boils down to one simple question—who has the authority to commit the United States to war?

On the one hand, this question hardly seems necessary to debate at all. The Constitution, in article 1, section 8, leaves absolutely no ambiguity on this issue. It is Congress—and only Congress—who has that authority. The necessity of this provision was clear to the members of the Constitution Convention. They were determined that no one person, be he a King or a President, should have the sole authority to send the Nation to war.

The Constitution is so clear, in fact, and the Founders' reasoning so wise, that it almost seems superfluous to reiterate the time-tested Constitutional provision in legislation.

But the recent statements of President Bush—and indeed the record of the last 10 years—indicate that the resolution offered by Mr. BENNETT and Mr. DURBIN is not only appropriate, but absolutely essential.

Mr. Bush—like Mr. Reagan before him—has made the bald assertion, the Constitution notwithstanding, that the President has the authority to send the Nation to war without the approval of Congress. This unadorned claim would not even have been conceivable just a decade ago. Yet now it is publicly asserted from the White House.

One of the great ironies of President Bush's position is the fact that he—like President Reagan before him—claims to be a strict interpreter of the "original intent" of the Framers of the Constitution. It is odd that President Bush supports the original intent of the Founders when the Constitution is vague, yet opposes the Framers' intent when it is crystal clear, as on the issue of congressional war powers.

The Bennett-Durbin resolution, for which I commend the gentlemen from Florida and Illinois, will put that new-found misinterpretation of the Constitution to rest.

Congress—and only Congress—has the authority to commit the United States to war. I urge my colleagues to support the Bennett-Durbin resolution.

Mr. Speaker, when we take those 30 seconds to take the oath of office, and we raise our right hands, and we puff our chests, that is not just a formula that we are going through. We swear to preserve and protect and defend the Constitution of the United States. When we do that, we do it in the particular and for the last 10 years at least there has been such a tremendous erosion of our commitment to protecting and defending and preserving the Constitution. And this institution has played a role in that erosion in that we

have abdicated our constitutional responsibilities.

When we permit a President to wage small wars, whether it is Grenada or Panama, without the prior approval of the Congress, we are eroding the Constitution. And when we try to defend against violations of international law having violated international law ourselves we erode the Constitution and we undermine our leadership role in the international community.

The Bennett-Durbin resolution should be adopted because it reasserts that which the Founders of this Nation intended, that the people through their representatives must make the fateful decision to go to war. That is the procedure that should be followed at this time. And it is being followed. But it would not have been followed if the Secretary of State or the President had been left to their own inclination. This body made that happen.

Let us adopt this resolution so we make it absolutely clear that it is still Congress that has the sole power to declare war.

Mr. DURBIN. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding the time and thank him for his leadership, along with the gentleman from Florida [Mr. BENNETT], for his leadership in giving us this opportunity to vote on the constitutional right of Congress to declare war, because in restating that right for Congress we are restating it for the American people. And the people of my district want Congress to be aware of some consequences that perhaps have not been addressed in this debate as we consider when and if to use force in the Persian Gulf.

We all, of course, revere those who have gone before us and fought the wars that have made our country and the world free. But the stakes are so much higher in this potential battle that I want to call some of them to Members' attention.

Mr. Speaker, every Member of Congress, regardless of which gulf resolution they are supporting, is burdened with the image of human lives that could be lost in the tragedy of a Persian Gulf war.

While we are all concerned about this tragic image, there are other concerns which will also affect human life and all of life on Earth.

The war cloud that would result from exploding oil fields and large-scale bombing of Kuwait, Iraq, Saudi Arabia, and other countries in the Middle East would doom the environment for many years to come. King Hussein of Jordan stated in his remarks before the global warming conference in Geneva last year: "If half of Kuwait's oil reserves were to go up in flames during a war, the environmental impact would be swift, severe and devastating—(it) would blacken the skies over a radius of at least 750 kilometers." And last night the king stated that the war would be an ecological disaster of the first order.

Some of the world's leading scientists state that the environmental effects of a war in the Middle East would be staggering. While we discuss the many scenarios that might result from a gulf war, let us also focus on these images:

Fires raging for weeks, or perhaps months, sending tons of smoke and debris into the Earth's atmosphere.

Oil equal to a dozen *Exxon Valdez* spills coursing through gulf waters.

Millions of Dolphins, fish, sea birds and other marine life washed onto gulf shores.

Smoke and debris blocking sunlight, causing temperatures to drop and altering crop seasons which would result in widespread famine.

Toxic plumes ascending to the upper atmosphere and falling as acid rain.

Chemical contamination of air, water and vetegation.

The Persian Gulf as the Dead Sea.

All of the Persian Gulf's natural resources, recognized by the United Nations environmental program as "one of the most fragile and endangered ecosystems" in the world, would be affected—from drinking water to marine life—disrupting the chain of life and livelihood for generations to come.

We are all too familar with the devastation that can be wrought by a large-scale oilspill. The *Valdez* tragedy, which we addressed with oilspill prevention and liability legislation in the last Congress, would be magnified many times over by war in the Middle East. It takes, on average, a minimum of 3 weeks to put out an oilwell fire. There are 1,000 oilwells in Kuwait. There are only a few firefighting teams in the world prepared for this type of emergency.

The Fertile Crescent, created by the confluence of the Tigris and Euphrates Rivers flowing into the gulf, habitat for rich marsh life and the center of agricultural irrigation, would be irrevocably changed. Imagine this: The gulf would become the Dead Sea in more ways than one.

The point has already been made how important it is for us to have an energy policy to avoid such conflicts in the future. And the point has already been made how we have to have a better policy toward nuclear disarmament. I hope the point is made that we take very seriously the environmental consequences of our action, and again I thank the gentlemen for their resolution.

□ 1030

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, in order to fully understand what we are doing today, I think it is important to understand the legal nature of the three measures we will vote on today. Two are concurrent resolutions and one is a joint resolution.

Concurrent resolutions do not rise to the level of a law. They are mere expressions of opinion. They do not go to the President for his signature or veto. They do not change or legally interpret any section of the Constitution or any law. Passing a concurrent resolution in either House is not binding on anyone and may be inconsistent with one passed in the Senate or passed previously or in the future. It makes no difference legally and to pretend the House is passing a historic law when it passes a mere concurrent resolution is a misrepresentation.

A joint resolution if passed in identical form by both the Senate and the House and signed by the President can have the force of law.

Both the Bennett resolution (H. Con. Res. 1) and the Hamilton resolution are concurrent resolutions and merely express opinions of Congress. The Solarz-Michel resolution (H.J. Res. 62) is a joint resolution which, if passed in identical form by both the House and Senate and signed by the President, will rise to the level of law.

If those who support the two concurrent resolutions were to pass something of substance, they would propose passing a law to repeal the War Powers Act, which is inconsistent with these two concurrent resolutions most of them support. The War Powers Act is a law which sets forth certain procedures the President should follow if he orders troops or the use of Armed Forces in situations like we have in the gulf. I did not vote for it and believe it was in effect an unconstitutional delegation of congressional authority and also an unenforceable infringement on Presidential power. It has not been recognized as constitutional by any of the five Presidents since it passed. If the War Powers Act is to be modified or repealed, it must be done by law and cannot be done by a mere concurrent resolution.

House Concurrent Resolution 1 states that it is the opinion of those voting for it that "any offensive action against Iraq must be explicitly approved by the Congress of the United States before such action can be initiated." Since there are no exceptions, it would even prohibit using the force we are using each day to enforce the embargo and it would prohibit offensive action taken in retaliation for suffering inflicted by Iraq under any condition. That means that if Iraq were to use biological or chemical weapons on our troops in the desert, all they could do is try to defend themselves against another attack. They could not take offensive action to prevent another attack. No Member of the House has been willing to say they believe the response should be that limited in that particular case but that is the plain unambiguous reading of the resolution; and one or even several Members of the 435 in the House saying they would like for exceptions to be read into it, does not change it. Even though it is a mere resolution expressing an opinion, and will not settle a question which has been debated for 200 years, any resolution stating the opinion of this House today should state any exceptions Members believe

appropriate. I will not vote for a resolution or opinion which as written in effect states that American soldiers should be limited in responding to a biological or chemical attack.

The Hamilton resolution is based upon the assumption that sanctions and an embargo will cause Saddam to withdraw from Kuwait. I do not believe that and not very many do. It is merely an excuse. Those who want to wait, and they are many, should just say so. Since the Hamilton resolution cannot rise to the level of a law and will not have any legal effect on the President, to claim it is effective or an historic document is not right. While passing a mere opinion in and of itself does no legal harm, it does no real good either. On the other hand, I fear passing it might encourage Saddam to believe U.S. troops would not be permitted to retaliate and therefore, passing it might encourage him to continue to defy the U.N. edict to withdraw, encourage him to not agree to proposals being advanced this weekend by the U.N. Secretary General, and also encourage him to commit a reckless aggressive act endangering our military personnel. I see no positive gain flowing from passing this resolution but a possible downslide. If the authors want to do something positive and substantive, they should instead be proposing repeal or amendment of the War Powers Act which in effect concedes authority of the President to use force in such situations for up to 90 days.

House Joint Resolution 62, which is supported by the administration, is a serious proposal rising to the level of a law, but it grants authority to be implemented at some indefinite time in the future. The circumstances at that future time are not known today. Indeed, circumstances may very well change substantially by next Tuesday and those changes may be so important that one voting yes today under today's circumstances may want to vote no on Tuesday. If the Secretary General of the United Nations can extract an agreement for a viable program for withdrawal, there would be a lot more support for action. I think House Joint Resolution 62, as written at this time, is too much of a blank check. We should deal with such important questions at a time when all the circumstances are known.

Mr. HYDE. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Speaker, I stand in support of the Michel-Solarz resolution and oppose the Bennett resolution.

Mr. Speaker, I rise in support of the Solarz-Michel resolution authorizing the President to use United States Armed Forces to implement the U.N. Security Council resolutions concerning the Iraqi invasion of Kuwait.

The approval of this resolution by Congress will provide the President with a critically important tool to use in his continued efforts to avert war—Saddam Hussein will know beyond a shadow of a doubt that our Government and its citizens stand firmly behind the President's actions.

We cannot expect our Commander in Chief to lead our Nation through this crisis with one hand tied behind his back. The President must have the ability to choose among a variety of options, including military options, in negotiating this crisis. Sanctions alone do not provide the needed threat to bring about the Iraqi withdrawal from Kuwait. In the more than 5 months since the Iraqi invasion, Saddam Hussein has increased, rather than decreased his hold on Kuwait. Sanctions have produced no hint of a response from Iraq.

The morale of our troops in Saudi Arabia is high. I returned from the gulf region earlier this week with the knowledge that our military forces are extremely well trained and ready for any eventuality. These brave men and women are professionals that know their jobs and strongly believe in their mission. But our troops must know that our Government stands squarely behind them and respects their ability. Just as we must speak with one voice to Saddam Hussein, we cannot send mixed messages to our own soldiers about our commitment in the gulf. In this instance, maintaining peace demands that we maintain a credible military threat, otherwise Iraq will not budge, and we will go to war.

I continue to maintain hope that we can yet avoid war, and pray for this outcome. The loss of young lives in the defense of our country would be a tragedy of overwhelming proportion. However, the threat of failing to act, of allowing a mad dictator to succeed in his vicious aggression against neighboring countries and the world community is simply not an option. In short order our Nation would face an even more aggressive and imposing force in the Middle East, one that could jeopardize many more lives.

As we approach the January 15 deadline for Iraq's withdrawal from Kuwait, the world is intently watching how the strongest nation on Earth responds to one of its greatest threats. I have faith, based on more than 200 years of proud history, in the strength and resolve of the American people to protect freedom and defend against aggression. We will persevere, and Congress has the opportunity to help.

Mr. HYDE. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I understand the intentions of the gentlemen who offer this resolution, and they differ from my own. But I am unable to understand the relevancy of insisting in a concurrent resolution on what the Constitution says plainly—that only Congress has the right to declare war—when the concurrent resolution has no force of law and merely expresses a sense of the body, and especially when, on the same day, we will be voting to grant—or not—the express power to the President to take offensive military action.

I believe, as I expect most all Members of this body believe, that the Founding Fathers were correct in placing in the hands of the legislative branch the responsibility and power to commit our country to armed conflict. Plainly, there are and have been throughout our history times when the exercise of such power was not possible, consistent with our national interests. These included actions against pirates in the early days of our national existence, the invasions of Grenada and Panama, when covert action was necessary, and others, such as Vietnam, where we were fighting for an established government and against an insurrection and, at least in the very early stages of our involvement, there was no other nation we might have wanted to declare war upon at that time.

In every such case, of course, the legislative branch retained the power and responsibility for providing the resources to conduct these military operations and thus, though no declaration of war may have been appropriate, the legislative branch was a full participant with the power to prevent continuation of our military participation at any moment.

The situation in Kuwait, however, does not fall into any of these categories. Military action has been threatened for some months and both sides have steadily built their confronting forces. An identifiable nation is the intended enemy and there is nothing covert about the confrontation. Ample legislative time is available to address the issue.

I have been urging the President publicly and privately that, in these circumstances, the Constitution requires a declaration of war, and he should ask for one. Note, however, that the Constitution nowhere requires the President to seek a declaration of war from the Congress. It is our power and our responsibility alone, and the President under the Constitution has no role to play in it.

In any case the Michel-Solarz joint resolution fulfills, in my judgment, the constitutional imperaitive completely and also satisfies the terms of the Bennett-Durbin concurrent resolution, which under the circumstances, it seems to me, is irrelevant and redundant.

A vote for or against the proposition, then, seems totally unnecessary and the current resolution, therefore, totally unnecessary as well. The statement reaffirming that the power and responsibility for declaring war lies in the Congress is obviously one I support. The need for such affirmation as a sense of the Congress and in the face of actual legislation which grants the President such power is difficult to discern.

Mr. HYDE. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Flordia. Mr. Speaker, what a terrible shame, 1990 was a year in which freedom broke out around the world and was the first time in more than 50 years that the entire world seemed to be at peace.

What a terrible shame, just as the people of the world were standing together breathing a collective sigh of relief that war was going away, superpower confrontation was going away, the dictator of Iraq stirred it all up again.

The long-anticipated clash between the Soviet Union and the United States ended instead with a historic chain of diplomatic events and treaties that lessened the threat of conflict, reduced the United States and Soviet nuclear threat, resulted in a build-down of Eastern and Western Military forces in Europe, and opened the doors to a clearer understanding between the leaders of our two nations. It was under the strong leadership of Presidents Reagan and Bush, and Soviet General Secretary Gorbachev that a new decade ushered in a vision of peace for the first time in three generations.

Here at home, we reduced spending on national defense programs and this Congress eagerly anticipated a peace dividend that could be spent to provide for the education of our children and the health care of our aged.

In recent months we were amazed with the destruction of the Berlin Wall, the melting of the Iron Curtain, freedom was breaking out all over Europe, free elections in Poland, free elections in Czechoslovakia, countries withdrawing from conflicts where they were involved as surrogates and third parties. Peace was breaking out, and the dictator of Iraq changed all of that. There can be no question that the dictator of Iraq is a threat, not only to the people of Kuwait, not only to the people of Saudi Arabia, but to the people of the world, to the economy of the world. And he has denied us, he has denied us that peaceful world that we thought we had within our grasp. What a shame. What a shame. He is a threat, and something needs to be done.

Hope and optimism for a potential entire generation of peace were quickly dashed on August 2, when Saddam Hussein's armed forces brutally annexed Kuwait, taking thousands of Americans and other visitors of that nation hostage. Not only did he rob the Kuwaiti people of their freedom, pillage the nation of its assets and resources, and violently murder innocent men, women, and children—Saddam Hussein robbed the world of its only real hope for peace.

Our President, George Bush, did something, and everyone speaking on this floor in the last several days has complimented the President for moving out swiftly and strongly and organizing world opinion, preparing to stop the threat from the dictator of Iraq. Congress was in session at the time of the invasion of Kuwait. But Congress was silent as the United Nations adopted resolution after resolution condemning the dictator of Iraq. Congress applauded, the people of America applauded, even the press applauded.

As the troop movements began and commitments were made, thousands of Americans went to the desert with their tanks and guns and ships and airplanes and other types of equipment that we cannot even mention on the floor today. The commitment was being made, and Congress acquiesced in that commitment. Yes we were part of that commitment through our silence.

In August, September, October, November, and December, Congress did not stand to try to prevent that commitment, to try to stop what was happening, to tell the President, "You cannot move ahead." We applauded. We joined in that commitment by our silence, and now we have George Bush, who has done such an outstanding job in this regard out there on the end of the limb, and Congress can be silent no longer. Congress should speak out strongly in favor of that commitment today since we made that commitment all along with George Bush with our silence.

As we close the debate on this critical resolution, we stand just hours away from a possible armed conflict, the magnitude of which the world has not seen for almost 20 years. There is no Member of this House who hopes and prays more than I that Saddam Hussein will withdraw from Kuwait and avert the use of force.

There is no questioning the resolve of the United States and the international coalition of more than 100 nations that have condemned Iraq's aggression in 12 strong and very clear U.N. resolutions. President Bush has rallied the international community, including a coalition of our allies and another coalition of nations who rarely if ever support the United States, in an unprecedented show of unity. Immediately following Iraq's incursion into Kuwait, the United Nations approved resolution 660, the first condemning Iraq's invasion and demanding an immediate and unconditional withdrawal of forces.

The United Nations soon after, on August 6, approved resolution 661 imposing a trade embargo and financial sanctions against Iraq and Iraq-occupied Kuwait. On August 9, the United Nations declared Iraq's annexation of Kuwait null and void and demanded that Iraq rescind the annexation.

The United Nations on August 18 demanded that Iraq release the thousands of foreign nationals being held hostage and on August 25 reaffirmed its support for enforcement of the international trade embargo against Iraq. The U.N.-approved four additional resolutions in September including resolution 670 that indicated a greater resolve by the entire international community to tighten the trade embargo.

Despite Saddam Hussein's arrogance, the United Nations issued two resolutions in October and November before finally approving resolution 678 on November 29 authorizing member states to use all means necessary to uphold the terms of the first 11 U.N. resolutions and restore international peace and security in the region. It was this resolution which established the January 15 deadline for Iraq's withdrawal from Kuwait.

Mr. Speaker, President Bush, Secretary of State Baker, and U.N. Secretary General Perez de Cueller have taken every step possible to enable Saddam Hussein to settle this situation peacefully. Iraq's response was never clearer than this past Wednesday when its Foreign Minister Tariq Aziz refused to accept a letter from President Bush to Saddam Hussein that ought to make the Iraqi President fully understand the options available to him and the consequences of his decisions. As the world watched, the Iraqi Foreign Minister, on behalf of Saddam Hussein, virtually closed the door to any peaceful settlement and all but challenged the world to forcibly remove Iraqi troops from Kuwait.

The United States clearly stands on the side of peace. For more than 5 months, President Bush has sought through every diplomatic channel possible to convince Iraq to withdraw from Kuwait, a nation Saddam Hussein openly acknowledges that he has liquidated and annexed. The Soviet Union, the United Nations, even the nations of the Arab community, have provided unwavering support to President Bush and his every move.

Mr. Speaker, those on both sides of the aisle commend President Bush for his leadership, his initiative and his restraint in dealing with Saddam Hussein these past 5 months. With this vote today, we can clearly signal the support of the U.S. Congress for his efforts and reaffirm our trust in the difficult decisions he must make in the weeks and months ahead. A vote for the Solarz-Michel resolution today is a signal to Saddam Hussein that the international community remains united in its condemnation of Iraq's brutal aggression and its attempt to take away the freedom of a sovereign nation and its people.

A vote against the Solarz-Michel resolution sends the wrong message to Saddam Hussein. It would strengthen his hand and lessen the chances for a peaceful resolution of this diplomatic stalemate. It also would seriously undermine the credibility of the President of the United States and leave our allies in turmoil.

A vote against President Bush today casts aside the 12 years of leadership by two American Heads of State to reestablish respect throughout the world for the United States and the American people. We are on the doorstep of a so-called new world order that offers the hope of peace to this generation and generations to come.

It is a hope that will not and cannot be fulfilled without strong leadership and that leadership must come from the United States which for more than 200 years has stood as the beacon of hope, the beacon of freedom, and the beacon of peace throughout the world.

Mr. Speaker, when I was a child growing up during World War II, I was old enough to know that we were in a terrible war. But I knew that there was someone somewhere looking after this great Nation and I had every confidence that the decisions they were making would make everything all right. Ladies and gentlemen, today all over this great country there are young men and women who know that someone somewhere is looking out for them. That someone somewhere is us and we have got to be decisive in making the right decision.

In his first annual Address to the U.S. Congress, President George Washington said, "To be prepared for war is one of the most effectual means of preserving peace." I think that was a valid observation then, and I think it is a valid observation now. Today to be prepared for war and preserve the peace means adoption of the Solarz-Michel resolution to let the dictator of Iraq know beyond a doubt that we are serious, that he should withdraw and to let him know that we will keep our commitment to the world, to President Bush and to the young Americans who are in the desert today.

If we are going to err in making a decision, we must err on the side of strength and leadership. This is a world in which Saddam Hussein and those tyrants who will surely follow him only understand and respect strength and the willingness to use that strength to right the wrongs that have been thrust upon the world.

If we err on the side of procrastination and what appears to Saddam Hussein to be indecision and division we repeat the same mistakes that preceded World War II when we refused to deter the aggression of another despot from a far more civilized nation than we face today. It is this series of mistakes from which we have just emerged and which finally gave us the hope for world peace.

Mr. Speaker, the vote we cast today will not only go a long way toward resolving the situation in the Persian Gulf, but it will determine our future, the future of our children, and the future of our grandchildren. It is one which will determine if we are to begin a generation of world peace or a renewed generation of world conflict and tension.

The SPEAKER pro tempore (Mr. OBEY). The Chair will announce that the time remaining is 9¼ minutes on this side and 7 minutes on this side. In the case of all three propositions today, the proponents will be allowed to close.

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I rise in strong support of the Bennett-Durbin resolution.

Article I, section 8 of the Constitution explicitly states that the Congress alone has the power to declare war. The Constitution says, "The Congress shall have power * * * to declare war." The Constitution properly mandates that our elected representatives have an important check and balance against an errant Presidential decision on so grave an issue involving our national security. And the people have spoken: An Associated Press poll released Wednesday showed that only 44 percent of the Nation support military action by the United States against Iraq, while 50 percent want to give sanctions more time to work.

The President wants to sidestep this pivotal provision of the Constitution by simply asking this Congress to implement U.N. Resolution 678, authorizing "all means necessary" to enforce the will of that body. If we pass the administration's resolution, we play directly into not only the President's political gyrations, but the very peril the Constitution seeks to avoid: the loss of American life overseas without an explicit declaration of war by the Representatives of the people.

By taking this country to war without a national consensus, the President, and this Congress by its actions, threatens to break the spirit of this Nation, wreak violence on the Constitution, and illegally place U.S. troops in a lethal situation. We made a great mistake in giving unlimited authority to the President in the Vietnam war with the Gulf of Tonkin resolution, and most Americans do not want to see this occur again.

Article 1, section 8, clause 11, means exactly what it meant 200 years ago: that only the American people, through their elected congressional representatives, can lead this Nation to war, and it must be done with a formal declaration. Our actions here today threaten to undo this vital measure. If we cannot preserve the foundation of democracy here at home, how can we encourage it abroad? We are talking about deliberately initiating a conflict of potentially uncontrollable dimensions. In this case the President is simply wrong. President Woodrow Wilson said, "The greatest mistake a President can make is to take a divided nation to war."

Our Nation is divided, Mr. Speaker, because the administration has failed to provide the American people with a compelling reason for our sons and daughters to die. I have not heard anyone assert that our basic survival or national identity are at risk. The commitment of our troops to a desert war without the consent of the people will only further divide the Nation and paralyze our future diplomatic role in that critical region.

Practical sense and the U.S. Constitution both require support for this resolution.

Mr. DURBIN. Mr. Speaker, I yield 1¼ minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I rise in support of the Bennett-Durbin resolution, and also I rise as one Member who is not prepared to give the President a blank check in the situation in the Middle East.

We, as Members of Congress, hold a sacred trust with our troops in the field as well as our citizenry here at home.

There must be no doubt about why America goes to war. The reasons must be crystal clear, and the objectives honorable, and war must be the very last of resorts, not the first.

I appreciate our congressional leadership responding to the pleas inside this body to hold this debate and discussion. The American people have a right to a Congress that meets its constitutional responsibilities today and in the days to come.

This branch of government is not an extension of the executive branch nor its handmaiden. Each of us is elected in our own right and is sworn to the very same oath of office as the President of the United States.

Events have conspired to make these votes today very tough calls. My own preference is to let the economic sanctions and the noose tighten around Saddam Hussein and Iraq.

But to assure a national consensus in this country, we know the American people must be assured by our actions that all diplomatic and peaceful means have been tried before the war option is triggered.

I support the Bennett-Durbin resolution, because it preserves this Congress' rightful responsibilities in the days to come.

And I just want to say that I commend this body for the high manner in which this debate has been conducted, nonpartisan on both sides. I am proud of all of you, this institution, and our country.

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Speaker, I rise in support of the Bennett-Durbin resolution and also the Hamilton-Gephardt resolution.

Great Britain's Prime Minister Clement Attlee once said: Since wars begin in the minds of men, it is in the minds of men that defenses of peace must be constructed." It is in this context that the Congress of the United States must work its will.

In the more than 16 years I have spent in a legislative capacity, I can think of no other vote that has been more difficult, or more important. It goes without saying that this is anything but a political decision. No party, or for that matter, no individual has the right to say whether we are to go to war. This can only be done as our forefathers declared in the Constitution—through the collective decision of the Congress by its elected representatives.

I originally supported the President's action in stopping Saddam Hussein's efforts to invade Saudi Arabia after his takeover of Kuwait. I believe that action was necessary; however, now we must face the question of whether we go from a defensive posture to one of an aggressor. Have we really given enough time for the sanctions to work? Shouldn't every avenue of diplomacy be explored first? Is the cost of American lives—which will surely occur—worth what we will gain? Where are the ground troops of all those countries represented in the United Nations that resolved that after January 15, force can be used? Where is the logic in setting an arbitrary date for the use of force? Will Israel be drawn into this conflict and perhaps break up the Arab coalition that supposedly now supports us? Will terrorism break out all around the world? How long will this war last? A week, a month, or years? How many American lives will be lost? When it is over, will the United States then become the landlord of Iraq, and perhaps the entire Middle East? Will we then bear the responsibility to monetarily and economically support them?

There are no easy answers to these questions. I have served in the military myself and realize that military force is sometimes necessary, but I fail to see that destroying one individual is worth the cost of countless human lives—not only American, but the innocent Iraqi citizens as well. History provides us with valuable insight. I believe it is imperative that the American people be behind the President if he chooses to wage war in the Persian Gulf but I sense that this vital support is not there. President Johnson found this out too late on Vietnam, and President Bush should look back on this hard-earned lesson before committing our troops to battle.

Surely before we proceed, every avenue to resolve this conflict must be explored and traveled to achieve a peaceful resolution of this crisis. Short of that, my conscience only allows me to vote no on going to war.

Mr. DURBIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I rise in support of this resolution.

Mr. Speaker, a decision to go to war—once made and implemented—is irreversible.

It is a decision that weighs heavily on the minds and in the hearts of the families and friends in my congressional district whose sons and daughters are at risk on the frontline in Operation Desert Shield.

It is a decision that will directly impact on the lives and livelihood of every American and seriously strain our already strained national economy.

It is a decision that cannot and must not be taken lightly.

A decision to go to war should only be made when all other avenues for peaceful resolution have been exhausted and the American way of life is directly threatened or in eminent danger.

Mr. Speaker and my fellow colleagues, over the past few days the citizens in my district have reached out—first in prayer and then in concern.

Their prayers are to a power that is higher than you and I. A power that urges us, as representatives of the people's will, to think long and hard about the decisions we will be making over the next few days; to fully weigh the consequences that our decisions will have for both our Nation and the world.

Their concern is that those of us gathered in this Hall will not haphazardly make a decision that will cause the death or injury to their loved ones until we have: First, exhausted all peaceful remedies, and second, developed a better rationale for the loss of American lives.

My consitutents are asking one question and one question only: Why?

Why are we in Saudi Arabia?

If it is not for oil, why?

Why are we risking the lives or our sons and daughters in a foreign land?

If not for democracy, why?

In a time of limited resources to rebuild our cities, feed and house our homeless, and educate our young, why is this administration so eager to spend billions of dollars in a far-off land that will have no meaningful impact on resolving the social and economic problems confronting every American every day, right here at home?

Mr. Speaker, my constitutents are asking why? And at this time, with the information currently available, I am hardpressed to find an answer. For this reason, I urge my colleagues to support: The continuing of current sanctions against Iraq; encouraging the administration to continue to explore other diplomatic avenues for reaching a peaceful solution to this crisis situation that looms over our Nation; and voting against any measure that would enable the President to go to war and place our sons and daughters at risk.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. MOODY].

Mr. MOODY. Mr. Speaker, the heart and soul of a democracy is the commitment to act on matters grave only with the consent of the governed. No action can be more grave than the action of going to war.

The levy of war will directly hit few of the Members in this body, but if we go to war, thousands of mothers will mourn the loss of their sons, their daughters, thousands of fathers likewise. Thousands of children will mourn the loss of their parents. And thousands of young people will spend the rest of their lives in wheelchairs or in hospital beds.

The economic cost of war, which is often forgotten during the rhetoric about pride and honor, is also enormous. No taxation without representation, the very foundation of our political origins, really means no enormous material levy can be exacted on the people without their consent.

For all of these reasons, Congress, the most direct representative of the people, must make the choice of war. This insistance on that role is the most conservative of all positions.

The Durbin-Bennett resolution asserts that responsibility.

Please support the Durbin-Bennett resolution.

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona [Mr. RHODES].

Mr. RHODES. Mr. Speaker, one of the catch phrases for those who are opposing the Solarz-Michel resolution appears to be, "What is the hurry? Iraq has been stopped. Our policy has worked."

Well, where was Iraq stopped? In Kuwait. Kuwait does not belong to Iraq. Kuwait is, or was, a sovereign nation. Yes, Iraq is stopped. It is stopped on somebody else's square.

□ 1040

Kuwait is dying. The Kuwaiti people are dying. Those who are not dying are suffering miserably. The people of Iraq are suffering. The old men and women and children of Iraq are suffering. The Iraqi Army is not suffering. The Iraqi Army sits in Kuwait. It is being fed. It is being clothed. It is being cared for.

Those who say, "Let's wait. Let's rely on sanctions." First of all, we all know we are depriving our President and the United Nations of their options, their legitimate options, to repeal aggression. But I would observe as well that if we rely solely on sanctions, if we say, "What's the hurry?" If we say "Let's wait and see if sanctions work," that the Iraqi Army would arguably be the safest organization in the world to belong to. While the people of Iraq will not be fed, the people of Iraq will not be clothed, and the people of Iraq will not be cared for, the army will be fed. The Iraqi Army will be fed, the Iraqi Army will be clothed, the Iraqi Army will be cared for, and the Iraqi Army will be a safe place to be because they will not be at risk.

It seems to me that with Kuwait dying, with the Kuwaiti people suffering, and with the Iraqi Army sitting on land that belongs to a sovereign nation, that we have just defined "the hurry." That is the hurry. The United Nations has stood up and said, "We will no longer tolerate aggression in this world, and we will authorize whatever means are necessary to repeal aggression." Is the Congress of the United States to say different?

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the State of Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker, many of those who have stood in the well before me in this debate have reiterated that the votes we cast today will be momentous votes on the issue of peace and war in 1991. That is true. But these votes will have a tremendous effect on peace and war in the next century, as well. Sometime perhaps in the year 2003—a dictator will be considering invading his or her neighbor. That dictator will look back on 1991, and Saddam Hussein, and will ask him or herself, did the United Nations stand firm? Did the United States, the leader of the United Nations, stand firm? Or after 5 months of diplomatic and economic efforts, did we back off on the U.N. resolution and let Saddam Hussein carry the day?

Let Members stand firm with the United Nations and with the President. Let the Members vote to preserve peace in the next century. Let Members support the Solarz-Michel resolution.

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Speaker, I rise today as a cosponsor and strong supporter of the Bennett-Durbin resolution.

Adoption of this resolution confirms our solemn obligation under article I, section 8 of the U.S. Constitution to act for the people of the United States, in the decision to go to war.

As I have stated on this floor a number of times in the last 3 days, the process we are

currently undertaking is vital to our country, and vital to the Constitution our Nation depends upon.

Today we are debating the powers of one man to commit American lives and resources to war when our country or our citizens are not directly threatened.

If we do not test our Constitution now, when we have the time and are not directly in harm's way, we allow the potential for future constitutional crises to rock this Nation.

Mr. Speaker, I rise today not only in favor of the Bennett-Durbin resolution, but also in support of our Constitution and our Founding Fathers.

I urge all of my colleagues to join me in supporting this critical resolution.

The SPEAKER pro tempore (Mr. OBEY). The Chair would say at this point that the gentleman from Illinois [Mr. HYDE] has 3 minutes remaining, and the gentleman from Illinois [Mr. DURBIN] has 7 minutes remaining.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I rise in support of this resolution for two fundamental reasons. First, it goes to the heart of what is perhaps Congress' most solemn constitutional function. And second, because it addresses the failure by Congress to live up to its duty thus far in this world crisis. For both reasons, I urge my colleagues to vote for this reaffirmation that Congress will fulfill its responsibility to speak for and act for the people in determining when force will be used on behalf of our country. Article I, section 8, clause 11 of the Constitution is clear: only Congress can declare war. The Founding Fathers left no doubt about that, 204 years ago. Their intention was that the power to commit the nation to war must reside with the Congress, as the institution which most directly speaks for the people of this country. The question today is, how should this constitutional principle apply in today's world, where the use of armed force as an instrument of national policy is usually limited, both in scope and purpose, without any declaration that a state of war exists. Clearly, the President, acting as Commander in Chief, must have flexibility to act, but it is equally clear that Congress cannot abdicate its Constitutional duty or its responsibility to the people to serve as their voice.

In the 5 months since this crisis began, Congress has not fulfilled its duty. The President committed 200,000 troops to the Persian Gulf without any formal action by Congress. When we adjourned last October, we made a special provision to come back into session to act in this crisis. Yet when the President doubled our troop commitment to more than 400,000 Congress did not convene. Nor did we meet to consider the United States' role in seeking or implementing the United Nations resolution, which is cited as the basis for threatening military action against Iraq. In short, Congress did nothing until now, a few days before the U.N. deadline, when this crisis has reached the precipice of war.

This resolution is important to remind the President that he must come to Congress for the authority to use force. As this crisis has demonstrated, when Congress leaves a vacuum, Presidents can step in and maneuver Congress into a position where a vote against military action is a vote to undercut our troops at their moment of maximum vulnerability.

For me, it is a bitter choice to be forced into the position we find ourselves today. It is the result of Congress' failure to be more involved in the preceding months, as this crisis has escalated. Now, we have no choice but to back up the President by voting for the use of force—a step that I fervently hope the President will not use, and should not use while there is the slightest hope for a diplomatic solution. In fact, it is because I am absolutely convinced that diplomacy can succeed only with a demonstration of unity in our Government that I can vote for the authority to use force. Five months ago, two months ago, one month ago, a full debate by Congress could have allowed other options for our action. Today, because of this institution's inaction, we have only one.

That is why this resolution is so vital.

Mr. DURBIN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Speaker, the Constitution has become an early American wall decoration. Everybody sees it. Nobody reads it. Nixon raped it. Reagan shredded it. The truth be known here, George Bush would disregard it.

Through all this, Congress turned their back. They turned their back that dealt with Vietnam. They turned their back that dealt with Korea. Congress cannot afford to turn their back as it deals with the Persian Gulf.

If Members think the gulf cannot turn into a Vietnam, let me tell Members something: Yitzhak Shamir and King Fahd are both singing "Onward Christian Soldiers." I assure Members that it can happen. I say this today, It should be quite clear that Congress' legislative history is simply this: Any President that disregards the Constitution on warmaking powers in the future will be subject to impeachment. If Congress has any courage at all, Congress will set that record straight.

Mr. HYDE. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. SHUSTER].

Mr. SHUSTER. Mr. Speaker, we are asked, what is the hurry? Well, after 5 months of rebuffed diplomacy, every day that this Congress procrastinates, Saddam's factories are producing more chemical and biological weapons, more anthrax, more botulism, more sarin. This is a lethal nerve gas. And yes, more progress on nuclear weapons.

Make no mistake about it, if indeed we must resort to military force, those factories of death and destruction and terrorism will surely be targets.

So today, not next week, not next month, but today, we must give the President the authority to remove this scourge, or the face of history will pass judgment upon the Congress, as the Congress that failed to do their duty.

Mr. HYDE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MCEWEN].

Mr. MCEWEN. Mr. Speaker, last night my daughter asked the question as postulated by her fourth grade teacher: Will your father vote for war or for peace?

As I looked into the face of that little life that I value more than my own, I thought how simple it is when a person knows no history, when they have no memory, when they see no consequences, when a person lives only for today.

Munich simply said, "You go no further." From now on we will have sanctions. When Chamberlain landed and held up the paper on which he had the few words that held peace in our time, the crowds lined the streets, blocked Downing Street, so much that he could not enter, as the House of Commons roared their approval. They asked the little stooped 65-year-old remnant of World War I, Lord Adm. Winston Churchill, "What do you think? He has brought us peace in our time."

□ 1050

Churchill said, "The Prime Minister faced the question between war and shame, and he has chosen both."

From that day until now the world has learned, all the civilized world, unanimous in the United Nations.

Mubarak has placed the future of Egypt on the line.

The tremendous economic sacrifices of Turkey, the Communist bloc have all said, "We will stop tyranny at its first step."

Hitler said, "I intend to go no further."

Hussein has said, "I intend to go all the way. I intend to unite the entire Arab world under my command."

And the civilized world has said, "We will stop you here."

The Congress of the United States of America in 1991 should do no less.

Mr. DURBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Speaker, I rise in strong support of the Bennett-Durbin constitutional War Powers Resolution.

Mr. Speaker, I rise in strong support of the resolution offered by my colleagues, Mr. BENNETT of Florida and Mr. DURBIN of Illinois. I am encouraged that, at long last, Congress is

confirming its exclusive right to commit this Nation to war. In the present case, I strongly oppose granting the authority to the President to make war against Iraq.

Just over 3 years ago, when American servicemen were dying in the Persian Gulf to protect Kuwaiti oil shipments, I made the point that the United States was in the 37th year of a constitutional crisis. The crisis began when President Harry Truman introduced a large American military force into the Korean conflict without any congressional authorization whatsoever. His administration advanced the unheard of theory that "the President, as Commander in Chief of the Armed Forces of the United States, has full control over the use thereof."

For the first time in American history, a President claimed the full share of the warmaking powers granted to Congress by the U.S. Constitution. Today, Mr. Speaker, we are in the 40th year of that constitutional crisis, and Congress is still failing in its responsibility.

The Framers of the Constitution clearly intended that the power to initiate war, whether declared or undeclared, should reside in the legislative branch of Government. They gave Congress the power "to declare war [and] grant letters of marque and reprisal, and make rules concerning captures on land and water"; Congress was given thereby sole authority over not only declared wars, but undeclared military actions sanctioned by the Government of the United States. The Framers also gave Congress the power to "make rules for the Government and regulation of the land and naval forces," the power to "define and punish piracies and felonies committed on the high seas, and offenses against the law of nations," and the power to "raise and support Armies * * * [and] a navy."

If that weren't enough, Congress is given perhaps the broadest grant of power in the Constitution, the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or office thereof."

The President's vaunted power as Commander in Chief of the Armed Forces, according to Alexander Hamilton, who among the Framers was the champion for a strong Presidency, was limited to "nothing more than the supreme command and direction of the military and naval forces," as opposed to the British King, whose power included "the declaring of war and * * * the raising and regulating of fleets and armies."

The Framers sought to create a chief executive, not another king. The power to lead the Nation into a costly overseas military adventure was a power they explicitly denied to the President of the United States. James Madison spoke for all of his colleagues when he wrote, in a letter to Thomas Jefferson:

> The constitution supposes, what the history of all governments demonstrates, the Executive is the branch of power most interested in war and most prone to it. It has accordingly, with studies care, vested the question of war in the Legislature.

Presidents up until Harry Truman by and large honored the constitutional scheme. But since that time, the President has increasingly asserted the power to make war at the expense of the Constitution and the legitimate role of the U.S. Congress.

The constitutional crisis came to a head with the Vietnam war and the Gulf of Tonkin resolution. The Gulf of Tonkin resolution was a loosely worded declaration supporting the President's actions to defend U.S. Armed Forces in Southeast Asia and deter aggression. Members of the Senate rose to make it clear that the resolution was not intended to authorize a wider war, but two U.S. Presidents read it differently.

Only two Members of Congress opposed the Gulf of Tonkin resolution. One of them was Wayne Morse of Oregon. In opposing the Solarz-Michel resolution later today, I am proud to echo his words on the floor of the Senate in 1964:

> I believe history will record that we have made a great mistake by subverting and circumventing the Constitution of the United States, by means of this resolution. As I argued earlier today, we are in effect giving the President war making powers in the absence of a declaration of war. I believe that to be a historic mistake.

History vindicated the Senator from Oregon.

The War Powers Resolution, passed in 1973 over President Nixon's veto, was a response not only to the excesses of the Executive during the Vietnam war, but also to the near-total abdication of responsibility during that period by Congress. The resolution was intended to:

> Insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostitlities or in such situations.

The resolution requires the President to report to Congress under section 4(a)(1) whenever he introduces U.S. Armed Forces into hostile situations. Congress must act within 60 days to authorize their continued presence, or they must be withdrawn. Unfortunately, Presidential compliance with the reporting and consulting requirements of the resolution has been nearly nonexistent.

The CONGRESSIONAL RECORD is equally dismal. In 1987, when President Reagan used the U.S. Navy to escort reflagged Kuwaiti tankers, both the House and Senate repeatedly ducked the war powers issue. Despite a major military buildup in the gulf—despite the fact that 37 U.S. seamen aboard the U.S.S. *Stark* were killed by an Iraqi missile, the fact that a number of vessels were damaged by mines, and the exchange of hostile fire between United States and Iranian forces, the President did not submit a report pursuant to section 4(a)(1) of the War Powers Resolution and Congress did not demand one.

It was left to a number of my colleagues and I to seek relief in the Federal courts. The courts judged the matter to be a nonjusticiable political question. Today we have arrived at the final and complete unraveling of the War Powers Resolution. The President has once again failed to properly comply with the law, and Congress has offered him its congratulations.

The near war with Iraq in which we find ourselves is a classic case of bad policy choices coming home to haunt us. Iraq has a long history of aggression in the region, and an abysmal human rights record, and has violated international conventions against the use of chemical weapons, going so far as to use them against its own population. Despite that, the Reagan and Bush administrations have increasingly tilted United States policy toward Iraq. Their bad judgment was compounded, of course, by both administrations' failure to develop a national energy policy and their systematic cuts in Federal support for conservation and renewable energy development.

Today, a large American force sits uneasily in the Arabian desert. They don't have a clear idea why they are there, the American people don't have a clear idea why they are there, and Congress doesn't have a clear idea why they are there.

Mr. Speaker, if we should have learned anything from the military misadventures of the last 40 years, it is that U.S. military might should not be committed to battle without a clear statement of U.S. objectives and the broad support of the American people.

Will our citizens support an indefinite United States presence in the Arabian Peninsula? Will they support a war to put back in power the autocratic billionaire oil sheiks of Kuwait? Will they support the President if he decides to invade Kuwait and Iraq? Will they support the decades-long occupation of Iraq that would follow? These are the kinds of questions that we must answer with debate in Congress on granting the President authority for war with Iraq. The Constitution is clear. Congress must speak.

Mr. DURBIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I hope my colleagues in this Chamber will allow me to digress at least partially from this debate for one moment. I feel it is the ultimate in hyprocrisy for Soviet President Gorbachev to be counseling President Bush on the issue of peace while Soviet paratroopers and tank forces brutalize Lithuania and the Baltic Republics.

I only hope that America can save part of its outrage over the aggression of Saddam Hussein and reserve it for the most recent winner of the Nobel Peace Prize.

One of the saddest responsibilities of a Member of Congress is to stand at the funeral of a fallen soldier. Many of us have done it. After the crack of the rifles, the Honor Guard has folded Old Glory into the neat tricorner and handed it to the survivor, it is often our responsibility to walk up and strain to find some words to say.

I have listened closely to the debate over the last 2 days. I do not know that I could go up to a young woman I know in my home town, a black American, whose only son is on the front line and say, "I'm very sorry, but we just couldn't wait."

I do not know that I can go up to the father or to the mother of someone who has died in Operation Desert Shield and say, "I regret very much

the sorrow to your family, but we had to get it over with."

I certainly do not know that I could go up and tell someone who has lost a husband that it was more important for this Congress to show unity than patience.

These statements which we have heard repeatedly over the last 2 days may have the ring of truth and sincerity to some, but to this Congressman they are a hollow substitute for the principles and values which many Americans treasure as worthy of human sacrifice.

War and killing must be the last resort, and before we lose another American life in Operation Desert Shield, we must exhaust every reasonable possibility for peace, and that is why I am supporting Hamilton-Gephardt.

Now, most of us come to this debate weary of all the statements made on the floor and praying that our collective decision is wise, whatever it is; but regardless of the outcome of these historic roles, everyone in this Chamber must concede this Congress has responded to a national crisis with an exhaustive debate which has engaged the opinions and interests of the American people. The men who wrote our Constitution over 200 years ago understood that. They understood the gravity of this decision and they knew how important it was that the American people we represent have a voice in this debate over the fate of the lives of their children.

A week ago this very debate was in question. The President argued that he would follow the Constitution, but he would give us no assurance that a vote would be taken before war began.

My colleague, the gentleman from California [Mr. DELLUMS] initiated a lawsuit to try to guarantee that constitutional voice, and today the Constitution has prevailed. The American people have prevailed, and a topic which has been debated far and wide in barbershops, sale barns, family rooms, and board rooms, has finally been debated on the floor of the people's House.

Even the Solarz-Michel resolution makes it clear that we are authorizing the President. We are giving him authority. We are not conceding the President had this authority without us.

Now, some argue they can conceive of a set of facts where some President in the future faced with extraordinary circumstances might not be able to seek congressional authorization. I will concede that point. History proves that point. It is not unusual or even unconstitutional for a President to use his power as Commander in Chief and ask for congressional approval after the fact, and certainly not all uses of force constitute war; but I would hope that this Congress will not squander its constitutional birthright over some ambiguous possibility or partisan loyalty to any President, Democrat or Republican.

It is far more important that we assert clearly and directly that article I, section 8, clause 11, is alive and well. To do otherwise is to effectively amend this important power out of our Constitution.

It has been my honor to cosponsor this resolution with the gentleman from Florida [Mr. BENNETT]. I certainly hope that every Member in this Chamber, regardless of their feelings on the Persian Gulf, will take their oath of office seriously and vote yes on the Bennett-Durbin resolution.

Mr. HYDE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL of California. Mr. Speaker, I rise in opposition to the Bennett-Durbin resolution.

The Bennett-Durbin resolution before us correctly states that only the Congress can declare war. This is a view I have long applied to the Persian Gulf crisis. However, the resolution goes further and states:

> Any offensive action taken against Iraq must be explicitly approved by the Congress of the United States before such action may be initiated.

That is not the same thing as saying that Congress alone can declare war. Let me offer at least one concrete and realistic example.

After the *Achille Lauro* hijacking and murder of the American, Leon Klinghoffer, the United States intercepted an Egyptian plane carrying the hijackers and their leader, Abu Abbas, to freedom. We forced the plane down in Italy, where the hijackers were arrested and convicted. The forcing down of that plane was offensive action against the country under whose flag that plane flew—Egypt. Indeed, the United States fought the War of 1812 on just that issue, the principle of free navigation on the high seas. Yet President Reagan did not seek, nor was there time to seek, congressional approval in advance.

Abu Abbas was let go by the Italian authorities and is now reported to be living in Baghdad. Furthermore, Saddam Hussein has explicitly threatened terrorism within his arsenal in the present crisis. Suppose we learned in the next week that an Iraqi plane or ship was carrying Abu Abbas out of Iraq. If the President forced that plane or ship to stop, to take Abu Abbas prisoner for the murder of Leon Klinghoffer, it would be an offensive action against Iraq. There would not be time to seek explicit approval in advance from Congress for such an action. This is a realistic example, in the precise context of the present crisis.

The problem with the Bennett-Durbin resolution, evidently, is that it is drafted too broadly. It is simply impossible for the President to submit "any offensive action" to the prior consideration and approval of Congress. And the resolution says "explicitly;" its drafters intend it to sweep broadly.

Had the resolution said that the Congress alone can declare war under our Constitution, I would have supported it. But the drafters, either intentionally or through imprecision born of the shortness of time, have drafted a resolution that incorrectly states this important principle of constitutional law. The President does have authority in certain occasions to use offensive action, and to say he doesn't goes against the Constitution as much as to say Congress is not the body empowered to declare war.

Let me also take this occasion to place before the public my reasons for voting in favor of the Solarz-Michel joint resolution, and against the Gephardt-Hamilton concurrent resolution. Nothing has consumed more of my time and energy since becoming a Congressman than this. It is a terrible thing to go to war. Nevertheless, war, or the use of force, has been justified from time to time in our history.

The use of force directed at Iraq's chemical, biological, and incipient nuclear weapons facilities is justified. The world would be a safer place if Saddam Hussein no longer possessed chemical and biological weapons, or the potential for nuclear weapons. I believe an air or missile attack on those facilities could be successful with little loss of life. And I do not believe this would necessarily cause Saddam Hussein to respond by invading Saudi Arabia.

Saddam Hussein is the only national leader on the world stage who has used chemical weapons—against both the Iranians and the Kurds. It is likely that he will threaten to use them again, possibly against the Turks, the Syrians, the Saudis, or the Israelis. To these may be added his biological weapons. Both of these kinds of weapons were created by Iraq in clear violation of international law.

It is true that the United States also has chemical weapons, though we have never used them and Saddam Hussein has. Furthermore, we are actively engaged in negotiations with the Soviets aimed toward mutual elimination of these weapons. And, in my own case, I have always voted against funding their creation or stockpiling.

Experts disagree on how soon Iraq will have a nuclear device, but the estimates range from less than 1 year to 5 years. Complex delivery systems may take longer, though we know Iraq does possess the SCUD surface-to-surface long-range missile. Without overemphasizing the point, I think we can conclude that Iraq's nuclear potential is also worthy of concern. Yes, several other countries possess nuclear arms; but what is unique about Saddam Hussein is his proven willingness to use chemical weapons, which could indicate a willingness to use at least a tactical nuclear weapon as well. At the very least, he could make a threat to do so that his neighbors would consider very credible.

The present crisis, therefore, as I see it, affords the opportunity to rid the world of horrible weapons held by a man who has used them before. Whereas eliminating these weapons was not the focus of the U.N. resolution, their destruction would be quite consistent with the resolution, which authorizes the use of force necessary to drive Iraq from Kuwait. For one point, destroying these weapons facilities might convince Saddam Hussein that he is in a position of military inferiority, so that he might voluntarily then withdraw from Kuwait, or, perhaps, be toppled from power in his own country. Also, destroying them is a logical

prelude to any war that might come—as a way of protecting our own troops from being attacked with them.

Additionally, I think it would be defensible to use force to seal off Kuwait—to intercept any attempt to resupply the Iraqi troops there. If we were successful in enforcing a complete blockade by land, sea, and air, the Iraqi troops in Kuwait could then be invited to lay down their arms and enter Saudi Arabia. I am hopeful they would do so—again, ending this crisis with relatively little loss of life. I do recognize that lives will be lost by shooting down Iraqi supply planes or bombing overland resupply convoys or ships. But this would still be far short of an all out war.

I am not in possession of all the information of which the President is aware, but I think it would be wiser for American troops not to be committed to a land invasion of Iraq or Kuwait. The potential for large-scale loss of life in such a contingency is high. After destroying the chemical and biological weapons, and interdicting the resupply of Kuwait, I would think the withdrawal from Kuwait or the defection of Iraqi troops from Kuwait would soon follow. But if it didn't, I would favor the replacement of United States troops in the Saudi desert. Waiting out the long term in a purely defensive posture can, I believe, be the mission of the troops from Saudi Arabia, Egypt, and Syria. An Arab nation force could defend Saudi Arabia from any threatened further invasion by Saddam Hussein, especially after he had been deprived of his weapons of mass destruction. U.S. forces could be limited to the air and sea power necessary to maintain air superiority in the event of a such an attack.

Nevertheless, the threat of such an invasion should be maintained; and this the President is doing in hopes that Saddam Hussein will withdraw completely.

Some critics have argued that our decisions have been driven by oil. While there is no doubt that oil is important to the present world economy, our access to oil was not a factor in my vote. I have long believed that our country needs to move away from fossil fuels, primarily for environmental reasons, but also for reasons of national security. The real issues for me are chemical weapons, daily human rights abuses by the Iraqis in Kuwait, and a chance to guarantee the long-term peace in the world through a newly invigorated United Nations.

One last point—the cost of this entire operation must be borne to a far greater degree by the Saudis, and by our other allies. The Saudis have benefited from the higher world price of oil—estimates are $2 to $3 billion a month of increased revenues. That entire sum should go to the multilateral force arrayed against Iraq. Americans are taking the risk of loss of life; that is the greatest contribution imaginable.

Our votes today are on authorizing the use of force or waiting for the economic sanctions to have more effect.

The latter course condemns the Kuwaiti people to human rights abuses throughout the time we continue to wait. The Amnesty International report on what the Iraqi soldiers have done to individual Kuwaitis makes horrifying reading—rape, gouging out of eyes, castration, beating individuals while suspended, summary execution.

The latter course allows Saddam Hussein more time to build more weapons, including chemical and biological weapons capable of killing thousands. It allows his troops to dig in deeper, his air defenses to be made more comprehensive. When the time comes to go to war, our troops will thus be under greater threat. I cannot do that.

Only the former course authorizes the destruction of horrible weapons created in contravention of international law, used in contravention of international law and all human decency. Only the former holds out the hope of replacing Saddam Hussein, the only leader on the world stage today to have used chemical weapons.

It is a sorry thing to conclude that the use of force is ever necessary to settle disputes in the affairs of nations. But we must use force from time to time, until the world is rid of those who invade their peaceful neighbors, to rape, torture, steal, and murder.

It is far more comfortable to seek peace at any price. Some would never use force; many of them are saints, too many of them are martyrs. But we Members of Congress cannot afford to take that posture. We are sworn to protect those whom we represent. We have, by taking public office, taken on the heavy responsibility of authorizing the use of force when it must be so. This is a time when it must be so.

Mr. MORRISON. Mr. Speaker, there are three votes to cast today that are of great significance. I choose to comment on them in their order of appearance on the calendar.

First, the Bennett-Durbin resolution calling for no offensive action against Iraq without congressional approval.

History shows that the Presidents of the United States have initiated military action on about 260 different occasions, while Congress has declared war five times.

As the clock ticks toward the January 15 U.N. deadline, this legislative option reopens a centuries old debate over who has what authority under the Constitution. This resolution simply ties the President's hands on any offensive action against Iraq unless Congress specifically approves, a process that could take months.

I would love to be part of an in-depth debate on this constitutional issue, but not under today's circumstances. As history reflects, the Commander in Chief has the authority to react instantly, and Congress has chosen to legally participate less than 2 percent of the time, in every case in support of the President.

This resolution, though nonbinding, would totally deny the Executive's emergency authority that currently does not necessarily lead to the start of war. That authority has been used, for instance, to force down the plane carrying the fleeing murderers of the *Achillie Lauro* hijacking, and there are numerous other examples of a justified use of force.

In the name of separation of powers, this resolution is unduly restrictive and is unnecessary in light of the resolution offered in support of the United Nations.

Second, the Hamilton-Gephardt resolution calling for the extension of economic sanctions.

The sanctions have been somewhat effective but there has been universal agreement in congressional hearings that sanctions alone will not achieve Iraq's departure from Kuwait.

My conclusion is that Saddam Hussein wins if we merely attempt to extend economic sanctions. Under this legislative option, he has faced up to the United Nations and the United States, and we back away while he slaughters the people of Kuwait. His stature is enhanced, and we unravel the fabric of international cooperation that is the best hope for long-term world peace.

I believe that some Members will vote for both the U.N. Presidential authority resolution and extended sanctions.This has some appeal to me because I argued weeks ago that sanctions could paly a greater role in weakening Iraq. Since then the United Nations has approved Resolution No. 678 with the January 15 deadline, and President Bush has increased our troop strength dramatically. Under today's circumstances, I believe that supporting both resolutions is contradictory.

Third, the Solarz-Michel resolution authorizing, upon certification by the President that all diplomatic and peaceful means have been exhausted, the use of armed forces under the provisions of U.N. Resolution 678.

This is not a declaration of war. It is authorization for the use of force if all else fails. It is a big stick.

I am increasingly convinced that positive action by Congress, backing up the United Nations and our President, will be the next logical step toward a peaceful solution and the most effective message that we can deliver to Saddam Hussein. He will probably be encouraged by the debate, as our system of government allows the full presentation of dissenting views. But a strong vote in support of this joint resolution is the enforceable bottom line that also characterizes our system.

The President does not need this authority to proceed under the U.N. resolution and its January 15 deadline. My visits to the White House during the past few days underscore the President's support for Perez de Cuellar's last-minute efforts at diplomacy, and his contempt for Iraq's continuing efforts to break up the international strength that has amassed against his brutality.

Mr. BROOMFIELD. Mr. Speaker, well, I guess I don't really know what the point of this resolution is.

Article I, section 8 of the Constitution vests Congress with the power to declare war. The executive and legislative branches have disagreed ever since on how this power relates to the President's role as head of state and Commander in Chief of the Armed Forces.

I'm sure all the Members of this House agree that the President should consult Congress on planned military action, and seek congressional authorization whenever possible. This is because our political system works best when there is agreement between the branches of Government on this important question.

Perhaps there is no great harm in adopting this resolution, provided it is seen in connection with the other actions that will be taken by this House and the Congress. I hope and expect that Congress will adopt a resolution supporting action under U.N. Security Council

Resolution No. 678 which authorizes the use of all necessary means, including military force, to respond to Iraq's aggression against Kuwait.

This resolution simply restates the constitutional provisions on the power to declare war. It does not and cannot add to the powers of the President and Congress on the use of U.S. military forces overseas.

Also, this resolution speaks only of offensive action against Iraq. I don't know what this is supposed to mean, but many experts believe that—under both international and domestic law—military actions taken as part of U.N. Security Council enforcement actions are defensive in nature. They believe that a state of war has existed in the Persian Gulf since Saddam Hussein invaded Kuwait on August 2. So, once again, this resolution would not impose any new limitation on the President's authority.

But the bottom line is this—that the House is now preparing to adopt not only this resolution but a resolution to support the actions that the President will take, in accordance with the Security Council resolution, to turn back Iraq's aggression against Kuwait.

Mr. EDWARDS of California. Mr. Speaker, I rise in strong support of the Durbin-Bennett resolution.

As chairman of the Judiciary Committee's Subcommittee on Civil and Constitutional Rights, I have been deeply concerned by the President's continued denial of the Congress' constitutional prerogative with regard to the declaration of war.

With the Bennett-Durbin resolution, Congress does no more than reassert our constitutional prerogative—the sole power to declare war—which article I, section 8 of the U.S. Constitution gives to Congress alone.

In a better world, such a restatement of the Constitution would be unnecessary. But, today, we find ourselves in a climate where an American President has cast among the American people shadows of doubt on Congress' role in making war. This resolution removes those shadows, and reassures the American people that war will never be declared in this country by one person, acting alone.

The President is, of course, the Commander in Chief once war is begun, but he has absolutely no constitutional authority to start a war on his own. There can be no graver decision than a decision taking our country to war. It is Congress' constitutional prerogative and solemn responsibility to make this grave determination.

The resolution before us makes this point crystal clear. I strongly urge its passage.

The SPEAKER pro tempore (Mr. OBEY). Pursuant to the rule, the previous question is ordered on the concurrent resolution.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BENNETT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 302, nays 131, not voting 2, as follows:

[Roll No. 7]

YEAS—302

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conte
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fawell
Fazio
Feighan
Flake
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Glickman
Gonzalez
Goodling
Gordon
Gray
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hayes (IL)
Hayes (LA)
Hefner
Henry
Hertel
Hoagland
Hobson
Hochbrueckner
Horn
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Moody
Moran
Morella
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Porter
Poshard
Price
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Ridge
Rinaldo
Roe
Roemer
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Sensenbrenner
Serrano
Sharp
Shays
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Snowe
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron
Young (FL)
Zimmer

NAYS—131

Allard
Archer
Armey
Baker
Ballenger
Barrett
Bartlett
Barton
Bateman
Bilirakis
Bliley
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Edwards (OK)
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gillmor
Gilman
Gingrich
Goss
Gradison
Grandy
Gunderson
Hancock
Hansen
Hastert
Hatcher
Hefley
Herger
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
James
Kasich
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Madigan
Marlenee
Martin
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
Michel
Miller (OH)
Molinari
Montgomery
Moorhead
Morrison
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Pickle
Pursell
Quillen
Ravenel
Ray
Rhodes
Riggs
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Saxton
Schaefer
Schiff
Schulze
Shaw
Shuster
Skeen
Slaughter (VA)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Vander Jagt
Vucanovich
Walker
Weber
Wolf
Wylie
Young (AK)
Zeliff

NOT VOTING—2

Dymally
Udall

□ 1115

Mr. BUSTAMANTE changed his vote from "nay" to "yea."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REGARDING UNITED STATES POLICY TO REVERSE IRAQ'S OCCUPATION OF KUWAIT

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 27, it is now in order to consider the concurrent resolution printed in section 2 of House Report 102-1 by, and if offered by, the gentleman from Indiana [Mr. HAMILTON] or the gentleman from Missouri [Mr. GEPHARDT], or their designee.

For what purpose does the gentleman from Missouri rise?

Mr. GEPHARDT. Mr. Speaker, pursuant to the rule, I offer House Concurrent Resolution No. 33.

The SPEAKER. The Clerk will report the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 33

*Resolved by the House of Representatives (the Senate concurring),* That (a) the Congress is firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait.

(b) The Congress authorizes continued use of American military force to enforce the United Nations economic embargo against Iraq; to defend Saudi Arabia from direct Iraqi attack; and to protect American forces in the region.

(c) The Congress believes that continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained.

(d) The Congress pledges its full and continued support for sustaining the policy of increasing economic and diplomatic pressure against Iraq; for maintaining our military options; and for efforts to increase the military and financial contributions made by allied nations.

(e) The Constitution requires the President to obtain authorization from the Congress before initiating new offensive military action or waging war against Iraq or Iraqi forces. The Congress does not rule out the enactment by the Congress at a later time of a declaration of war or other Congressional authorization for the use of force should that become necessary to achieve the goal of forcing Iraqi troops from Kuwait. The Congress will consider any request from the President for such an authorization expeditiously in accordance with the priority procedures set forth in section 2.

**SEC. 2. PRIORITY PROCEDURES.**

(a) The House leadership commits to ensuring swift consideration of a Presidential request to authorize the use of force against Iraq. On the first legislative day on which the President submits such a request, the majority leader of the House of Representatives shall introduce (by request) a joint resolution to carry out that request. Notwithstanding clause 4(b) of rule XI of the Rules of the House of Representatives, for the purpose of expediting the consideration and passage of any joint resolution introduced pursuant to this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the prompt consideration of that joint resolution under this subsection.

(b) Subsection (a) is adopted by the Congress with full recognition of the constitutional right of either House to determine the rules of its proceedings (so far as relating to such House).

□ 1120

Mr. GEPHARDT (during the reading). Mr. Speaker, I ask unanimous consent that the concurrent resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Under the rule, the gentleman from Missouri [Mr. GEPHARDT] will be recognized for 30 minutes, and a Member opposed will be recognized for 30 minutes.

For what purpose does the gentleman from Oklahoma [Mr. EDWARDS] rise?

Mr. EDWARDS of Oklahoma. Mr. Speaker, I rise in opposition to the Gephardt-Hamilton resolution, and I ask unanimous consent that the debate in opposition be controlled, 20 minutes by the gentleman from New Jersey [Mr. TORRICELLI] and 10 minutes by myself.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. GEPHARDT], the majority leader.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise in support of the Gephardt-Hamilton resolution.

Congress and the President agree that Iraq must leave Kuwait. We differ today on means, not ends.

Supporters of Gephardt-Hamilton are as serious about reversing aggression as supporters of the President's resolution. Iraq will be forced out of Kuwait.

Our strategy is not sanctions alone. It includes tough sanctions, diplomatic isolation and the threat of force.

This strategy is working. It continues to ratchet up the pressure on Iraq. You simply cannot yet say this strategy has failed. We should not shift to a war strategy.

There are two issues before members.

First, who decides when we use force?

We have a constitutional responsibility to vote at the time when and if the President concludes force is necessary. That decision must be made jointly.

The President's resolution means Congress gives up the right to decide. It means we give the President unlimited discretion to start a war in circumstances that cannot be foreseen. He should not make that decision alone.

Second, should we stay the course?

I believe there are three arguments for staying the course.

First, the three-pronged U.S. strategy of tough sanctions, diplomatic isolation and the threat of force is working.

It has produced results. Iraq has been isolated; hostages have been released; Saudi Arabia is safe; and oil continues to flow.

Economic sanctions have begun to bite. They are seriously damaging the Iraqi economy. They will inflict further pain in all sectors. There is a reasonable expectation that this strategy will succeed.

Second, our current strategy is better than the alternative of war. There are no guarantees war will be quick or easy.

War will have risks for the United States and unintended consequences. War will: Split the coalition; estrange us from our closest allies; make us the object of Arab hostility; endanger friendly governments in the region; and not be easy to end, once started.

War will be largely a U.S. operation. We have three-quarters of the fighting forces. The coalition will be divided by war. Some partners: Will fight only in Kuwait, not in Iraq; some will rethink participation if Israel enters; some will not use ground forces; and still others have not sent ground forces. Coalition support for war is questionable. War promises no neat solution.

What does it mean to win a war, and what comes next? The region is volatile and prone to violent change; alliance shift. A few years ago, we helped Saddam Hussein against the ayatollah; some think Saddam's demise will solve all our problems; it will not. Who will rule in Baghdad? Who will police the region? What will be our role? Bringing stability to the Middle East after a war will be protracted and difficult.

Third, diplomatic options have not been exhausted.

Saddam Hussein is isolated. You do not get a message to him if you do not convey it directly. Six hours of talks after nearly six months of stalemate with a Foreign Minister who is not a key adviser do not exhaust diplomacy; several other diplomatic initiatives are underway; and to declare war ends diplomacy.

CONCLUSION

Mr. Speaker, some of the President's supporters call his resolution the last, best chance for peace. Two chief sponsors of the President's resolution call it the equivalent of a declaration of war. You cannot have it both ways.

The Gephardt-Hamilton resolution: Preserves the role of the Congress; guarantees our participation in any decision; and does not delegate that decision to the President.

Mr. Speaker, we must stay the course: Current policy is working; we are putting the screws on Iraq; the sanctions are biting; diplomatic options are opening; and events are moving in our direction. You simply cannot make the judgment today that current U.S. strategy has failed. This strategy stands a reasonable chance of success.

There are better alternatives to war: War will bring devastation, death, horror and havoc far beyond Iraq; we must exhaust all options before we resort to the use of force; and we must stay the course.

I urge adoption of the Gephardt-Hamilton resolution.

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Speaker, the last two days have reflected the best of American tradition at a moment of crisis. We have listened to Members' opinions reflecting every conceivable point of view regarding the challenge we face in the Middle East.

This morning we have reached the moment of truth.

I urge my colleagues to be very restrained in their rhetoric during the debate today. It is one thing to make speeches for domestic consumption. It is quite another to realize that what we say here, right now, is being carefully measured by Saddam Hussein. America will not be hurt by what her politicians do not say today.

The President wants peace. He opposes the kind of violence that led to the absorption of Kuwait by Iraq. He needs the united strength of all of America as he extends his hand for a peaceful solution. Let us make certain that what we say and do here does not weaken his hand.

Every voice that does not support the world's opposition to Iraq's aggression weakens the President's voice. Every voice that does not support the logic of the United Nations muffles the world's cry for peace. My colleagues, to each of you personally I must say this, do not let your voice weaken the slim chance for peace.

Saddam Hussein has aggressive intent beyond Kuwait. If President Bush had not acted swiftly in August, Iraq would have moved on Saudi Arabia and we would already be at war. Since that time, a vast coalition of nations seeking a new world order has come together to condemn Iraq's occupation of Kuwait and demand its withdrawal.

The United States and the United Nations have exercised every possible avenue to bring about a diplomatic solution. In the meantime, Hussein continues to build his military capability. He is moving quickly to develop weapons of mass destruction, including missiles to accurately deliver poison gas. He is working frantically toward nuclear capability.

The time has come for us to squarely face that line in the sand. Yes, my colleagues, the time has come for us to set aside partisanship. The time has come for a united American voice to strengthen the President's effort for peace.

I am not unlike many of my constituents who have family serving in the gulf. My nephew Erich, who commands a Black Hawk helicopter crew, is among the thousands of young men and women on the front lines in the Saudi desert. Thoughts of him weigh heavily on my mind. Like most people, I do not want to see America go to war. But like Erich, I will continue to support my President.

Mr. Speaker, I support the civilized world's opposition to Iraq's invasion of Kuwait. We must join the world of nations to see that Saddam Hussein's aggression does not prevail. I urge the Congress to give overwhelming support to the U.N. resolutions and the world effort toward a sensible and peaceful resolution.

□ 1130

Mr. TORRICELLI. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Speaker, after the brutal Iraqi invasion of Kuwait, President Bush reacted quickly. He sent in the 82d Airborne, he sent in the Marine Expeditionary Force, he deployed carriers, he sent in F-15 fighters, and he consulted with Congress.

I personally, in my job as chairman of the Defense Appropriations Subcommittee, met with him 11 times on this crisis. I have talked with him on the phone, and we gave him advice. He did not talk to us; we talked to him.

We said to him get the allies involved; seek burden sharing; don't repeat Vietnam. We said, everything must be done under the auspices of the United Nations.

President Bush, with his background in diplomacy, as former Ambassador to the United Nations, did a brilliant job. I do not know if there is anybody else in history better prepared for this type of a crisis. He talked to his allies, and he sent Secretary of State Baker to encourage burden sharing. He took that advice, and he has done everything in that regard.

The United Nations then passed 12 resolutions, condemning Iraq, and allowing member states to use force if necessary to get Iraq out of Kuwait.

He has continued diplomatic efforts for a peaceful solution. As a matter of fact, a number of us were in a meeting with the President. He was interrupted. Secretary Baker had called from Geneva. He went out, and came back 10 minutes later and said, "We have been stiffed. This guy made no compromise, indicated no flexibility. He is not willing at all to agree to a diplomatic solution. All the flurry of activity and all the diplomacy we have been involved in has produced nothing."

I visited the 82d Airborne 1 month after the deployment. Let me tell you something: there is no harsher environment. I have been in the jungles of Vietnam, I have been in the jungles of Central America. There is no harsher environment than the deserts of the Middle East.

If you sit here in an air-conditioned office and you say, "Let our soldiers sit out there in the sand," you do not know what it is like. You put your hand on metal and you get a third-degree burn. It is so hot they have to train at nighttime and sleep in the daytime.

Many of them are getting just one hot meal a day and infrequent showers. It is easy for the Congress to sit back here and say, "We are going to allow these troops to sit out there in the sand for an unlimited period of time." We cannot do that, and they cannot sustain that physically.

I went down to Norfolk and Camp Lejeune to visit the families of the people who have been deployed for the longest period of time. I listened to a lot of problems that they have.

I said to them, "What is the thing you want most? What is the problem I can resolve?"

They said, "We want our men home. We want our families together."

"What is the second most important problem?"

"We want them home soon."

I was out in the hallway the other day, and I hope this is not something we can say about a lot of Members, but I heard one Member say to another, "You know, this is just a concurrent resolution. It is only a sense of Congress resolution. It has no force of law. You can vote for this resolution. If it does not work out, you can always say, 'I didn't tie the hands of the President.'"

Let me tell you something: this is a concurrent resolution that has no force of law, but it sends an outrageous signal to Saddam Hussein if we were to pass it. It shows that this country is not united, and we have to be united if we are going to have a peaceful solution.

Let me read a quote to you:

> America's strength is not great unless it is a united strength. Our power is not determining unless it is mobilized. America's will is not decisive unless it is one irresistible will.

That was made July 28, 1941, by the late great chairman Claude Pepper, trying to rally the American people to the cause and be prepared for World War II.

I was in the Marine Reserves during the Cuban crisis. I remember people saying when JFK was facing down Khrushchev, they said, "Let him put missiles in Cuba. We don't want a holocaust. We don't want to destroy the world. Let him put missiles there. We have missiles in Europe."

John Kennedy stood up to Khrushchev, and this is a better, more secure America, for what he did in those days.

The United States has to be united against Saddam Hussein and united in support of the international community arrayed against Saddam Hussein. We must be united in support of our troops deployed in Saudi Arabia.

The way to send the message of unity is simple: vote against the concurrent resolution, which has no force in law, and vote for the Michel-Solarz joint resolution, allowing the President to continue his good work.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. YATRON].

Mr. YATRON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of the Hamilton-Gephardt resolution which embraces the current policy of sanctions, diplomacy, and

military deterrence to compel Saddam to withdraw from Kuwait.

The policy of sanctions has the broad-based support of the American public. History has demonstrated time and time again that strong support at home for major action abroad has long been the formula for success in American foreign policy. It is in keeping with this democratic tradition that I support the Hamilton-Gephardt resolution.

Mr. Speaker, this debate is not about whether Congress, by its actions, will either be opposing or supporting Saddam Hussein. No one wants to reward Saddam for his aggression in Kuwait. No one here wants to let him threaten the world with weapons of mass destruction and no one wants to allow Saddam to control the free flow of oil from the Persian Gulf.

The President's response to Hussein's piracy of Kuwait was supported by the Congress and the American people back in August. The issue before us now is whether the United States should continue to use sanctions to starve Saddam's army out of Kuwait over the long term or force his troops out militarily in the short term. That is the context in which this debate should be framed.

Mr. Speaker, the Hamilton-Gephardt resolution rightly maintains our current policy. The underpinning of this resolution views military force as a last resort. We owe it to our troops in the gulf to exhaust every conceivable option before embarking on a military offensive in the gulf.

As chairman of the Subcommittee on Human Rights, I recall when many of us here called for the imposition of sanctions against Saddam Hussein when he used chemical weapons to kill thousands of innocent Kurds back in 1988. Last year, many of us, once again, sought to impose economic sanctions to protest Saddam's butchery of his own people. In both cases, sanctions were derailed by the State Department which contended that such punitive measures were counterproductive and would send the wrong message to Baghdad.

Mr. Speaker, had we imposed those sanctions back then Saddam might not have grossly miscalculated the United States response to his invasion of Kuwait. Economic sanctions would have been the appropriate policy response then, just as maintaining our current policy of economic sanctions is the appropriate response now.

Our current policy will maintain the support of the American people and the world community. Force will not. Sanctions will eventually erode Iraq's warmaking capacity and cause dissension within Saddam's military. That is a certainty. Force now, will result in a significant number of American casualties. That is a certainty.

Finally, Mr. Speaker, the Hamilton-Gephardt resolution does not rule out the use of force, if it becomes necessary, in the future. But offensive military action, at this time, denies our American troops the benefit of allowing the sanctions time to work. We owe them that, and I would urge my colleagues to support Hamilton-Gephardt and oppose the use of force resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution.

First, let me compliment the leadership on both sides of this debate. It is clear that this Congress and our Nation are united in their commitment and their resolve to stop the aggression of Iraq and restore the lawful Government of Kuwait.

Where we differ is on the course we now should take to accomplish these goals. I favor the Hamilton-Gephardt resolution.

The current economic and political policies initiated by the United States and supported by our allies have worked. Iraq has been isolated. Our hostages have been released. Iraq has been denied the benefits of Kuwaiti oil. Saudi Arabia is secure, and we have established stability in the flow of oil from the Middle East. Now is the time to maintain this successful policy and accomplish our final objective of getting Iraq out of Kuwait.

By initiating offensive military action now we run the risk of unpredictable and unintended consequences. Can we keep our coalition together as other nations are drawn into active military engagement? What will be the continued U.S. obligation in the region after the cessation of hostilities? Are our allies willing to fairly share this burden?

There are those who say we cannot just stand by and do nothing. I agree. We have taken decisive action. We have enforced an economic blockade. We have sent hundreds of thousands of Americans to the Middle East. And this policy has brought world support.

Mr. Speaker, regardless of the vote on these resolutions, the message of this Congress is clear. We stand united in our support and will take any and all action necessary to support the brave men and women of this country who are in the Middle East, preserving the freedom for which this Nation was founded.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, I rise in strong support of the Gephardt-Hamilton resolution as a responsible alternative to the President's policy.

Mr. Speaker, I have listened very carefully to the debate for 2 days now.

I have not heard any of you say a single thing for which I would vote to send even one American to die. Not one of the many reasons given, such as Hussein being a modern-day Hitler, the need for oil, protecting the Saudis, the need to save Kuwait, or the safety of Israel have convinced me that war is justified. The only valid issue is whether to give President Bush authority to order thousands, even tens of thousands to their death.

Our allies have done almost nothing to help with this burden. The embargo is the only humane alternative.

I will not vote for the President's resolution.

Mr. GEPHARDT. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois [Mr. COSTELLO].

Mr. COSTELLO. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution. These are very difficult times for this country. These are very difficult times for every Member of the House of Representatives, and the other body. We are about to cast the most important vote of our careers. I cannot imagine a more difficult decision than the one that may result in putting thousands of American lives on the line.

As my colleagues know on both sides of the aisle, I have a very proud son who is a member of the 82d Airborne Division, an infantry paratrooper, who has been in Saudi Arabia since August. I spoke with him on the telephone this past Sunday. He is prepared both mentally and physically to go into combat if called upon. If we go to war, my son and thousands of young Americans will win this war, and we will be very proud of them.

This debate today is not about my son or any one soldier in the Middle East. This debate is about how we can best achieve our goals of getting Saddam Hussein out of Kuwait. It may take war. I have not ruled out war. The Gephardt resolution does not rule out war. It simply says that while we have the remaining option, economic sanctions, let us give economic sanctions time to work.

If I believed for 1 minute that by giving President Bush the authority to engage in combat and take this country to war we could achieve peace today, I would vote for the Solarz amendment. But I do not.

There is still evidence to indicate that economic sanctions and international diplomacy are in fact working. How long will they take? I do not know. There is no Member of this body that knows if it will take 3 months, 6 months, or a year.

But I do know this. The experts cannot agree as to how long it will take to be successful, but they do agree on one thing: That sanctions are effective, and they are working. If we go to war now or next week, we will never know if a peaceful resolution might have prevailed.

Finally, Mr. Speaker, in the last 48 hours I have been asked by the news media if President Bush had his son on the front line, and if each and every Member of this body and the other body had a son or daughter on the front line in Saudi Arabia today, would it affect their decision?

I truly believe that it would. But I do not believe that the outcome of the vote today would be any different. I believe that Members of this body would do as I have done. I have listened to the testimony, I have listened to the debate, I have gone to the Middle East, and now I will cast my vote to do what I think is right. Not for Pvt. Jerry F. Costello, but for this country.

If you believe that the path of peace is with the Solarz resolution, then I respect that, and I ask you to vote for

Solarz. But if you believe, as I believe, that economic sanctions may work, then I ask you to support the Hamilton-Gephardt resolution.

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Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I have listened carefully to the debate on the resolutions now before this body. It is clear that both the Gephardt and the Solarz-Michel resolutions, as well as Durbin, recognize the need to evict Iraq from Kuwait and to reverse the brutal and illegal occupation of Kuwait.

The debate today is over the most effective means of achieving the goal of gaining freedom for the beleaguered nation of Kuwait.

I am convinced that sanctions alone will not result in the withdrawal of Iraq from Kuwait and will only result in erosion of the strength of the U.N. coalition. The tyrant Saddam Hussein will be emboldened by what he perceives as a lack of will on the part of the United States and its United Nations allies. Time will only make the problem facing the international military forces more difficult and potentially more costly in human life.

As the President continues working for a peaceful solution he needs to be armed with the option of using force. The record of brutality of Saddam Hussein shows clearly that he does not respond to rational options.

As President George Washington stated in his first annual address to the Congress, "To be prepared for war is one of the most effectual means of preserving peace."

The Solarz-Michel resolution recognizes that as President Bush seeks peace he must have the support of this body and that the President must be armed with a credible threat of force.

The Solarz-Michel resolution mandates that the President must certify to Congress that "the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions * * *." In addition, the resolution approved by the House invokes the War Powers Resolution.

Passage of this resolution would allow the continuance of sanctions and diplomacy while providing the credible threat of force. This combination has the best chance of achieving a peaceful solution.

This decision is not easy. Having myself served in the U.S. Navy, I fervently resist the idea of war. I hope and pray that we can still avoid war. Our images of the post-cold-war era do not involve fighting. They involve economic prosperity, the free trade of both products and ideas, a renewed emphasis on quality of life for all people, and equality of opportunity.

And then one man, hungry for the power that oil would provide him, and seeing himself as the savior of the Arab world, clouded our view of the world we are trying to build.

All Americans would prefer that a peaceful and diplomatic solution could be found to resolve the crisis. I believe President Bush has taken every reasonable opportunity in pursuit of a nonviolent resolution. To that end, the threat of force becomes another mechanism.

A decision by Congress and the American people to deny the President this option would seriously undermine his efforts to convince Saddam Hussein that the international force arrayed against him is serious. Authorizing the use of force may be the last means of conveying to Iraq that it would be in its best interests to pull out of Kuwait.

This is not a regional conflict. If it were, 32 nations would not have contributed either men or material, or both, to the military force stationed in the Persian Gulf. It is an international crisis, not because of oil, but because of the power that controlling 21 percent of the world's oil reserves would bestow upon one man who used naked aggression to obtain it.

Do we reward Saddam Hussein or do we stop him? Most people believe that if he is not stopped now, he will have to be stopped in the future. It is better to do it now than to wait for him to achieve his goal of a nuclear weapons capability.

Moreover, does waiting longer improve the chance of an Iraqi pullout or does it strengthen Saddam Hussein's position? There are many points of view on the effects of economic sanctions. CIA Director Webster reports that the strength of Iraqi ground forces will not be substantially eroded over the next 6 to 12 months even if effective sanctions could be maintained. Two former hostages who visited my office this week reported that food in Iraq is plentiful, but that food shipments were not being made to Kuwaiti residents. Again, they are the victims of aggression.

Regardless of differences of opinion on what course should be taken, I hope that all Americans will support our 430,000 soldiers, sailors, and air force personnel who are proudly serving their country.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GREEN].

Mr. GREEN of New York. Mr. Speaker, I thank the gentleman for yielding time to me. I have reluctantly concluded that the Gephardt-Hamilton resolution would seriously undercut U.N. Resolution 678.

Mr. Speaker, the decision of the congressional leadership to wait until 4 days before the January 15, 1991, deadline specified in U.N. Resolution 678 to have a vote on the Persian Gulf situation is troubling, and moreover, threatens to undercut the legitimate and well-thought out process that led to U.N. Resolution 678.

I do not want to be misunderstood—clearly, I do believe it is appropriate for the Congress to debate matters of this profound importance. However, the time to do that effectively has largely passed, and the opportunity to consider these issues was ignored. By inserting ourselves into the process at this late date, our ability to participate in a meaningful way is severely limited and could severely cripple the recently begun process of providing for collective security through the United Nations.

U.N. Resolution 678, with its predecessors, is the first major effort of the United Nations to function on behalf of collective security since the end of the cold war. This is our first effort to enable the Security Council to function as the drafters of the U.N. Charter envisaged, whereby the great powers—and particularly the United States and the U.S.S.R.—would work together through the Security Council to ensure the collective security of peoples around the world.

If the Congress now undercuts Resolution 678, it will likely destroy forever this initiative to reconstitute the United Nations as it was originally conceived as the vehicle by which the nations of the world work together for collective security.

The 101st Congress, in its waning days, did not lack opportunities to affect the process. By the time we had adjourned on October 28, 1990, we had approved a defense authorization and appropriations bill that provided funds for the stationing of troops in the Persian Gulf. Since that deployment had been in accordance with article 51 of the U.N. Charter and U.N. Resolution 665 concerning the naval and maritime blockade, our vote plainly endorsed that deployment.

I supported those efforts, joining over 400 of my colleagues in approving an additional $978 million for Persian Gulf related operations on September 19, 1990.

When the House adjourned on October 28, 1990—well over 2 months ago—our adjournment motion contained a specific provision allowing the Speaker of the House and the majority leader of the Senate to call the 101st Congress back into session on 2 days' notice. Thus we were not dependent on a Presidential call of a special session under article II, section 3 of the Constitution in order to reconvene to consider issues relating to the Persian Gulf; we could have been called back at any time by our leadership.

By mid-November, it was clear that President Bush was seeking international support for a U.N. Security Council resolution to authorize the use of force to enforce the previous resolution adopted by the Security Council regarding the Iraqi invasion of Kuwait. The November 19, 1990, New York Times reported on Secretary Baker's trip to the U.S.S.R., specifying that he was there to secure the U.S.S.R.'s support of a U.N. resolution backing a use of force.

However, this effort by President Bush did not bear fruit until November 29, when the Security Council passed U.N. Resolution 678,

authorizing the use of force if Iraq failed to withdraw from Kuwait by January 15, 1991.

The administration effort to secure U.N. Resolution 678 represented a significant change in position from that which the Congress had approved in appropriating funds for the Persian Gulf effort. It was during that 10 day period between the reports of that new position and the enactment of Resolution 678 that the Congress should have been called back into session. This would have been the opportunity to consider the issues raised by this change of position, if there was any question of lack of congressional support, or if the Congress wished to impose any conditions.

It would have been appropriate, for example, to consider the issue of burden sharing, since I am not satisfied that all of our allies are carrying their share of the burden in this effort. Frankly, I had expected a larger commitment in dollars and manpower from many of our allies.

By means of a debate and enactment of a resolution between November 19 and November 29, the position of the Congress could have been made clear before Resolution 678 was considered and before the governments of other countries had acted to support us by voting for Resolution 678 or by maintaining troops or financing operations in the gulf area impacted by decisions on Resolution 678.

However, the fact we face today is that Congress did not meet during that period of time to consider those very serious issues, and all of the governments involved acted in reliance on Resolution 678.

Make no mistake about it—a vote of congressional support of or opposition to Resolution 678 is dramatically different on January 11 or 12 from what it would have been on November 23. Our choices now are very limited. If we repudiate the resolution, we hand Saddam Hussein a powerful weapon and cast serious doubt over the United Nations effort to act effectively as an arbiter of international disputes. In fact, by waiting until this later hour, we have rendered ourselves extraneous to any positive policy role, unless we are prepared to try to force a change in the position taken by the United Nations.

I know that the leadership of the Congress does not wish either to help Saddam Hussein or to damage the United Nations; yet, by failing to act at the appropriate time, we face this Hobson's choice.

Supporters of the Hamilton-Gephardt resolution describe it as a "stay the course" resolution. In fact, I heard one of its sponsors, the gentleman from Indiana [Mr. HAMILTON] so describe it on ABC's Nightline, and he so described it a few minutes ago. I think that description would have been true prior to November 29; it is plainly untrue today. Since November 29, the course on which we have been placed is that set forth in U.N. Resolution 678, under which January 15 is the deadline for Iraq's compliance and use of force is authorized to achieve compliance.

I have other problems with the Gephardt-Hamilton approach. Though I am very skeptical of the efficacy of sanctions, let us assume that they can work in a year or two. That still leaves the question: Can President Bush hold together the fragile and diverse coalition arrayed against Iraq for as long as it will take sanctions to work? I am very doubtful that he can. But even if he can, can we afford to pay the price that will be necessary to do so? How long do we remain silent about the Baltic States? What if European nations that were only too happy to sell Iraq the makings of its chemical and nuclear weapons industries start using the Persian Gulf situation as a lever in our trade talks with them?

When one considers questions like those, the superficial attractiveness of the Gephardt-Hamilton proposal rapidly fades. I urge a vote against it.

As I have stated, if the Congress did not wish to embark on the course called for by U.N. Resolution 678, then Speaker FOLEY and Senator MITCHELL should have reconvened us prior to November 29. To change course now can only persuade Saddam Hussein of our irresolution and increase the probability that force will ultimately have to be used if we truly insist that Iraq get out of Kuwait. For that reason, I shall cast my vote in support of the Solarz-Michel resolution and the positions contained in Resolution 678, and oppose efforts to undercut the United Nations, the President, and those nations who have, in good faith, acted to support us.

I do so most solemnly. I understand that any war in the Persian Gulf will involve casualties. I do not view those casualties with equanimity. But let us hope that, at the very least, this unhappy situation can be the start of a process by which we develop a workable system for collective security backed by the world's major powers.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Speaker, at issue today is whether this Congress favors a policy of peacekeeping or keeping an unprincipled peace.

Sanctifying the status quo in the gulf, as the Hamilton-Gephardt approach so flaccidly does, grants time and solace for a tyrannical satrap to fortify his sand redoubt in Kuwait, to perfect with hideous science his biochemical and nuclear weapons capacity, and to continue to exhort, without compunction or conscience, murderous miscreants around the world to replicable acts of terrorism.

Sanctifying the status quo drives a stake into the heart of international law, for it renders hapless the collective security system that Woodrow Wilson and Franklin Roosevelt worked so assiduously to create, and American soldiers in the great wars of this century fought so courageously to make possible.

When human beings are allowed to be raped as an instrument of state policy, when innocent citizens are executed at an epidemic rate, when a country is not only being systematically pillaged, but a culture eviscerated, moral people have an obligation to do more than simply wring their hands and suggest that resolve be diluted by the sands of time.

The Hamilton-Gephardt approach is a nonbinding copout. It leaves a fragile world order increasingly vulnerable to aggression and thus war.

The President's collective security approach, on the other hand, gives hope that an international order will be established based on the precept that aggression will not be rewarded, that peacekeeping is peacemaking, that potentates, whether petty or mighty, who through naked aggression attempt to take the world hostage will be held accountable to the rule of law.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Washington, [Mr. CHANDLER].

Mr. CHANDLER. Mr. Speaker, I think we need to keep clear in mind the choice we face today. Under Michel-Solarz we authorize the President of the United States to use force in the Persian Gulf to enforce the U.N. resolutions and bring about a withdrawal from Kuwait by Iraq. Or we adopt the Gephardt-Hamilton resolution and deny the use of force, require extension of sanctions with no time limit, and add to the end of that a congressional approval requirement for any future use of force.

Unfortunately, Michel-Solarz has been characterized today as a declaration of war, one which gives up on diplomacy. Let me point out within the language itself of Michel-Solarz there is a requirement for every last single effort to bring about a final-hour diplomatic solution. The President would be required to report to this Speaker and to the majority leader of the Senate that he has, and I quote from the resolution,

> * * * used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council's resolutions (cited in the subsection above), and that those efforts have not been and would not be successful in obtaining such compliance.

The U.N. Secretary General, Perez de Cuellar, is advancing a peace plan today. President Bush and Secretary of State Baker have made it clear that they are open to any reasonable, peaceful diplomatic solution. President Mikhail Gorbachev has offered his assistance, and the President, by the language of the Michel-Solarz resolution, is required to use diplomacy.

I do not know about you, but I have had a lot of trouble sleeping the last couple of nights. I think that is the case with all of us. But what I would suggest you do is look at the face of the President of the United States. That face is drawn, it is lined, it is the face of a man under tremendous strain, a man carrying an agonizing burden.

President Bush is not a gunslinger. He is not a Rambo, and he does not want war. But regrettably, I have concluded that he needs the authority to wage war in order to make diplomacy work.

If there are no consequences for the failure of diplomacy, diplomacy has no chance to succeed with a man like Saddam Hussein. I urge the defeat of the Gephardt-Hamilton resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. RANGEL].

Mr. RANGEL. Mr. Speaker, I rise in support of Hamilton-Gephardt that will give the opportunity for sanctions to work in the Persian Gulf, and against a declaration of war that has been expressed in the Solarz-Michel resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution.

As I've talked to my constituents over the last few weeks about what to do in the Persian Gulf, I think a lot about my boyhood friend John Waden.

John Waden grew up five doors down the block from my home in Malden. In 1966, he came back from Vietnam in a body bag. I had looked up to John Waden, but at his wake I looked down at his closed casket and wondered why he had died. As I went from adult to adult, I searched for an answer. No one could explain to me what the war in Vietnam was all about. I swore then that if I were ever in any position of power, I would do everything I could to assure that before any young persons were asked to lay down his or her life for our country, we would be able to explain to that young person's friends and family the reasons why.

So far, I haven't heard any explanations that would satisfy the loved ones of the new generation of John Wadens who now stand poised to fight in the Persian Gulf. Some say that Saddam Hussein is a Hitler who must be stopped; that if we don't use force to drive Iraq from Kuwait, we will only whet Saddam's appetite for further aggression, much as Neville Chamberlain's appeasement at Munich encouraged further Nazi aggression.

As my mother often says, if you don't start out working smarter, you'll end up working harder. If one drop of American blood is spilled in the sands of Saudi Arabia this winter, it will be because for the last decade America has not worked smarter. This failure can be directly traced to four public policy failures by the Reagan and Bush administrations that, taken together, have established the conditions for U.S. military involvement in the Persian Gulf crisis.

First, energy policy. In 1980, the Reagan-Bush campaign called for the elimination of the Department of Energy. To make good on this campaign promise, President Reagan appointed a dentist named James Edwards as Secretary of Energy. Edwards testified before Congress that he intended to shut down the Department so he could "be back in South Carolina for hunting or fishing in April or May." When questioned on how he could possibly be serious about such a timetable—let alone the wisdom of such a move—Edwards joked "the fishing is good in June or July as well."

A "Gone Fishin'" sign has hung on the door of the Reagan-Bush energy policy ever since—automobile fuel economy standards rolled back, appliance and building efficiency standards gutted, energy conservation research slashed, alternative energy research cut. The Department of Energy, which, in 1980, had earmarked more than two-thirds of its total budget for civilian energy programs and one-third for nuclear weapons, was by the end of the decade spending two-thirds of its funds on nuclear weapons and only one-third on civilian energy programs. Ten years later the United States still has no long-term energy independence strategy, and U.S. oil imports have soared from 34 to over 50 percent of total consumption, thereby immersing us ever deeper in the insanity of Middle Eastern politics.

Second, nuclear proliferation. During the 1980 campaign Ronald Reagan claimed that nuclear proliferation was not "any of our business." Once in office the Reagan-Bush administration cut back on enforcement of United States nuclear nonproliferation laws, allowing Iraq to obtain access to sensitive technologies used in its nuclear weapons program. Moreover, the administration sat on the sidelines as Iraq manipulated oil exports to blackmail European countries into supplying it with nuclear technology and assistance that it could use to build the bomb. Ironically, the Bush administration now warns of Saddam Hussein's nuclear ambitions, but when Israel launched an air strike against Iraq's Osirak nuclear powerplant in 1981, to halt Saddam's drive to acquire nuclear explosives, the Reagan-Bush administration sharply criticized Israel's courageous action. During the several months following the raid, the United States actually worked with Iraq on various U.N. resolutions condemning Israel.

Third, chemical weapons. In 1983, Saddam Hussein began using chemical weapons against Iranian troops and in 1988, he used nerve gas against the Kurdish minority in Iraq. The Reagan-Bush administration turned a blind eye toward Iraqi use of chemical weapons and in 1988 it successfully opposed congressional efforts to impose sanctions against Iraq for its use of such weapons. During this same period, America's moral stance against the use of chemical weapons was undercut by the Reagan administration's efforts to break a longstanding U.S. moratorium on production of lethal nerve gas—including then Vice President George Bush's three tie-breaking votes in the U.S. Senate in favor of new chemical weapons production.

Fourth, the tilt toward Iraq. In 1980, Saddam Hussein invaded Iran. Instead of condemning this act of "naked Iraqi aggression," the Reagan-Bush administration tilted toward Baghdad, and in 1982, it removed Iraq from the list of terrorist nations—thereby clearing the way for providing Iraq with agricultural credits. By 1984, the United States restored full diplomatic relations with Iraq and shortly thereafter it reportedly began providing Saddam with covert intelligence support, including satellite photographs of Iranian military formations.

By July 1990, Congress was pressing to end the pro-Iraqi tilt of United States foreign policy, adopting measures that would cut off agricultural credits to Iraq until it complied with international agreements on human rights and weapons nonproliferation. In response, the State Department issued a statement opposing this legislation, saying that "measures now under consideration would not help us achieve United States goals with Iraq."

Incredibly, when Iraq escalated its war of words with Kuwait over oil production increases last July and began threatening war, State Department officials testified before Congress that the United States was unlikely to respond sharply to an Iraqi military action, noting that the United States had "no defense treaty relationship with any gulf country" and that "we have historically avoided taking a position on border disputes or internal OPEC deliberations." The State Department also instructed the United States Ambassador to Baghdad, April Glaspie, to tell Saddam Hussein that "we have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait."

Given this sorry record, is it any wonder that we are today facing a Saddam Hussein armed with chemical weapons and ballistic missiles and on the verge of acquiring nuclear explosives within the next decade? Will we now compound these previous blunders by plunging America head long into a costly military confrontation with Iraq?

There is an alternative to war. It has four parts.

First, instead of launching a bloody offensive war, we should maintain a multinational military force in Saudi Arabia to contain Saddam Hussein and deter any further Iraqi aggression. A policy of containment and deterrence won the cold war against the Soviet Union; it can certainly lead to a successful resolution of the gulf crisis. Remarkably, with the end of the cold war, both the United States and the Soviet Union stand united in opposition to Saddam Hussein's invasion of Kuwait, making it possible for the entire world community to join in demanding an Iraqi withdrawal. Now we need to give this unprecedented exercise in international cooperation more time to drive Iraq out of Kuwait.

But we must also demand that all participants in the coalition arrayed against Iraq bear their fair share of the burden on containment and deterrence. Our European and Japanese allies, who are heavily dependent on imported gulf oil, should increase their contributions to the multinational military force in the gulf. At the same time, we should expect greater Arab support for the joint effort. The Saudis, for example, are realizing a windfall profit of up to $150 million a day from increases in the price of oil since the onset of the gulf crisis. They should be asked to use all of their windfall profits to help defray the costs of Operation Desert Shield.

Second, we should give the economic sanctions time to work. Those who argue that sanctions alone will not force Saddam from Kuwait are mistaken. Iraq invaded Kuwait for economic reasons, desiring access to Kuwait's rich oil reserves and wanting to shed the burden of the huge war debt it owed Kuwait for financing Saddam's war against Iran. The Iraqi

economy is already thirsting from the loss of $1.5 billion in foreign exchange earnings every month—the equivalent by itself to more than a third of Iraq's total national product—and the sanctions are expected to lead to a 48-percent decline in Iraq's gross national product over the next 1 to 2 years, effectively choking Saddam's economy to death. Sanctions will also weaken Iraq's military capabilities by denying Saddam access to military equipment and spare parts for the Mig fighters, tanks, and other military hardware Iraq purchased from the Soviets before the invasion.

Third, America must take steps to reduce our overdependence on gulf oil. This overdependence threatens to interfere with our ability to advance other important American interests in this region, such as promoting a Middle East peace agreement which assures the security of Israel. It's time to take the "gone fishing" sign off the Department of Energy and forge a national energy policy capable of achieving energy independence. Such a policy must focus on improving energy efficiency and conservation, expanding Federal incentives for renewable energy production, expanding weatherization assistance, and promoting reliable and environmentally responsible energy sources.

Fourth, we must reverse the legacy of the past decade and become a principled world leader in opposing the spread of nuclear weapons. We should press for a more effective multilateral nuclear nonproliferation regime that serves as a technological stranglehold on the spread of nuclear explosives to countries such as Iraq, Iran, Pakistan, Libya, and North Korea. This regime should include tougher international safeguards against diversion of nuclear materials and technologies, stricter inspection and verification procedures, bars on all nuclear-related exports to nonweapons states that refuse to accept international safeguards, a phase-out of all exports of highly enriched uranium, and harsh penalties for those countries which continue to engage in reckless proliferation policies.

Two weeks ago, at a town meeting I held in Billerica, a woman stood up before the microphone and told me how she lived each day in fear that America would soon be in a war and her son might come home in pieces. Cradling in her arms a picture of her boy as she choked back her emotions, she said:

"If my son had to go to war with people coming after us in our country, I'd be right there * * *. I'm a very American person, I'd be right there along with all my family. But this I don't understand. I'd like to have it explained why exactly they're over there.

We owe it to the soldiers and their families to pursue alternatives to war. If we do so, we will not need to search for explanations to make to the mother in Billerica, or to any of the families and friends of this generation of John Wadens. No caskets will be filled that cannot be justified. America will have worked smarter, our Nation and its economy will be stronger, and as a result, the young men and women now deployed in the deserts of Saudi Arabia will not have to fight and die harder.

Mr. GEPHARDT. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I come here today with the full understanding of how grave this situation is for our Nation. I have withheld statements to the press and avoided discussions of my positions based on hypothetical circumstances because I believe in the principle of pursuing diplomatic solutions as long as peace is within our grasp. I felt that more rhetoric, while our Secretary of State and our President worked within the framework of diplomacy to achieve a solution without war, did not serve our Nation well; and I have supported our President in his management of this political aggression in the Persian Gulf.

But I will not transfer my responsibility as a member of the U.S. Congress to the President in making the decision on whether or not this Nation engages in war against another nation. When the time comes to declare war, I will not hide behind some resolution absolving me of my constitutional responsibility.

But in my mind, that time—the time to declare war—has not yet come. When the time does come, a straight declaration of war resolution should be brought to this Congress for debate, not some resolution delegating to the President that sole responsibility.

There is no legislation, nor any proposition, that should be more closely examined and debated than one which authorizes war. It may be a difficult political vote when we decide to impose a new or higher tax on our people. But if we are wrong, life, nevertheless, goes on. In is not the end of the world. Where, however, the issue is war, life will not go on for many young men and women; and it will be the end of the world for them. Therefore, it is critical that we debate this with the full knowledge and understanding of what we are doing.

Liberty and freedom are worth fighting for. They are worth dying for. But war must be the very last resort.

Yes, Iraq has invaded and conquered Kuwait. Yes, the Iraqi military threatens Saudi Arabia, and only holds back because of the counterthreat of United States forces standing guard. Yes, the Iraqi leader is irrational and ruthless. But have we exhausted all means to turn away this aggression short of war?

For all of recorded history, the Middle East and the Persian Gulf have been the site of conflict and turmoil. It is not easy for us to fully understand the thinking of these people whose lives and history have been forever plagued with violence. We never fully understand the alliances which crisscross the boundaries of the various nations of this part of the world. We grope for understanding.

In total frustration, we are now ready to involve hundreds of thousands of our finest young men and women in a ground war in this troubled part of the world. But beyond that, we are now committing billions of dollars in the future into the Middle East. There will be no end to this dollar drain.

Henry Clay, who served in the House, the Senate, and as our Secretary of State, addressed the House of Representatives on the issue of war on March 24, 1818. The words of Henry Clay 173 years ago apply here today. In his speech, Clay said:

It is not every cause of war that should lead to war. War is one of those dreadful scourges, that so shakes the foundation of society, interrupts or destroys the pursuits of private happiness, brings, in short, misery and wretchedness in so many forms, and at last is, in its issue, so doubtful and hazardous that nothing but dire necessity can justify an appeal to arms.

Are we and the American people ready for the misery and wretchedness of war?

I do not believe that time has yet come for the misery and wretchedness of war. I do not believe that the time has come to lay the lives of American men and women on the desert sands nor plunge them into the Persian Gulf waters.

For now, I favor continuing the sanctions for a time. But then in the event no avenue is left us but war, I will be here to cast my vote and to bear the burdens of the consequences of it. I am not quick to war, but I will be committed to it when it is a necessity.

In the heat of this debate, we should remember the words of former President Herbert Hoover:

Older men declare war. But it is youth that must fight and die. And it is youth who must inherit the tribulation, the sorrow and the triumphs that are the aftermath of war.

Now is not the time to rush into abdicating our constitutional responsibility for a few fleeting moments of political popularity. The effect of our decision here on this issue will last much longer than the 30 second sound bite and will be remembered far longer than what the political expedience of the moment was.

I am not yet convinced that war is the only avenue. I am not yet convinced, if war should be the only answer, that our allies are ready to fully participate with us in this endeavor. Surely we want that answer before we declare war.

I have heard your arguments that sanctions and diplomacy will not work. You may be right. But let us not yet give up on that possibility.

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Mr. TORRICELLI. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. HUBBARD].

Mr. HUBBARD. Mr. Speaker, I rise today in opposition to the Gephardt-Hamilton resolution. If adopted, this measure will severely undermine America's credibility with its allies.

Now is the time for those of us in Congress to support President George

Bush, a man who was elected Chief Executive by carrying 49 out of the 50 States in 1988.

Finally, I urge my colleagues to support the brave men and women who are presently or who soon will be serving in the Persian Gulf region. Support the Solarz-Michel resolution and vote no on Gephardt-Hamilton.

Mr. TORRICELLI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. BYRON].

Mrs. BYRON. Mr. Speaker, my remarks are for the support of the American men and women we have called on to defend this Nation's principles in the Gulf. We have no alternative but to support the Solarz resolution.

Mr. Speaker, today marks a unique day not only in American history but in world history. Today the eyes of the world are focussed on Congress, the capital of the free world and the beacon of hope for oppressed people worldwide. Today, my colleagues and I must make a very personal decision: a decision which will set the course for American foreign policy. In making this decision, I am compelled to consider four factors: the nature of our adversary, the best course of action for America to take today, public opinion, and the message Congress will send to the world.

I do not know how many Americans truly understand Saddam Hussein's background, his character, his goals, or his logic. He is single-minded in his purpose, ruthless in his actions, and shrewd in determining what course of action will best further his goals. His ultimate goal, gaining power by which he can unite the Arab world, is all that matters. He does not recognize people as Americans, Egyptians, Iranians: only friends to his cause or enemies to his cause, Arabs or infidels. He has 1 million men under arms. After 8 years of war and an economy unable to support them, where do we expect them to go? Saddam Hussein's nature can lead me to only one conclusion: he will continue to use force in the future when he sees an opportunity to further his goals. He must be stopped.

The question then becomes "when do we stop him?" Now or later? Which option must I, today, make to ensure that Saddam Hussein leaves Kuwait and does not further threaten America's and the world's interests. My decision is not about whether I believe we should be there to the extent that we are; the President as Commander in Chief has chosen a course of action and the time for that debate has passed. My options are clear: stay the course with sanctions and wait a little longer before authorizing force, or authorize the use of force in conjunction with the U.N. resolutions. Experts can argue about the effectiveness of sanctions, but I cannot find any indication that staying the course and delaying military options will achieve our goals. A vote to stay the course is a vote of hope: hope that a dictator who continues to threaten the entire world will back down. Had I any assurances that this would occur, I would not hesitate to vote accordingly. Unfortunately, I have no such assurances that Saddam Hussein will back down if we delay military options. My colleagues who urge further patience do so nobly, with the understanding that war should only be a last resort. I, too, agree that war should only be a last resort. A vote to authorize force is also a vote of hope, though; hope that Saddam Hussein will back down when he sees our resolve and willingness to forcefully deny him what he truly treasures. By voting for an authorization of force, I believe I will be best advancing the cause of peace.

In making this decision, I have listened carefully to my constituents. By a 2-to-1 margin they say they oppose war. No one wants war. I am struck by Secretary of State Baker's comments following his talks with Iraq's Foreign Minister. He stated:

> Don't miscalculate the resolve of the American people, who are very slow to anger, but who believe strongly in principle and who believe that we should not reward aggression * * *.

In support of this statement, I am compelled to look back in this Nation's history only 50 years. In February 1941, Hitler had conquered the European continent and was looking toward Britain. FDR looked for Congress to pass the Lend Lease Act and thereby end America's declared neutrality. Congress hotly debated lend lease for 2 months; interventionists arguing for action and isolationists urging inaction. Congress and the people were divided on our intervention abroad yet united in our principle against tyranny. When my father-in-law, only 19 days before his death in a plane crash, voted in favor of the Lend Lease Act, passing by 260 to 165 on February 8, 1941, this Nation set itself on a course toward war. The fait accompli came on December 8, 1941 when my mother-in-law, then a new Member of this body, voted with 387 of her colleagues to declare war on Japan. Americans know what we can accomplish when we are united, and Americans know what our limits are when we are divided. I cannot help but believe that while Americans want peace in the Persian Gulf today, we are willing to confront Saddam Hussein with all available resources in the end. At this point in time, with over 400,000 American troops in the Persian Gulf, I cannot vote for buying time. War is not inevitable yet, but our moment of decision has come. We must make our principles known today, before war begins, or we will be forced to defend our principles by force at a later date and a greater cost.

Today, with the world watching, Congress, as the voice of the American people, will send a message. This message should be one of support for our President and strength in our resolve. This message will reach the entire world, but is really meant for two entities. The first is for Saddam Hussein: you will not be able to string out this crisis in hopes of dividing American public opinion. If you are really interested in peace, if you want to survive, you will obey the 12 United Nations resolutions. The second entity Congress will reach with our message is the American force in the gulf. Our sons and daughters, husbands and wives, mothers and fathers serving in the gulf are looking to the Congress for support and assurance: assurance that Americans will support their efforts, and assurance that if they enter combat, they will be given all means at their disposal to accomplish the Commander in Chief's military and political objectives as quickly as possible and with as few casualties as possible.

History will be the ultimate judge of today's decision. My colleagues and I are making the monumental judgement of our lives. There is none among us who can predict the future. My vote is a vote to give the President and the world community the support they need to resolve this situation peacefully, and only as a last resort, the power they need to resolve this crisis decisively by force. I hope and pray that congressional action today, whichever message we send, will result in peace tomorrow.

Mr. TORRICELLI. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I rise in support of the Solarz-Michel resolution. This is a time to support the President, to support U.N. Resolution 678, not repudiate it. Leadership requires us to stand firm. We do not do that by supporting Gephardt-Hamilton.

Mr. TORRICELLI. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Speaker and my colleagues, the goal in the Persian Gulf should be, and must be, a political solution. Economic sanctions and military force are only tools to get there.

There are those who choose to wait to see if a clearer political solution in the conflict arises. I can respect that position. There are those who argue against the establishment of a January 15 deadline, but, my colleagues, on two different occasions when I was in the gulf, I saw that a deadline gave hope to our men and women in uniform that this conflict, this stalemate will not go on indefinitely.

What institution better understands the need for deadlines to break gridlock and to force concessions than the Congress of the United States?

Some have complained that the sanctions in the United Nations were engineered by President Bush. That may be. But we Democrats should rejoice that a President, a Republican President, heeded our advice and used the United Nations and formed an international coalition instead of unilaterally rushing to force.

My good friend and respected colleague, the gentleman from Indiana [Mr. HAMILTON], and my dear friend, the majority leader, the gentleman from Missouri [Mr. GEPHARDT], urge that we adopt the stay-the-course resolution and give sanctions a chance, to give peace a chance. I want to see a successful, peaceful outcome in the gulf that addresses the long-term threat in the region.

The goal of sanctions is political. It is political; it is not economic. The key is what influences Saddam Hussein, because he is the only one who counts in making decisions in Iraq. Look at his inner circle. In the intelligence committee we have had briefings. The ques-

tion is not of objective advice. The question is simply loyalty.

Of the five key people in his inner circle, his ministers, they include his son-in-law, two half brothers, and his cousin.

There is no evidence that sanctions—although they are biting deeply into the economy, whether it is imports, exports, or his cash flow—have had an effect or impact on Iraq's military or the psychology of Saddam Hussein.

Judge Webster said that the marginal military decline would be offset by the simultaneous improvement of his defensive fortifications. Most ammunition and the ability to wage war with his ground forces, which is his strength, can be produced domestically and will be taxed only in time of military action.

But more importantly, I was taken by the testimony in the Committee on Armed Services of a psychiatrist who helped form a psychological profile of Saddam the person. I wish I now had the time to detail and quote it, but I cannot, but let me quote just a few provisions.

It said, "It is this political personality, this constellation of messianic ambition for unlimited power, the absence of conscience, the unconstrained aggression and a paranoid outlook which makes Saddam so dangerous. However, he is not impulsive. He only acts after judicious consideration and can be extremely patient." And for those who argue sanctions, "Indeed he uses time as a weapon."

Mr. Speaker, "He is willing to reverse course, but only if his power and reputation are threatened." And I further quote, "The only language Saddam understands is the language of power. Without this demonstrable," and this is a quote, "Without this demonstrable willingness to use force even if the sanctions are biting deeply, Saddam is quite capable of putting his population through a sustained period of hardship as he has in the past." And, lastly, "It is a certainty that he will return at a later date stronger than ever unless firm measures are taken to contain him."

My colleagues, I pray for a successful, peaceful outcome in this region. I believe that war should be undertaken only as a last resort, but I also believe that because of the complex and dangerous personality that we are confronting that only by authorizing the President, the executive, the President of the United States to employ force, if necessary, with our allies will this outcome occur.

I urge the support of the Solarz resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. PEASE].

Mr. PEASE. Mr. Speaker, I rise in support of the Gephardt-Hamilton resolution and in opposition to the Solarz-Michel resolution.

Both resolutions have the same goal—to achieve the withdrawal of Iraq from Kuwait.

But there is an essential difference between the two resolutions. The Gephardt-Hamilton resolution seeks to achieve the goal through continued reliance on economic sanctions against Iraq, not on war. The Solarz-Michel resolution assumes that economic sanctions won't work and would rely on force to remove Iraq from Kuwait.

The basic choice we make today is between economic sanctions and war.

Mr. Speaker, I choose sanctions.

I choose sanctions because American lives are at stake. War with Iraq will mean the loss of life for thousands, perhaps tens of thousands, of young American men and women. It will mean not only body bags but thousands of other young people coming home on stretchers. Such carnage may ultimately be unavoidable, but we ought first to give economic sanctions every opportunity to work.

I choose sanctions because a United States attack on Iraq risks opening a veritable pandora's box of uncertain consequences. Certainly there is the risk of death and destruction in Israel, which Iraq says it will attack if the United States initiates offensive action against Iraq. There is the risk that a United States-Iraq conflict would be transformed into a war pitting Israel and its ally the United States against the Arab world. Such a division would put the current leadership of Egypt, Saudi Arabia, and Jordan into an impossible position and would risk radical revolutions and dangerous long-term instability in the Middle East. If United States forces destroy Saddam Hussein's regime, the resulting power vacuum will likely be filled by Syria and/or Iran, both of them outlaw nations. Ultimately, Mr. Speaker, it may be necessary to run those risks, but it should not be until we have given economic sanctions a real chance.

I choose sanctions because the cost of war against Iraq will be borne overwhelmingly by American taxpayers; only a fraction of the cost will be borne by others who have far more at stake. The cost will be $30 billion this year even if there is no war; if war starts, the cost to American taxpayers will be from $1 to $2 billion for each and every day of the war—this at a time when the U.S. fiscal deficit for next year is already estimated at $350 billion or more. Serious, critical social needs will go unmet. To 37 million Americans who have no health insurance whatsoever, we will be saying that their government can find tens of billions of dollars to wage war but not a dime for a new health insurance initiative.

I choose sanctions, Mr. Speaker, because of the political turmoil which war will cause in the United States. President Bush has not made a convincing case to the American people that armed force against Iraq is justified. Americans will not support war and its concomitant loss of life in order to preserve oil flows or to restore the undemocratic Government of Kuwait. In particular, college students across the land—those at risk from the resumption of the military draft which a prolonged conflict would require—will turn their campuses into boiling cauldrons of dissent.

Mr. Speaker, I choose sanctions because their successful implementation would establish a realistic, believable precedent for future situations in which nations try to forcibly annex the territory of their neighbors. To few other places around the world is the United States likely to dispatch 400,000 troops. There is no credible precedent here. On the other hand, the United States and the United Nations can impose economic sanctions if future acts of aggression occur. The community of nations can—as it currently is doing in the Persian Gulf—deny to an aggressor the fruits of his aggression. Economic sanctions are a precedent worth establishing.

Mr. Speaker, I choose sanctions because that course has the greatest chance for success at the lowest cost.

Those who support the Solarz-Michel resolution are taking a high stakes gamble. They gamble that congressional support for President Bush will help convince Saddam Hussein to withdraw from Kuwait, thus avoiding war.

But if that gamble fails, war will ensure with tragic loss of human life, costs in the tens of billions of dollars, and great political instability in the Middle East and within the United States.

Those of us who support the Gephardt-Hamilton resolution are gambling too. We are gambling that sanctions, over time, will force Iraq out of Kuwait.

If our gamble fails, we will be, a year from now, essentially where we are today, with no loss of life for thousands of American young people; no huge escalation of cost to the American taxpayers; no political turmoil in the Middle East or the United States; and no benefit to Iraq of its aggression.

And we will still have, at that time, the military option.

Mr. Speaker, to me, the right choice of action is absolutely clear. I urge support for the sanctions option and opposition to the war option.

Mr. GEPHARDT. Mr Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. MFUME].

Mr. MFUME. Mr. Speaker, I rise this morning in total support of the Gephardt-Hamilton resolution and in total opposition to the declaration of war implicit and inherent in the intent of the Solarz-Michel resolution.

Mr. Speaker, I rise today to express my open and absolute oppositon to war in the Persian Gulf. My fear against going to war in the Persian Gulf is not due to the fact that America and our allies can not win in battle, but because our objectives and policies in this region have been inconsistent.

I am not comfortable with the stated objectives of why we are so ready to use force to dislodge Saddam Hussein from Kuwait. In August—when it appeared that Iraq was poised to attack Saudi Arabia's oil fields and hold foreign hostages at strategic locations—I concurred with the President's action to create an international force to defend the Saudi's oil fields and impose economic sanctions against Iraq.

Later, President Bush upped the ante with his steadfast promotion of the military option before we could determine whether sanctions and other international initiatives had a chance to take root. Additionally, President Bush began to talk about the need to stop Hussein's

naked aggression and that he must leave Kuwait. For me, this is one of the most profound and bewildering turn of events of the entire crisis.

Why are we going to authorize the use of force and the death of thousands of American soldiers to dislodge Hussein from Kuwait and reinstall the Kuwaiti emir. Kuwait by no means represented Jeffersonian democracy. Many of the administration's past objectives and policy positions defended democracy and freedom. Where were these governing principles in Kuwait prior to August?

Equally, the Iraqi's informed Ambassador April Glaspie that they intended to invade Kuwait in July and Ambassador Glaspie's response was that we don't get involved in such Arab affairs and that we do not have a defense treaty with Kuwait. Mr. Speaker, in part, we are responsible for creating the Leviathan that challenges us now. Were we as concerned about Iraq's buildup when they were keeping Iran at bay? Of course not. Were we as concerned when Hussein and other Middle Eastern countries escalated their acquisition of arms? Of course not.

The international stance against Saddam Hussein is not truly as united as the President would like us to believe. The major league participants in this conflict are plainly the United States and Iraq. Unfortunately, the first and the last soldiers to die will probably be wearing American uniforms.

Now we are considering whether to give the President the authority to use force to dislodge Saddam Hussein from Kuwait, or to work for a peaceful negotiated resolution to the crisis in the Persian Gulf. I favor exploring our diplomatic options prior to playing our military option.

I fear that the Michel-Solarz resolution will give President Bush tacit approval to launch a military offensive against Saddam Hussein's forces in Kuwait and set off a very bloody desert war. Mr. Speaker, make no doubt about it, a vote for the resolution before us is a vote for war. Anyone who attempts to argue the opposite is lying to themselves and to the American people.

I have heard many of our colleagues on the floor and in the media discuss the fact that we need to send a message to Saddam Hussein that his naked aggression will not be tolerated. I take this opportunity to send a message to the parents and loved ones of those soldiers participating in Operation Desert Shield. My message is that my conscience cannot rest knowing that your family members are being placed into a conflict that has yet to be clearly defined by the President to anyone.

Mr. Speaker, let us not rush head first into chaos and uncertainty. Let us instead seek ways to leverage Iraq from Kuwait and further tighten the screws via international sanctions and continued isolation against Baghdad.

The Gephardt-Hamilton resolution is the most progressive and promising chance we have to avert war in the Persian Gulf. Gephardt-Hamilton advocates continued sanctions and enforcement of the U.N. economic embargo. CIA Director William Webster said that sanctions are working and can further hurt Iraq. The administration knows that economic sanctions can work.

America stands to suffer great economic consequences if war in the Middle East reaches the anticipated levels. How are we going to pay for such a military offensive? Will those within this august body who have adamantly opposed taxes now vote to increase taxes to support a foreign war effort? War offers many paradoxes, but the ones emanating from our current crisis will be devastating.

Thus, I urge those who want to go to war with Iraq to remember, that although the Middle East is strategic because of its oil, I for one, do not wish to see the Saudi desert become the symbol of misguided policy and the massive loss of American lives.

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Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution.

Mr. Speaker, today we are called upon to be the conscience of America.

When our forefathers gathered to write the Constitution that would define and direct these United States, never did they realize that their successors would one day be able to bring into their homes debate on the true meaning and consequence of article 1, section 8, that states that only the Congress of the United States is vested with the responsibility and authority to commit this country to wage war.

And Mr. Speaker, never before in our Nation's history has the U.S. Congress been watched more closely nor depended upon more greatly, to exercise its collective conscience.

People stayed home yesterday and stayed up last night to hear us express our judgment.

And Mr. Speaker, they have expressed their judgment—and that is that government has not exhausted every alternative to war.

Mr. Speaker, it is their sons and daughters who must pay the ultimate cost of war.

Mr. Speaker, we are not a nation of peaceniks nor of warmongers. We are a nation of patriots.

Adm. William Crowe is a neighbor, Mr. Speaker. His life embodies what patriotism is all about. He has spent his life in our military, capping his career as Chairman of the Joint Chiefs of Staff.

Mr. Speaker, he knows what he is talking about and yet what he told me that was most compelling is what I want to share with you. He said,

I have a son over there. He's a company commander. He's on the front line.

He's a good kid. He grew up in this house. He went to school with your kids. He loves his country. Enough to lay down his life for it. And if we go to war with Iraq I will lose him.

And it doesn't have to happen.

Not yet, Mr. Speaker. Do we need to risk the lives of our loved ones?

And should we not pose to ourselves that same compelling question: How would we vote if our son or daughter were on the front lines?

Mr. Speaker, I have immersed myself in this issue day and night and consulted every expert available.

And Mr. Speaker, I must conclude that this will not be a quick and clean war. Surgical air strikes may be an effective strategy, but it will not be the final resolution. The best analogy to the ground attack that will be necessary to overcome Iraq's ground troops that are dug in along Kuwait's perimeter, dug into ditches reinforced by wire behind pools of oil that will be lit upon attack—Mr. Speaker, is Normandy.

Mr. Speaker, I have stood on the beaches of Normandy where in the month of June 1944, 100,000 Allied troops met their death.

Perhaps this is why, Mr. Speaker, that so many of my constituents including countless numbers of military officers and retired veterans have urged me to vote for the Hamilton-Gephardt amendment.

Mr. Speaker, last night I held a town meeting and heard from several hundred of my constituents who had come out in the freezing rain to share their views with me.

That constituency was of the same opinion that 95 percent of the people who have written and phoned—that it is not time to move to the final alternative of war. The vast majority of the people of the Eighth District of Virginia are not convinced that it is past time for negotiations nor for sanctions.

And while the perception of support that a vote for the Solarz-Michel amendment might give the President in strengthening his hand in the negotiation process, the awesome responsibility of declaring war should not be relinquished prematurely.

But if Saddam Hussein interprets support for the Gephardt-Hamilton amendment as a vote against the use of force at any time, he will have made yet another miscalculation.

We are a people of principle. We are prepared to pay the ultimate cost for the preservation of those principles. And if, Mr. Speaker, negotiations clearly have failed and sanctions clearly have not worked, then, Mr. Speaker, this Congress and this Congressman will declare war and will lead the nations of the world in the conclusion of that war and in the restoration of a lasting peace.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Mrs. BOXER

Mrs. BOXER. Mr. Speaker, this country is about to be sucked into a war in the area of the world known for violence, known for terrorism, known for blood baths, known for atrocities. I will tell Members, we will never be the same.

The Gephardt-Hamilton alternative points to a wiser path. It keeps the line drawn in the sands of Saudi Arabia. It keeps the sanctions, and it calls on our allies to do more.

Make no mistake about it, unless we pass Gephardt, this will be an American war. The measly contributions of Japan, Germany, France, and Italy will not dry the tears of our war widows.

The two ships provided by the Netherlands which gets 100 percent of its oil from the Persian Gulf will not heal the broken hearts of our grieving mothers and fathers.

A robbery is taking place right here, right now. Billions of dollars out the door to pay for an operation called The

World Versus Saddam Hussein. But the world does not pay. We do—Uncle Sugar Daddy.

We have spent more on Desert Shield so far than we spend in 1 year on Head Start, cancer research, AIDS research, Alzheimer's, heart research, and childhood immunization, all combined. That is what we have spent so far on Desert Shield.

My friends, a 22-year-old constituent of mine, and it could have been any constituent of yours, as he was sent off to the Persian Gulf was told to write his will. What will he leave his mother? What will he leave his father? His love? His hopes? His dreams? His ambitions?

With all due respect, this is not about looking at the President's face. I know his face looks worried. Our faces look worried. It is not about looking at the President's face, and it is not about saving face. It is about saving lives. Peace through war makes about as much sense as health through sickness.

It took 8 years into the Vietnam war to get 150 votes against it. Today, we will have more negative votes than that for this war yet to come. That is because there is a better way. It is called Gephardt-Hamilton. We have learned from Vietnam. It is good that we have, and we should not be ashamed that we have learned from Vietnam. We have totally isolated Iraq without a shot being fired. So stay the course and spare the United States the body bags, the tears, the terrorism, and the anguish. Support Gephardt-Hamilton.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I have determined that this debate comes down to one simple fact, that is, that Saddam Hussein will withdraw his troops from Kuwait faster with a loaded and cocked gun at his head, than he will if we extend the sanctions. Let Members load and cock the gun, and then pray to God that we do not have to pull the trigger.

I rise in strong support of the Solarz-Michel resolution.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I rise in support of the Michel-Solarz resolution and in opposition to Gephardt-Hamilton.

I rise in support of the Michel-Solarz resolution, endorsing the U.N. Resolution No. 678, giving President Bush authority in conjunction with our allies to use "all means necessary" to force Iraq from Kuwait and restore regional stability.

And I do so with graver misgivings than most, having lost a son; not to war but to illness. I know the everlasting anguish of the loss of a child.

I have concluded that if we truly believe that we should walk the last mile for peace we should defeat the Gephardt-Hamilton resolution and approve the Michel-Solarz resolution and possibly spare the anguish of loved ones having died because we lost our resolve.

Choosing this last mile is not a clear choice, because fundamentally I believe that the sanctions are working and that a number of avenues remain open for dialog and diplomatic maneuver, while remaining true to our commitment to the international coalition and our principles. I do not see war as inevitable.

I do see war as bringing about numerous consequences as yet unforeseen. Representative HAMILTON spoke cogently on this subject yesterday.

These include an even more incendiary Middle East.

In other words, the tactics are debatable.

But in this vote today, we must take the facts as they are where we are today. And the bold facts are:

There was a failure last Wednesday in Geneva.

The deadline adopted by the United Nations is looming.

Secretary General de Cuellar is preparing to talk to Saddam again.

Whether by design, by cynical calculation or by default, we have been maneuvered to this vote at the precise time when a negative vote will be viewed by the world community as ineptitude.

The United States will have lost credibility and we will have provoked a prolonged stalemate and all-out war could be the only recourse.

So we must endorse the U.S. action and when—in their collective judgment—the President and the coalition attest to the need for force.

Any miscalculation, on the President's part, will result in thousands of lives lost and profound economic and political consequences.

And to President Bush, I say, God give you the wisdom and compassion to bring about the New World order for which all Americans pray.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I rise in strong opposition to Gephardt-Hamilton, and strong support for Solarz-Michel.

Mr. Speaker, while I strongly support continued, tough international sanctions against Iraq, I do not believe that sanctions alone will force Saddam Hussein to comply with the U.N. resolutions. I rise in opposition to the Gephardt-Hamilton resolution. Let us not deceive ourselves, this resolution removes the threat of force, which apparently is the only action which will influence Saddam Hussein. This resolution does not strengthen sanctions or diplomacy, it weakens them. It is very clear that if Saddam Hussein believes we will not use force, or if there is not a credible threat of force, he will never withdraw from Kuwait and will continue to directly threaten vital American national security interests.

I agree that if nothing else in the world changes, over time, sanctions could provide enough pressure on Saddam Hussein to comply with the U.N. resolutions. But, all the other key factors that make sanctions effective will not remain the same. The realities of the world, which some are ignoring to make their case, clearly indicate that over time our coalition and our ability to enforce a tough embargo will weaken whereas Iraq's position will not. Without the credible threat of force, time is on Saddam Hussein's side, not ours. That's reality.

First, Iraq can hold out for a long time. Saddam has no problems denying resources to his people in order to maintain his aggressive, offensive military machine. His gestapo-style secret police will make sure that anyone who complains won't be around to ever complain again. The Iraqi people went without for 8 years during a war with Iran. They are hardened. Further, Iraq has quite a self-sufficient agricultural sector, particularly in basic foodstuffs, meaning the Iraqi people are in no danger of starving therefore removing a pressure on Saddam to change his ways. They are willing to go without some of life's conveniences rather than be shot. Remember, Iraq is not all desert like Kuwait, it is Mesopotamia, the cradle of many ancient and modern civilizations—the fertile crescent.

While the embargo is denying Iraq spare parts for its weapons, without the very real, credible threat of force, Saddam doesn't need spares because he won't be using his weapons. Besides, Iraq has billions of dollars in hard currency and gold looted from Kuwait to sustain illegal sanctions-busting, black-market trade for key goods. And, if thousands of years of history have taught us anything, the people of this region are extremely capable merchants able to overcome any obstacle.

As I noted during yesterday's debate, the fact that many Soviet and Bulgarian technicians in Iraq have opted, despite the security threats, not to leave because they note there are more consumer goods and food in Baghdad than in Moscow or Sofia, indicates that sanctions are not totally effective. So too, is the fact that fresh kiwifruit, a perishable item not grown in Iraq, are available in Iraq and occupied Kuwait. Hostages held in Kuwait affirmed this to me.

While I believe Iraq can hold out for some time, especially without the credible threat of the use of force which the Gephardt-Hamilton resolution removes, I believe the multiple pressures on our coalition mean we cannot.

Today's sanctions are hurting the poorest countries and Eastern Europe's newest democracies the most—more than they are hurting Iraq. As I explained yesterday, the gulf situation is an economic, and therefore becomes a political and social, disaster for the Third World and Eastern Europe's new, very fragile democracies. Do we want to see and can we afford failure in Eastern Europe coupled with revolutions, civil wars and new dictators in Asia, Africa, and Latin America—in other words a collapse of much of what we've recently achieved?

In his chilling resignation speech before the Congress of People's Deputies, Soviet Foreign Minister Shevardnadze specifically noted the increasing opposition from powerful Soviet institutions like the Red army to Soviet support for our gulf policy. Iraq was a key source of trade and hard currency for the Soviets. With all the other serious problems they are facing,

how long can the reformists in the Soviet Union continue to be cooperative with us and the United Nations?

Similarly, over time, vulnerable countries like Syria and Jordan which cannot sustain the embargo may become lax in enforcing it or abandon it altogether, making sanctions even far less effective.

While the coalition against Iraq is a multinational one, because we are a superpower that is looked up to by most, we naturally play a leadership role. But, if we are unwilling to back the U.N. resolutions and our own national security interests, we signal that we are a weak leader and the coalition, therefore also the effectiveness of sanctions and diplomacy, crumble.

As we wait for sanctions to work, Saddam can rest and better prepare his armies. Like all tyrants, he will deny his people resources to ensure his armies remain strong. And, when sanctions don't force him to leave by some later deadline, we'll face an even stronger Iraqi army with, perhaps, less international support. The expense of waiting through higher American casualties is ours.

For example, in overrunning Kuwait, Iraq was able to seize advanced American-made Hawk antiaircraft missiles. These are just like some of the missiles we have deployed in Saudi Arabia to protect our forces. We believe that at this time, Iraq has not had the time to learn how to operate the Hawk system effectively. But, Iraqi technicians are not stupid. In time they will master the system and correct Iraq's weakness in medium-range and high-altitude air defense. We know how good the Hawk system is and our pilots don't want to have to fly against it. As we wait for sanctions to bite, the chances of confronting the deadly Hawks only increase. Those who say we should engage in an air war if there are hostilities by voting for Gephart may well mean more pilots will be lost.

Further, by waiting without threatening force, we still have to keep sufficient forces in the area. That means we must rotate troops. The only way to accomplish this is to either call up hundreds of thousands of reserves or reinstitute the draft. Both of these are very unpopular actions that will hurt our economy, increase our budget deficit, and reduce domestic programs like education, housing, and drug control while, once again, increasing defense spending.

The only chances for peace that the Gephardt-Hamilton resolution increases are for a bad one. History has proven that a bad peace always results in a war, often a far bloodier and costly one. I wish we didn't have to threaten to use force, no one wants a military option, particularly me. I wish we could just sit back and let sanctions and diplomacy alone work. But, they will not and the costs of not providing a very real and credible threat of force are too high. The choice before us today is not war or peace. War is not inevitable. With the resolutions before us both alternatives are possible. However, I continue to strongly believe that House Joint Resolution 62, the bipartisan Solarz-Michel-Broomfield-Fascell resolution has the best chance of fostering a peaceful solution whereas the Gephardt-Hamilton resolution lessens the chances that Saddam will seek peace and increases the chances that we will pay a much higher price for war.

The final decision as to whether there shall be war or peace lies with Saddam Hussein. To paraphrase Winston Churchill's comments about the aggressive actions of Hitler, "If (he) does not want war, then there will be no war. Therefore, if war should come, there can be no doubt upon whose head the blood guiltiness will fall." While Churchill's comments refer to Hitler and events earlier this century, they are very applicable to Saddam Hussein and his actions today.

The decisions before us today are very hard and very trying. Yet, I urge my colleagues to seriously consider all of the factors and all of the real costs today and into the future. The best chance for achieving our goals peacefully is not the Gephardt-Hamilton resolution, but the Solarz-Michel-Broomfield-Fascell resolution.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HENRY].

Mr. HENRY. Mr. Speaker, I oppose the Gephardt resolution because it undermines, rather than enhances, prospects for a peaceful resolution to the conflict in the Persian Gulf. To adopt the Gephardt resolution sends Saddam Hussein the wrong message. The world community of nations has been waiting 5 months for Saddam Hussein to demonstrate the slightest inclination of being willing to withdraw from Kuwait. Any lack of resolve by this House to stand by the U.N. Resolution 678 can only be interpreted by him as capitulation and retreat on the terms of the resolution itself.

Look at the consequences, Mr. Speaker: Saddam Hussein will claim it as a victory, and he will only believe that our having postponed once, we will postpone yet again. Be it 30 days or 60 days or half a year from now, we will be faced with the same decision. But meanwhile, the moral resolve of the community of nations, its diplomatic unity, and its military position will have been put at risk while we wait.

We will present to the world the picture of a nation divided, divided in its support of the President's policy and divided in support of the U.N. resolution.

The morale of our troops in the gulf will potentially be undermined as they seek to interpret the meaning of this resolution. Prospects of extended tours of duty in the gulf are forced on themselves and their families at home.

The safety of our troops in the gulf will have been put at risk.

Forthcoming changes in the climatic patterns in the gulf are adverse to the military situation in the alliance. They will be straddled in an announced defensive posture while subject to offensive attack.

This resolution puts the United States at odds with the community of nations itself. The Senate has rejected the resolution just shortly sometime ago. Now history looks at the House of Representatives. Will it point to this House in this moment as the place and time where the attempt of the world community of nations to order its affairs in a post-cold-war era was cast into the abyss?

Mr. Speaker, I do not seek war. I do not even want to resort to military action in the gulf. This resolution not only undermines the judgment of the world community as to just how such a conflict can be avoided, but it also undermines the means by which such a resort to force can be hopeful of success should it be required.

Oppose the Gephardt resolution, my colleagues. Stand firm with our President. Stand firm with the alliance. Stand firm for the principle of the rule of law between nations, and stand firm on behalf of steps which history has taught us to be the best means of keeping the peace.

PARLIAMENTARY INQUIRY

Mr. AUCOIN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUCOIN. Mr. Speaker, is it in order under the rules of the House to refer to statements of Members of the other body, or to actions taken within the other body?

The SPEAKER. It is possible under the rules of the House to refer to a vote taken in the other body, but not to characterize the vote by statements of approval or disapproval.

Mr. AUCOIN. I thank the chair.

Mr. EDWARDS of Oklahoma. Mr. Speaker, was the gentleman referring to the fact that the Senate has just defeated the Gephardt amendment?

Mr. TORRICELI. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. RAY].

Mr. RAY. Mr. Speaker, I rise in opposition to the Hamilton-Gephardt resolution and in support of the Michel-Solarz resolution.

Mr. Speaker, I believe our economic alternatives have expired in the Persian Gulf Region. I recently met with several former hostages, including Miles Hoffman from Columbus, GA, the only American wounded by Iraqi soldiers. The hostages described to me the failure in a policy of economic sanctions. They talked of food and other supplies entering Iraq unrestricted from Jordan and Iran. We also discussed the fact that other sympathetic countries like Libya are sending hard currency to Saddam enabling him to buy needed goods. One hostage described Iraq's growing agricultural capability—complete with irrigation facilities. Finally, they told me of their luscious Thanksgiving Dinner—turkey with all the trimmings.

Mr. Speaker, does that sound like a country suffering at the hands of serious economic sanctions that are stripping it bare of basic necessities?

Saddam Hussein and his army are not suffering from these sanctions, nor will they because they will continue to plunder, rape, and

pilfer all that they must from Kuwait to maintain themselves. In addition, as fellow Arabs grow ever more sympathetic to Saddam, they will continue to help Saddam get what he needs.

Mr. Speaker, we gave Iraq an ultimatum—their time has come due.

□ 1210

Mr. TORRICELLI. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. HALL].

Mr. HALL of Texas. Mr. Speaker, I rise today in the midst of the most important debate in my 10 years in Congress. We have already heard many excellent arguments on both sides of this vital issue, and I appreciate the honest views of my colleagues. As for me, I intend to support the President and the U.N. resolutions, not because I want war, but because I want a genuine peace.

I'm sure we can all agree that President Bush and Secretary of State Jim Baker have done an excellent job in bringing the international community together in joint condemnation of Iraq's invasion of Kuwait. As a matter of fact, I feel that Secretary of State James Baker will always be remembered as one who went the last mile, always cool and courteous, always professional, and always there. Who could have dreamed that he could pull the U.N. members together—even Syria and Egypt? This Secretary of State brings to mind the Cordell Hull image of the 1930's and early 1940's.

As I agonized over this historic vote, I keep coming back to where we are now. Not last August or September—but now. Our troops are in the desert now. They were there when I arrived on the scene. They were there when the entire Congress came on the scene. If I were President, I probably would not have sent ground forces to Saudi Arabia. Instead, I would have used air and sea power and our technological advantages to protect the Persian Gulf from further unprovoked aggression. As Gen. Douglas MacArthur put it, "The object of war is victory." If hostilities begin, let's learn from Korea and Vietnam, and allow the military to fight the war. The shortest war spawns the fewest casualties. These would be my actions based on what I know. Granted, I am not in command of the information that our Chief Executive has.

Therefore, I don't know all of the relevant factors involved in the President's decision to send a large contingent of ground forces. If I trust in the judgment of the President, if I believe he is sound of mind, that he is a patriot, and I do, then I must accept that he has made the right decision. I would ask my colleagues, how would you feel if you were a young soldier sitting in a puptent in that remote desert, and you picked up a copy of the "Stars and Stripes" newspaper, only to read that the Congress did not support your Commander in Chief?

I honestly believe that the policy of appeasement and delay is, in fact, a policy which in the end leads to even greater suffering and death. As a veteran of World War II, I cannot help but remember the words of Prime Minister Neville Chamberlain upon his return from his ill-fated peace negotiations with Adolf Hitler, and I quote Mr. Chamberlain, who said, "For the second time in our history a British Prime Minister has returned from Germany bringing peace with honor. I believe it is peace for our time. Go home and get a nice quiet sleep." Mr. Speaker, I and many others did get a nice sleep that night. Yes Mr. Chamberlain delayed the war—but he magnified the loss. In looking the other way then, the world allowed a madman to consume Europe, and before it was over, millions paid for this tragic mistake with their lives.

Mr. Speaker, it is indeed appropriate for Congress to meet here today to debate this issue. The Constitution empowers this body with the responsibility to decide when this Nation goes to war, and we shouldn't shrink from our constitutional duty. Let us decide today—not 6 months or 1 year from now—to put a stop to Saddam Hussein's ambitions before he descends on more of his neighbors, before his neighbors—little countries who have supported the U.N. resolutions condemning Iraq—have the sinking feeling that we are not going to call Iraq's hand. Then they will have no alternative but to fall in line behind Saddam, and we will have created a monster on that desert that will have the financial resources to buy the world—and the thirst to consume it.

I cannot do less than support our troops over in the desert, by supporting their Commander in Chief here at home.

Mr. TORRICELLI. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. LEVINE].

Mr. LEVINE of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, what justifies the threat of force against Saddam Hussein? It is Saddam Hussein's record of brutal aggression, combined with his nuclear, chemical, and biological weapons capability and the threat that poses to the United States and to the entire world.

American force is not justified by the need to liberate Kuwait. That is a valid objective and it is one that can and should be an integral part of any resolution of this crisis.

The threat to oil does not justify the use of force. That is precisely the type of threat best effected by an embargo.

The new world order which we want to achieve is a result which should be achieved by diplomacy, not force; but what cannot be achieved by diplomacy or sanctions alone, is our ability to defeat Saddam's increased ability to utilize chemical, biological, and nuclear weapons, which weapons he could, and undoubtedly would, use to blackmail the United States and any other country in the world.

We must be willing to act now or face the grave risk of Saddam's nuclear weapons to the Nation and to the world.

Unfortunately, many have followed a policy of wishful thinking toward Saddam Hussein. Many never believed that Saddam would invade Iran, and he did. Many never believed that Saddam would use chemical weapons for the first time since World War I, and he did.

Many never believed that Saddam would use chemical weapons against his own people, and he did.

Many never believed that Saddam would be able to extend the range of Soviet-made missiles to hit Tehran, and he did.

Many never believed he would invade and annex and rape Kuwait, and he did.

Some now say he will not have nuclear weapons for 5 to 10 years, despite strong and credible evidence of a much shorter timeframe. We have dangerously deluded ourselves about his capacity, and as much as we would like sanctions to force Saddam out of Kuwait, that is wishful thinking, too. Sanctions alone to date have accomplished nothing.

Sanctions did not convince Saddam Hussein to halt his drive to the Kuwaiti border.

Sanctions have not kept oil flowing.

Sanctions did not convince Saddam Hussein's emissary to negotiate in good faith with Secretary of State Baker earlier this week, and sanctions did not tell Saddam Hussein to release his hostages. Saddam released foreign hostages not because of sanctions, but because of his cynical attempt to undermine the entire Arab coalition.

I ask my colleagues, my friends who would argue we should give sanctions more time, when will we have given them enough time? Will we have given sanctions enough time when the Iraqi chemical stockpile has tripled in size?

Will sanctions have run their course once Baghdad has a nuclear bomb?

I deeply regret this conclusion, but saying we need more time for sanctions is an excuse for doing nothing. We can engage in wishful thinking that shortages of imported goods will bring Saddam to his knees, but in a dictatorship where opponents to Saddam are shot for expressing a divergent view and whose agricultural bounty extends from the Tigris to the Euphrates, sanctions will discomfort the civilian population, but they will not bring Saddam Hussein to his knees and they will not force Saddam out of Kuwait.

We must not pull the rug out from under the international coalition at one minute before midnight.

Whatever has been accomplished to date has been accomplished precisely because Saddam began to believe that the United States and the international community were prepared to use force to respond to his aggression.

Philosopher Michael Walzer writing in The New Republic states, and I ask you to listen to this quote:

> The embargo is aimed * * * at Iraq's military-industrial capacity. But Saddam can let his capacity run down indefinitely so long as he is sure he will not be attacked. Hence the effectiveness of an embargo depends on a credible threat to fight. At some point Saddam must yield or we must fight. If he

doesn't yield and we don't fight, the victory will be his.

A vote, my friends, today for Hamilton-Gephardt will strip the President of the ability to credibly threaten the use of force in support of sanctions. It will send a clear message that the Congress does not stand behind the U.N. resolution and that our policy is one of sanctions alone. It will convince Saddam that he can remain in Kuwait as long as he wants.

Based upon my conversations with our soldiers in the field, we know it will have a devastating impact on the morale of our forces.

At this point, this vote will determine whether our Nation has the will to resist the dictator's aggression, or whether we will continue to engage in a policy of wishful thinking.

If we really want sanctions to work, if we want a real chance to avoid conflict, Congress must reject this amendment and instead pass the Solarz-Michel amendment.

Mr. GEPHARDT. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, my colleagues, arriving at this point in the discussion of this issue has been very difficult and painful. I would like to respectfully share with you my views at this time. I support the President, I support the troops in Operation Desert Shield, but I am deeply disturbed at the events and the persons who have led us to this point in our history. I have and will continue to support our troops and will support all efforts to give them the necessary tools to fulfill their mission. Having said that, the most important support we can give them is to do our utmost to keep them from having to use those tools.

I am not prepared at this time to accept the fact that all of the resources of the free world through the United Nations have failed in this instance and the only recourse is war—what a shame, how sad if this is true, that in 1991 the world admits failure for a peaceful, diplomatic resolution of the Kuwait affair. I support the United Nations resolutions, that's no problem, but do you know what they say? Get the Iraqi troops out of Kuwait, that's all they say. I now ask, is the Emir of Kuwait worth dying for? No. Is the Emir of Kuwait worth one American life? No. I condemn the actions of Mr. Saddam Hussein, and I agree he is a menace to that area of the world and possibly beyond. I think that what he has done should not be the order of the day, but under the U.N. resolutions we drive him out of Kuwait, that's all they say, what then, what have we gained? They do not speak of chemical weapons or nuclear weapons, all they say is he's a bad guy and should be driven out of Kuwait. Having done that, what have we gained, I respectfully ask?

The Hamilton-Gephardt resolution does not prohibit the President from acting. All it says is, should all fail, then Mr. President, you tell us that's the case and we will act together, that's all it says, let us do it together. Mr. President, as the elected representatives of the people, is that too much to ask? I support you, Mr. President, but my conscience and my district demand that we give peace a chance first, should that not be humanly possible and war is the ultimate need, I will be with you, and pray that it be achieved with the least loss of life possible, for it will be our young people in great part that will bear the burden. God bless and protect them. With all my mind, body and soul, I pray that what we do here today be worthy of our service as representatives of the people of the United States, our troops abroad and our own conscience. Thank you.

Mr. GEPHARDT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Mr. Speaker, I thank the gentleman for yielding me this time and commend him for what he has done on this resolution.

Mr. Speaker, we all support the President. We support his goals. We want Iraq out of Kuwait and we want, frankly, most of us, if not all of us, to get rid of Saddam Hussein one way or the other; but the Solarz resolution is not right. It does not meet the constitutional test for which we swore an oath of office to uphold that Constitution.

It is not a declaration of war. If we are going to go to war, make the President do exactly what the Constitution calls for, not a back door open-ended blank check to do it at his decision, at his time, but the people's time, the time when it is right, not the time he decides.

Second of all, we, none of us, have enough information. Do we know how long this war might be anybody's guesstimate in the Defense Department?

Do we know how many bodies may come back, how much of a casualty count there will be by the Defense Department estimate?

Do we know what the cost will be? The gentleman from California [Mr. PANETTA] says they will not even tell us. Is that fair for you to make the most important decision of your careers, your lives, affecting your neighbor's children, husbands, and wives, based on no information?

Third of all, it is premature. Diplomacy has not been given its final chance. We have to go every extra mile, as the President has said, in the quest of peace. Walk another extra mile, I say to the President, before he commits young Americans to death, because that is what war is. They are not disconnected.

War is death. People will die, our young sons and daughters and husbands and wives.

The sanctions are working. This nonsense that they are not working is not true at all.

□ 1220

He is weaker. Testimony from our own Defense Department has said he is weaker. His airplanes, his aircraft are less capable of flying today than they were 4 and 5 months ago.

Would you rather face an enemy who is weaker, and more capable of being won over rapidly than doing it now when he is more capable?

War will bring terrorism. Mark my words, the surge of terrorism will be on the battlefield of the world, not just in Iraq.

Anybody who thinks that the battle is going to be in Kuwait or Iraq is deluding themselves.

This man is a lunatic, and he will blow up any object that he wants to get at Americans. That means we are all at risk.

The last thing we want to do is to prematurely go to war.

Finally, Mr. Speaker, we have an obligation to others, our allies in the region, our friends; but we have an obligation to ourselves and to our servicemen and women.

I would rather that they sweated in the desert than be buried in that desert.

Mr. Speaker, would it not be ironic if the new world order touted by this President has as its first act the act of war? How sad, how wrong for America, and its moral leadership.

If the time comes to go to war, then we will go to war, but we should all be assured that everything short of war has been done. The Gephardt-Hamilton resolution allows us to do that with the resolve for the President to continue to have the military option.

You should vote for it and vote against the Solarz resolution.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the distinguished majority whip, the gentleman from Pennsylvania [Mr. GRAY].

Mr. GRAY. Mr. Speaker, in August, when the first American troops were sent to the Persian Gulf, Americans opposed the brutal invasion of Kuwait by Saddam Hussein.

They knew we had to halt Iraq's imperialism, free our hostages, safeguard the world's vital oil reserves, and protect our allies in the region from further naked aggression.

Americans also knew what a threat Saddam Hussein was to world peace. He used chemical weapons on his people, practiced genocide on the Kurds, and in Iraq political opposition can be found only in the cemeteries.

That is why I—and practically all Members of Congress—supported the President's decision to send troops to

Saudi Arabia, and then to use sanctions. In August, we voted to impose sanctions 416–0. In October, we voted 380–29 to support the policy of Desert Shield.

Today, however, this successful policy is on the brink of major change.

The administration now wants to change "Desert Shield" into "Desert Spear."

They want our approval to launch offensive military action of an unspecified nature—at an unspecified time.

In short: A Presidential declaration of war.

Why change policy now?

Is it to stop aggression?

We have stopped Iraq, protected Saudi Arabia and our other allies in the region, and protected world oil supplies.

Is it to defend democracy?

Hardly, since Kuwait is no democracy. Neither is Saudi Arabia, or Syria.

Forget lofty ideals. Let's be practical.

Is it to protect oil and our way of life?

Iraq and Kuwait combined have only 20 percent of the world's oil reserves; 80 percent are located elsewhere. And it we developed an alternate energy policy and eliminated gas guzzling cars and boats we wouldn't need dipstick diplomacy.

Let's do that, and let Saddam Hussein drown in his own oil.

Is it to send a diplomatic signal of resolve and strength?

But sending a signal implies somebody's there to receive it. He hasn't gotten the signal yet—not from 400,000 troops and two U.N. resolutions. What makes us think he will get it from this vote today?

Let us not fool ourselves. The vote today is not to send a signal. It's on whether we want a declaration of war.

What about the new coalition?

We'll have partners, right?

Only if we mistake words for deeds.

Japan draws 70 percent of its oil from the Middle East. It has contributed about $400 million to Desert Shield. All our allies combined have paid about $4.3 billion of the $30 billion Desert Shield will cost.

One foreign official talked to us about the strength of our allies' commitment.

He said:

> The Syrians, Saudis, and Egyptians want Saddam Hussein defeated swiftly, decisively, elegantly. But if it doesn't come quickly, they're willing to fight—to the last American.

Will the coalition hold together for another year while we allow sanctions to take effect?

Our allies have kept their troops home, and their money in the bank. Are we now to believe they will even cut off the words?

If we can coalesce for war, why not peace?

At some time we may well have to use force in Kuwait. But we haven't exhausted our diplomatic options. Not yet. One meeting—even 6 hours long—is not enough.

My colleagues, here is the central issue. Should we change from Desert Shield to Desert Spear?

Is that the national—and international—consensus?

Let us stick with the current policy.

It prevented Saddam Hussein from going into Saudi Arabia.

It is weakening his arsenal.

It is draining his treasury.

Let us stay the course.

"Genius," a French philosopher once wrote, "is nothing but a greater apptitude for patience."

Nations of great genius exhibit great patience.

Let's not sacrifice lives on the altar of impatience.

Let's not lose lives because we didn't want to lose time.

Vote for Hamilton-Gephardt.

Mr. GEPHARDT. Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, there are four reasons today to vote for Hamilton-Gephardt. First is that the Michel resolution itself is a declaration of war without actually admitting it. It puts the trigger in the President's fingers and it says, "You decide."

Do not vote to ask American troops to make the ultimate sacrifice unless you are willing to go home and admit that squarely.

Second, the problem is that the Michel proposal authorizes war before we have to. Do not ask our soldiers to put their lives at risk until there is absolutely no other possibility left.

Surely we are not yet at that point. We have time.

The President's supporters say this is not Vietnam, and they are absolutely right; but neither is it Munich. Iraq is no Germany, and if war occurs, Saddam will learn that in days whether we attack now or later. George Bush has already prevented another Munich. Saddam has already been stopped. We have time.

Third, if we attack, the Middle East would become what we have always feared it would be: A radicalized, polarized cauldron in both the Palestinian and Moslem worlds, seething with hatred, and that hatred will be directed at us and it will not just be confined to the region.

The costs will be enormous abroad and at home. You had better be prepared to pay them.

And that is my last point: Do not vote to strike up the band today unless you are willing to face the music afterward. Do not vote to create a new generation of veterans of foreign wars unless you are willing to pick up the full cost of caring for their health needs, caring for their family support needs, and all the other attendant needs that they will experience.

Last, let me simply say that a lot of you do not like to vote for foreign aid. Well, if you vote for the Michel resolution today, you had better be prepared to vote for a lot of it.

□ 1230

You had better be prepared to support the billions and billions in new Presidential requests which you will see over the next decade. You had also better be prepared to vote for the taxes to pay for the war upon which we are about to embark.

Mr. Speaker, I beg you to not just add the cost to the deficit because a bookkeeping gimmick allows us to. Our economy cannot afford it, and our self-respect should not allow it.

I would ask my colleagues last of all to remember not just the President's face, but to remember the faces of all of the people we know who are now on the front lines who may be asked to make the ultimate sacrifice.

When I was in the chair last night, I made a list of the people who I knew personally or who I have met from my own area in the last 6 months who are now in Saudi Arabia. I thought of the vice president of the central labor body in my own hometown of Wausau. I thought of kids I met from Sheboygan, Milwaukee, Stevens Point, Superior, and literally a dozen other places in my own State. I thought of the classmate of my own son here at Yorktown High School in Arlington. That is who I think of before I vote.

Mr. Speaker, I ask my colleagues today, for God's sake, remember: The choice is not whether we have to go to war. It is whether we have to go to war now. Give us more time.

Mr. GEPHARDT. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Speaker, I come to the well today for the first time in my career. I do it at a time most grave for this Nation, and I rise in support of the only resolution that makes any sense, the Hamilton-Gephardt resolution.

Mr. Speaker, I do this with a special perspective, a 26-year military veteran, 7 of which were in sustained combat. So, I know what these troops are doing over there, and I have great respect for their perseverance, for their capabilities, for their professionalism, because if we go to war, our troops will win a decisive battle. No doubt.

But the Gephardt-Hamilton resolution is not a lollipop. It is a tough resolution. It supports our President regardless of what has been said. It supports the constitutional way this government works. It supports our troops in the gulf, too, because we say, "Hey, one single attack, and you've been had, Mr. Saddam Hussein." It secures the Saudi borders for the same reason. But

it encourages, it insists, that the President continue diplomatic efforts and that he does exhaust every effort to find a way to find a peaceful solution to this conflict.

It does not give war-making powers to the President, and the reason we are not doing that is because the President can only commit forces. The President cannot commit the Nation. Only this body, by this Constitution, can commit this Nation to war.

The Tonkin Gulf resolution is experience enough. The reasons for that resolution were great. It fell apart because we committed troops. We did not commit our Nation to that exercise, and it destroyed this Nation. It split it apart. Let us not do that again.

I vowed when I sat in Hanoi that I would never allow anyone to persuade me to send troops into battle without the backing of the American people, and I am not going to do it today. I will never do it, and I ask my colleagues today to vote for the only resolution that stays on the line of the Constitution, the Hamilton-Gephardt resolution.

Mr. GEPHARDT. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker and colleagues, each time that I step on this floor to cast a vote for a half million Missourians, I feel somewhat inadequate to the responsibility of being their voice and their vote. I never feel informed enough, I never feel prepared enough, and I never feel wise enough.

Today, for obvious reasons, I especially feel that way.

The Saturday after Thanksgiving I was eating lunch in a McDonald's with my 20-year-old son, Matt, not too far from this Chamber. A woman, a stranger, approached us as we were eating, and she said, "You're a Senator or something; aren't you?"

I said, "Yes."

I let it pass.

She said, "I want to talk to you." she said, "You see, my son and his wife are in the Army in the Persian Gulf," and then she began to cry, and then her tears turned to sobs. I tried to console her, but she could not get control of herself, and finally she just had to turn and leave.

We cannot and we should not decide the policy of our country in the gulf standing just in her shoes, but I believe we have got to be able to look that woman and all like her, and husbands as well, in the eye and say that before we send their children to war that we have done everything in our power to reach our goals without war. In my heart and mind we cannot say that yet today.

When we started sanctions, we knew that it would take longer, rather than sooner, for them to achieve their goal. But I say to my colleagues that these are the most powerful and effective sanctions in the history of the world.

With more that 50 of our warships in the region, three of our aircraft carriers, we have made over 6,000 interceptions of questionable vessels; 800 times our sailors have boarded and stopped questionable ships. Thirty-five times we have diverted ships from their destination and sent them somewhere else, and many, many times we have sent shots over the top of the ships that we have wanted to stop.

Only we have begun to lose patience with the policy of sanctions that is clearly having its intended effect. Opponents say that they will never work alone. They say they will never work fast enough, they will never keep enough pressure on Saddam Hussein politically to leave. Opponents say that if we do not use force now, then we have told the world that we have cut and run.

Mr. Speaker, that is what they said about the sanctions applied to Idi Amin, to Trujillo, to Somoza, and to Daniel Ortega.

□ 1240

But history shows that even brutal dictators have been toppled and defeated by sanctions. Sanctions are force. Sanctions are effective. Sanctions require rightful contributions from our allies, and, yes, sanctions succeed, as these are succeeding, and sanctions will leave us better able in the end to resume the wars we must fight here at home, wars against drugs and crime, wars against proverty and disease, and the war to rebuild our economic strength.

Now, the debate of words and ideas is about to end, and we are about to have the chance to decide. Whatever our decision, we will leave this room today one again and whole again. If we vote for war today—and I hope that we will not—this Congress and this country must close ranks, not because that makes war inevitable but because diplomacy and sanctions and international pressure thankfully still have time to work. But if that fateful decision is made, let us also be united in our prayers.

I pray for the President, for his judgment, for his wisdom, and for whatever decision and whatever course he will decide. Most of all, all of us pray for our young people, for our soldiers scanning the lonely sand-blown horizons. We pray for the pilots flying their fighters above the Arabian Sea. We pray for the sailors and the ground forces, and we pray, all of us, with all our hearts, for their safe return to America, the country that loves them and deeply appreciates the sacrifice they are prepared to make.

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of the bipartisan Solarz-Michel amendment. And I do so with a great sense of responsibility, as we all must feel here today. This is indeed one of those historic occasions when we are called upon to perform our ultimate duty, to our constituents, and to our Nation. The responsibility weighs heavy on our shoulders, but we cannot shrink from it.

This debate, and the votes we will cast, are momentous indeed. But the resolution I support is not a declaration of war. Let us be very clear about that. It is rather a vote to stand firm, stand tall, and stand together, as one nation. It is a vote to give our President the support he has asked for, the support he deserves, the support he needs. At this critical moment for our country, and for the world, we have been called upon to give the President of the United States the authority he requires to meet this great challenge. Yes, Congress does have a constitutional prerogative. But we must exercise that prerogative soberly and responsibly.

If anything, a yes vote on Solarz-Michel is the best chance to avoid war. For only if Saddam Hussein sees unity and resolve on our side, will he finally understand that he has no choice. Only a credible threat will force him to yield. If we fail to send that unequivocal message, Iraq might miscalculate once again. Saddam may conclude that we lack the will to use force, and that if he stays put, his illegal occupation will stand. If you don't believe that, ask President Ozal of Turkey. He knows the Iraqis very well. He shares a border with them. His forces have 10 Iraqi divisions pinned down on that border. He is quoted in this morning's Washington Times as saying that it is crucial that we "send the right message * * * only * * * Congress can convince (Hussein) that the Bush administration is now authorized to use force to evict him." Mr. Speaker, that realization on the part of Saddam Hussein may be our best chance to avoid war. That's why it is so crucial that we do the right thing here, and give the President the support he asked us for.

During the past few months, we have heard much discussion centering on one small question: Why are we in the gulf?

The answer to this question is crucial in terms of this debate. What indeed is this conflict all about? Well, first let's determine what it is not about. Oil is certainly a consideration, but it is not the primary consideration. We have other sources of energy. And it is high time that we developed a real independence of Arab oil.

It is not even about Kuwait, and it is certainly not about democracy. Kuwait was a benevolent dictatorship, but it was a dictatorship. So is Saudi Arabia. It is not about human rights. Unfortunately, human rights abuses are rampant throughout the Arab world, and in so many other countries, like Cuba, Ethiopia, and Afghanistan.

The fact remains however, that we do have a vital stake in this confrontation. Our national interests really are at stake. For Kuwait is only the beginning. If Saddam Hussein is allowed to prevail, what kind of world will we live in?

If Saddam stays in Kuwait, he will undoubtedly become the leader of the Arab world. His appetite for conquest and intimidation will grow. Other dictators will be encouraged. Instability in the world will be rampant.

We and our allies will be affected. Saddam Hussein will increase his arsenal of nuclear and chemical weapons, and he will use them, make no mistake about it. The threat lies not necessarily in what will happen tomorrow, but what will happen the day after tomorrow, if we do not act now. Winston Churchill put it best:

> Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.

Mr. Speaker, this is the history that we must avoid, because our children will pay the price.

I would just like to interject one note of caution into his debate—for those, whether in Europe, in the Arab world, or anywhere else, who think we should "give" something to Saddam, who think we should press Israel to make concessions. We must continue to categorically reject linkage. It is unconscionable that Israel be made a victim of this crisis. Of course we want to solve the Palestinian problem. So do the Israelis.

All the Arabs have to do is accept Israel's existence. Egypt recognized the state of Israel. In return, they got every inch of the Sinai Desert, although Israel won that territory in a war of self defense. All problems in the Middle East can be addressed, but the solutions must be based on rationality and goodwill.

To those who oppose this bipartisan approach, I say this: I respect your view. I know we all want the same thing. But please, please, ask yourselves this question: What is the cost of waiting?

Ask yourselves these questions:

Can we afford to wait?

Can our men and women continue to sit in the desert, away from their loved ones, and in many cases away from their jobs and studies here at home?

Can our coalition stand the erosion of support that may come in the interim?

Can the Kuwaiti people continue to suffer from the horrible atrocities they have been subjected to?

Can our allies—Egypt, Israel, Turkey—continue to suffer the damage to their economies caused by the protraction of this crisis?

Can we wait around while a vicious, bloodthirsty dictator holds the world at bay?

Can we wait around while Saddam makes a mockery of civilized norms of behavior?

Please ask yourselves these questions. Please be honest. Please vote your conscience.

Let's stand shoulder to shoulder with the President during this trying crisis.

With God's help, we may just be able to avoid a greater catastrophe later on.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Speaker, I rise in opposition to the Gephardt-Hamilton resolution because it would undermine U.N. Resolution 678.

Mr. Speaker, I rise in support of the bipartisan resolution which authorizes the President to use all means necessary to enforce the UN resolutions regarding Iraq's invasion of Kuwait provided he certifies to Congress the United States has used all appropriate diplomatic means to obtain Iraqi compliance with the U.N. resolutions and determines those diplomatic efforts have been unsuccessful.

The United Nations is finally acting in its true sense as an international peacekeeping coalition. Many in the international coalition have sent troops and invested money in order to repeal Iraq's invasion of Kuwait. A vote against the bipartisan resolution is a vote against the United Nations and will seriously undermine the United Nations as it is finally acting as a peace-keeping international organization. This is not a vote for war. It is a vote to support the United Nations, not repudiate it. It is a vote to stand united behind the President and the international community. This is a vote to ensure diplomatic initiatives have a chance to work. Diplomacy will work only if Hussein knows that his rejection of diplomacy has severe consequences.

I believe the objectives of the United States and United Nations are clear. They have been stated in 12 U.N. resolutions. These goals call for Iraq's total and unconditional withdrawal from Kuwait, the restoration of the Government of Kuwait, compensation to the victims of Saddam Hussein's aggression, and stopping any further aggression from Iraq to its neighboring countries.

Iraq mobilized its armies, lied to their neighbors about their intentions, invaded and annexed Kuwait, took foreign hostages to use them as human shields, and raped and tortured Kuwaiti citizens.

It has been said that for evil to thrive, good only needs to remain neutral. The United States has not remained neutral and neither has the world community. For the first time in my life, the United Nations has truly worked as it was originally intended. The founders of the United Nations were determined, in the words of the charter, "to save succeeding generations from the scourge of war * * * and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest."

In American diplomacy, this principle was stated by President Truman, when he declared the fundamentals of American foreign policy would rest in part on the proposition "that the preservation of peace between nations requires a United Nations organization comprised of all peace-loving nations of the world who are willing to use force if necessary to ensure peace." Unfortunately, the threat of force is sometimes needed to ensure peace, and this is one of those times. It is my sincere hope that adoption of this resolution will lead our Nation down the path of peace and not war.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. MCDADE].

Mr. MCDADE. Mr. Speaker, I rise in strong support of the Solarz-Michel resolution.

Mr. Speaker, this has been a most difficult and sobering debate for all of us. The stakes are high. Emotions are running strong. And I think all of us—reflecting the feelings and belief of those we are privileged to represent—find ourselves torn and conflicted by the situation that confronts us today and the choices before us.

None of us wants war. No one. All of us want to see this crisis resolved peacefully. I can understand and I respect the views of those who want to defer conflict and avoid a recourse to arms.

But today, we find ourselves at what without question is a defining moment, a moment of truth.

It is a critical moment for the world community in its quest for a peaceful settlement. The world is watching whether the Congress will stand together, unified, with the President and the United Nations in rejecting the aggression of Saddam Hussein.

And it is a moment of truth for Saddam Hussein because this is perhaps the very moment he has been waiting for and gambling on all these many months.

Even though the international community, in unprecedented unity, has rejected his immoral occupation and destruction of Kuwait—even though Iraq has been subjected to sanctions and a trade embargo—even though a 28-nation coalition has arrayed against him a military force of unquestionable power—Saddam Hussein has refused to budge.

Even confronted with the explicit threat of force by the United Nations, he has spurned each and every effort to reach a peaceful solution to this crisis.

For the past 5 months Iraq has not sought peace. Instead, it has sought simply to divide and conquer; divide the international community while conquering Kuwait.

We've been forced to endure a seemingly endless charade from Baghdad, not diplomacy but rhetoric and threats, intended to fracture the coalition.

Baghdad says the issue is not Kuwait, it is the Arab-Israeli dispute. Iraq takes, then releases, hostages trying to cynically manipulate world opinion. It threatens "seas of blood" trying to sap our will.

And when finally given the chance this week to broach a peaceful solution, Iraq insults our President and matter-of-factly states it will attack Israel.

Iraqi diplomacy—if one would stoop to call it that—has been a waiting game, an effort to confuse; to delay; and ultimately to divide.

This is Saddam Hussein's gamble—will the international community, the coalition, stay together over the long haul? Or will the coalition begin to come apart while Iraq has the pressure taken off and is given more time to stall and delay?

Mr. Speaker, like it or not—we find ourselves confronted with choices that go to the heart of Saddam's gamble. This is perhaps the ultimate roll of the dice in his game and the stakes are immense.

At this critical moment—what are the chances for any peaceful resolution of this cri-

sis if the dictator sees that his gamble may pay off?

Can anyone doubt what will occur if we send a mixed signal at this critical juncture? What will happen to the coalition if the carefully forged position of the United Nations and President Bush is not endorsed by this body?

What hope is there, really, for any peaceful settlement that denies Saddam Hussein the fruits of his aggression if he receives a signal from this body that his gamble, his delaying game, is working?

There is only one vote before us, Mr. Speaker, which will clearly and unequivocally strengthen, not weaken, the President's ability to achieve a peaceful resolution to this crisis.

At this critical juncture, the chances for long-term peace—a peace that does not reward aggression—are best served by supporting the Solarz-Michel resolution.

Let's endorse the position of the President and the United Nations. Let's keep the world unified against the dictator, let us speak with one strong voice and send a signal to Saddam Hussein that his gamble will not pay off.

Mr. EDWARDS of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GRANDY].

Mr. GRANDY. Mr. Speaker, I thank the gentleman for yielding this time to me.

Let me begin by concurring with a portion of what the distinguished majority leader has just said.

Mr. Speaker, it is terribly important that in the last moment of this debate we do not reduce this magnificent exercise in free speech to some kind of inarticulate, indecisive mumble which sends no clear message of American resolve. However, if we reject Solarz-Michel and pass Gephardt-Hamilton, or, worse, if we pass them both, we may preach diplomacy but we will practice delay and we will give Saddam Hussein the one commodity he needs to prevail. That is time.

A 2-month delay will allow him to manipulate the Islamic holy month of Ramadan against our Arab allies in the international coalition. A 6-month delay will force our U.S. commanders to decide between combat readiness and troop rotation. A delay of 1 year might force this body back into session to decide whether we need to reinstitute a military draft to maintain our own commitment. And while we labor under these decisions, Saddam, confident that he will not be struck at massively and decisively at a point uncertain, will no doubt refresh and rest his troops, stockpile his spare parts, deprive his citizens to feed his soldiers, and probably work out the kinks in his chemical weapons. And I cannot even begin to speculate at what the luxury of time will do to his ability to export terrorism around the region, which he has vowed to do.

Perhaps since I have just returned from the gulf, I do not, as many of my colleagues do, feel as they do that the conflict is avoidable, but I will oppose Gephardt-Hamilton because I still want to extend diplomacy and not extinguish it. But what chance does Perez de Cuellar or the European foreign ministers or even those Arab ministers who are proposing diplomatic solutions have to realize their goal if force is not a constant alternative to Saddam's intransigence?

We naively presume in this body that somehow this man is impressed by our tightly reasoned diplomatically appropriate Western civilization arguments. But what model does he have for democracy? Egypt? A country he has already betrayed by going into Kuwait? Israel? A country he has vowed to obliterate? And what is his model for Arab moderation and peaceful coexistence? Anwar Sadat, now deceased.

Mr. Speaker, from his narrow frame of reference we can only teach Saddam Hussein two lessons: We can teach him the lesson of Lebanon, in which American resolve collapsed under Third World terrorism, or we can teach him the lesson of Libya, in which the terrorist Quadhafi himself finally paid the price for his brutality. I know which lesson this gentleman will prefer to teach.

Yes, I have been with the congressional delegation most recently and heard the reports that the Arabs will not fight. I have heard that report. For what it is worth, I have also heard our distinguished majority whip report he was told conflict is inevitable and that sanctions will take 2 or 3 years. But I respect his decision.

But I ask the Members to respect this: I ask them to reject the Gephardt solution and rally instead behind the resolve and the clearheaded determination of a young soldier who said to us when we were in Saudi Arabia last week, "Congressman, I really want to go home, but I want to go home through Kuwait."

Support the Solarz resolution.

Mr. TORRICELLI. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I rise in support of the Michel-Solarz resolution and in opposition to the resolution offered by my dear friends, Mr. GEPHARDT and Mr. HAMILTON. I urge my colleagues to vote likewise.

Mr. Speaker, I have spent much time following the debate here in the House and also in the other body.

I would like to note first that I served my country in time of war, as an infantryman in World War II, and through the most extraordinary kindness of the Almighty I survived that war.

I detest war. War is death and killing, pain and suffering, the bereavement of families, the loss of husbands, parents, and wives and children. Its costs in human terms are awful, its costs in economic terms unbelievable.

I have listened, read, thought, agonized and prayed for wisdom and guidance over the hard choices before us. They are not easy for any of us here, nor are the choices clear. It is impossible to say who is right or to predict what is the best course. History will reveal that to us when we look back on this day, and I pray our judgment is wise and good for our great country and for all Americans—above all, for those who are especially at risk standing under arms in the Persian Gulf.

We have voted on House Continuing Resolution 1, the Bennett-Durbin resolution. I voted in favor of it, as did most of my colleagues. That was the right vote, a correct and proper institutional vote. It said the Constitution vests in the Congress the power to declare war, and that military action by the United States must be explicitly approved before military action may be initiated.

I have heard it said that this country should not resort to war until it has exhausted every method of achieving peace. I agree with that. There is no difference of opinion here in the House, or in the Senate on the substantive questions. We all agree:

We oppose war.

We want to avoid the terrible human and economic consequences of war.

Saddam Hussein must leave Kuwait.

The Persian Gulf area must be restored to a state of peace and tranquility.

We all want the sanctions to be used and to establish that they cannot bring success before any military force is used.

We all want every effort to achieve a peaceful settlement to be exhausted before this country resorts to war and violence.

The question is not what are our substantive goals. Our differences are over how they are to be achieved. We differ on methods, and it is to these differences that we must address our attention.

I did everything I could, honorably and properly, to prevent the election of George Bush to the Presidency in one of the most partisan elections in history. Mr. Bush carried my district, and was elected in a landslide of awesome proportions. I say this not to explain my vote but simply to make clear his constitutional legitimacy.

George Bush in his capacity as President has clear constitutional primacy in two areas: In the conduct of foreign relations, which is reserved exclusively to the President; and as Commander in Chief, where the Constitution also gives the President exclusive power.

We in the Congress, on the other hand, have the power to declare war. In some 200 instances in the history of this Nation, Presidents have committed Armed Forces of the United States to military action. In only five of those instances was there a declaration of war by the Congress. That establishes clearly the power of the President to act as Commander in Chief.

The Congress should consider the important questions of policy here, and has done so now for 2 days. We are now preparing to vote, and I am satisfied that all Members are voting their conscience and convictions after a worthy debate, characterized by civility and intelligence.

As I have observed, the question before us is tactical: How to accomplish the substantive goals, upon which we all agree, and to do so with least risk to our servicemen and women, and with the least chance of war and the smallest loss of life.

The first point to be noted is that the Gephardt-Hamilton resolution does not have the force and effect of law. It is solely a House concurrent resolution. Indeed, the first two resolutions we vote on today lack, if adopted, the force and effect of law. The President will not be called upon to sign either of them, and cannot refuse to sign them because of the form in which they are submitted.

Those resolutions are, in effect, a statement of congressional policy. They are, if you wish, a message to the President. They are also a message to the world, and to Saddam Hussein, and it is he who will be mostly moved by that action.

Politics stops at the water's edge. We are all Americans, sharing the same goals of peace, freedom, self-determination, human dignity and a decent life for all. But the President was elected to be our principal negotiator, and we are sending our President to deal with some of the most important and sensitive questions affecting our national security. If the Nation, if this House, if this Congress expects the President to succeed, we cannot send him into the process without all the tools his office and the Constitution give him.

No principal, no negotiator, acting on an important matter can expect success if that negotiator is functioning with only limited authority.

If this Congress wants to protect our troops in the Persian Gulf, it is absolutely necessary that we give the President the authority to assert all his powers. It is also urgent that the President have the power to speak, clothed with the full backing of the Nation he serves.

To do less, to reduce the real or apparent power of the President to conduct the delicate, difficult, and dangerous task is to increase, not reduce, the risk of war and all its attendant horrors.

Will the President use these powers well? I don't know. I hope so. I pray so. I pray that God give him wisdom and grace to do what is right and best for all: for the United States, for the world, and for the people of the Persian Gulf, including, yes, the people of Iraq.

I do not rejoice at having to decide the issues before us. Nor do I rejoice at the way they are presented. I have many reservations about the way the matter has been conducted by the administration, and I have expressed those concerns to the President, and to officers of the administration. I have sent a lengthy letter to the President urging him in the strongest way to let the sanctions work. I still hope he will do so. That was clearly a sound policy before this debate and will continue to be so.

I hope that armed action can be avoided. I hope that the President can and will handle this matter without failure or fault. I cannot assure you that he will, or that I will agree with him as he continues one of the most difficult tasks ever to befall a President.

I cannot assure you I can or will agree with George Bush's conduct of our Persian Gulf policy. It may be that I will come to disagree with him on these matters, either personally or institutionally. If so, I, like the others of my colleagues, will do what I must do.

For now, I believe that history will confirm that our best chance of saving precious lives is to afford the President adequate authority to negotiate the issues of concern to us in the Persian Gulf from a position of the greatest strength. He cannot serve us well with lesser powers.

The choices, as I have said, are not good. Had I crafted this debate and this process, I would have done it far differently. But the choices I would have crafted are not before us.

Diplomacy works, and we want it to work here. We want there to be sufficient time for it to work. We cannot expect it to work unaccompanied by a full expectation by our adversaries that failure to allow it to work will have far worse consequences for them.

Without that expectation, Saddam Hussein has no incentive to negotiate. The efforts of everyone now engaged in diplomatic efforts to resolve the crisis will face the real probability of failure if we do not afford the President the necessary support for real negotiations in the availability of the military option.

Saddam Hussein will be watching this debate, and he will gauge whether or not the pressure will be sufficient to make him negotiate or not. The debate here will affect, adversely or favorably, the efforts of others to achieve diplomatic settlements.

Do not think that adoption of the Gephardt-Hamilton resolution absolves this body of responsibility or closes the matter. If negotiations fail, our Armed Forces may well face Saddam on the field of battle and, God forbid, it may come soon.

We are all agreed that our national purposes will be carried out. Saddam Hussein out of Kuwait; peace, order, and tranquility in the gulf—those are our goals. This issue may be back here for another vote if the President is not successful in negotiating a diplomatic end to this matter. I hope, if and when that time comes, that we can say we gave the President the power he needed to resolve the issues diplomatically, on the best terms and with the least loss of life.

I also hope that our Nation, our forces, and our situation will be better and stronger at that time. I cannot be sure, nor can I assure my colleagues, that it will be so.

This will be the most difficult vote I have cast in 35 years of service here. For all of that I vote as I do firmly convinced that it affords us the best chance of avoiding the horrors of war, and the suffering and loss of life that accompany such an awful event.

I will vote for the Solarz-Michel resolution. I intend to vote against the Gephardt-Hamilton resolution. I urge my colleagues to do likewise.

God bless the United States, God bless our fine young men and women in the Persian Gulf. May He, in his infinite wisdom and power, guide us safely through this difficult time. May He give us peace.

Mr. TORRICELLI. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas [Mr. GLICKMAN].

Mr. GLICKMAN. Mr. Speaker, I rise in support of the Solarz-Michel resolution.

I believe, with a great deal of reluctance, that diplomacy is best served by the threat of imminent military power. For that reason, I reluctantly oppose the resolution of my colleague, the gentleman from Missouri [Mr. GEPHARDT].

I rise in support of the Solarz-Michel resolution and in opposition to the Hamilton-Gephardt resolution. I have listened to my constituents, for as their representative, it is my role to do my best to reflect their concerns. They are, though, divided in their assessment of what vote I should cast in these next few hours. But I must perform as our Constitution requires and the ultimate decision on how I vote is mine alone. I share with all my colleagues the gravity of the charge. It has been a difficult struggle.

I wonder if this Nation can actually insure we are setting the course for a tyrant's retreat from tyranny. I doubt the world's need for oil is dearer than the blood that will be shed for it. As the original House sponsor of the U.S. Institute of Peace, I believe in conflict resolution but I fear each day is yet another step away from all peaceful means of ending this crisis. I question the years of confusing and mistaken administration foreign policy which has led us to this time and place. I anguish over the fate of our brave troops. I am haunted by words read long ago, the author since forgotten, that said, "War would end if the dead could return."

Yet with all my doubts and all the ramifications of those doubts, I choose to vote to give the President the authority he has requested. I believe the chances for peace, as we approach the U.N. deadline, are indeed more likely if Saddam Hussein believes this great country of ours is united. God help me that I have made the correct decision, the decision that will lead to a speedy resolution, the decision which will, as history is written of this moment, be said to have been the best and most honorable decision.

Mr. TORRICELLI. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER. The gentleman from New Jersey [Mr. TORRICELLI] is recognized for 5 minutes.

□ 1250

Mr. TORRICELLI. Now, my friends, a great choice. Not only a question of war. In truth, that judgment remains with Saddam Hussein. He shall withdraw from Kuwait and the peace shall be preserved, or he shall remain. And at some point, on some battlefield, with some unspoken weapons, war will be fought.

The issue for us is also how to preserve the peace, even at this late moment. The Hamilton resolution asks you to believe that an adolescent assassin, who rose to power assassinating his closest friends and allies, who sent 1 million men to their deaths in the war with Iran, who visited upon his people 8 years of unspoken deprivation, that this man will respond to your patience, because of his deep and abiding concern for his people.

It is, my friends, a triumph of hope over reason. Four hundred thousand young Americans are on station in Saudi Arabia. The most powerful army

in history. And still Saddam defies the world's demand for justice.

He does not doubt our power. He does not question our weapons. He doubts our will. He challenges the proposition that our generation possesses the strength of purpose, the basic resolve of our fathers.

My friends, send Saddam a message that will shake the foundations of Baghdad, that the American people are filled with a terrible resolve, angered, that at this moment in history, still in the dawn of our triumph over communism, believing that the peace was secured for our generation, that he has brought the world to war again. Resolved that international law in our time will have meaning, the ambitions of Wilson and Roosevelt for order among nations, a time when the weak would be protected, that there would be order among the strong, would be known.

America, I know you are tired. We are so few, and we have borne the burdens of this world for so long. But history calls us again. George Bush has assembled what is arguably the greatest coalition of nations of all time, united not for the conquest of anyone, with designs on nothing, but for justice, and more, a lasting peace in a new time. That coalition is tested in a defining moment of the post-cold-war period, that will tell much about the role of our Nation for the rest of our lives, and the kind of peace that may endure.

This is the issue. I have lived through my life, my 39 years, with 200 wars. My greatest hope for our time is that the future be made different from the past. That is what we ask.

One hundred sixty nations have spoken. The Security Council has voted. The Senate of the United States has decided. Now the world watches this House. Is our resolve less, our vision any different?

Give an answer that will be heard not simply throughout the world, but throughout the years; a message that every despot and dictator in every corner of this globe will hear. It is a new time of international law, with real international sanctions for those who violate the peace.

Mr. Speaker, we are a patient people, but we shall not visit this moment in our history again. This international coalition will not endure if the wrong judgment is made here today.

The gift of time that you would give Saddam shall not be used for peace, God, I wish that it were so, but to prepare for war; to build the trenches, to provide the traps, to refine the weapons that would consume the lives of our sons and daughters.

An hour ago we declared that we would use our constitutional prerogative. Now is that time. Stand with your President, without divisions.

God bless you as you make your fateful choice. And to those young Americans in foxholes and tents spread across the broad peninsula of Arabia, as you listen to our words here today, know that we are proud of you, we are grateful to you, and Godspeed in your mission for America and for a lasting peace.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Speaker, speaking for 19 members of the class of 1990 in support of the Hamilton-Gephardt resolution, we believe that the alternatives to war have not been exhausted. We will not vote for a declaration of war in the Persian Gulf. We call on our colleagues to exhaust all efforts to secure peace in the area by voting for the Hamilton-Gephardt resolution.

Less than 2 weeks after taking the oath of office we face a decision graver than any confronted by some of our most senior colleagues.

Because we believe that alternatives to war have not yet been exhausted, we will not vote for a declaration of war in the Persian Gulf.

Toward that end, we support the Hamilton-Gephardt resolution. Hamilton-Gephardt strongly endorses the President's authority to enforce sanctions vigorously, to secure an Iraqi evacuation of Kuwait, to support our fighting men and women in the field, and to defend the Saudi borders.

Hamilton-Gephardt also affirms the constitutional requirement for congressional authorization before the commencement of war and calls for our coalition partners to bear a fuller share of the costs.

We call on our colleagues to exhaust all efforts to secure peace in the area by voting for the Hamilton-Gephardt resolution.

Members of the class of 1990 supporting the Hamilton-Gephardt resolution are: PETE PETERSON, THOMAS H. ANDREWS, BERNIE SANDERS, WM. J. JEFFERSON, NEIL ABERCROMBIE, JOHN W. COX, JR., TIM ROEMER, COLLIN C. PETERSON, ROSA L. DELAURO, CALVIN DOOLEY, MAXINE WATERS, PATSY T. MINK, JOHN F. REED, MIKE KOPETSKI, JOAN KELLY HORN, LARRY LAROCCO, BARBARA-ROSE COLLINS, ELEANOR HOLMES NORTON, and JAMES MORAN.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman for Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I endorse prayerfully the course which the resolution of the gentleman from Missouri [Mr. GEPHARDT] and the gentleman from Indiana [Mr. HAMILTON] would put us on.

Mr. Speaker, late last night—or, to be more precise, early this morning—I addressed this House with my concerns about the President's proposed military course of action in the gulf. I spoke in support of an alternative that would not take us into war until all other reasonable, practical options were exhausted.

Today as we continue to debate this grave issue, I would like to make two additional points that I believe are important.

First, a number of speakers have continued to make what I consider to be a forced and terribly mistaken analogy between the decision we face today, and the decision that certain European governments made in Munich in 1938.

At that time Hitler threatened war if Europe did not acquiesce in his demand for Germany to annex the Sudetenland region of Czechoslovakia. In Munich in 1938, representatives of the Governments of Great Britain, France, Italy, and Germany met on this issue and, without the participation of the Government of Czechoslovakia, reached an agreement, known as the Munich Pact, that conceded the Sudetenland to Hitler.

British Prime Minister Neville Chamberlain returned to London and announced that he had achieved peace in our time. A year later, far from satisfied with the acquisition of the Sudetenland, but instead strengthened economically and militarily by that acquisition, Hitler invaded Poland, and World War II was underway.

It's always tempting, but often dangerous, to try to use historical lessons to guide our present decisions. And those who suggest that a continuation of the policy of sanctions against Iraq and the policy of appeasement at Munich are comparable are most egregiously distorting history.

In 1938, the leaders of the European community gave their assent to the invasion, occupation, and absorption of the Sudetenland by Germany. In 1990 and 1991, the leaders of the world community have united to insist that Iraq must withdraw completely and unconditionally from Kuwait. And every member of this body who has participated in this debate agrees with and supports that demand.

In 1938, the leaders of the European community hoped that their gift of part of the territory of Czechoslovakia would satiate Nazi Germany, and did nothing to prepare to stop further German aggression. In 1990 and 1991, the leaders of the international community have mobilized and deployed overwhelming armed forces at the borders of Iraq and Kuwait to ensure that Iraq can undertake no further aggression. And this body is united in support of that policy.

In 1938, the leaders of the European community let Nazi Germany use the resources of the Sudetenland to increase its ability to wage what became World War II. In 1990 and 1991, the leaders of the world community have instituted against the Iraqi invader the most far-reaching and effective economic embargo and sanctions in the history of the world, to force it to withdraw from Kuwait and to keep it from enjoying any advantage from its aggression. And every Member of this body, so far as I am aware, supports that embargo and those sanctions; our disagreement is over how long we let them operate before we resort to force.

In 1938, the leaders of the European community were weak and irresolute, and allowed Hitler to embroil the world in war. In 1990 and 1991, the leaders of the world community are strong and resolute, and will, one way or another, compel Saddam Hussein to yield. Our only difference is over the means by which we will force him to yield, and the timing in adopting those means.

In short, we don't have similarities between this situation and Munich; we have fundamental differences. To suggest otherwise is to imply that the only power we have to bring to

bear is the full military power of an all-out offensive; that the force being used to enforce sanctions is not significant and powerful; that the economic power of this, the greatest Nation on Earth, in conjunction with that of our allies and the United Nations, is of no consequence; and that all diplomatic efforts are now worthless. I do not believe this. Our sanctions are being enforced with military power and they are working. And worthwhile diplomatic efforts can still continue.

To suggest that a continued reliance on economic sanctions and diplomatic efforts is akin to the justly infamous decision of Munich is to misrepresent in a very insidious fashion the truth and relevance of history.

In his testimony last month before the Senate Armed Services Committee, Gen. David C. Jones, former Chairman of the Joint Chiefs of Staff, suggested that, instead of looking to Munich, that we look to the beginning of the First World War for wisdom:

One often looks for historical precedents to lend context to dramatic events and the press has been full of comparisons between Saddam Hussein's invasion of Kuwait and Hitler's annexation of Czechoslovakia prior to World War II. No analogy is perfect, but the current course of events strikes me as more reminiscent of World War I than World War II. In 1914, the contending powers set in motion a mobilization and deployment juggernaut that soon achieved a momentum of its own. Each side's reaction to the other's growing force levels and troop movements became, in itself, the rationale for war and the terrible slaughter that followed.

The second thing I believe all of us should consider in this decision is why our European and Japanese allies continue to balk at supporting the military endeavor the President is considering. These allies say they are behind us.

If they agree that vital interests are at stake, they should be standing with us shoulder to shoulder, with their fair share of troops, materiel, and funds. They should fully share the military, economic, and political prices and risks. But they aren't. We should ask ourselves—why not?

This is a fundamental question. After all, we have committed over 400,000 troops, and our financial costs will likely exceed $35 billion, even if no shot is ever fired. War would almost certainly cost us thousands of casualties and scores of billions of dollars more.

Europe has committed perhaps one-tenth that number of troops, Japan none; and combined they have made pledges of perhaps $10 billion in loans, equipment donations, economic aid to front-line states, and some cash.

This is predominantly an overwhelmingly American effort. And as a result, any political damage that accrues in the region, any burden of terrorism, from Arab States and Muslim populations, will also likely be placed on American shoulders.

We should ask ourselves why this is the case, given that our country is less dependent on Persian Gulf oil than Japan or any other European country.

Sixty-three percent of Japan's oil comes from the Persian Gulf. Yet it has committed no troops, its volunteer medical force of 19 doctors left the region last month, and its miserly $4 billion donation turns out to be mostly loans. The Netherlands, Spain, and Italy get 100 percent, 59 percent and 36 percent of their oil, respectively, from the gulf. Yet none of these nations have sent troops, and none have made financial contributions to the Desert Shield effort—although they may be participating in a European Community economic aid program for front-line states. France obtains 38 percent of its oil from the gulf, and England 16 percent; these nations have at least sent some troops—as of late December, about 33,000, with several thousand more pledged—and materiel.

We should ask ourselves why this is the case, given that European and Asian countries cannot count on the geographic distance we have from Iraq—and its rapidly developing war machine—missiles, chemical, and biological weapons, and in the future, possibly nuclear weapons.

Part of the answer may be that our European and Japanese allies do not believe war is yet an acceptable or necessary action. If that is the case, perhaps our country should listen more carefully to their concerns.

But just as plausibly, these countries may simply be letting America pay the costs that eventually the world would otherwise have to pay to reign in the aggressive dictatorship in Iraq. That is both shameful and unacceptable. And it threatens the ultimate successful resolution of this conflict.

Whether this is eventually resolved through sanctions or through military force, it will be terribly unwise for us to allow the effort to be labeled "American," rather than global. Our regional interests and relationships, and our ability to play a constructive role in working toward a more stable, peaceful, and democratic Middle East, would suffer greatly if Iraq and its allies—including extremist and religious groups throughout the region—succeed in putting an American label on these efforts.

The failure of Europe and Japan to meet their responsibilities hurts our efforts in the gulf and hurts our country. It will be the greatest and most outrageous irony for this country to have to borrow tens of billions of dollars from the Europeans and Japanese to finance a war to protect their interests, and, while paying it back, further cede to them critical economic advantage. We deserve better cooperation from them.

To their credit, and to the President's credit, many of our Arab allies have contributed significant levels of both financial and military—including troop—support. However, many of these Arab troops are not front-line troops and are not committed to the mission we are about to embrace. This must also be addressed.

Finally, I would simply like to insert into this debate the words of the commander of our troops in the gulf, General Schwarzkopf, who spoke about sanctions and war in late October of last year. He said:

Golly, the sanctions have only been in effect about a couple of months * * *. And now we are starting to see evidence that the sanctions are pinching. So why should we say, "OK, gave them two months, didn't work. Let's get on with it and kill a whole bunch of people?" That's crazy. That's crazy. You don't go out there and say, OK, let's have a nice war today. God Almighty, that war could last a long time, and kill an awful lot of people. And so we've just got to be patient.

As the President continues to work toward a resolution of this conflict, I pray that he heeds General Schwarzkopf's wise advice.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. TORRES].

Mr. TORRES. Mr. Speaker, I rise to express the overwhelming sentiments of the American people, of my congressional district, who have implored upon me on behalf of their sons and daughters to support the Hamilton-Gephardt resolution.

Mr. Speaker, during Vietnam, I stood by as a witness to the national anguish, the peoples' frustration, and the unintended consequences which we continue to pay for today.

Eight years ago, I came to Congress fully prepared that I would probably have to cast a vote in a war between two great superpowers. That never happened and the cold war is behind us.

With the dawning of a new age in the post-cold-war, with the promise of a better world, I find it incredulous we are now engaged in a momentous vote that could usher in a war that would pale Vietnam. Have we not learned from the lessons of history? Must we once again give to the President a blank check to carry out a war under doubtful circumstances?

Is this another Tonkin Gulf resolution? I believe it is. And I can well remember, as I'm sure you do the consequences and price that this Nation has had to pay for that ill-conceived resolution.

With all due respect for the talents of President Bush—he has employed his considerable skills to ally the world against Iraq—he has not articulated to my satisfaction why an invasion of Kuwait and Iraq is in our best interest.

Why should the United States risk thousands of American lives and spend billions of dollars to protect Saudi Arabia and Kuwait in order to provide Japan and Europe with cheap oil?

Why should American men and women die in Kuwait and Iraq so that the multinational oil corporations continue to reap huge profits for Kuwaitis who have not supplied soldiers in their own defense, while Americans may die to perpetuate a monarchy that has no commitment to democratic values.

Mr. Speaker, the first service casualty without us having fired a shot in the gulf was a constituent of mine. Sgt. Campisi of West Covina. That number of noncombat deaths has grown to 98. Indeed, 98 deaths too many for us to bear and if the Michel-Solarz resolution is adopted these numbers will be multiplied a thousand fold.

The many Latino veterans of my district have called upon me to not repeat the horrible lessons of Vietnam. Latinos, as American servicemen were over represented in combat units and

in the front lines and while they represent 5 percent of the U.S. population, they suffered 20 percent of the casualties. The war in Vietnam as one in the Persian Gulf will again bring disproportionate higher casualties of minority troops.

Mr. Carlos Munoz, Jr., a distinguished professor of politics and history at USC, Berkeley has recently written that 36 to 40 percent of combat troops in the Persian Gulf are Hispanic Americans.

Make no mistake, having lived through the Korean conflict as a serviceman, and having been witness to the Vietnam war, I know the high cost of war, both when we win, and when we lose. In the case of Korea, our victory cost thousands of lives and billions of dollars to station United States troops there in perpetuity.

In the case of Vietnam, our loss cost us thousands of lives and billions of dollars, much of it squandered, in a military buildup unparalleled in history. Either way, win or lose, war is costly.

This Nation, under the wraps of a recession already in place, with taxpayers bearing the cost of billions of dollars in failed savings and loans; with the expectation of serious problems in our banking system; with unemployment beginning to escalate, we can little afford to engage in a war with a national deficit of $330 billion for 1991.

Mr. Speaker, today on this, my first substantive vote in the 102d Congress, I cannot vote for war. War should be our last resort after all diplomatic and economic efforts have failed. War should be our defensive strategy, not our offensive posture.

I will vote against the Michel-Solarz resolution which is a declaration of war.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho [Mr. STALLINGS].

Mr. STALLINGS. Mr. Speaker, I have decided to support the Hamilton-Gephardt resolution. I urge my colleagues to do likewise.

Mr. Speaker, I have supported the President to this point because I believe it is imperative that Saddam Hussein be forced to reverse his occupation of Kuwait and understand that his actions are unacceptable to us and to the other civilized nations of the world. But I also believe that in this effort, war, with all its attendant human and strategic costs, should be a course of last resort.

Our President initially told us that above all, we needed to have patience and resolve. I agreed then, and I still do. I am not persuaded that we have exhausted the options of sanctions and of diplomacy. We owe the effort to ourselves and to the mothers and fathers, and the sons and daughters of our troops.

Mr. Speaker, I also want to address this body from my perspective as a professor of history. I am concerned about a misuse of history in this debate. The notion that this is a new Munich, an appeasement, simply doesn't stand up to scrutiny.

We are not withdrawing from the field. We intend to pursue sanctions aggressively—I hope even more aggressively than we have to this point. We are not telling Saddam Hussein, as Chamberlain told Hitler, that we will leave him alone with Kuwait in his hands as long as he assures us he wants nothing more. Instead we are resolved that he will be an increasingly debilitated outcast from the community of nations until he leaves Kuwait.

Nor are we facing an action by a world-class industrialized power with a growing military machine capable of overwhelming those just across the borders. The Armed Forces assembled in the gulf make it impossible for Saddam Hussein to continue his aggressive actions.

So I ask my colleagues to be careful with history. There may well come a time when we must resort to war. But when we talk, for now, about sanctions, we are not talking about appeasement, we are talking about tactics, and about the most constructive way of bringing pressure on Hussein to get him out of Kuwait.

Mr. Speaker, we have heard much over the last months and days about the notion that we are establishing a new world order. I agree that we are doing so. It is a new day. That makes it all the more important that we think very carefully about the nuances of our reaction.

I can think of no other war in this century that we entered for the reasons, or under the circumstances, that face us now. In all our other wars, both popular and unpopular, our physical integrity or our fundamental political system has been under direct attack. In World War I, our shipping was being attacked and sunk. In World War II, Pearl Harbor had been devastated by bombers and fighters. Korea involved an invasion by Communists openly hopeful of destroying democracy as an ideology. In Vietnam we faced similar Communist subversion.

The present situation does not equate to any of these.

If we accept that we are setting the ground rules for a new era, for a new emerging global order, we must carefully ask and consider a question I have not yet heard posed:

Do we really want to set ourselves up as the enforcer of this new world order. Why not choose to be a partner? And is it not through uncompromising patience, and firm sanctions and skillful diplomacy, that we will emerge as a partner and leader, instead of merely the chief enforcer?

It is easy, in this instance, to identify Kuwait as a nation deserving of our protection and efforts. There are, however, smoldering conflicts all around the globe. Are we to have responsibilities as an armed enforcer in each of those as well? As we speak, for example, the Soviet Union is using military force to surpress fledgling democracies in the Baltics. Do we send our young men and women to protect the integrity of Latvia or Lithuania? They are certainly as deserving of our protection as Kuwait.

We are launching into uncharted and perilous waters, and while we must never fear to do so, we must never do so blindly either. Before we rush headlong into this rule as the armed enforcer of the new world order, I would like to have a firm sense of the parameters of that role. We are making history here, and the historical precedent we are setting may pull us in directions and into conflicts we deeply regret. So let us not shy away from our responsibilities, but let us set the precedent carefully and deliberately.

Mr. Speaker, before I conclude I must also express our thanks and gratitude to the young men and women of our Armed Forces who are serving in the Persian Gulf. Sanctions and diplomacy do not betray them. Instead, continued sanctions would validate the actions of our men and women in the gulf, and the enormous accomplishment their presence has already made possible. They have drawn a line and placed themselves on the line, selflessly and loyally, as Americas soldiers have always done. The willingness of our young men and women to answer their country's call is precisely the reason the final call must not be given before we have exhausted our other options.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. MAZZOLI].

Mr. MAZZOLI. Mr. Speaker, I rise in proud support of the Gephardt-Hamilton resolution, and in opposition to the Solarz-Michel resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Mr. Speaker, I thank the majority leader for yielding. I do not believe in death by deadline. I believe there are other alternatives which are viable left to us before we turn this great country to war. Therefore, after a lot of soul searching, I announce my support in favor of Hamilton-Gephardt.

Mr. Speaker, I rise before this body in an hour of grave deliberation, to speak in support of the Gephardt-Hamilton resolution. I have come to this decision after much soul searching. I support Gephardt-Hamilton, and oppose the resolution offered by Mr. SOLARZ and the distringuished minority leader because I do not believe in death by deadline.

The time has come when I, along with all of my colleagues, have to make the most serious and far-reaching decision of my tenure as a Member of this Congress. From my State of Mississippi, 7,270 courageous and committed men and women have been called to active duty for the Persian Gulf. While Mississippi has only 1 percent of the Nation's population, its Guard and Reserve units make up 2 percent of the total forces called into active duty.

I have listened to the debates. I have read all salient materials I could obtain. I have attended relevant hearings. I have communicated with my constituents. I have traveled to the Persian Gulf and I have talked to our courageous men and women in the desert. They are committed, and I have no doubt that if called upon they will be victorious.

I have searched my heart, my soul, and my conscience. My conclusion is that the Hamilton-Gephardt resolution offers the wisest course for the United States and the world at this time. We cannot render a sentence of death by deadline to our sons and daughters, wives and husbands, fathers and mothers in the Persian Gulf.

In my travels to the Persian Gulf I visited with President Mubarek of Egypt, talked with our military leaders, and met with our Israeli friends. I am convinced that at this time there are better alternatives than war.

We need to demonstrate patience at a time when it is very tempting to become impatient. The economic sanctions appear to be working, though they are working slowly. The international embargo has effectively eliminated virtually all of Iraq's exports, blocked over 90 percent of their imports, and cut its GNP in half. Continued sanctions should reduce Iraq's GNP to approximately 30 percent of its pre-invasion level. William Webster, Director of the CIA, has testified that continued sanctions will increasingly diminish Iraq's military power as Saddam Hussein is unable to obtain the materials necessary to maintain and replenish his stock of armaments.

Additionally, this embargo appears to be our most effective means for deterring Saddam Hussein's ability to add destructive nuclear weapons to his arsenal. A country as great as ours can afford to be patient while sanctions weaken Saddam. Even in this situation, patience is a virtue.

Further, I am not convinced that we have adequately exhausted all channels for negotiating a peaceful settlement in the Persian Gulf. This crisis began because Saddam Hussein refused to consider negotiation as a means of resolving his differences with Kuwait. How ironic and tragic it would be if this crisis ends, with the cost of thousands of innocent lives, because the greatest military power on Earth, the United States of America, was too impatient to allow sanctions and negotiations to work. As President John F. Kennedy once said, "let us never negotiate out of fear, but let us never fear to negotiate."

We should negotiate, not to reward agression, but to address the legitimate issues that have precipitated this crisis. We should negotiate because the new world order we all seek will be no different from the old if international disputes are resolved by force, before all other options have been exhausted.

Six hours of talking at one another rather than to one another in Geneva by Secretary of State Baker and Minister Aziz does not constitute a reasonable attempt at negotiation. I believe we owe it to our brave men and women who are prepared to sacrifice their lives to give diplomacy and sanctions time to work. I believe we need to be patient, and give the diplomatic efforts which the United Nations, Algeria, and France and the rest of the international community have initiated a chance to work.

While I was in the gulf, I also became convinced that the multinational alliance is not "us," but mostly the United States. We have committed 375,000 men and women to the region. We will have spent in excess of $31 billion in incremental costs by the end of this fiscal year if we do not engage in war. If we go to war, the financial costs alone will likely exceed $1 billion a day.

Other countries such as Japan and Germany have pledged financial help, but most of it has yet to arrive. Of $4 billion pledged by the Japanese, only $450 million has been received. That is a paltry sum from a country which receives 63 percent of its oil from the Persian Gulf. Of $2 billion pledged by the Germans, only $100 million has been received. Our allies are willing to hold our coats while we go fight.

In the gulf, I saw over 400 Mitsubishi four by four jeeps donated by the Government of Japan. But they were being driven by American soldiers. The Japanese are prepared to contribute their cars, and some of their cash, but not their children. Where are the sons and daughters of those who receive more oil from the Persian Gulf than we do? Before we fight, the alliance must be truly multinational, and it must be only after we have exhausted every other option.

Mr. Speaker, my family has a history of association with death. I was raised in the funeral home business, and I cannot count the times I have been called upon to comfort mothers, fathers, sisters, brothers, husbands and wives after the death of a loved one. I know that Mississippi would likely have more casualties per capita in a war than any other State. Mr. Speaker, I will attend those funerals. But before it comes to that, I want to know in my heart that I can look those loved ones in the eye and tell them that I did everything possible, that I exhausted every reasonable opportunity, that I went the last mile for peace.

Before we go to war to pursue what some see as our vital interests, we need to exhaust every opportunity for peace. And before we go to war, we must be absolutely certain that our vital interests are at stake. After Iraq invaded Kuwait, President Bush swiftly ordered American troops to the gulf in a defensive posture to prevent an invasion of Saudi Arabia. I support that action because clearly we could not risk Saddam's controlling the entire Persian Gulf. But the world has adjusted to the situation in Kuwait. Eighty percent of the world's oil has not been affected.

Also, Kuwait is not a democracy, it is a monarchy. We need to repel the invasion of Kuwait, because Saddam must not keep the fruits of his aggression. But I do not believe at this time that we need to do so at a cost of thousands of American lives. We need to give sanctions and diplomacy a chance. And no matter how we do it, we don't need to do it alone.

Mr. Speaker I am convinced that if we do go to war, our troops will be victorious. America and the Congress will stand behind our President and our troops. We will give them everything they need for a decisive victory. But if we can do the job without war, we must. Let us be patient. Death by deadline is not a reasonable alternative.

Mr. GEPHARDT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER of New York. Mr. Speaker, because I believe with all my heart that it is the best course for the United States of America, I support the Hamilton-Gephardt resolution.

For the first time since Vietnam, America is poised to fight a major war. Never before in history have we committed so many young men and women so quickly against a nation that did not directly threaten our borders. Soon our troop strength will total more than 400,000 troops in the Persian Gulf. Vietnam took us 5 years to build up such a huge military presence. In the Persian Gulf, it has taken less than 6 months.

President Bush has promised that he will not repeat the mistakes of Vietnam and that any offensive military action against Iraq will be quick and decisive. While I have great confidence in our military, I know that life is not a Rambo movie and that any major offensive against a brutal regime like Iraq involves great risks and great costs. We must consider fully the cost of war in terms of the loss of human lives and human suffering.

How many Americans will die if we go to war? It is a question my constituents raise back home every day in their letters and their phone calls to me. The estimates are appalling. Consider these: 5,000 Americans dead and 15,000 wounded in the first 10 days said Newsweek; 10,000 dead and 35,000 wounded in a successful 90-day campaign to take Baghdad said the Center for Defense Information; as many as 30,000 dead in 20 days, said Jack Anderson quoting from "top secret Pentagon estimates" Whatever the figure, the prospect of casualties by the tens of thousands is something we can't ignore.

There are other costs as well.

What will be the cost, for example, of caring for a new generation of disabled veterans, who will require a lifetime of medical care as a result of a Persian Gulf war? Today, our country is hard pressed to humanely care for those American heroes traumatized by past wars. Every week, my office helps veterans searching desperately for adequate health care, only to find that the Veterans' Administration cannot meet their needs.

What, will be the cost of war to our entire economy? Will our peace dividend evaporate forever in the sands of Saudi Arabia and with it our hopes for new domestic investments in deficit reduction, in education, in health care?

Will the burden of shouldering the costs of this war, without the promised help of our allies, cause our economy to collapse?

And what will be the costs of war for the United States in the new world order? Will attacking Iraq simply increase a sense of world disorder? Will our new extensions of friendship to Syria and China—countries known for terrorism and suppressing freedom of expression—help lessen tensions? Or will these gestures encourage other regimes to adopt similar tactics within their own countries.

In raising these questions, I want no one to conclude that I condone Iraq's invasion of Kuwait. I abhor the atrocities perpetrated on Kuwait and its people. Just as I abhor the atrocities committed on Tibet by China and on Lebanon by our new friend Asad. But I know of no Member in Congress who believes that Iraq can be allowed to remain in Kuwait.

The key question we are considering today is whether we have given diplomacy and economic sanctions enought time to work. The potential costs of waging war is so great that we should postpone military action until we are absolutely convinced that diplomacy and economic sanctions will not work.

Even the President's own CIA Director Wiliam Webster agrees. The sanctions, he testified, have a dramatic impact on Iraq's economy.

And two former chairmen of the Joint Chiefs of Staff have seen no reason to rush into war. I was particularly impressed by Adm. William Crowe's statement: "I cannot understand, he said, why some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution."

Paul Nitze, former President Reagan's special adviser on arms control, argued that a stable world order was more likely to result through successful sanctions than through all-out war. Success through sanctions would lower the risk of violence and disruption in the region; it would likely maintain our access to Middle East oil, and it could halt the proliferation of nuclear weapons. Nitze concludes, sanctions are worth pursuing.

This Chamber is no stranger to Saddam Hussein and the threats he poses in the Middle East. And I recall only last July 24, to be exact, 6 days prior to the invasion of Kuwait, when we voted to impose tough sanctions against Iraq. And I dare say that numbers of persons here tonight, who have characterized him as the new Hitler, voted against those sanctions.

But nonetheless, the House voted to cut off new financial credits and export guarantees to Iraq until President Bush certified that Iraq was in compliance with the international agreements on human rights and weapons of nonproliferation. And the State Department fought us every step of the way.

Ironically, while we were reacting to Iraq's buildup of troops along the border of Kuwait, our Ambassador in Baghdad, April Glaspie, was telling Saddam Hussein in a face-to-face meeting that—and I quote, "We have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait."

And colleagues, I submit to you that future debates on this issue will revolve around the face-to-face meeting.

In preparing for this debate today, and for this vote that is obviously going to be the most crucial of any of our lives; I reread the Gulf of Tonkin debate and couldn't help but be struck by the similarities of almost everything said on the floor then has been said on the floor again today.

It seems that the very least we could have learned from that debate is that patience will not hurt. That peace is better than war. That life is better than death. And that we can support the Gephardt-Hamilton resolution tomorrow with a good conscience and a good heart and know that we have done our best for our country and for its future.

[From the Nation, Dec. 24, 1990]

CHOOSE PEACE

The choice in the Persian Gulf conflict has never been between sanctions and force. It is between peace and war, between life and death. The party of death, which prefers self-descriptions that cover its thirst for conquest with appeals to the great tradition of just wars and lesser evils, has since August 2 seen sanctions as a kind of ritualistic foreplay to the violent penetration of an entire region of the globe. President Bush manipulated the various United Nations sanctions votes as he sent Secretary of State Baker to bribe and buy a favorable "use of force" resolution, putting a specious international gloss on his deadly designs for war and, not inconsequentially, buying time for the Pentagon to amass the most destructive invasion force since D-Day. The issue is not how soon, or how effectively, sanctions would work. It is how soon Bush believes he can get away with abandoning them. The polls, the pressures of a self-aggrandizing war coalition and the uncertain formations of a nascent antiwar movement will set the time frame—rather than any true test of sanctions themselves. (For an assessment of the costs of war, see the special report beginning on page 791.)

Of course sanctions can work. They do all the time, whether imposed by one or two nations or an entire world organization. What needs to be decided in every instance is what constitutes "working" and how long a period is deemded acceptable. In South Africa international sanctions provided necessary context and specific impetus for historic concessions by the white rulers. But as Brian Urquhart, U.N. political under secretary for eighteen years, points out: "There have never been sanctions of this complexity or this comprehensive. And Iraq is uniquely vulnerable to sanctions. It has a single economic base and a poor industrial infrastructure."

Sanctions rarely, if ever, bring unconditional surrender. That requires overwhelming military devastation, the extermination of civilian populations and the reduction of a nation's economic life to rubble. To bring Iraq to its knees, the United States will have to exceed by several degrees the level of annihilation reached in three years of war in Korea and a dozen years in Indochina. A nuclear bomb or two or three would do the trick nicely.

Why should unconditional surrender be the goal of U.S. policy in the gulf? Sanctions have a much better chance of forcing Iraqi concessions in a shorter time and with much less misery than war. But Bush is running out of "patience" after four months. What that means is that he is finished with the foreplay and wants to get on with the action. If his talk-show surrogates Defense Secretary Cheney and Vice President Quayle are to be believed, Bush has already decided that Saddam Hussein and independent Iraqi power have to be stopped sooner or later, and it had better be sooner. If that's true, Baker's mission to Baghdad is intended solely to deliver an ultimatum for surrender, not to open a dialogue for peace.

No conceivable interest of the United States would be served by aborting the sanctions process and sending an invasion in its place. Saddam has shown every intention of modulating his most offensive policies—holding hostages, starving the U.S. Embassy in Kuwait, pillaging his conquered territory—while there is the possibility of discussion with the United States. There's every reason to believe that with sanctions in force and talks in progress, most if not all of the U.N.'s August demands can be met without the catastrophe of war. In the meantime, U.S. ground forces can be steadily reduced. Enough firepower would remain in naval and air units to keep the sanctions "working." That's all that's needed, if the revocation of Iraq's claim to Kuwait and containment of further aggression are really the aims of the military presence in the gulf. The rest is overkill.

If there were a way to substitute a true U.N. command for what no one doubts is a unilateral U.S. effort in the gulf, it would be so much the better. But the demise of the cold war and the decline of much of the Third World's economy have made the U.N. a sitting duck for U.S. manipulation. We should do all we can to strengthen the U.N. as an instrument for the peaceful settlement of world disputes, but let us not delude ourselves: The old socialist bloc is irrevocably broken, and the ever-promising nonaligned group is practically non-functional now that there's only one world power. France and Britain are toothless has-beens, and Germany and Japan are effectively removed from power in U.N. circles because of their exclusion from permanent membership on the Security Council.

Gorbachev probably exercised a restraining influence, but when it came to a vote Baker bought the Russians for an estimated $4 billion in aid from the sheiks. He bribed Egypt's Mubarak with $14 million in forgiven debts. Syria's Assad, whose own brand of Baathist fascism is no second to Saddam's, got $1 billion in arms aid and a go-ahead to wipe out all opposition to its puppet control of Beirut—by massacre, Assad's favorite tactic, where necessary. Turkey was promised 8 or 9 billion dollars' worth more in U.S. weapons, support for its application to join the European Community, and a big increase in its quota for textile exports to the United States. And for abstaining on the war resolution, China got a $114.3 million loan from the World Bank and a trip around official Washington for its Foreign Minister—the first break in a promised reintegration of the Dengist fascists of Beijing into the free-world comity.

In the middle run and the real world, the key to peace lies in Washington. Those opposed to war—both inside official circles and outside in the streets, campuses and conference halls—have more power than they may think to keep Bush from acting the war party animal. The party of peace must demand that he stick to sanctions, start talking about settlements and moderate the military buildup. Such a course might take six months, a year or longer to "work." But if peace is not worth waiting for, nothing is.

THE COSTS OF WAR

"This will not be another Vietnam," says George Bush. Agreed: The Iraqi Syndrome from which we will one day suffer, if war comes, will be different from the Vietnam Syndrome—and perhaps much worse. For the Pentagon the main lesson of Vietnam was to avoid gradual escalation. This time, the military will use maximum firepower from day one. "The lethality of the battlefield in a single day will overshadow the whole Vietnam War," says Marine Col. Carl Fulford. Second, Vietnam was the engine that drove the economy for more than a decade of sustained growth, but war with Iraq is more likely to deepen the present recession. Third, while Vietnam defied the predictions of the domino theorists, war with Iraq will trigger incalculable repercussions in the Middle East. This time we will not be able to retire and sulk over distant wreckage; it may pursue us into every corner of our lives.

Those who have planned the Bush Administration's war-fighting strategy assume that it was the incremental conduct of the war in Vietnam that bred public alienation. But that has led to a central fallacy: that there is only oneway—the Vietnam way—that war will traumatize and divide the American people. Already, public anxiety is at a pitch that it did not reach for years over Vietnam. If the likely costs of a gulf war were spelled out, it would only grow more acute.

But Bush, like Lyndon Johnson and Richard Nixon before him, prefers not to be encumbered by informed public debate. Here, for all the differences, is the continuity be-

tween Vietnam and Iraq. Twenty years ago, thanks to the Pentagon Papers, we learned some of what had been suppressed. Today, we cannot know for certain what the Administration is keeping from us about the costs of war. But here are some informed guesses.

THE BATTLEFIELD

For weeks all the talk was of air superiority. There was the optimists' Top Gun scenario, in which Saddam Hussein would be driven out by a two- or three-day aerial blitzkrieg, and the longer-range bombing campaign proposed by analysts such as Edward Luttwak, who believe that even a successful ground war would be so devastating that it would cost George Bush his presidency. But air power "alone didn't work on the Ho Chi Minh trail, and it won't work on the battlefield of the future," says Gen. Ed Scholes, chief of staff for most of the Army troops in Saudi Arabia. Gen. Colin Powell, during Senate hearings on December 3, appeared to agree, deriding the reliance on air power as an "alleged low-cost, incremental, may-work" strategy. He too would start with airstrikes, but in order to create the best conditions for an inevitable ground war. This in turn could take a number of courses, depending on whether the goal was to force Iraq out of Kuwait or whether, as many defense analysts believe, it would necessarily involve an assault on Baghdad.

The combined air-sea ground operation that Powell foresees would kill more Iraqis than Americans—perhaps three times as many. Countless civilians would also be killed or wounded—100,000 or more if Baghdad is attacked, according to the Center for Defense Information (C.D.I.), a Washington think tank staffed by retired military officers. Many more will be at risk if chemical warfare installations are bombed.

But the debate in the United States will necessarily turn on U.S. casualties. "The American people will support this operation until body bags come home," said Air Force Chief of Staff Gen. Michael Dugan in the infamous interview that led to his dismissal. The body bags, unfortunately, will be coming home in great numbers. (For comparison, bear in mind U.S. death on the battlefield in other conflicts since World War II: Vietnam 47,244; Korea 33,629; Panama 23; Grenada 19.)

5,000 dead and 15,000 wounded in the first ten days (Newsweek)—as many as in an average year in Vietnam.

10,000 dead and 35,000 wounded in a successful ninety-day campaign to take Baghdad (C.D.I.).

As many as 30,000 dead in twenty days, says columnist Jack Anderson, citing "top-secret Pentagon estimates."

The Pentagon has in place blood supplies to treat 4,000 casualties per day—a heavier casualty rate than at Iwo Jima.

It may also be helpful to consider the only direct recent precedent for a short, intense desert war—the 1973 Arab-Israeli conflict, which produced 20,000 casualties in two weeks. Let's also be clear that "casualties" means the wounded as well as the dead. Because of new battlefield technology developed sinced 1973, "things are going to happen to people that we have never seen before," in the words of one U.S. weapons designer. Military surgeons and the V.A. hospitals are unprepared, for example, to handle "blast lung" and "metal fume fever" and the other arcane and nightmarish injuries that will afflict tank and armored vehicle crews. Weapons expert Donald Kennedy, writing in the military journal Armor, says this is "a subject that most governments do not wish to publicize for fear of its effect on their armed forces."

The lower of the body counts we have cited depend on everything going right on the battlefield. But it never does. Murphy's Law was invented by the military. The death toll could rise to Korean War levels, or higher, in any of a number of circumstances. (1) How effective will the Iraqi defense of Kuwait City be? Iraq's strategy, rather like the Viet Cong's, will be to inflict casualty levels that are politically unacceptable in the United States. (2) U.S. air superiority is not a given, especially if the Iraqis have mastered the U.S.-made Hawk missile systems they are believed to have seized in Kuwait. (3) High technology often disappoints those infatuated with it. The F-117 Stealth fighter, which was a flop in Panama, will be an essential element of the air war. The M-1 tank is untested in desert conditions, and the Israelis believe it may prove a major disappointment. The Apache "tank-killer" helicopter develops a maintenance problem every fifty-four minutes of flying time. Night-vision equipment is untested. (4) Multinational command and control might well break down in combat. There is also a high risk of casualties from "friendly fire." Syrian and Iraqi equipment is identical. (5) All of the above assumes that Israel will be kept out of the war. (6) What does "winning" this war mean, anyway—It may become necessary, in the immortal phrase, to destroy Kuwait City in order to save it. And what if the infidels capture the ancient Islamic metropolis of Baghdad, or "make its rubble bounce" with aerial bombing? In this war, military "success" may be directly proportional to political disaster.

THE REGION

President Bush says his goal is the security and stability for the Middle East, and he holds out the promise of a "new world order" once Saddam Hussein's aggression is punished and Kuwait is freed. But Middle East experts agree that the more likely outcome would be greater chaos.

Consider the existing unstable balance of forces, starting with the historic rivalry of the city-states of Baghdad, Damascus and Cairo for hegemony. Add the oil wealth, the way the Western powers have directed and defended its exploitation, and the class and nationalistic resentments generated among the have-nots; factor in the Muslim movement for purification and rejection of the West, led primarily by Iran; and then overlay Israel's saber rattling and de facto annexation of the occupied territories (paid for by the United States). Iraq's invasion of Kuwait and the subsequent responses of the American-Saudi-Syrian-Egyptian-(Israeli) axis are already generating tremendous and contradictory pressures in the Middle East. War would transform the region.

If the war leaves Iraq intact, it will by definition be a weak Iraq. The occupiers of the pro-Western government they install will be hard pressed to ignore Kurdish demands for freedom. Then, according to former National Security Adviser Zbigniew Brzezinski, "Syria, Iran and even Turkey . . . might all be tempted to pursue their own territorial interests." Syria, emboldened by its U.S.-approved takeover of Lebanon, "might begin to make some moves against Jordan," says Raymond Tanter, a senior N.S.C. staff specialist on the Middle East in the early 1980's. The Iranians have a special interest in Shiite holy sites in oil-rich southern Iraq. An Iranian move on that region, says former U.S. Ambassador to Saudi Arabia James Akins, would create "a super oil power with three times the population of Iraq and a far greater potential for causing trouble in the gulf." And the Turks no doubt would want to reclaim the Iraqi province of Mosul.

As for the future of "our friends in the region," ponder the C.D.I.'s prediction of 100,000 or more civilian casualties from air attacks in a battle for Baghdad. The prospect of being held responsible for such a toll terrifies Egypt's Hosni Mubarak and Syria's Hafez al-Assad, both of whom have insisted that their troops will not be used offensively. Akins warns that "every Arab country that backed us—even if their troops were not directly involved in offensive actions— would have revolutions. . . . Only the Saudis, backed by U.S. troops, would maintain control. The ruling family couldn't afford to let us leave. There would be a long-term U.S. occupation, the people would turn against us, the army would turn against us."

And what if, as is likely, Saddam deliberately attacks Israel, or the Israelis decide to "pre-empt" what they claim or believe to be an imminent attack? Most observers agree that Israeli-Iraqi fighting on Jordanian territory is likely, an event that would probably spell the end of the Hashemite kingdom. There are reports that the United States has asked Israel to "absorb" an Iraqi blow without retaliating; in exchange such a blow would be treated as a *casus belli*, akin to an Iraqi attack on Saudi Arabia. But if an offensive from Saudi soil had already begun, the Iraqis would have little to lose by attacking Israel and a lot to gain. "Much as we want to coordinate our steps with our friends," writes Ze'ev Schiff, military correspondent for Ha'aretz, "we may happen to be forced to act unilaterally." The actual extent of U.S.-Israeli coordination remains a mystery, although the remarks of the recently dismissed General Dugan to the effect that the Air Force was getting targeting advice from Israel are somewhat enlightening. Former C.I.A. Middle East Analyst Graham Fuller, now at the Rand Corporation, says, "If Israel is involved in any way . . . it will transform the character of the conflict overnight."

THE ECONOMY

If the shooting starts, the only given is that oil prices will soar far beyond the point they've been driven to by the threat of war and the greed of the oil companies. According to a U.N. simulation, oil at $40 a barrel would cost poor oil-importing countries $64 billion on their trade balances and developed market economies $177 billion.

And the United States itself?

The Defense Department's original estimate for keeping 200,000 troops in the gulf for a year without a war was $15 billion.

Congressional Budget Office sources say the buildup could bring that figure to $20 billion or $30 billion.

The C.D.I. places noncombat costs at $74 million a day; combat would absorb several times that amount.

Extrapolating from the experience of Vietnam, whose cost military planners had underestimated, anticipating a quick, "clean" war, it is reasonable to assume that military costs could be at $50 billion to $60 billion after a year. Assuming that sanctions were to take a maximum two years to work and assuming too—against all principle and common sense—that the original deployment was maintained over that period, the direct cost of sanctions would be half as much as a year of war (four months actual fighting) with all its imponderables.

Yet a fuller sense of the cost of fighting needs to include indirect expenditures, such

as military and economic assistance to other countries, increases in veterans' benefits, lost income from deaths and injuries and interest on the national debt. Back in 1973 Tom Riddell, now an economist at Smith College, calculated that the $141 billion military outlay for Vietnam between 1965 and 1974 came to $676 billion when those costs were added in. It would be crude simply to slot expectations about one war into the niche molded by the discrete circumstances of another—and therefore to conclude that the military estimate of $50 billion for a gulf war translates neatly into $240 billion with indirect expenditures—but the comparison is useful for suggesting the direction the costs of a shooting war might take.

All this will clearly add to the deficit. Interest rates will rise, exacerbating the recession at home. The housing industry, already on its knees, would be hard hit, maybe flattened. All industries that use large amounts of energy and aren't involved in war production would be troubled. Business investment, particularly for the long term, would drop, and the economy would fall further behind in developing technologies and producing goods that people need or want. Meanwhile, every percentage point added to U.S. interest lays a murderous $10 billion onto Third World indebtedness.

There has been much talk of foreign, particularly gulf state, assistance offsetting the costs of the U.S. military deployment—a kind of Vietnamization in reverse. And in fact, if Saudi Arabia were to bail out all the costs and were to pump enough oil to hold prices down, recessionary effects of a war might be minimal or nonexistent, according to economics Nobel laureate Lawrence Klein. As it is, the United States has received about $4 billion from other countries; a couple billion from Kuwait and $987 million (out of a promised $12 billion) from the Saudis.

Cost-benefit assessments never provide sufficient reason for opposing war—what if we *could* afford it?—although they have been used for promoting it. The rapid injection of vast sums into the economy does act as a stimulus, at least in the short term, but because of oil prices and the size of the deficit, a gulf war would be very tricky here. And as the United States "invests" in war to protect oil, it forgoes the prospect of applying resources for building alternative energy systems—one of many bitter ironies.

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[From The Washington Post, Sept. 13, 1990]

TRANSCRIPT SHOWS MUTED U.S. RESPONSE TO THREAT BY SADDAM

(By Jim Hoagland)

One week before he ordered his troops into Kuwait, Iraqi leader Saddam Hussein warned the U.S. ambassador in Baghdad that America should not oppose his aims in the Middle East because "yours is a society that cannot accept 10,000 dead in one battle" and is vulnerable to terrorist attack, according to the Iraqi minutes of the July 25 conversation.

U.S. Ambassador April Glaspie did not respond directly to Saddam's menacing comments, concentrating instead on praising Saddam's "extraordinary efforts to rebuild your country." She also gently probed the Iraqi leader's intentions in massing troops on Kuwait's border, but did not criticize the Iraqi troop movements, according to the Iraqi transcript.

The State Department did not challenge the authenticity of the transcript yesterday. Spokesman Richard Boucher declined to comment on specific remarks it contains. He said Glaspie was not available for comment.

Iraq's version of the meeting shows Saddam giving Glaspie explicit warnings that he would take whatever action he deemed necessary to stop Kuwait from continuing an "economic war" against Iraq. Her response, as recorded by the Iraqis, was to reassure Saddam that the United States takes no official position on Iraq's border dispute with Kuwait.

In response to Saddam's comments about Iraq's need for higher oil prices, the ambassador said: "I know you need funds. We understand that and our opinion is that you should have the opportunity to rebuild your country. But we have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait . . . . James Baker has directed our official spokesman to emphasize this instruction."

The disclosure of the transcript to Western news media, which originated with Iraqi officials, appears intended to emphasize that Saddam had reasons to believe that the Bush administration would not offer any serious opposition to his move against Kuwait.

The administration has acknowledged that it was caught by surprise by Iraq's Aug. 2 invasion of Kuwait. But the tone and content of the transcript of the July 25 meeting called by Saddam strongly suggest that the official American misreading of Saddam's intentions and capabilities may have emboldened him to commit an act of aggression that has brought the United States to the brink of war in the Persian Gulf.

ABC television on Tuesday night quoted briefly from the Iraqi transcript, which was also the subject of an article in the British newspaper The Guardian yesterday. The Washington Post has obtained a 17-page English translation of the full transcript.

While the Iraqi transcript is disjointed in places, the substance of Glaspie's recorded remarks closely parallels official U.S. positions stated in Washington at the same time, in which other State Department officials publicly disavowed any American security commitments to Kuwait.

A career foreign service officer, Glaspie made a point of telling Saddam that she was acting under instructions from Washington responding to him.

Greeting her, Saddam said that he wanted his part of their conversation to be "a message to President Bush." Reviewing U.S.-Iraqi differences, he singled out the secret shipments of U.S. arms to Iran in 1985 and 1986 and recalled that he magnanimously accepted President Reagan's "apology" to him "and we wiped the slate clean."

Saddam turned next to the devastated condition of the Iraqi economy because of eight years of war with Iran. He suggested that the United States was supporting an effort by Kuwait to wage "another war against Iraq," an "economic war" that deprives Iraqis of "their humanity by depriving them of their chance to have a good standard of living."

The United States should be grateful to Iraq for having stopped Iran militarily because the United States could not fight such a war in the Persian Gulf, Saddam said. "I hold his view by looking at the geography and nature of American society . . . . Yours is a society which cannot accept 10,000 dead in one battle."

Denouncing Kuwaiti efforts to "deprive us of our rights" he demanded that the United States "declare who it wants to have relations with and who its enemies are . . . . If you use pressure, we will deploy presssure and force . . . . We cannot come all the way to you in the United States but individual Arabs may reach you."

The remainder of his opening monologue was filled with attacks on U.S. support for Israel, for the United Arab Emirates and for Kuwait. Saddam made a point of telling Glaspie that he had clearly warned the Kurdish tribesmen of Iraq and Iran's leaders before he went to war against them.

In the transcript, Glaspie did not respond to this rhetoric. She began her response by speaking of Bush's desire for friendship with Iraq: "As you know, he directed the United States administration to reject the suggestion of implementing trade sanctions" against Iraq. "I have a direct instruction from the president to seek better relations with Iraq . . . . President Bush is an intelligent man. He is not going to declare an economic war against Iraq."

Saying that the American media's treatment of Saddam resembles its treatment of American politicians, Glaspie is quoted as calling an ABC Television interview with him "cheap and unjust . . . . I am pleased 'that you add your voice to the diplomats who stand up to the media."

She then said she has been instructed "to ask you, in the spirit of friendship—not in the spirit of confrontation—regarding your intentions" about Kuwait in light of his massing troops on the border. Saddam's response was that he hoped to settle his dispute with Kuwait peacefully, but the transcript shows him adding:

"We regard [Kuwait's economic campaign] as a military action against us . . . . If we are not able to find a solution, then it will be natural that Iraq will not accept death, even though wisdom is above everything else."

Glaspie took no notice of this implied threat in her concluding remarks. Instead, she told Saddam that she had worried that she would have to postpone here scheduled July 30 departure from Baghdad for consultations in Washington "because of the difficulties we are facing. But now I will fly" on July 30.

Thirty-six hours after her departure, Saddam launched his invasion. Glaspie has remained in Washington since then to underscore official U.S. displeasure with Saddam's action, according to the State Department.

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[From the New York Times, Sept. 23, 1990]

UNITED STATES GAVE IRAQ LITTLE REASON NOT TO MOUNT KUWAIT ASSAULT

(By Elaine Sciolino with Michael R. Gordon)

WASHINGTON, September 22.—In the two weeks before Iraq's seizure of Kuwait, the Bush Administration on the advice of Arab leaders gave President Saddam Hussein little reason to fear a forceful American response if his troops invaded the country.

The Administration's message, articulated in public statements in Washington by senior policy makers and delivered directly to Mr. Hussein by the United States Ambassado, April C. Glaspie, was this. The United States was concerned about Iraq's military buildup on its border with Kuwait, but did not intend to take sides in what it perceived as a no-win border dispute between Arab neighbors.

In a meeting with Mr. Hussein in Baghdad on July 25, eight days before the invasion, Ms. Glaspie urged the Iraqi leader to settle his differences with Kuwait peacefully but added, "We have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait," according to an Iraqi document described as a transcript of their conversation.

Portions of the document, prepared in Arabic by the Iraqi Government, were translated and broadcast by ABC News on Sept. 11 and

were the basis of accounts by The Washington Post and The Guardian of London. The State Department declined to confirm the accuracy of the document, but officials did not dispute Ms. Glaspie's essential message.

As those and other details of the Administration's diplomacy have unfolded in recent weeks, its handling of Iraq before the invasion has begun to draw strong criticism in Congress, even among those who generally support the Administration's military action in the Persian Gulf. Some lawmakers have asserted that the Administration conveyed a sense of indifference to Baghdad's threats.

Interviews with dozens of Administration officials, lawmakers and independent experts and a review of public statements and the Iraqi document show that instead of sending Mr. Hussein blunt messages through public and private statements that an invasion would be unacceptable, the State Department prepared equivocal statements for the Administration about American commitments to Kuwait.

ARAB ASSURANCES ON INVASION

The American strategy, carried out primarily by the State Department but approved by the White House, was based on the assumption that Iraq would not invade and occupy Kuwait. President Hosni Mubarak of Egypt and King Fahd of Saudi Arabia, who assured the Bush Administration that Mr. Hussein would not invade, argued that the best way to resolve an inter-Arab squabble was for the United States to avoid inflammatory words and actions.

Some senior Administration officials said the strategy was also rooted in the view that Washington—and most of the Arab world—probably could live with a limited invasion of Kuwait, in which Iraqi forces seized bits of Kuwaiti territory to gain concessions.

"We were reluctant to draw a line in the sand," said a senior Administration official. "I can't see the American public supporting the deployment of troops over a dispute over 20 miles of desert territory and it is not clear that the local countries would have supported that kind of commitment. The basic principle is not to make threats you can't deliver on. That was one reason there was a certain degree of hedging on what was said."

EFFECT OF A HARDER LINE

Even in the days before the invasion, there was a consensus inside the Administration and among outside experts that Mr. Hussein would not invade despite largely correct intelligence assessments of the military buildup on the ground.

"There would have been a lot of fluttering if there has been a partial invasion," said an Administration official. "The crucial factor in determining the American response was not the reality but the extent of the invasion."

It is not clear that taking a harder line would have made a difference in Baghdad's decision to take Kuwait, and some Administration officials argue that if they had they would now be accused of pushing Mr. Hussein toward extreme actions.

As the Administration's policy toward Iraq before the invasion has come under criticism in Congress, the President's Foreign Intelligence Advisory Board, a group of experts who report to President Bush on intelligence issues, has also begun a post-mortem on the handling of the crisis.

The Administration was following what President Bush acknowledged last week was a flawed policy toward Iraq, a policy built on the premise that the best way to handle Mr Hussein and moderate his behavior was through improving relations with Baghdad. That assessment presumed that Iran and Iraq, both exhausted by their eight-year border war, would focus on domestic reconstruction, not foreign adventurism.

As a result, the Bush Administration failed to calibrate its policy to take into account a string of belligerent statements and actions by Mr. Hussein in recent months, including the execution of a British journalist and a treat to use chemical weapons against Israel.

"We were essentially operating without a policy," said a senior Administration official. "The crisis came in a bit of a vaccum, at a time when everone was focusing on German reunification."

In the days before the invasion, Administration officials sent mixed signals about the American commitment to Kuwait's defense.

Secretary of Defense Dick Cheney, for example, was quoted as telling journalists at a press breakfast on July 19 that the American commitment made during the Iran-Iraq War to come to Kuwait's defense if it were attacked was still valid. The same point was also made by Paul Wolfowitz, Undersecretary of Defense for Policy, at a private luncheon with Arab ambassadors. But Pete Williams, Mr. Cheney's chief spokesman, later tried to steer journalists away from the Secretary's remarks, adding that Mr. Cheney had been quoted with "some degree of liberty."

From that moment on, there was an orchestrated Administration campaign to speak with one voice, and speak quietly.

On July 24, when Margaret D. Tutwiler, the State Department spokesman, was asked whether the United States had any commitment to defend Kuwait, she said, "We do not have any defense treaties with Kuwait, and there are no special defense or security commitments to Kuwait."

Asked whether the United States would help Kuwait if it were attacked, she replied, "We also remain strongly committed to supporting the individual and collective self-defense of our friends in the gulf with whom we have a deep and longstanding ties," a statement that some Kuwaiti officials said privately was too weak.

BUSH'S FORCEFUL TONE

Two days before the invasion, John H. Kelly, Assistant Secretary of State for Near Eastern and South Asian Affairs, essentially repeated the same message in Congressional testimony.

Even after the invasion, there was unease in some quarters in the State Department over Mr. Bush's tough public stance. On Aug. 6, when President Bush clearly committed the United States to roll back Iraq's conquest of Kuwait, Secretary of State James A. Baker 3d expressed reservations about the wisdom of the forceful tone of Mr. Bush remarks, according to Administration officials.

Last Tuesday, at a hearing before a House Foreign Affairs subcommittee, Representative Lee Hamilton sharply chided Mr. Kelly for not taking a tougher stance against Iraq in his testimony before the invasion.

"You left the impression that it was the policy of the United States not to come to the defense of Kuwait," said Mr. Hamilton, an Indiana Democrat. "I asked you if there was a U.S. commitment to come to Kuwait's defense if it was attacked. Your response over and over again was we have no defense-treaty relationship with any gulf country."

POLICY GUIDELINES FOLLOWED

Bush Administration officials assert that Kuwait never asked for American troops or sought to join in joint military exercises with American forces.

Mr. Cheney told a breakfast group on Capitol Hill on Thursday that "the fact was, there was literally nothing we could do until we could get access to that part of the world, and the attitude of Saudi Arabia and the Persian Gulf states has been consistently that they didn't want U.S. forces on the ground over there."

On July 25, a week before the Iraqi invasion of Kuwait, Ms. Glaspie was quickly summoned into Mr. Hussein's office in Baghdad, and she faithfully followed conciliatory policy guidelines sent to her from the State Department.

In their conversation, Mr. Hussein described an American conspiracy against him since the end of his war with Iran, and warned the United States not to oppose his goal of getting economic concessions from Kuwait and the United Arab Emirates, according to the document described as the official Iraqi transcript which ABC News made available to the New York Times. Miss Tutwiler said Friday that the State Department would not reveal the contents of a diplomatic exchange.

WE TOO CAN HARM YOU

Mr. Hussein told the American Ambassador that the United States should thank Iraq for stopping Iran's aggression during the war, because the United States could never fight such a war to defend its friends in the region. According to the Iraqi document, he also suggested that he would use terrorism to curb and effort by the United States to try to stop him from achieving his goals.

"We too can harm you," he said, according to the document, adding, "We cannot come all the way to the United States but individual Arabs may reach you."

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EXCERPTS FROM IRAQI TRANSCRIPT OF MEETING WITH U.S. ENVOY

WASHINGTON, Sept. 22—On July 25, President Saddam Hussein of Iraq summoned the United States Ambassador to Baghdad, April Glaspie, to his office in the last high-level contact between the two Governments before the Iraqi invasion of Kuwait on Aug. 2. Here are excerpts from a document described by Iraqi Government officials as a transcript of the meeting, which also included in the Iraqi Foreign Minister, Tariq Aziz. A copy was provided to The New York Times by ABC News, which translated it from the Arabic. The State Department has declined to comment on its accuracy.

Saddam Hussein: I have summoned you today to hold comprehensive political discussions with you. This is a message to President Bush.

You know that we did not have relations with the U.S. until 1984 and you know the circumstances and reasons which caused them to be severed. The decision to establish relations with the U.S. were taken in 1980 during the two months prior to the war between us and Iran.

When the war started, and to avoid misinterpretation, we postponed the establishment of relations hoping that the war would end soon.

But because the war lasted for a long time, and to emphasize the fact that we are a nonaligned country, it was important to re-establish relations with the U.S. And we choose to do this in 1984.

It is natural to say that the U.S. is not like Britain, for example, with the latter's his-

toric relations with Middle Eastern countries, including Iraq. In addition, there were no relations between Iraq and the U.S. between 1967 and 1984. One can conclude it would be difficult for the U.S. to have a full understanding of many matters in Iraq. When relations were re-established we hoped for a better understanding and for better cooperation because we too do not understand the background of many American decisions.

We dealt with each other during the war and we had dealings on various levels. The most important of those levels were with the foreign ministers.

U.S.-IRAQ RIFTS

We had hoped for a better common understanding and a better chance of cooperation to benefit both our peoples and the rest of the Arab nations.

But these better relations have suffered from various rifts. The worst of these was in 1986, only two years after establishing relations, with what was known as Irangate, which happened during the year that Iran occupied the Fao peninsula.

It was natural then to say that old relations and complexity of interests could absorb many mistakes. But when interests are limited and relations are not that old, then there isn't a deep understanding and mistakes could leave a negative effect. Sometimes the effect of an error can be larger than the error itself.

Despite all of that, we accepted the apology, via his envoy, of the American President regarding Irangate, and we wiped the slate clean. And we shouldn't unearth the past except when new events remind us that old mistakes were not just a matter of coincidence.

Our suspicions increased after we liberated the Fao peninsula. The media began to involve itself in our politics. And our suspicions began to surface anew, because we began to question whether the U.S. felt uneasy with the outcome of the war when we liberated our land.

It ws clear to us that certain parties in the United States—and I don't say the President himself—but certain parties who had links with the intelligence community and with the State Department—and I don't say the Secretary of State himself—I say that these parties did not like the fact that we liberated our land. Some parties began to prepare studies entitled, "Who will succeed Saddam Hussein?" They began to contact gulf states to make them fear Iraq, to persuade them not to give Iraq economic aid. And we have evidence of these activities.

IRAQ POLICY ON OIL

Iraq came out of the war burdened with $40 billion debts, excluding the aid given by Arab states, some of whom consider that too to be a debt although they knew—and you knew too—that without Iraq they would not have had these sums and the future of the region would have been entirely different.

We began to face the policy of the drop in the price of oil. Then we saw the United States, which always talks of democracy but which has no time for the other point of view. Then the media campaign against Saddam Hussein was started by the official American media. The United States thought that the situation in Iraq was like Poland, Romania or Czechoslovakia. We were disturbed by this campaign but we were not disturbed too much because we had hoped that, in a few months, those who are decision makers in America would have a chance to find the facts and see whether this media campaign had had any effect on the lives of Iraqis. We had hoped that soon the American authorities would make the correct decision regarding their relations with Iraq. Those with good relations can sometimes afford to disagree.

But when planned and deliberate policy forces the price of oil down without good commercial reasons, then that means another war against Iraq. Because military war kills people by bleeding them, and economic war kills their humanity by depriving them of their chance to have a good standard of living. As you know, we gave rivers of blood in a war that lasted eight years, but we did not lose our humanity. Iraqis have a right to live proudly. We do not accept that anyone could injure Iraqi pride or the Iraqi right to have high standards of living.

Kuwait and the U.A.E. were at the front of this policy aimed at lowering Iraq's position and depriving its people of higher economic standards. And you know that our relations with the Emirates and Kuwait had been good. On top of all that, while we were busy at war, the state of Kuwait began to expand at the expense of our territory.

You may say this is propaganda, but I would direct you to one document, the Military Patrol Line, which is the borderline endorsed by the Arab League in 1961 for military patrols not to cross the Iraq-Kuwait border.

But go and look for yourselves. You will see the Kuwait border patrols, the Kuwait farms, the Kuwait oil installations—all built as closely as possible to this line to establish that land as Kuwaiti territory.

CONFLICTING INTERESTS

Since then, the Kuwaiti Government has been stable while the Iraqi Government has undergone many changes. Even after 1968 and for 10 years aftewards, we were too busy with our own problems. First in the north then the 1973 war, and other problems. Then came the war with Iran which started 10 years ago.

We believe that the United States must understand that people who live in luxury and economic security can reach an understanding with the United States on what are legitimate joint interests. But the starved and the economically deprived cannot reach the same understanding.

We do not accept threats from anyone because we do not threaten anyone. But we say clearly that we hope that the U.S. will not entertain too many illusions and will seek new friends rather than increase the number of its enemies.

I have read the American statements speaking of friends in the area. Of course, if is the right of everyone to choose their friends. We can have no objections. But you know you are not the ones who protected your friends during the war with Iran. I assure you, had the Iranians overrun the region, the American troops would not have stopped them, except by the use of nuclear weapons.

I do not belittle you. But I hold this view by looking at the geography and nature of American society into account. Yours is a society which cannot accept 10,000 dead in one battle.

You know that Iran agreed to the cease-fire not because the United States had bombed one of the oil platforms after the liberation of the Fao. Is this Iraq's reward for its role in securing the stability of the region and for protecting it from an unknown flood?

PROTECTING THE OIL FLOW

So what can it mean when America says it will now protect its friends? It can only mean prejudice against Iraq. This stance plus maneuvers and statements which have been made has encouraged the U.A.E. and Kuwait to disregard Iraqi rights.

I say to you clearly that Iraq's rights, which are mentioned in the memorandum, we will take one by one. That might not happen now or after a month or after one year, but we will take it all. We are not the kind of people who will relinguish their rights. There is no historic right, or legitimacy, or need, for the U.A.E. and Kuwait to deprive us of our rights. If they are needy, we too are needy.

The United States must have a better understanding of the situation and declare who it wants to have relations with and who its enemies are. But it should not make enemies simply because others have different points of view regarding the Arab-Israeli conflict.

We clearly understand America's statement that it wants an easy flow of oil. We understand America saying that it seeks friendship with the states in the region, and to encourage their joint interests. But we cannot understand the attempt to encourage some parties to harm Iraq's interests.

The United States wants to secure the flow of oil. This is understandable and known. But it must not deploy methods which the United States says it disapproves of—flexing muscles and pressure.

If you use pressure, we will deploy pressure and force. We know that you can harm us although we do not threaten you. But we too can harm you. Everyone can cause harm according to their ability and their size. We cannot come all the way to you in the United States, but individual Arabs may reach you.

WAR AND FRIENDSHIP

You can come to Iraq with aircraft and missiles but do not push us to the point where we cease to care. And when we feel that you want to injure our pride and take away the Iraqis' chance of a high standard of living, then we will cease to care and death will be the choice for us. Then we would not care if you fired 100 missiles for each missile we fired. Because without pride life would have no value.

It its not reasonable to ask our people to bleed rivers of blood for eight years then to tell them, "Now you have to accept aggression from Kuwait, the U.A.E. or from the U.S. or from Israel."

We do not put all these countries in the same boat. First, we are hurt and upset that such disagreement is taking place between us and Kuwait and the U.A.E. The solution must be found within an Arab framework and through direct bilateral relations. We do not place America among the enemies. We place it where we want our friends to be and we try to be friends. But repeated American statements last year made it apparent that America did not regard us as friends. Well the Americans are free.

When we seek friendship we want pride, liberty and our right to choose.

We want to deal according to our status as we deal with the others according to their status.

We consider the others' interests while we look after our own. And we expect the others to consider our interests while they are dealing with their own. What does it mean when the Zionist war minister is summoned to the United States now? What do they mean, these fiery statements coming out of Israel during the past few days and the talk of war being expected now more than at any other time?

I do not believe that anyone would lose by making friends with Iraq. In my opinion, the American President has not made mistakes regarding the Arabs, although his decision to freeze dialogue with the P.L.O. was wrong. But it appears that this decision was made to appease the Zionist lobby or as a piece of strategy to cool the Zionist anger, before trying again. I hope that our latter conclusion is the correct one. But we will carry on saying it was the wrong decision.

You are appeasing the usurper in so many ways—economically, politically and militarily as well as in the media. When will the time come when, for every three appeasements to the usurper, you praise the Arabs just once?

April Glaspie: I thank you, Mr. President, and it is a great pleasure for a diplomat to meet and talk directly with the President. I clearly understand your message. We studied history at school. They taught us to say freedom or death. I think you know well that we as a people have our experience with the colonialists.

Mr. President, you mentioned many things during this meeting which I cannot comment on on behalf of my Government. But with your permission, I will comment on two points. You spoke of friendship and I believe it was clear from the letters sent by our President to you on the occasion of your National Day that he emphasizes—

Hussein: He was kind and his expressions met with our regard and respect.

DIRECTIVE ON RELATIONS

Glaspie: As you know, he directed the United States Administration to reject the suggestion of implementing trade sanctions.

Hussein: There is nothing left for us to buy from America. Only wheat. Because every time we want to buy something, they say it is forbidden. I am afraid that one day you will say, "You are going to make gunpowder out of wheat."

Glaspie: I have a direct instruction from the President to seek better relations with Iraq.

Hussein: But how? We too have this desire. But matters are running contrary to this desire.

Glaspie: This is less likely to happen the more we talk. For example, you mentioned the issue of the article published by the American Information Agency and that was sad. And a formal apology was presented.

Hussein: Your stance is generous. We are Arabs. It is enough for us that someone says, "I am sorry, I made a mistake." Then we carry on. But the media campaign continued. And it is full of stories. If the stories were true, no one would get upset. But we understand from its continuation that there is a determination.

Glaspie: I saw the Diane Sawyer program on ABC. And what happened in that program was cheap and unjust. And this is a real picture of what happens in the American media—even to American politicians themselves. These are the methods the Western media employs. I am pleased that you add your voice to the diplomats who stand up to the media. Because your appearance in the media, even for five minutes, would help us to make the American people understand Iraq. This would increase mutual understanding. If the American President had control of the media, his job would be much easier.

Mr. President, not only do I want to say that President Bush wanted better and deeper relations with Iraq, but he also wants an Iraqi contribution to peace and prosperity in the Middle East. President Bush is an intelligent man. He is not going to declare an economic war against Iraq.

You are right. It is true what you say that we do not want higher prices for oil. But I would ask you to examine the possibility of not charging too high a price for oil.

Hussein: We do not want too high prices for oil. And I remind you that in 1974 I gave Tariq Aziz the idea for an article he wrote which criticized the policy of keeping oil prices high. It was the first Arab article which expressed this view.

SHIFTING PRICE OF OIL

Tariq Aziz: Our policy in OPEC opposes sudden jumps in oil prices.

Hussein: Twenty-five dollars a barrel is not a high price.

Glaspie: We have many Americans who would like to see the price go above $25 because they come from oil-producing states.

Hussein: The price at one stage had dropped to $12 a barrel and a reduction in the modest Iraqi budget of $6 billion to $7 billion is a disaster.

Glaspie: I think I understand this. I have lived here for years. I admire your extraordinary efforts to rebuild your country. I know you need funds. We understand that and our opinion is that you should have the opportunity to rebuild your country. But we have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait.

I was in the American Embassy in Kuwait during the late 60's. The instruction we had during this period was that we should express no opinion on this issue and that the issue is not associated with America. James Baker has directed our official spokesmen to emphasize this instruction. We hope you can solve this problem using any suitable methods via Klibi or via President Mubarak. All that we hope is that these issues are solved quickly. With regard to all of this, can I ask you to see how the issue appears to us?

My assessment after 25 years' service in this area is that your objective must have strong backing from your Arab brothers. I now speak of oil. But you, Mr. President, have fought through a horrific and painful war. Frankly, we can only see that you have deployed massive troops in the south. Normally that would not be any of our business. But when this happens in the context of what you said on your national day, then when we read the details in the two letters of the Foreign Minister, then when we see the Iraqi point of view that the measures taken by the U.A.E. and Kuwait is, in the final analysis, parallel to military aggression against Iraq, then it would be reasonable for me to be concerned. And for this reason, I received an instruction to ask you, in the spirit of friendship—not in the spirit of confrontation—regarding your intentions.

I simply describe the concern of my Government. And I do not mean that the situation is a simple situation. But our concern is a simple one.

Hussein: We do not ask people not to be concerned when peace is at issue. This is a noble human feeling which we all feel. It is natural for you as a superpower to be concerned. But what we ask is not to express your concern in a way that would make an aggressor believe that he is getting support for his aggression.

We want to find a just solution which will give us our rights but not deprive others of their rights. But at the same time, we want the others to know that our patience is running out regarding their action, which is harming even the milk our children drink, and the pensions of the widow who lost her husband during the war, and the pensions of the orphans who lost their parents.

As a country, we have the right to prosper. We lost so many opportunities, and the others should value the Iraqi role in their protection. Even this Iraqi [the President points to the interpreter] feels bitter like all other Iraqis. We are not aggressors but we do not accept aggression either. We sent them envoys and handwritten letters. We tried everything. We asked the Servant of the Two Shrines—King Fahd—to hold a four-member summit, but he suggested a meeting between the Oil Ministers. We agreed. And as you know, the meeting took place in Jidda. They reached an agreement which did not express what we wanted, but we agreed.

Only two days after the meeting, the Kuwaiti Oil Minister made a statement that contradicted the agreement. We also discussed the issue during the Baghdad summit. I told the Arab Kings and Presidents that some brothers are fighting an economic war against us. And that not all wars use weapons and we regard this kind of war as a military action against us. Because if the capability of our army is lowered then, if Iran renewed the war, it could achieve goals which it could not achieve before. And if we lowered the standard of our defenses, then this could encourage Israel to attack us. I said that before the Arab Kings and Presidents. Only I did not mention Kuwait and U.A.E. by name, because they were my guests.

Before this, I had sent them envoys reminding them that our war had included their defense. Therefore the aid they gave us should not be regarded as a debt. We did no more than the United States would have done against someone who attacked its interests.

I talked about the same thing with a number of other Arab states. I explained the situation to brother King Fahd a few times, by sending envoys and on the telephone. I talked with brother King Hussein and with Sheik Zaid after the conclusion of the summit. I walked with the Sheik to the plane when he was leaving Mosul. He told me, "Just wait until I get home." But after he had reached his destination, the statements that came from there were very bad—not from him, but from his Minister of Oil.

Also after the Jidda agreement, we received some intelligence that they were talking of sticking to the agreement for two months only. Then they would change their policy. Now tell us, if the American President found himself in this situation, what would he do? I said it was very difficult for me to talk about these issues in public. But we must tell the Iraqi people who face economic difficulties who was responsible for that.

TALKS WITH MUBARAK

Glaspie: I spent four beautiful years in Egypt.

Hussein: The Egyptian people are kind and good and ancient. The oil people are supposed to help the Egyptian people, but they are mean beyond belief. It is painful to admit it, but some of them are disliked by Arabs because of their greed.

Glaspie: Mr. President, it would be helpful if you could give us an assessment of the effort made by your Arab brothers and whether they have achieved anything.

Hussein: On this subject, we agreed with President Mubarak that the Prime Minister of Kuwait would meet with the deputy chairman of the Revolution Command Council in Saudi Arabia, because the Saudis initiated contact with us, aided by President Mubarak's efforts. He just telephoned me a

short while ago to say the Kuwaitis have agreed to that suggestion.

Glaspie: Congratulations.

Hussein: A protocol meeting will be held in Saudi Arabia. Then the meeting will be transferred to Baghdad for deeper discussion directly between Kuwait and Iraq. We hope we will reach some result. We hope that the long-term view and the real interests will overcome Kuwaiti greed.

Glaspie: May I ask you when you expect Sheik Saad to come to Baghdad?

Hussein: I suppose it would be on Saturday or Monday at the latest. I told brother Mubarak that the agreement should be in Baghdad Saturday or Sunday. You know that brother Mubarak's visits have always been a good omen.

Glaspie: This is good news. Congratulations.

Brother President Mubarak told me they were scared. They said troops were only 20 kilometers north of the Arab League line. I said to him that regardless of what is there, whether they are police, border guards or army, and regardless of how many are there, and what they are doing, assure the Kuwaitis and give them our word that we are not going to do anything until we meet with them. When we meet and when we see that there is hope, then nothing will happen. But if we are unable to find a solution, then it will be natural that Iraq will not accept death, even though wisdom is above everything else. There you have good news.

Aziz: This is a journalistic exclusive.

Glaspie: I am planning to go to the United States next Monday.

I hope I will meet with President Bush in Washington next week. I thought to postpone my trip because of the difficulties we are facing. But now I will fly on Monday.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. FLAKE].

Mr. FLAKE. Mr. Speaker, on behalf of the physically and emotionally scarred Vietnam veterans who have contacted me, and the potential physically and emotionally scarred casualties of Desert Shield, I rise in support of the Gephardt-Hamilton resolution.

Mr. Speaker, I rise on behalf of the many physical and emotional casualties who were fortunate enough to return from Vietnam alive, and not in body bags like many of their fellow soldiers. Many of them are casualties, however, because they are so physically impaired, or emotionally scarred that they are dysfunctional in our society. They cannot in many instances hold jobs and thus are unable to maintain constant employment. For many, the pains have been so great that they have turned to drugs for escape. All too many of the veterans are found among the homeless.

Further, Mr. Speaker, I rise on behalf of the potential unquantifiable physically and emotionally scarred survivors, if we chose to go to war in the Middle East. Thus far debates have focused on potential casualties measured by the number of anticipated body bags. Unless we are prepared to provide larger allocations for Veterans' benefits for counseling, housing, education, medical, and spousal and dependent support, we will exacerbate the current crisis that exists for Veterans who deserve many more benefits than they currently receive.

Since women will be included in this military offensive, in an unprecedented historical manner, children will become casualties without the benefit of the love, guidance and nurture which mothers provide. Many of the problems of urban America, particularly drugs and violence, can be traced to the hostility that many of our children have experienced, having lost their father or other relatives in Vietnam, or having to see them maligned because they fought in an unpopular war for democracy abroad, only to return home and find conditions prohibiting full participation in American democracy.

This is not the time for war. American blood should not be spilled for one drop of oil. The new world order must be built on a foundation of peace. Mr. Speaker, let us use the resources that we will allocate for war in the Middle East to fight the war against drugs, homelessness, illiteracy, crime, and the myriad of economic problems which are eroding the power and strength of our Nation.

I support the Hamilton-Gephardt amendment because it does not deny our willingness to go to war if provoked. However, it does allow diplomacy and economic sanctions to work until the point of exhaustion, with war as the last option rather than the first choice.

Let us give peace a chance.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. CARR].

Mr. CARR. Mr. Speaker, President George Bush has my prayers; Mr. HAMILTON and Mr. GEPHARDT have my vote.

Mr. Speaker, for the first time in almost 50 years, the Members of the House and Senate are debating whether our Nation should commit itself to war.

It has been a difficult debate, more difficult than when this body last confronted the issue of war. Perhaps this is because our interests are not as clear, the violation of our sovereignty not as blatant as in the case of Pearl Harbor. And perhaps, given the much advanced "new world order" this is a case of first impression. For that reason it is not like either World War II or the Vietnam war. But if we do have a new world order, we must have a new procedure for deciding the use of war as a remedy. To his credit President Bush has helped forge that new world order by seeking and obtaining the cooperation with the United Nations. Now, Congress must act. For if we don't then the power to declare war vested in us by the Constitution is meaningless.

Unlike some, I do believe that vital United States interests are at stake in the Middle East. Regardless of new or old world order, the principle that one sovereign nation must not invade another sovereign nation must remain inviolate. International trespass, burglary, and murder should not ever be legitimate means to settling disputes. We must stand against this aggression with military force, if necessary. There isn't any question that the American people, and that the nations of the world, are united in their resolve that Saddam must be driven out of Kuwait. All civilized nations have a duty to defend this interest and to protect friendly non-belligerent nations.

The question before us is: Who should take what steps, and when, to achieve this.

This debate would lead you to believe that sanctions and offensive military action are mutually exclusive. They need not be. There is a middle road that is not expressed in either resolution. The President could come to us for permission to use offensive air superiority to give teeth to the sanctions, to speed their effectiveness and to make clear to Saddam and the Iraqi people, that they cannot succeed.

Frankly, Mr. Speaker, neither resolution before us does this. As a result, I'm not happy with either resolution.

Solarz-Michel asks us to give the President carte blanche to use force without further meaningful review by the Congress. The President's power over the situation is already awesome. But, to paraphrase Clemenceau: "War is much too serious a matter to be entrusted to—a President." Indeed not only our Constitution requires this but our entire economy requires it as well.

As hard as we might try in this debate today we cannot elevate this interest above other important interests in conflict. For example, it is also in our interest to be a first rate economic power. What with recession, a staggering deficit and financial collapse all around, we cannot ignore that a long protracted conflict or post-conflict responsibility abroad could seriously undermine our standing as a world economic power. I doubt that the members of the United Nations Security Council had the economic well-being of the United States on their minds when they gave the United States permission to use military force.

The problem with Solarz-Michel is that it not only gives the President a blank check on military options, but also an unlimited credit card, and it doesn't require him to tell us how he proposes to pay the bill. These are problems that the diplomats at the United Nations didn't examine. Nor is it their job to juggle those interests. It is ours and that is why we must have a continuing role throughout this crisis.

But in my view, Hamilton-Gephardt is also lacking. It gives the impression that international sanctions are sufficient to cripple the Iraq regime and eventually lead to the overthrow of Saddam.

The problem with this view is that while the sanctions imposed on Iraq are the most comprehensive, and the most successful ever imposed to date, they are not in all likelihood sufficient to get a remedy in a short enough time to really mean anything and to deter other nations in the future.

But after only 5½ months it is clear that sanctions are having some effect. In this respect for the near term time is on our side and we should use it. Saddam simply cannot maintain his army of 1 million men at the ready, in the field, indefinitely, without spare parts and supplies. And likewise, I think it would be foolish for the President in the short term to wage a land war to liberate Kuwait while the Iraqis—firmly entrenched and still well supplied—are capable of putting up a bloody resistance.

The Hamilton-Gephardt resolution should, but does not give the President present authority to use offensive air power to exacerbate the effects of the sanctions. I firmly believe that such a use of force is consistent with a commitment to the use of sanctions while avoiding an escalating general war.

In summary both resolutions are lacking. Solarz-Michel is too open ended and Hamilton-Gephardt is too restrictive.

I am convinced that it is possible to drive Saddam from Kuwait, and from Baghdad, by a combination of sanctions and limited offensive military strikes.

I hope that if the Hamilton-Gephardt resolution passes, the President will not disregard the rule of law and launch an unconsitutional offense. Such action would deeply divide the American people at a time when we should be united in our resolve.

If Solarz-Michel passes, I hope the President exercises careful restraint and pursues a course of gradual escalation, putting primary emphasis on sanctions, but speeding their effectiveness with surgical military operations. If we do this, while working for equitable burden sharing with our international partners, we will be able to teach the international community that we have the confidence and respect of them, and of ourselves. In addition we may learn that determined patience, the kind of patience that paid off in NATO, is more the character of America than the characterization of America as some kind of world-class "Rambo".

One last final thought: The pressure on Saddam and the Revolutionary Council doesn't really begin to build until the passage of the deadline next Monday evening. We owe it to ourselves, the people of America, and our international partners to see how he reacts. If he doesn't withdraw from Kuwait soon after the passage of the deadline, the use of an increasing military offensive capability should be used.

I could vote for the Solarz-Michel resolution in the hopes that the President will do just that. Or I could vote for Hamilton-Gephardt which supports sanctions and asks the President to come back to us and ask for approval to do that.

Though not happy with either resolution, on balance I believe it is in the country's best interest that we should support Hamilton-Gephardt because I believe that we should wait for 2 to 3 more weeks, and the President should formulate a specific proposal for the use of force. Were we to do so, by then, a few short days from now, the President should give us his specific—in secret session if necessary—request for greater authority. By that time, Saddam having failed to quit Kuwait, would receive an overwhelming mandate of support for the extreme military option. At that point the President would have my total support.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Mr. Speaker, a proud moment for the House; debate excellent on both sides, Mr. Leader.

With each passing day, Saddam Hussein grows stronger in the field of terrorism, and prepositions more weapons of horror worldwide.

Mr. GEPHARDT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I rise in favor of the resolution so we can have a continuation of sanctions, diplomacy, and against force at this time.

Mr. Speaker, we in Congress today face as difficult a decision as any of us have ever, or will ever, make. It is, quite frankly, a decision which none of us welcomes, but which we are responsible for making, and which we were elected to make. Let there be no doubt that the final decision about going to war properly rests with the representatives of the people here assembled.

I believe most strongly that the decisions which will be made today should not, and will not, be made on the basis of partisan considerations. In addressing the most critical issues which we are debating—how best to avoid war and the loss of lives, how best to serve the interests of the brave and courageous men and women serving in our Nation's armed forces, and how best to protect and to serve our Nation's national security—Members of Congress must probe deeply their individual consciences, and weigh that which we feel in our hearts as well as our heads. I hold the deepest respect for all of my colleagues who with me today are making these crucial decisions, regardless of their vote.

There are few, if indeed there are any, of us who believe that the use of force is not a justifiable response to Iraq's invasion of Kuwait. The question which we each face is whether the Nation's interest is best served by the use of force at this time.

There are few words which could express how strongly I condemn Iraq's illegal, immoral, and entirely unjustified invasion of Kuwait and Iraq's brutal aggression against the Kuwaiti people. We are all familiar with the reports of human rights groups which have compiled absolutely horrific accounts of war crimes committed against Kuwaiti civilians and aliens resident in Kuwait. The world community of civilized nations holds Saddam Hussein and his henchmen responsible for their actions, and must see that justice is done.

Mr. Speaker, I supported the President's policy at the beginning. I believe that the deployment of troops to the gulf region was necessary to prevent further aggression by Iraq. I have been most impressed by the success which the President has had in rallying global support for his policies and have lauded his determination to work through the United Nations to achieve a just resolution of this crisis.

At the same time, I have grave concerns about authorizing the use of force at this time. I believe that the global community has unfairly placed on the United States, and that we have too easily accepted, the principal cost, in terms of both American lives and American dollars, of expelling Iraq from Kuwait. Why have those countries which are even more dependent on gulf oil, or which are more directly at risk from Iraqi aggression, not contributing more to our efforts in the gulf? Why are only 20,000 of Saudi Arabia's 65,000 army soldiers deployed on the Iraqi border? Why haven't our NATO allies pledged more military support? Why have we not secured from Japan and Germany, which are rightly precluded from the use of their military forces beyond their borders, greater financial support? I strongly believe that this crisis requires that all members of the global community assume a fair share of the responsibility, and I am not convinced that they have done so to date.

Most importantly, Mr. Speaker, I am not convinced that we have made every possible effort to resolve this situation without resorting to force. As a mother of nine children, who has had family members who have served this country in combat, and who has a former staffer serving today in Saudi Arabia, I believe that we must explore every possible alternative to war before asking our brave men and women in the Armed Forces of the United States to make the ultimate sacrifice. We owe them no less.

Mr. Speaker, I will yield to no one in my love of our country or in my respect for President Bush and his office. And while I believe that the use of force is justifiable and will likely support it in the future should all other alternatives fail to achieve the goals set forth by our President and the United Nations, I cannot in good conscience vote in support of the use of force at this time.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BROWN].

Mrs. COLLINS of Illinois. Mr. Speaker, listening to the debate and speeches of many of my colleagues over the past few days has, quite frankly, often appalled me.

True, today's votes are some of the most difficult ones we could ever be asked to cast. Also true is the fact that there are at least good arguments on each side. But from the flurry of factors there emerges one clincher. After giving each point its due and letting them cancel each other out, there is one point that remains standing.

To my colleagues who suggest that that one point is the administration's view that we must send a message to the world's oppressors and fight Saddam Hussein because it is morally imperative to do so, I say, "Hogwash!" Where was the State Department during the 1980's when the same Saddam Hussein was waging war against Iran for 8 years, complete with liberal usage of chemical weapons? If President Bush is sincere in his message now, he would have stated it then. Furthermore, this aim is in conflict with the President's stated objectives, to only liberate Kuwait, not to hunt Hussein or level Iraq.

To my colleagues who suggest that the one main point that necessitates war is that the flow of oil must be secured, I say, "Misinformation!" Prior to August, only a very small percentage of Kuwait's petroleum came to the United States and since August we have been doing just fine without that, too. It is grotesque to assert that we should bear the costs of war for the oil that is used by Japan and other industrial giants.

To my colleagues who suggest that the salient point in this debate is that we cannot leave the region and allow Israel to stand alone against Iraq, I say, "Speculation!" While standing firm with our allies in the region is very important, defending Israel has never been one of the President's stated objectives in deploying troops to the gulf. Furthermore, the suggestion that, after we leave the gulf peacefully, Iraq will attack Israel is just one among a sea of plausible scenarios. Who knows what other events and intervening factors will come to pass in the near future? One

could just as easily argue that Iraq will once again turn against its neighbor, Iran.

To my colleagues who suggest that the most weighty point is that we must stabilize the region, I say, "Illusory!" If they really support stability then they should be calling for an international peace conference on the Middle East to resolve the disputes through negotiation toward a long-term solution that all parties can live with. Furthermore, if our military's purpose was to stabilize regions, then we should also deploy troops to the Soviet Union, Indochina, Africa, Central America, and elsewhere.

To my colleagues who say that the one main point that necessitates war is that we must uphold our international credibility and stature, I say, "Aggression!" Recklessly jumping into war without exhausting alternatives will only make the United States look like a limping, aging giant who must thrash about to remind himself of what he was or could be. We will lose friends, not gain or retain them.

To my colleagues who say that the key point is that we must simply restore Kuwait's Government, I say, "Why?" Since when are we willing to go to war to uphold a regressive monarchy? If we do so in Kuwait, then we should have gone to war to reverse innumerable injustices worldwide in recent years.

As I see it, in the minds of the people there is only one point that remains standing after all others have canceled each other out: There is not yet any reason good enough to die for. America should not be in the business of wasting our young lives for the sake of some oblique geopolitical strategy contrived on some chalkboard. Just ask your constituents who have a son or daughter, mother or father in uniform in the gulf. They overwhelmingly do not see the situation as one that is bad enough to risk their loved one's lives. I strongly urge our colleagues who support the Solarz resolution to reconsider their position in light of the devastating consequences that their vote could have on those families. I believe that the question of war should be viewed strictly as representatives of the people, not as military or academic theorists.

Mr. Speaker, I am putting forth a call for humanness. I ask all my colleagues to put aside all the geopolitical analysis and ask themselves simply, "What is right?" I believe that the overwhelming answer will be to support the Hamilton-Gephardt resolution and oppose the Solarz-administration resolution.

Mr. CONTE. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution. When this crisis began, I had hopes that a long-term policy of diplomatic pressure and economic sanctions was likely to succeed. I still have those hopes, and I continue to support that strategy.

After the invasion of Kuwait on August 2, President Bush and the international community acted quickly and effectively to halt Iraq's Army, impose a comprehensive embargo, and ensure that Iraq got no financial gain from its capture of Kuwait's oil fields.

We have had some successes. Iraq's armies have been halted. Iraq can no longer buy weapons abroad. Before the crisis, Iraq exported about 3 million barrels of oil per day. The sanctions have cut that to zero. Iraq's other imports and exports are almost entirely cut off, and Iraq's GNP has fallen by 40 to 50 percent. That is an economic blow greater than any our country has ever suffered. I know there have been leaks, and I know the risks of erosion over time, but I still believe the sanctions need more time to work.

I think the case for continued sanctions remains valid. The Desert Shield force has blocked his aggression and is now large enough to defeat any attempt he could make against it. Iraq is blockaded by sea. The international community has branded Saddam Hussein the aggressor, and is resolute in its determination to stop him and reverse his annexation of Kuwait. His neighbors, Syria and Turkey, have joined the international coalition and show no inclination to leave. Egypt, the most populous of the Arab nations, shows no signs of wavering in its support.

If Iraq refuses to leave Kuwait, the policy of sanctions, containment, and prolonged pressure will do permanent damage to Iraq's economy, make it much more difficult for Saddam Hussein to sustain his bloated military, and set a precedent for future international cooperation against aggression by Iraq or anyone else.

I believe that the policy outlined by the Hamilton-Gephardt resolution is a sound strategy. I know that some say we have made no progress up to this point. The Iraqi Foreign Minister's performance in Geneva strengthened their argument. But I believe that the most successful resolution we can ask for is that Iraq leaves Kuwait without a shot fired. And with that in mind, regardless of what the Congress does today, I urge the President to use sanctions as our preferred policy in this crisis.

Mr. MCMILLEN of Maryland. Mr. Speaker, now that we have provided the President of the United States the authority to use force to carry out U.S. and U.N. policy in the Persian Gulf, I believe that all possible avenues must be pursued. With that in mind, I have written President George Bush on this day imploring him to give diplomacy one last chance to resolve this crisis peacefully. While I support the Presidential authority to use force in this crisis, I feel it must be used only as a last resort. I would like to include that letter in the CONGRESSIONAL RECORD.

DEAR MR. PRESIDENT: I realize that this letter reaches you on the eve of momentous events in the world, however, I implore you to consider it.

As you know, the Congress of the United States has now provided you the authority to use force to carry out American policy in the Persian Gulf if and when you deem it necessary. I supported this authority for a variety of reasons which I outlined during the debate in the House of Representatives. But most of all, I believe that our Commander in Chief should have every available option during this time of tension.

Nevertheless, I believe that all other options should be exhausted before this Nation employs force. I have discussed this crisis with many of my constituents and some of them are concerned that we are rushing into a war without using all means necessary to avoid violent conflict. Therefore, I respectfully request that diplomacy be given one last attempt to resolve this crisis peacefully. Even though the congressional resolution authorizing force requires you to report to the Congress that all diplomatic efforts have failed, the American people must be certain that force is being used only as a last resort. We must be confident that if American men and women are being sent into battle, it is being done because all other means of peaceful resolution have failed.

I believe you now have the flexibility to convince the leader of Iraq that the United States is committed to use force and you can use this tool in a last effort of diplomacy. I urge you to seriously consider this option when weighing the consequences of your decision.

TOM MCMILLEN.

Mr. STARK. Mr. Speaker, I am voting against a declaration of war today.

Supporters of the President have raised three points to which I would like to respond: the issues of stopping territorial aggression, of protecting human rights, and preserving oil supplies.

How does each of these issues affect the United States?

On aggression, the aggression has stopped. Saddam Hussein has been contained. Yes, the aggression is yet to be reversed. But it took us 45 years to do that after World War II. What is the hurry? What is the rush to war after just 6 months?

As for human rights, they do not exist in the Persian Gulf as we know and revere them in our country. I wish they did, but the monarchies of the Middle East have never extended what we consider basic rights to their residents. War will not change their moral and ethical traditions which have evolved over centuries.

The issue of protecting an oil supply—largely for Europe and Japan—is too crass a disregard of human life to warrant serious debate. For those who persist, it should suffice to point out that the United States is insolvent. We are in a deep recession. To increase our deficit and debt by over $50 billion should turn the most aggressive warriors away from combat.

President Bush is anxious to go to war. Let's review the options foregone. President Bush has been an ally of Hussein. President Bush has funded the abuse of human rights in El Salvador and refused to act against the murderers of priests, women, and children in El Salvador—yet he now rushes to express concern about Kuwait. Upset about territorial invasions? What about Nicaragua?

I listened to serious debate for almost 3 days. Despite all of the flag waving, energy saving, Presidential loyalty, and saving our prestige arguments, there was nothing said to justify the deaths of tens of thousands of American service men and women—not to mention the civilian population that would inevitably be slaughtered.

As I listened, I could find no reason, no issue, not one scintilla of patriotic calling to convince me to vote, on behalf of my constituents, to risk the life of one U.S. citizen at this time.

Mr. FUSTER. Mr. Speaker, I rise today to address perhaps the most difficult question this body will face; significantly, it is the very first issue—and rightly so—on the agenda of this 102d Congress.

For me, it is particularly important, since I, the only Member of Congress from Puerto Rico, have just returned from the Middle East as a member of the official House delegation

sent there to assess the explosive and complicated situation in the Persian Gulf. Mr. Speaker, there are no easy answers to the long-standing problems in the Middle East, but we are all resolved that Saddam Hussein's brutal and naked aggression against Kuwait cannot be allowed to stand.

Nevertheless, Mr. Speaker, there are choices, different approaches to the problem. It is a very difficult choice we must make today, but I must support the Hamilton-Gephardt resolution that would authorize the use of force now to defend Saudi Arabia and United States troops to enforce the embargo against Iraq—but, and most significantly, does not authorize offensive action against Iraq at this time.

Mr. Speaker, was has terrible, irrevocable consequences. There will be thousands of casualties, both ours and innocent Arabs. Moreover, war in Iraq will provoke resentment in the Arab world for a very long time. Most importantly, war would seriously jeopardize the emerging New World order. That new order must be one where peace is the ruling consideration, one based on law and justice and diplomacy. It cannot be built on the basis of a terrible war. We simply must not let this happen. This New World order is simply too vital, too far reaching, to slip between the cracks of a relatively minor confrontation between Middle East neighbors.

Let us seize the moment, Mr. Speaker, let us make this the finest moment of this 102d Congress. Let us support the President, Mr. Speaker, but let us put the interests of all the citizens of the United States first. Let us put Saddam Hussein on notice—firmly and unequivocably—but first let us give sanctions a chance to work. That is the prudent thing to do, and to that extent I support the Hamilton-Gephardt resolution.

Mr. DICKS. Mr. Speaker, the question of whether to go to war is a most serious matter. The decision we are faced with today and tomorrow is a decision to commit U.S. forces to a war that the U.S. people are divided over. We have a very solemn constitutional obligation here to debate this matter—as Congress appropriately must—and to decide for ourselves and on behalf of our constituents what the best course of action for our Nation should be. The Congress must listen to the President, but it also has the constitutional responsibility to make an independent judgment.

To begin with, I share the repulsion that all Members have to the unprovoked invasion of Kuwait and to the atrocities that have been committed against that nation since August 2. I am also sensitive to the dangers that the Iraqi military machine poses to the region. The international community and certainly all of us in Congress agree that Iraq must withdraw from Kuwait. Our debate here is over how best to accomplish that goal, and whether it can be accomplished without resorting to war. Because after all, war is—and should—a last resort. But let Saddam Hussein make no mistake, he is going to leave Kuwait.

After considering the excellent arguments raised on both sides of this critical question, and after listening to the outstanding debate here in the House I have decided to support the Gephardt-Hamilton resolution to urge continuation of the policy of economic and diplomatic pressure that was originally presented by the President last August. The policy of deploying troops to stop Saddam's aggression, to contain him and to apply economic sanctions against Iraq were overwhelmingly supported by the American people.

It is important to realize that the Gephardt-Hamilton resolution explicitly authorizes the use of American military force to enforce the economic embargo against Iraq, to defend Saudi Arabia from direct Iraqi attack and to protect American forces in the region. It does not rule out authorizing the use of force, if necessary, at a later date to force Iraqi troops from Kuwait. This resolution simply states that continued application of international sanctions and diplomatic efforts to pressure Iraqi out of Kuwait is the wisest course at this time for our Nation and for the Middle East region.

Congress strongly supported President Bush immediately after August 2, in his initial decision to deploy troops to the Persian Gulf in order to deter further Iraqi aggression. And we were united in support of economic sanctions, which the President said would take time to be effective. We were willing to demonostrate the patience necessary to convince Saddam Hussein to understand that he had made a serious error. Both the House and Senate adopted resolutions by overwhelming margins affirming this support. And this policy of imposing economic sanctions while providing American and Allied Forces to deter further aggression against Saudi Arabia had the support of the vast majority of the American people.

In watching events unfold however, I believe that the President made a serious error in announcing a fundamental shift in our strategy on November 8. Without prior consultation with either the Congress or our allies in the international coalition, the President announced a doubling of the size of our deployed military forces in order to provide a credible option to launch a military offensive against Kuwait. I believe President Bush was also misguided in his judgment to impose an arbitrary deadline for exercising this military option.

The result is that the burden for this additional deployment has fallen disproportionately on the United States. Questions have been raised about the willingness of some deployed allied forces to participate in offensive operations. And the united front in the Congress and in the country disappeared.

This debate, and the communications we are receiving from our constituents, clearly demonstrate that the Nation is divided in its determination that a war at this time is either justified or required. We are divided on this issue. And if there is one lesson we should have learned from the tragedy of Vietnam it is—as Ross Perot has stated—do not commit this Nation to war if the country is not united. Until November 8 the American people and the Congress met this test, now they do not. It would be far better to continue the President's original policy, at least in the near term.

The Congress has heard from a wide array of "experts" on all aspects of the situation in which we find ourselves. While their opinions are instructive, they are all inherently speculation. No one can say with any degree of certainty whether economic sanctions will force Iraq out of Kuwait, and if so when. We can, however, say with certainty, that they are working with unprecedented effectiveness. In past circumstances, economic sanctions have been judged effective when they resulted in a 2.5-percent reduction in gross national product. In this case the GNP decline in Iraq is on the order of 50 percent, and Senator NUNN has estimated they could reach 70 percent. Iraq has lost 98 percent of its foreign earnings, and 90 percent of its imports have been halted. There has been a 40-percent drop in civilian production. Iraq's hard currency is nearly exhausted. Multibillions of dollars in oil revenues have been lost. Spare parts for his foreign-built military machine have been terminated. Saddam Hussein certainly can not be enjoying economic sanctions.

At the same time, no one can say with certainty what would happen if there is war. There is no shortage of arm chair strategists here in Washington, DC. You can find someone with an impressive title to speculate on virtually any conceivable military strategy and outcome. I don't know if air power alone could prevail. I don't know whether the Iraqi Army will give up when confronted with our forces. I certainly do not pretend to be able to predict the length of the casualty lists. But I do know that the toll could be high, involving many thousand lives on both sides. The long range potential for post war instability is huge. And the economic cost would include not just the estimated $1 billion a day during the fighting, but the devastation that war would produce in energy markets that could take the current recession and plunge us toward depression. One clear message that the conflicting public opinion polls send is that the American people are not prepared to accept heavy casualties to restore the Emirate in Kuwait.

The risks of war should not be borne unless we have, in fact, exhausted every reasonable avenue to achieve our goals without bloodshed. I am not convinced that we have exhausted all those avenues. I am not convinced that time is on the side of Saddam Hussein. The United Nations, the European Community, and the Arab League are all exploring a diplomatic settlement to this issue.

I also want to make it clear that should Iraq see the error of its ways and agree to honor the requirements of U.N. Security Council Resolution 678 that we will not immediately forget the problems faced in the region. In particular, the Iraqi military machine will have to be contained and dealt with by the international community. But there are economic and diplomatic options other than war, including a continuing arms embargo, more aggressive restrictions on technology transfer, as well as negotiated arms reductions on all sides in the region that can be pursued. An agreement of the coalition arrayed against Iraq to achieve a stable security agreement for the region, perhaps including a permanent international peacekeeping force, is essential.

It is with disappointment that I cannot support the President in his request for immediate authorization to use military force in the Persian Gulf. I am sensitive to the impact this will have on his efforts. But I am not convinced that failure to attack on January 16 will fatally undermine our efforts. In fact, it could provide the opportunity that is needed to initiate a new

world order demonstrating that the goals of the international community can be accomplished without resorting to war. Can anyone honestly state that we have exhausted every peaceful option? I do not think so.

I also strongly support the Durbin-Bennett resolution, clearly expressing the constitutional powers and responsibilities that belong to the Congress on issues of war and peace. I would fervently urge the President to honor the will of the Congress, if we do not vote for immediate authorization of military force in this instance. To ignore such an action would trigger a constitutional crisis that would seriously undermine any military effort. The President must realize that without the support of Congress and the American people, no policy can be sustained.

At the same time, if the Congress votes to authorize the use of military force, I hope that the Members of this body and the Nation as a whole will honor the outcome as well and unite in support of that decision. If this fateful decision is made, the President and our troops in the field will have my complete support. But I would hope that in any event that the President would seriously heed the language of the Solarz-Michel resolution requiring a certification that all peaceful options have been exhausted before any military action is begun.

So at this time, we all hope and pray that war can be averted. My vote today is based on my conviction that the Gephardt-Hamilton resolution is truly the last best hope for peace.

Mr. BEILENSON. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution.

I want to say at the outset that I have the greatest respect and personal affection for the President—as well as for those closest to him in the White House who have been the shapers of our policy in the gulf since this crisis arose. I know that is not relevant to the policy matters at hand, but I wanted to say it anyway. These are decent and thoughtful men, and they are clearly trying to do the very best job they can.

I think all of us feel that way, but as one of the couple of dozen or so Members who have had the opportunity to meet with the President in the White House on a number of occasions during the past 3 months, I did want to say that we all appreciate that opportunity to have had his ear, and to have had that chance to exchange views with him. He has reached out more than past Presidents to stay in touch with the Congress, and to share his concerns and his feelings and his intentions with us, and I think every one of us appreciates his openness and his willingness to do so very much.

Having said that, I must also say that although virtually every one of us strongly supported the President's initial response to Saddam Hussein's outrageous and brutal aggression in Kuwait, some of us have strongly disagreed with his handling of this matter since he changed our policy last fall.

Back on August 8, President Bush said, "The mission of our troops is wholly defensive. Hopefully, they will not be needed long. They will not initiate hostilities, but they will defend themselves, the Kingdom of Saudi Arabia and other friends in the Persian Gulf."

Virtually every one of us supported that original policy of the President. And, most of us thought that policy was working.

I believe that Mr. Bush succeeded months ago in protecting our vital interests in the gulf. We have successfully defended Saudi Arabia and the rest of the gulf states, deterred any further aggression by Iraq, ensured an adequate supply of oil at reasonable prices to the entire world, and brought about the release of all foreigners who wished to leave Kuwait and Iraq.

Our initial modest deployment of troops, and our continuing strict enforcement of U.N. economic sanctions against Iraq were proper and proportionate responses to Iraq's aggression. They were adequate to protect our interests in the gulf, and were likely to have a completely successful result if applied with patience and with perseverance.

We accomplished these objectives with the concerted help of virtually every other nation in the world and, during the first few weeks, at least, it looked as though only a fraction of the troops deployed in the region to achieve our objectives there would be U.S. personnel.

Some time in late October and early November, the administration changed its original policy. The President announced that we would double and then redouble the number of U.S. personnel in the region to about 430,000 in order to ensure, as the President himself put it, "an adequate offensive military option" to carry out our goals there.

That critical shift in policy brought about a number of changes that were detrimental, rather than helpful, to the eventual satisfactory outcome of our involvement there.

It meant that a high proportion of all troops would be American—and it remains likely that, in the event of hostilities, probably 75 or 80 percent or more of casualties will be American.

It meant that the world would increasingly see this as an argument between the United States and Iraq, and not as one between the entire world and Iraq which is, of course, what it is in fact—and should be seen as.

By unilaterally ratcheting up the level of rhetoric and U.S. response, we sent absolutely the wrong signal to the rest of the world: That we would be happy to do the job for them, that we would take care of the problem for them.

And by our scurrying around to get the United Nations to set a Janaury 15 deadline, and by personalizing the confrontation between Mr. Bush and Saddam Hussein, and by making it more and more evident to the world that we were becoming impatient, the United States transformed the nature of the confrontation and made it more difficult to end it. We were no longer giving sanctions a chance. And we were ensuring that the sheer number of troops we had sent and the deadline we had set would themselves dictate our policy—rather than the other way around, as it should be.

Thus, there was, I believe, a better way of handling this—at a lower level of bombast and bellicosity, with a proportionately lower level of American involvement, and in a way that would have led us to a solution that did not involve offensive military action. That better way was President Bush's original policy.

I had the privilege last month of leading a bipartisan group of 19 Members of this House to the Persian Gulf. All of us came away with a renewed sense of pride and feelings of support for our men and women who are there on our behalf.

But as I saw the thousands of troops we had sent there and the tens of thousands of tons of materiel of all kinds—tanks, planes, and supplies of every sort—I had the recurring thought that if we can do what we are doing in the Persian Gulf, we can do anything. When you see what the United States can do in such a short period of time if we only put our minds, our hearts, and our resources together, it reminds you of what we could be doing here at home as well where problems are crying out for help.

It's heartbreaking to realize how much we could accomplish here at home if we would only try; and its infuriating that we find it so easy to act overseas and so difficult to act to solve domestic problems. No one denies that we have major national interests to tend to in the gulf. But from the moment they were identified, we have spent whatever sum of money is necessary and called up however many troops and reservists we need; we acted immediately, and we have stopped at nothing.

Grave as this threat by Iraq may be to our vital interests as Americans, I can think of a dozen other vital interests that matter more in the everyday lives of most Americans and are more important to the long-term strength and security of our Nation—including improving an education system that is failing our children; reforming a health care system that costs too much and helps too few; halting the scourge of crime that makes personal security the No. 1 concern of most of our citizens; and rebuilding an infrastructure of roads; bridges, and other economic supports that has fallen into almost total disrepair over the past generation.

What is it about our interests overseas that inspire our President to commit any and every thing imaginable to protect them—and to give to the many problems we have here at home so little interest, money, and leadership? Why are we continuing the self-destructive work of the 1980's, taking care of everyone else's problems in the world, but not our own?

One additional, ironic, and sad legacy of our involvement in the Persian Gulf in a manner that was uncalled for, and at a higher cost than was necessary, is that the additional billions of dollars that this effort will add to our national deficit will effectively make it absolutely impossible for us to even begin to try to solve our problems here at home in the immediate future.

And, finally, however events unfold in the Persian Gulf, two policies must come of this. The first must be an effective international undertaking, most especially with our Western European friends and allies, to ensure a strict regimen of arms control and limitation of technology transfers to the Middle East region—and other regions—of the world. Iraq's nonconventional arsenal is worrisome and threatening not only to its neighbors in the Persian Gulf, but also to the entire world. And it's not only Iraq whose weapons capabilities should be of concern to us. Syria, too, has sophisticated weapons and a leader who will not

hesitate to use them, and there are other potential trouble spots in the world as well.

And the second must be the establishment and undertaking of a truly serious and substantive national energy program for the United States. The first two oil crises, in 1973 and 1979, let to higher prices, long gas lines, double-digit inflation here at home, and recession around much of the world.

This crisis may be leading us to war—and the loss of American lives, as well as $30 billion or more in direct costs, higher oil prices, and the worldwide havoc it has already brought.

We have got to care about American lives, and the well-being of our people enough to ensure that our national interests can never again be so seriously threatened by turmoil in the Persian Gulf. If we do not tend to these problems, if we do not lead international efforts to stem the flow of sophisticated arms and technology to the Middle East, and lessen our reliance on overseas supplies of oil, then all of the money, the hard work, and the lives that may be lost—we pray that none are—will all have been in vain.

The question before us now is this: Are we bound to support our President, should we support our President, when he has moved us unwisely to the brink of war—when pursuit of his original policy, which had already achieved almost all of our important goals, would have continued to serve our interests well at a much lower cost in dollars and a very much lower risk of loss of lives?

As one of the small group of Members who sat in meetings with the President over the last 3 months, as a Member who has no doubts about the strength and the sincerity of the President's convictions about the policy he is pursuing, this gentleman finds himself wanting very much to be supportive of Mr. Bush.

But I feel much more strongly that we should not—we must not—let our desire to support our President in a time of crisis overrule our judgment about the wisdom of authorizing the President to go to war.

Is war really necessary?

The answer is clearly, no.

We have already stopped Iraqi aggression; we are punishing Iraq; we have already established the lesson that aggression does not pay.

And we have done all this—and have every prospect of achieving our final goal of evicting Iraq from Kuwait, without resorting to war.

Sanctions are working, and will succeed in weakening Saddam considerably if we are patient. We have succeeded in cutting off Iraq's oil exports, almost its entire source of income; that has reduced Iraq's GNP by 50 percent, and will reduce it by 70 percent in the near future. Sanctions will weaken Iraq's military capability as shortages of spare parts and needed materiel develop.

As someone who has had regular briefings on the Persian Gulf crisis from the intelligence community. I must tell you that I am perplexed about the administration's eagerness to abandon a good policy that was working. I am absolutely convinced that continued application of international economic sanctions will force Iraq out of Kuwait. We must give this policy a chance to work.

The case for war in the gulf is very weak indeed, and is driven mainly by our own mistaken policy of forcing the issue unnecessarily by our huge and uncalled-for military buildup, and our setting of a deadline that makes successful diplomacy very, very difficult.

Since we have achieved most of our original objectives, and since our remaining major goal is achievable with patience and by continuing to enforce the sanctions, we have no right, in my opinion, to put American lives at risk.

We are now voting on whether to send American men and women to war.

My own personal criterion for making such a decision is this: Is this a cause for which I believe my own sons and daughter should be sent to war? And my answer to that question is clearly no—for the reasons I have just given.

And if I would not want my own children to be sent to this war, then I shall not vote to send other parents' children to this war—because I believe that our Nation's vital interests have already been protected, and will ultimately be far better protected if we do not go to war.

Mr. Speaker, I strongly urge my colleagues to vote for the Hamilton-Gephardt resolution, and against the Michel-Solarz resolution. With patient, steady application of sanctions, and with continued diplomacy, we will succeed in achieving the last of our objectives—the withdrawal of Iraq from Kuwait—and we will avoid the completely unnecessary loss of American lives.

Mr. JONTZ. Mr. Speaker, let me make five points with which I believe most Americans agree:

First, we should avoid a war in the Middle East if we can;

Second, if we have to go to war to achieve our objectives in the Middle East, we must;

Third, if we go to war, we must and will fight to win and win decisively and quickly;

Fourth, our Nation should stand together and if we end up sending troops into combat to resolve the Middle East conflict, we must support them in every way possible; and

Fifth, we are assuming these burdens because of our position of world leadership, but our allies who stand as much to gain or more than we do from successful resolution of the gulf crisis ought to be paying their fair share—and they aren't.

That being said, let me share what I believe are the disagreements in the current debate. I heard these disagreements when I traveled through the Fifth District earlier this week to solicit my constituents' views on what course of action our Nation ought to take; I have heard these same disagreements these past 2 days as the issue has been debated on the floor of the House and Senate.

First, there are different opinions about whether sanctions, diplomacy, and international pressure have been successful or can be successful. Some say these methods have failed, and will fail, or will be successful only with the immediate threat of war. This group says attack now; give the President the blessings of the Congress to proceed with force on January 15. Others say that sanctions have worked—we isolated Iraq, we won release of the hostages—and if they are continued, they might bring enough pressure to bear on Saddam Hussein that means can be found to resolve the crisis without war. This group says be patient; that 5 months of embargo and 6 hours of dialoq are not enough to accomplish resolution of the Middle East issues through peaceful means; that we should exhaust all options before risking American lives.

There is also disagreement about what steps will allow us to maintain and strengthen the international coalition now opposing Iraq, and lead to the long-term stability of the Middle East which is the most important of our objectives.

Some say that we cannot hold the coalition together if we do not attack; that there is no way the issue can be settled peacefully which will lead to long-term stability in the Middle East. Others say that the surest way to splinter the alliance of nations aligned against Iraq is for us to use force prematurely, and that efforts to resolve the issues by force if not necessary will lead to increased instability and more bloody conflict in the future.

We may need to go to war. If we fight, we must support our troops 100 percent and be united in our determination to finish the war quickly and with complete victory. But I will vote for the Hamilton resolution and against the Solarz resolution because I believe that there is still a possibility that diplomacy and sanctions can work. I don't want to risk American lives and drain the American treasury if our allies aren't willing to do their share in shouldering the burden.

The Netherlands, which receives 100 percent if its oil from the Persian Gulf, has not contributed any military or financial support to our mission in the Persian Gulf. Japan, which receives 63 percent of its oil from the region, has sent no troops to the gulf, and offered just $4 billion to an engagement that will cost an estimated $30 billion before one shot is fired. France, Spain, and Italy, all rely extensively on the Persian Gulf for their energy needs, but have yet to give a cent to what is supposed to be an international effort.

Finally, Saudi Arabia, the nation which has the most at stake in the conflict, has profited to the tune of $9 billion as a result of the sharp increase in oil prices that we Americans have been paying at the pump for 6 months. They're continuing to line their pockets at the rate of $143 million a day, yet they have turned over just $1 billion of their windfall—much of which has come from American wallets—to the military effort.

As long as there is some hope that continued sanctions and negotiations can bring about a peaceful resolution of the Persian Gulf conflict, and until our allies back up their words with action, we should not risk the lives of the young men and women who are serving their country in the Middle East.

Mr. BROWN. Mr. Speaker, the American people and the vast majority of the world community share a single, unequivocal goal in resolving the crisis confronting us today in the Middle East. We seek the withdrawal of the armies of Iraq from Kuwait and the restoration of Kuwait to its previous condition. However, in deciding how to achieve this goal, the citizens of our Nation, and of the world, are not speaking with one voice. The great

question facing Congress is how to achieve our goal without needlessly sacrificing the lives of the men and women in our Armed Forces and without sacrificing the values that make our country strong.

There are causes for which fighting and dying are worthwhile and necessary. Wisdom lies in knowing when to fight, when to ask young men and women to die. Today, I believe wisdom lies in patience and in resolve. We must resolve as a nation and as a global community to not respond to brute force with further violence until every avenue for a peaceful solution has been explored. We must be patient, and allow sanctions to have their full effect.

I believe our President is willing to risk too much too soon. The costs of an armed conflict with Iraq are great. Thousands of our own men and women face death and serious injury, while tens of thousands of civilians could be killed. Already in a recession, our economy will be devastated not only by skyrocketing oil prices but by the additional taxes which our citizens would have to pay in order to finance a war with Iraq. The entire Middle East would be destabilized, particularly if Iraq follows through with its promise to attack Israel. Few have even considered the long-term environmental problems associated with fires from ignited oil fields, which could burn for years and darken the skies across the region.

The situation we currently face in the Middle East—with all its potential risks and costs—calls out for strong efforts for a nonviolent solution. Such a solution is possible. World opinion is strong and unified and economic sanctions against Iraq are clearly working. With such great risks associated with violence in this situation, does not the sane, moral choice lie in patience and diplomacy?

There may come a time when military force clearly becomes our only option. At that time I have no doubt that the Congress and the American people would approve of our Armed Forces joining a truly multinational military force to remove Iraqi troops from Kuwait. However, until that day arrives, I favor President Bush's original strategy: economic sanctions, patience, the development of a multinational military force for deterrence, and diplomacy.

The Hamilton-Gephardt resolution, which I will support, authorizes the President to use military force to defend our soldiers and to sustain the U.N. embargo against Iraq. This resolution tells the President that sanctions and diplomatic efforts to make Iraq leave Kuwait are the wisest choices at this time. This resolution also states that at any time the Congress will reconsider a new request from the President for a declaration of war or authorization to use military force.

Let Saddam Hussein make no mistake: We in this country are of one mind. He must withdraw his armies from Kuwait. Regardless of whether that end will be achieved peacefully or at tremendous cost to Iraq and the rest of the world community, it will be achieved.

My hope is that we in this body will exercise the resolve and wisdom which this situation demands. We have the strength to be patient. We have the responsibility to respect the lives of the men and women we sent to the Middle East. And we have the chance, still, to achieve a peaceful solution to this conflict.

As many others have said on this floor, a peaceful solution can be obtained only if we couple our resolve, as indicated by our economic sanctions backed by overwhelming military force, with a flexible and enlightened negotiating position. So far what we have lacked is such a negotiating position. Six hours spent telling the Foreign Minister of Iraq how we will destroy his country is not an adequate position.

If the President is sincere in his commitment to a new world order, and I believe he is, he should begin now to demonstrate that commitment. The greatest weakness in our present position, and one which could lead to the rapid deterioration of our multinational alliance over time, is the appearance that it is a U.S.-dominated military adventure aimed at shoring up the Western industrial nations interest in mideast oil resources. We can argue as long as we will that we are really engaged in a crusade to protect human rights and the rule of law in the world, but our past deeds belie our protestations.

Over a generation the United States and the Soviets have joined to emasculate the United Nations and multinational peacekeeping because we preferred a bipolar world dominated by the two super-powers. We revelled in proxy wars around the globe and rejected overtures from the United Nations or other sources to resolve them peacefully. No tyrant was too irrational, cruel, or unjust to his people to be denied our aid and friendship if he stood with us in our holy war against the global Communist conspiracy. Arab and Moslem nations were measured not by their needs or by the quality of their commitment to justice and democracy but by their subservience to the U.S. views of the cold war.

The Arab nations know this history well. They know that many of the problems of the Mideast today are the legacy of irresponsible Western colonialism of the last century. They also know that they have a great challenge before them to rise above this history and to create a new and more just society based upon the best of Moslem history, cultures, and religion, but open to the benefits available from the judicious use of Western industrial culture.

If we expect a new world order to emerge from the current confrontation with Saddam Hussein, we must start now to involve the Arab nations in determining the future of their region. A coalition of Arab leaders should be conducting negotiations with Hussein, under the auspices of the U.N. Security Counsel and backed by the commitment of U.S. resources. The military forces arrayed against Iraq should be guided by an international joint command with highly visible Arab commanders. President Bush and Secretary Baker should adopt a posture of greater respect for the Arab nation and the Moslem world. An attitude of appropriate humility because of our past sins, and of greater sincerity in addressing this "vision thing" of a new world order would help create the setting for a post-crisis approach to a wide range of Mid-East problems.

I believe that a nation such as Iraq which can and has sustained a million casualties in a border dispute with a neighboring Moslem nation—Iran—could in all likelihood accept far greater casualties against an infidel force invading the holy places of Islam. I lament this prospective loss of Moslem lives as much as I do the corresponding loss of U.S. lives. Both losses are irrational, unnecessary, and unproductive in reaching lasting solutions to real problems.

So I beg the President, with respect and humility, to consider now the need to create a new atmosphere in this time of crisis. Take some brave new steps to change the framework of negotiations. Do not retreat from our core position, but be more sensitive to a larger set of core issues. The American people and the world will respect such leadership. You will then truly be able to say that you are helping to shape a new world order.

Mr. GEPHARDT. Mr. Speaker, I yield the remaining time on this side to the distinguished Speaker of the House, the gentleman from Washington [Mr. FOLEY].

□ 1300

Mr. FOLEY. Mr. Speaker, I take the well in what will be an unusual and only occasional circumstance, to speak to my colleagues as a Member rather than as the Speaker. But as I leave the chair and come to the well, I hope I may for just a moment speak to you as the Speaker, and tell you that I think this general debate—the longest in the modern history of the House of Representatives, extending over 20 hours—has done great credit to each Member who has spoken to the House, to all those who have taken opposing and difficult views, and in the highest tradition of this body fulfills our constitu-

tional responsibilities and our obligations to those Americans for whom we stand and speak.

But I would not feel it right to stand behind the usual custom of the Speaker not to vote and not to speak on a question of this importance. I do not ask anyone to follow me, but I do feel the need to explain to my constituents, to those who have sent me here, why I will cast a vote for the Hamilton-Gephardt resolution and against the Michel-Solarz resolution.

I will vote this way not because I do not have the greatest respect for those who take an opposing view. I do. And I know what a difficult choice this is for each of us. I will not go over the arguments again. They have been articulated so well and so ably on both sides.

But let me suggest what this debate is not about. It is not about a lack of determination to see Saddam Hussein, a brutal dictator who has taken a country by force and violence and holds it today, removed from Kuwait. We will not permit him to stay. We are committed to his removal.

This debate is not about who supports the President of the United States and who does not. I honor and respect the President. I know his determination and I also know the awful loneliness and terrible consequence of the decisions that he must make.

In a letter to Thomas Jefferson, James Madison wrote that,

> The Constitution supposes what the history of all governments demonstrate, that the Executive is the branch * * * most interested in war, and most prone to it. It has accordingly * * * vested the question of war in the legislature.

I do not believe that the President wants war. I believe that he devoutly wishes peace and will continue to hope and work for it. But it is wrong to suggest that we who have taken our own oath can burden him further by giving to him alone the responsibility that also must be ours today. We must share in this decision. We have been elected to do it. The Constitution mandates it, and we would shirk our duty if we easily acquiesce in what the President decides. That is unfair to him, as it is to our constituents and to our responsibilities.

The President deserves, more than any single person in this country, not our agreement given casually or automatically, but our informed and conscientious judgment. And each Member should strive to give that to the President and the country today.

This debate is not about who supports our troops. We hear constant references that they are eager, almost anxious to fight and to sacrifice and perhaps to die. And I must say a respectful thank God. Thank God we have young men and women who are so committed to this country, to its values, and to its service that they are ready to lay down their very lives for it, and for their fellow citizens. That is a tremendous gift to this country. And each of us who has seen our troops in the field, our young men and women, and noted their morale and enthusiasm, and, as I say, even eagerness, ought not just respect and thank them for it; we have a duty not to rush them into an early and precipitous war as a way of recognizing their willingness to make that sacrifice.

This debate is not about supporting the coalition that the President has so successfully organized. It is not about supporting the United Nations that has a new and revived role in promoting international order.

It is not about standing with our allies. All of those things can be done in support of the Hamilton-Gephardt resolution.

The debate is not about the use of force. Force is being used every day. Ships are being stopped. Iraq is being surrounded, its military potential has been hedged. We only reserve the right to give final approval to the President to initiate the maximum offensive force in our command, the terrible, terrible force that this country has the power to inflict.

Eight years ago, in the 98th Congress, this House was asked to adopt a resolution providing for the continued peacekeeping presence of U.S. marines and other servicemen in Lebanon. The Speaker of the House, Thomas P. O'Neill, took the well and asked all Members to support the President's request that we should continue the American peacekeeping presence in Lebanon. I voted for that resolution. I regret that vote today, not because one could not honorably support such a resolution; not because I wanted to back the President or I wanted to stand firm with the leadership on both sides of the aisle. Those were all decent reasons. I regret that vote today not just because, as we all regret, 300 marines lost their lives. I regret it also because I cast that vote feeling doubtful, uncertain, unwilling to commit myself fully to its consequence. And those who believe that the President must now be armed with what unquestionably—as DANTE FASCELL so honorably and candidly has told this House—is the virtual declaration of war, should not hesitate to vote that way, should not hesitate to give him that power.

But let me suggest to you one thing. Do not do it under the notion that you merely hand him another diplomatic tool, another arrow in the quiver of economic and international leverage. The President has signaled no doubt about this. He has said again and again that, if given the power, he may well use it, perhaps sooner than we realize. If that is your judgment, vote honorably and calmly and securely.

But if you feel that more can be done; if you feel that the sanctions have not yet wasted their opportunity; if you believe that Saddam Hussein is growing weaker every day under their impression; if you believe the international coalition will hold; if you believe that this Nation's leadership is best expressed in this body and in the other body, and in the coalition of constitutional consent, then vote for Hamilton-Gephardt.

But however you vote, as the majority leader has said, let us come together after the vote with the notion that we are Americans here, not Democrats and not Republicans, all anxious to do the best for our country, without recrimination as to motive, without anything but the solemn pride that on this great decision day we voted as our conscience and judgment told us we should. And though our opinion may change over years, we will then not bear the burden of a harsh judgment on our honor and our actions at this moment.

And though I too was raised in a tradition that honored silent and private prayer, I offer a public prayer for this House, for all of us, for the Congress, for our President—and he is our President—and for the American people, particularly those young Americans who stand willing to make the supreme sacrifice. May God bless us and guide us and help us in the fateful days that lie ahead.

□ 1310

The SPEAKER. Under the rule, the previous question is ordered on the concurrent resolution.

The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

RECORDED VOTE

Mr. EDWARDS of Oklahoma. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 183, noes 250, not voting 2, as follows:

[Roll No. 8]

AYES—183

| | | |
|---|---|---|
| Abercrombie | Costello | Foley |
| Alexander | Cox (IL) | Ford (MI) |
| Andrews (ME) | Coyne | Ford (TN) |
| Annunzio | de la Garza | Frank (MA) |
| Anthony | DeFazio | Gaydos |
| Applegate | DeLauro | Gejdenson |
| Atkins | Dellums | Gephardt |
| AuCoin | Dicks | Gibbons |
| Beilenson | Dixon | Gordon |
| Bennett | Donnelly | Gray |
| Bonior | Dooley | Guarini |
| Boucher | Dorgan (ND) | Hall (OH) |
| Boxer | Downey | Hamilton |
| Brown | Durbin | Hayes (IL) |
| Bruce | Dwyer | Hefner |
| Bryant | Early | Hertel |
| Bustamante | Eckart | Hochbrueckner |
| Cardin | Edwards (CA) | Horn |
| Carr | English | Hoyer |
| Clay | Espy | Jacobs |
| Coleman (TX) | Evans | Jefferson |
| Collins (IL) | Fazio | Jenkins |
| Collins (MI) | Feighan | Johnson (SD) |
| Conte | Flake | Johnston |
| Conyers | Foglietta | Jontz |

Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
LaRocco
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDermott
McHugh
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Moody
Moran
Morella
Mrazek
Murphy
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Panetta
Payne (NJ)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Rangel
Reed
Richardson
Riggs
Roe
Roemer
Rose
Roybal
Russo
Sabo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Skaggs
Slaughter (NY)
Smith (FL)
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Taylor (MS)
Torres
Towns
Traficant
Traxler
Unsoeld
Vento
Visclosky
Washington
Waters
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOES—250

Ackerman
Allard
Anderson
Andrews (NJ)
Andrews (TX)
Archer
Armey
Aspin
Bacchus
Baker
Ballenger
Barnard
Barrett
Bartlett
Barton
Bateman
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Borski
Brewster
Brooks
Broomfield
Browder
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Carper
Chandler
Chapman
Clement
Clinger
Coble
Coleman (MO)
Combest
Condit
Cooper
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLay
Derrick
Dickinson
Dingell
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Edwards (TX)
Emerson
Engel
Erdreich
Fascell
Fawell
Fields
Fish
Franks (CT)
Frost
Gallegly
Gallo
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Hoagland
Hobson
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Jones (GA)
Jones (NC)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Lantos
Laughlin
Leach
Lehman (CA)
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Luken
Machtley
Madigan
Marlenee
Martin
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison
Murtha
Myers
Nichols
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Patterson
Paxon
Payne (VA)
Petri
Pickett
Porter
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (VA)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Sundquist
Swett
Tallon
Tanner
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Weber
Weldon
Whitten
Wilson
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—2

Dymally
Udall

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1330

AUTHORIZING USE OF U.S. ARMED FORCES PURSUANT TO U.N. SECURITY COUNCIL RESOLUTION 678

The SPEAKER. Pursuant to section 4 of House Resolution 27, it is now in order to consider the joint resolution printed in section 3 of House Report 102-1 by, and if offered by, the gentleman from Illinois [Mr. MICHEL] or his disignee.

For what purpose does the gentleman from Illinois rise?

Mr. MICHEL. Mr. Speaker, pursuant to House Resolution 27, I offer the bipartisan joint resolution sponsored by myself and the very distinguished gentleman from New York [Mr. SOLARZ], whose extraordinary work in putting together this very unique and unprecedented coalition has to be publicly applauded, and I know, greatly appreciated by the President.

Mr. Speaker, I ask unanimous consent that the time be controlled, 20 minutes by the gentleman from New York [Mr. SOLARZ] and 10 minutes by the gentleman from Michigan [Mr. BROOMFIELD].

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read the joint resolution, as follows:

H.J. RES. 77

Whereas, the Government of Iraq without provocation invaded and occupied the territory of Kuwait on August 2, 1990; and

Whereas, both the House of Representatives (in H.J. Res. 658 of the 101st Congress) and the Senate (in S. Con. Res. 147 of the 101st Congress) have condemned Iraq's invasion of Kuwait and declared their support for international action to reverse Iraq's aggression; and

Whereas, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

Whereas, the international community has demanded that Iraq withdraw unconditionally and immediately from Kuwait and that Kuwait's independence and legitimate government be restored; and

Whereas, the U.N. Security Council repeatedly affirmed the inherent right of individual or collective self-defense in response to the armed attack by Iraq against Kuwait in accordance with Article 51 of the U.N. Charter; and

Whereas, in the absence of full compliance by Iraq with its resolutions, the U.N. Security Council in Resolution 678 has authorized member states of the United Nations to use all necessary means, after January 15, 1991, to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area; and

Whereas, Iraq has persisted in its illegal occupation of, and brutal aggression against Kuwait: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This joint resolution may be cited as the "Authorization for Use of military Force Against Iraq Resolution."

**SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.**

(a) AUTHORIZATION.—The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666,667, 669, 670, 674, and 677.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF MILITARY FORCE IS NECESSARY.—Before exercising the authority granted in subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions cited in subsection (a); and

(2) that those efforts have not been and would not be successful in obtaining such compliance.

(c) WAR POWER RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

**SEC. 3. REPORTS TO CONGRESS**

At least once every 60 days, the President shall submit to the Congress a summary on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council in response to Iraq's aggression.

Mr. MICHEL (during the reading). Mr. Speaker, I ask unanimous consent

that the joint resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Pursuant to the rule, the gentleman from Illinois [Mr. MICHEL] will be recognized for 30 minutes and a Member opposed will be recognized for 30 minutes.

PARLIAMENTARY INQUIRY

Mr. SOLARZ. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. SOLARZ. Mr. Speaker, I believe the gentleman from Illinois asked unanimous consent to yield 10 minutes to the gentleman from Michigan.

The SPEAKER. The Chair will specify that under the unanimous-consent request, the gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. Mr. Speaker, I rise in opposition to the resolution.

The SPEAKER. The gentleman from Missouri [Mr. GEPHARDT] will be recognized for 30 minutes in opposition to the resolution.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. FASCELL], the very distinguished chairman of the Foreign Affairs Committee.

Mr. FASCELL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to begin with an observation that I think all of us share.

I have been here a few years, and for those of you who are serving for the first time, let me tell you that what you have witnessed has been a proud moment in the democratic process and in this legislative body. I am proud of my Speaker and my leader and the leader on the Republican side and my colleagues in what has been characterized, rightly so, as historic debate.

I want to express appreciation to those who had the resolve to start the movement to say that the Congress of the United States ought to share in the responsibility in a major decision of this kind and who made it possible to have a vote prior to the U.N. mandated deadline. Those colleagues deserve a great deal of credit for insisting on maintaining and preserving the constitutional process and to exercise our responsibility in a timely fashion.

Our leadership on both sides needs to be commended and congratulated for the fact that they together, without regard to political considerations, made it possible for us to participate in the debate on this matter and for the consideration of fulfilling our constitutional responsibilities. The American people owe all of them an everlasting debt of gratitude.

As chairman of the Foreign Affairs Committee, I take special pride in the fact that members of our committee were especially effective in the presentation of this awesome issue to the American people and to the Congress of the United States. Mr. HAMILTON, the distinguished chairman of the Subcommittee on Europe and the Middle East, presented one point of view, along with our distinguished majority leader, Mr. GEPHARDT. Mr. SOLARZ, the distinguished chairman of the Subcommittee on Asian and Pacific Affairs, presented a second view, along with my distinguished colleague the ranking Republican, the gentleman from Michigan [Mr. BROOMFIELD]. We worked together in order to consider and fashion some of the points and the actual language that is before you today. These Members and the Committee on Foreign Affairs did so in order that we would have a clear debate in this House on this subject and the American people could see how our judgment is being made.

□ 1340

I have never been prouder of the effort which was made by my colleagues on the Committee on Foreign Affairs, on both sides of the aisle, for their participation in this debate. Make no mistake, my friends, that what you are doing here and what you have been doing is fulfilling, to the ultimate, the constitutional responsibility that you were elected to fulfill and that you swore to uphold.

That is what you are doing. And when you vote on this resolution, one way or the other, yes or no, make no mistake about your actions, you are voting to empower the President to use the awesome military force of the United States in a manner that is necessary, to secure the peace.

There is no doubt about it. There is no tomorrow about this decision. It is a decision which you must make today, not tomorrow. When you here make the decision to authorize the use of military force, you are telling the Commander in Chief to implement that authority, and make no mistake about that.

There is nothing to this arugument that, "Well, he is going to implement it at his discretion." He is the Commander in Chief. He will carry it out. You are not going to tell him in the resolution how or when to actually do it, like 9 o'clock in the morning or with six tanks or whatever.

He is required under the Constitution to carry out the responsibility as laid down in this resolution, which says:

Mr. President, exhaust all diplomatic means, report to the Congress you have done everything you know how to do, and then if you have to use military authority, we want you to know that this resolution empowers you to use that force."

There is no question about coming back tomorrow or next week or that you in some way have ducked this decision.

With regard to the constitutional responsibilities, let me make a few points and read to you from the case of *Mitchell* v. *Laird*, 488 FEd. 2d, 611. I will insert the entire case into the RECORD, and I will add to my remarks in the RECORD additional related material.

The prevailing opinion in this case, 1973, Mitchell versus Laird:

Any attempt to require a declaration of war as the only permissible form of assent might involve unforeseeable domestic and international consequences, without any obvious compensating advantages other than a formal declaration of war does have special solemnity and does present to the legislature an unambiguous choice. While those advantages are not negligible, we deem it a political question or, to phrase it more accurately, a discretionary matter for Congress to decide in which form, if any, it will give its consent to war. That is, we regard the Constitution as contemplating various forms of congressional assent, and we do not find any authority in the courts to require Congress to employ one rather than another form.

Mr. Speaker, I cite that simply to point out that every element of the Constitution will be fulfilled as you vote on this issue.

The Congress of the United States, if this resolution is approved, is giving its assent; it is providing the authority, the legal basis for the President to exercise that authority. And it is to his credit that the President of the United States sent a letter and a request to Congress, which will also be inserted into the RECORD in full, saying:

I ask the people of the United States and the Congress of the United States to give their assent at this time.

And that is what we will be doing when you vote on this. And because of the facts that are before us now, because of the situation that exists, I have determined that I must support this request, and I intend to do so. And that is the reason I am a consponsor of the pending resolution. I trust in your very considered and deliberate judgment you will decide likewise.

Mr. Speaker, I rise in support of House Joint Resolution 62 which addresses the single most important issue that can ever confront this institution—the question of war and peace.

I support a peaceful settlement that secures Iraqi withdrawal from Kuwait. Right now is our last, best chance to achieve it. The way to do it is to give Saddam Hussein a clear message that the American people support the United Nations, their President, and the 500,000 troops representing 28 nations in the Saudi desert.

It was the brutal crushing of Kuwait that brought us to this point. If there is to be war, only one individual will have caused it—Saddam Hussein—and he can restore peace by

moving his troops out of Kuwait and settle his differences in a peaceful manner.

This crisis that confronts our Nation, and indeed the global community today is a challenge to the hopes and aspirations of the entire world. With the end of the cold war, we entered a period of hope, promise, and yes, peril. That peril is clearly illustrated by Iraq's brutal and naked aggression against its smaller neighbor and former ally, Kuwait. It is clearly illustrated by Iraq's taking of thousands of hostages and by its threatening to unleash terrorist death squads against its enemies. These actions fly in the face of all norms of international law, the principles upon which the United Nations was founded, and our aspirations for the world of the future.

This ominous trend must be brought to an end.

House Joint Resolution 62 is the result of long and extensive deliberations and consultations between the bipartisan membership of Congress that supports its adoption and that of the President directly. These discussions and negotiations have taken place since the August 2 Iraqi invasion of Kuwait. The supporters of this resolution believe that it is time for the Congress to speak up and exert its will—one way or another.

I would urge my colleagues to carefully examine the content of this resolution. Simply stated, this resolution gives conditional approval for the use of U.S. military force pursuant to U.N. Security Council Resolution 678 which embodies the achievement of implementation of 11 previously passed Security Council Resolutions—660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677—which impose international economic sanctions and require withdrawal of Iraqi forces from occupied Kuwait. House Joint Resolution 62 does not endorse any future actions which may be approved by the Security Council. That judgment, that potential future judgment, is reserved for Congress at that time. In other words, our options, our future options—those of Congress—have been preserved.

House Joint Resolution 62 authorizes the use of U.S. Armed Forces pursuant to U.N. Resolution 678 and other congressionally mandated conditions. This authority is conditional upon the reporting requirements of section 1(b) which stipulate that the United States has used all diplomatic and other peaceful means to obtain Iraqi compliance with, and implementation of the 12 previously passed U.N. Security Council resolutions. In addition, the President must assure Congress through this report that those efforts have not and would not be successful in achieving Iraqi compliance with those same Security Council resolutions. Finally, this joint resolution mandates an additional requirement upon the President to report to Congress at least once every 60 days on the status of efforts to obtain Iraqi compliance with those Security Council resolutions. House Joint Resolution 62 mandates real requirements upon the President to comply with congressional concerns before exercising the use of military force.

House Joint Resolution 62 authorizes the conditional approval for the use of military force. This affirms the constitutional authorities and responsibilities that are granted solely to Congress on the issue of war and peace. More importantly, this joint resolution offers Members of Congress a clear-cut choice.

That of authorizing the potential use of military force in order to achieve a peaceful solution to this crisis. It is a choice of yes or no. This joint resolution contains no figleaf or hidden agenda. It is straight forward. It offers us the opportunity to make the simple judgment in favor of, or opposition to the use of military force in confronting the crisis before us. Simply stated, this joint resolution reaffirms the principles of shared powers on matters of war and peace as reflected in the Constitution, as well as that of the War Powers Resolution.

I would also note that this resolution while not using the constitutional language, is the legal and practical equivalent thereof and meets all the constitutional tests. (*Mitchell* v. *Laird* (488 F.2nd 611 (1973.)) This is equivalent to a conditional declaration of war—conditional upon the requirements of House Joint Resolution 62, the implementation of this resolution by the President and the constitutional obligations of the President.

I believe that this resolution will reduce the likelihood of war by convincing Saddam Hussein that American and international resolve is steadfast and unwavering.

Accordingly, passage of this conditional authority is the best means by which to avoid war and compel Saddam Hussein to leave Kuwait. Passage of this joint resolution demonstrates that the American people are telling Saddam Hussein and Iraq's leadership that their illegal and barbaric actions against the Kuwaiti people and indeed all peoples of the world, cannot be tolerated.

House Joint Resolution 62 strengthens the unprecedented international resolve which has been demonstrated against Iraq. It strengthens the international coalition of the U.N. Security Council's actions against Iraq. This resolution tells the American people that we believe it essential that we, the United States, continue to work within the context of the international alliance that we have assembled in concert against Saddam Hussein.

Passage of this resolution demonstrates our support for the half million United States troops that are being deployed against Iraq. It demonstrates that commitment to their families and friends, and as such the American people who are the ultimate arbiters of the decision we face today.

It is my view that the American people want to know one way or another how their elected representatives stand on this issue. I, for one, support the conditional authorization of military force because I believe it represents the most likely way to restore peace.

Over the past 5 months, Saddam Hussein has received messages from scores of world leaders, private citizens, and the international community as embodied under the auspices of the United Nations. He has turned a deaf ear to all. Now it is time for Saddam Hussein to hear from the Congress and the American people. Our message is plain and simple—support peace through withdrawal from Kuwait.

In assessing the efficacy of economic sanctions, we must ask: are they working and can they meet our objectives?

The facts are clear:

Economically, they are working quite effectively. Little is getting in or out of Iraq.

Militarily, they are eroding Iraq's capacity to fight but there is no evidence that they are precluding Iraq from fighting or that they are affecting Iraq's will to fight.

Politically, there is no evidence that Saddam Hussein has accepted the conditions of the U.N. resolutions. To the contrary, he is not leaving Kuwait, he is incorporating it into Iraq. He is not recognizing basic human rights, he is abusing to the extreme, basic human rights.

Regrettably, I see no indications that sanctions alone will force Saddam Hussein to make the necessary political changes to accept the U.N. resolutions.

I sincerely believe that our positive action on this resolution may finally convince Saddam Hussein to comply with the U.N. resolutions and it strengthens the position of the United States and the coalition of other nations. No one expects at this late date, Saddam Hussein will pull out of Kuwait by midnight January 15. Indeed, he said he will not. Therefore if we are to avert a showdown, there must be negotiations. If there is no credible threat of force because the Congress does not authorize the use of force, it will be impossible for the President or the United Nations to solve the problem. Without a credible threat of the use of force, which passage of this resolution would provide, Saddam Hussein will just stay put in Kuwait and extract a much higher price from the United States and the world community than he already has.

Of course, theoretically, the President could, even if this resolution is not adopted, order the use of force. But we all know that this would create a constitutional crisis with efforts of impeachment and funding fights on every bill going through the Congress.

But with passage of this resolution and a credible threat to use force behind them, the President may not have to use force at all. After the deadline of January 15 passes, if there is to be any chance of negotiations and a peaceful resolution to this mess, we need to give the President the support of Congress.

Otherwise sanctions may be in place forever and never bring about the desired result, which is to get Saddam Hussein out of Kuwait so that he doesn't get any further reward for his aggression.

Saddam Hussein should take no solace in hearing the differing views of Congress today. One essential ingredient, and indeed the strength of our democracy is our tolerance and defense of dissenting views. Today, Saddam Hussein will hear our voices and differences of opinion but at the end of the day, he will hear the single voice of our unity and resolve against his illegal and barbaric aggression.

The documents referred to are as follows:

U.N. SECURITY COUNCIL RESOLUTIONS REGARDING PERSIAN GULF CRISIS

RESOLUTION 660—AUGUST 2, 1990

Condemns Iraqi invasion of Kuwait and demands immediate and unconditional withdrawal of Iraqi forces.

RESOLUTION 661—AUGUST 6, 1990

Imposes trade embargo and financial sanctions against Iraq and Iraqi-occupied Kuwait. (Medical supplies and humanitarian

foodstuffs are exempt from the trade embargo.)

RESOLUTION 662—AUGUST 9, 1990

Declares Iraq's annexation of Kuwait null and void, and demands that Iraq rescind the annexation.

RESOLUTION 664—AUGUST 18, 1990

Demands that Iraq permit immediate safe departure of foreign nationals from Iraq and Kuwait. Demands rescindment of Iraq's orders to withdraw diplomatic immunity and close diplomatic missions in Kuwait.

RESOLUTION 665—AUGUST 25, 1990

Calls upon states to enforce the trade embargo against Iraq and Iraqi-occupied Kuwait.

RESOLUTION 666—SEPTEMBER 14, 1990

Provides for humanitarian provision of any necessary food and medical supplies to Iraq and Kuwait.

RESOLUTION 667—SEPTEMBER 16, 1990

Demands that Iraq protect diplomatic personnel and premises, and take no action that hinders the performance of their duties.

RESOLUTION 669—SEPTEMBER 24, 1990

Authorizes Sanctions Committee to examine requests for assistance from states confronted with special economic problems related to the sanctions.

RESOLUTION 670—SEPTEMBER 25, 1990

Requires states to cooperate with air embargo, and to detain any ships that are being used to violate the sanctions. Food and medical supplies being shipped for humanitarian reasons are exempt, but subject to authorization.

RESOLUTION 674—OCTOBER 29, 1990

Reminds Iraq that it is liable under international law for any loss, damage, or injury arising in regard to Kuwait and third states and their nationals as a result of Iraq's invasion and occupation of Kuwait.

RESOLUTION 677—NOVEMBER 28, 1990

Condemns Iraqi attempts to alter Kuwait's demographic composition and destroy Kuwaiti civil records, and mandates steps to be taken by the U.N. to safeguard the demographic composition of Kuwait.

RESOLUTION 678—NOVEMBER 29, 1990

Authorizes member states to use all means necessary to uphold the above resolutions and restore international peace and security in the region, unless Iraq fully complies with the above resolutions on or before January 15, 1991.

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U.N. SECURITY COUNCIL RESOLUTION 678 (1990)

[Adopted by the Security Council at its 2963rd meeting, on 29 November 1990]

The Security Council, recalling, and reaffirming its resolutions 660 (1990) of 2 August 1990, 661 (1990) of 6 August 1990, 662 (1990) of 9 August 1990, 664 (1990) of 18 August 1990, 665 (1990) of 25 August 1990, 666 (1990) of 13 September 1990, 667 (1990) of 16 September 1990, 669 (1990) of 24 September 1990, 670 (1990) of 25 September 1990, 674 (1990) of 29 October 1990 and 677 (1990) of 28 November 1990,

Noting that, despite all efforts by the United Nations, Iraq refuses to comply with its obligation to implement resolution 660 (1990) and the above-mentioned subsequent relevant resolutions, in flagrant contempt of the Security Council,

Mindful of its duties and responsibilities under the Charter of the United Nations for the maintenance and preservation of international peace and security,

Determined to secure full compliance with its decisions,

Acting under Chapter VII of the Charter,

1. Demands that Iraq comply fully with resolution 660 (1990) and all subsequent relevant resolutions, and decides, while maintaining all its decisions, to allow Iraq one final opportunity, as a pause of goodwill, to do so;

2. Authorizes Member States co-operating with the Government of Kuwait, unless Iraq on or before 15 January 1991 fully implements, as set forth in paragraph 1 above, the foregoing resolutions, to use all necessary means to uphold and implement resolution 660 (1990) and all subsequent relevant resolutions and to restore international peace and security in the area;

3. Requests all States to provide appropriate support for the actions undertaken in pursuance of paragraph 2 of the present resolution;

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MITCHELL V. LAIRD

[Summary of D.C. Circuit Court Decision in 1973]

Any attempt to require a declaration of war as the only permissible form of assent might involve unforeseeable domestic and international consequences, without any obvious compensating advantages other than a formal declaration of war does have special solemnity and does present to the legislature an unambiguous choice. While those advantages are not negligible, we deem it a political question, or, to phrase it more accurately, a discretionary matter for Congress to decide in which form, if any, it will give its consent to . . . war, . . . That is, we regard the Constitution as contemplating various forms of congressional assent, and we do not find any authority in the courts to require Congress to employ one rather than another form. . . . [emphasis added].

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CONGRESSIONAL RESEARCH SERVICE,
LIBRARY OF CONGRESS,
*Washington, DC, January 10, 1991.*

To: House Committee on Foreign Affairs. Attention: Dante B. Fascell.

From: American Law Division.

Subject: Legal Effect of H.J. Res. 62 Authorizing the Use of Military Force.

This is in response to your request regarding H.J. Res. 62. Specifically, you asked whether the resolution constitutes a declaration of war against Iraq and what legal effect it would have upon enactment and upon satisfaction of the condition stated in subsection (b)(2).

At the outset, it should be noted that under international law a declaration of war is no longer deemed a necessary predicate for a state of war to exist. At one time the authorities and even an international convention asserted that a declaration was necessary.[1] But it now appears to be agreed that a state of war can exist as the result of an armed conflict regardless of whether a declaration of war has been issued.

Nonetheless, a declaration of war can itself create a state of war between two or more states, even absent armed conflict. "The declaration of war creates the legal status of war. . . . (T)he announcement is sufficient evidence that peace has been transmuted into war, and that the law of war has replaced the law of peace."[2]

Neither international law nor United States law decrees any particular form or content for a declaration of war. The enactments declaring war with respect to the War of 1812, the Mexican-American War, the Spanish-American War, World War I, and World War II all provided in explicit terms that "a State of war exists," or is "declared to exist," between the United States and the enemy in question.[3] Several enactments in the nineteenth century that have been termed conditional declarations of war, on the other hand, did not use that language.[4] More recent enactments have conditionally authorized the President to "use force" or the "armed forces" or "whatever means may be necessary, including the use of arms" in particular situations.[5]

What constitutes a declaration of war, in short, would seem to be a matter of legislative intent. If an enactment declares that a state of war exists, or shall exist under certain conditions, the legislative intent is clear. But no particular verbal formula is necessary for a given enactment to be deemed a declaration of war.

H.J. Res. 62 would authorize the President "to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation" of the various resolutions the Security Council has adopted with respect to Iraq's invasion of Kuwait. That grant of authority is made conditional upon communication by the President to the Speaker of the House and the President pro tem of the Senate that "all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions . . . have not been and would not be successful in obtaining such compliance." At most the resolution would seem to be a conditional declaration of war, as certain conditions have to be met before its authorization of the use of force takes effect. But whether it should be deemed to be a conditional declaration of war would seem to be a matter of legislative intent. If Congress intends that it be so, nothing in its formulation would prevent it from operating as such a conditional declaration.

If it is deemed to be a conditional declaration of war, it would seem to have no immediate legal impact under either domestic or international law upon enactment. It would not at that point create the legal status of war, because its conditions would not yet have been met. Only upon the President's communication to Congress of the failure and futility of peaceful means of obtaining Iraq's compliance with the United Nations resolutions could the measure constitute a declaration of war and thus create the legal status of war, if Congress so intends.

I hope the above is responsive to your request. If we may be of additional assistance, please call on us.

DAVID M. ACKERMAN,
*Legislative Attorney.*

FOOTNOTES

[1] See, e.g., Hugo Grotius, "Of the Law of War and Peace," Bk. III, Ch. iii, V and XI, cited in Ingrid Detter De Lupis, "The Law of War" (1987), at 8, and the Hague Convention on the Opening of Hostilities, 36 Stat. 2259 (1907).

[2] Clyde Eagleton, "The Form and Function of the Declaration of War," 38 American Journal of International Law 19, 21 (1938).

[3] See, CRS, "Iraq-Kuwait: Issues Concerning a U.S. Declaration of War," Appendix C (Nov. 30, 1990) (Report No. 90-531).

[4] See Resolution 15 of the 35th Congress in 1858 ("A Resolution for the Adjustment of Difficulties with Paraguay," which authorized the President to "adopt such measures and use such force as, in his judgment, may be necessary and advisable, in the event of a refusal of just satisfaction by the Government of Paraguay"); 26 Stat. 674 (1890) (a joint resolution authorizing the President to "take such measures as in his judgment may be necessary to promptly obtain indemnity from the Venezuelan Steam Transportation Company of New York . . . and to secure this end he is authorized to employ

Footnotes at end of article.

such means or exercise such power as may be necessary"); 28 Stat. 975 (1895) (a joint resolution regarding a grievance between a naturalized citizen of the United States and Spain, which simply directed the President "to insist upon the payment of the agreed upon . . . in liquidation of the claim"); and 30 Stat. 738 (1898) (stating that Cuba ought to be free, demanding that Spain relinquish all authority in Cuba, and empowering the President "to use the entire land and naval forces of the United States . . . to such extent as may be necessary to carry these resolutions into effect").

[5] See P.L. 85-7 (Mar. 9, 1957) (the Middle East); P.L. 84-4 (Jan. 29, 1955) (Formosa); P.L. 88-408 (Aug. 10, 1964) (the Tonkin Gulf resolution); and P.L. 87-733 (Oct. 3, 1962) (Cuba).

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THE WHITE HOUSE,
*Washington, DC, August 9, 1990.*

Hon. THOMAS FOLEY,
*Speaker of the House,*
*Washington, DC.*

DEAR MR. SPEAKER: On August 2, 1990, Iraq invaded and occupied the sovereign state of Kuwait in flagrant violation of the Charter of the United Nations. In the period since August 2, Iraq has massed an enormous and sophisticated war machine on the Kuwaiti-Saudi Arabian border and in southern Iraq, capable of initiating further hostilities with little or no additional preparation. Iraq's actions pose a direct threat to neighboring countries and to vital U.S. interests in the Persian Gulf region.

In response to this threat and after receiving the request of the Government of Saudi Arabia, I ordered the forward deployment of substantial elements of the United States Armed Forces into the region. I am providing this report on the deployment and mission of our Armed Forces in accordance with my desire that Congress be fully informed and consistent with the War Powers Resolution.

Two squadrons of F-15 aircraft, one bridge of the 82nd Airborne Division, and other elements of the Armed Forces began arriving in Saudi Arabia at approximately 9:00 a.m. (EDT) on August 8, 1990. Additional U.S. air, naval, and ground Forces also will be deployed. The Forces are equipped for combat, and their mission is defensive. They are prepared to take action in concert with Saudi forces, friendly regional forces, and others to deter Iraqi aggression and to preserve the integrity of Saudi Arabia.

I do not believe involvement in hostilities is imminent; to the contrary, it is my belief that this deployment will facilitate a peaceful resolution of the crisis. If necessary, however, the Forces are fully prepared to defend themselves. Although it is not possible to predict the practice scope and duration of this deployment, our Armed Forces will remain so long as their presence is required to contribute to the security of the region and desired by the Saudi government to enhance the capability of Saudi armed forces to defend the Kingdom.

I have taken these actions pursuant to my constitutional authority to conduct our foreign relations and as Commander in Chief. These actions are in exercise of our inherent right of individual and collective self-defense. I look forward to correction with the Congress in helping to restore peace and stability to the Persian Gulf region.

Sincerely,

GEORGE BUSH.

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THE WHITE HOUSE
*Washington, DC, August 9, 1990.*

Hon. THOMAS S. FOLEY,
*Speaker of the House,*
*Washington, DC.*

DEAR MR. SPEAKER: On August 2, 1990, I reported to the Congress that, pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), and section 201 of the National Emergencies Act, 50 U.S.C. section 1621, I exercised my statutory authority to declare a national emergency and to issue two Executive orders that imposed a comprehensive economic embargo against Iraq and blocked both Iraqi and Kuwaiti government property within the jurisdiction of the United States or under the control of U.S. persons.

In the days after the imposition of U.S. economic sanctions, the Iraqi government has tightened its unlawful grip over the territory of Kuwait and has installed a puppet regime that in no way represents the people or legitimate Government of Kuwait. On August 6, the United Nations Security Council, to bring the invasion and occupation of Kuwait to an end and to restore the sovereignty, independence, and territorial integrity of Kuwait, decided that all nations shall impose sweeping economic sanctions against both Iraq and Kuwait.

Today, I have taken additional steps to respond to these developments and to ensure that the economic measures we are taking with respect to Iraq and Kuwait conform to United Nations Security Council Resolution 661 of August 6, 1990. Specifically, pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. section 1703(b), section 201 of the National Emergencies Act, 50 U.S.C. section 1621, and the United Nations Participation Act, 22 U.S.C. section 287(c), I have issued two new Executive orders.

The order I have issued with respect to Iraq:

Prohibits exports and imports of goods and services between the United States and Iraq, and any activity that promotes or is intended to promote such exportation and importation;

Prohibits any dealing by a U.S. person in connection with property of Iraq; origin exported from Iraq after August 6, 1990, or intended for exportation to or from Iraq to any country, and related activities;

Prohibits transactions related to travel to or from Iraq or to activities by any such person within Iraq, except for transactions necessary for prompt departure from Iraq, the conduct of official business of the United States Government or of the United Nations, or journalistic travel;

Prohibits transactions related to transportation to or from Iraq, or the use of vessels or aircraft registered in Iraq by U.S. persons;

Prohibits the performance by any U.S. person of any contract in support of certain categories of projects in Iraq;

Prohibits the commitment or transfer of funds or other financial or economic resources by any U.S. person to the Government of Iraq, or any other person in Iraq;

Blocks all property of the Government of Iraq now or hereafter located in the United States or in the possession or control of U.S. persons, including their foreign branches; and

Clarifies that the definition of U.S. persons includes vessels of U.S. registry.

In a separate order, I have extended to Kuwait all economic sanctions currently in effect against Iraq. Specifically, that order:

Prohibits exports and imports of goods and services between the United States and Kuwait, and any activity that promotes or is intended to promote such exportation or importation;

Prohibits any dealing by a U.S. person in connection with property of Kuwaiti origin exported from Kuwait after August 6, 1990, or intended for exportation to or from Kuwait to any country, and related activities;

Prohibits transactions related to travel to or from Kuwait or to activities by any such person within Kuwait, except for transactions necessary for prompt departure from Kuwait, the conduct of official business of the United States Government or of the United Nations, or journalistic travel;

Prohibits transactions related to transportation to or from Kuwait, or the use of vessels or aircraft registered in Kuwait by U.S. persons;

Prohibits the performance by any U.S. person of any contract in support of certain categories of projects in Kuwait;

Prohibits the commitment or transfer of funds or other financial or economic resources by any U.S. person to the Government of Kuwait, or any other person in Kuwait;

Blocks all property of the Government of Kuwait now or hereafter located in the United States or in the possession or control of U.S. persons, including their foreign branches; and

Clarifies that definition of U.S. persons includes vessels of U.S. registry.

Today's orders provide that the Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of those orders. The orders were effective at 8:55 p.m. e.d.t., August 9, 1990.

The declarations of national emergency made by Executive Orders 12722 and 12723, and any other provision of those orders not inconsistent with today's orders, remain in force and are unaffected by today's orders.

I am enclosing a copy of each of today's orders.

Sincerely,

GEORGE BUSH.

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THE WHITE HOUSE,
*Washington, DC, November 16, 1990.*

Hon. THOMAS S. FOLEY,
*Speaker of the House,*
*Washington, DC.*

Dear Mr. Speaker: There have been a number of important developments in the Persian Gulf region since my letter of August 9, 1990, informing you of the deployment of U.S. Armed Forces in response to Iraq's invasion of Kuwait. In the spirit of consultation and cooperation between our two branches of Government and in the firm belief that working together as we have we can best protect and advance the Nation's interests, I wanted to update you on these developments.

As you are aware, the United States and Allied and other friendly governments have introduced elements of their Armed Forces into the region in response to Iraq's unprovoked and unlawful aggression and at the request of regional governments. In view of Iraq's continued occupation of Kuwait, defiance of 10 U.N. Security Council resolutions demanding unconditional withdrawal, and sustained threat to other friendly countries in the region, I determined that the U.S. deployments begun in August should continue. Accordingly, on November 8, after consultations with our Allies and coalition partners, I announced the continued deployment of U.S. Armed Forces to the Persian Gulf region. These Forces include a heavy U.S. Army Corps and a Marine expeditionary force with an additional brigade. In addition, three aircraft carriers, a battleship, appropriate escort ships, a naval amphibious land-

ing group, and a squadron of maritime prepositioning ships will join other naval units in the area.

I want to emphasize that this development is in line with the steady buildup of U.S. Armed Forces in the region over the last 3 months and is a continuation of the deployment described in my letter of August 9. I also want to emphasize that the mission of our Armed Forces has not changed. Our Forces are in the Gulf region in the exercise of our inherent right of individual and collective self-defense against Iraq's aggression and consistent with U.N. Security Council resolutions related to Iraq's ongoing occupation of Kuwait. The United States and other nations continue to seek a peaceful resolution of the crisis. We and our coalition partners share the common goals of achieving the immediate, complete, and unconditional withdrawal of Iraqi forces from Kuwait, the restoration of Kuwait's legitimate government, the protection of the lives of citizens held hostage by Iraq both in Kuwait and Iraq, and the restoration of security and stability in the region. The deployment will ensure that the coalition has an adequate offensive military option should that be necessary to achieve our common goals.

In my August 9 letter, I indicated that I did not believe that involvement in hostilities was imminent. Indeed, it was my belief that the deployment would facilitate a peaceful resolution of the crisis. I also stated that our Armed Forces would remain in the Persian Gulf region so long as required to contribute to the security of the region and desired by host governments. My view on these matters has not changed.

I appreciate the views you and other members of the congressional leadership have expressed throughout the past 3 months during our consultations. I look forward to continued consultation and cooperation with the Congress in pursuit of peace, stability, and security in the Gulf region.

Sincerely,

GEORGE BUSH.

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DECLARE WAR CONDITIONALLY

(By Doug Bandow)

WASHINGTON.—When President Bush consults with Congressional leaders today on the Persian Gulf crisis, he reportedly will seek to devise a way to involve Congress without restricting his options or authority as Commander in Chief. Fortunately, just such a mechanism exists: a conditional declaration of war authorizing the President to take military steps if certain specified conditions are met.

While previous Presidents have acted unilaterally, and almost certainly unconstitutionally, in committing military forces without Congressional consent, such cases cannot justify this President's acting lawlessly. President Bush—if he takes the Constitution seriously—has to gain Congressional authorization for an attack against Iraqi forces.

Unlike a declaration of war, a conditional declaration would not signal imminent hostilities. Rather, like a United Nations resolution, it would provide the legal basis for future offensive action. The war-making decision would still rest primarily with the President.

Although long-since forgotten, a conditional declaration would not be unprecedented. In fact, Congress passed conditional declarations of war on four separate occasions.

The first, against Paraguay in 1858, followed the shelling of a naval vessel. The second, against Venezuela in 1871, demanded indemnity for two American steamships that were seized improperly. The third, in 1895, threatened Spain over a debt owed to an American citizen for property destroyed in Cuba in 1886. In each case, the declarations led to negotiations and a peaceful settlement.

The fourth and most important, precedent was in 1896, when Congress approved a joint resolution demanding a Spanish withdrawal from Cuba and instructing the President to use military force to enforce the resolution. The result was the Spanish-American War.

Involving Congress would have several advantages. First, the President would have to decide on his goals and articulate what he expects war to achieve. When he frets over a possible Iraqi nuclear weapon, for example, he suggests that his objective is overthrowing Saddam Hussein rather than liberating Kuwait. The uncertainty over what George Bush intends not only makes it harder for him to unite this country, but also leaves Mr. Hussein uncertain as to exactly what step or steps will avert war.

Second, going to Congress would fulfill the Constitution's dictates by allowing the people's representatives to decide whether the President's goals warrant war. This is particularly important since the President's strategy resembles a giant bait-and-switch operation—he has moved from defensive to offensive objectives without bothering to acknowledge, let alone explain, the change. Congress could ratify Mr. Bush's course, decide for a limited war (to free Kuwait but not conquer Iraq, for instance), or say no, forcing the Administration to rely on sanctions.

Third, a Congressional debate would allow the American people to voice their opinion. Polls suggest that average citizens are less interested in fighting to defend cheap gas, feudal aristocracies, jobs and a utopian new world order than are State Department officials and think-tank analysts. If the President believes his objectives are worth a war, he should spell them out and subject them to a full and fair debate.

President Bush's apparent willingness to sacrifice thousands of lives for dubious goals cannot be beyond debate. Moreover, by law the final decision on war rests with Congress. Although such constitutional niceties may seem unduly restrictive in the modern age, respect for the law is the most fundamental difference between a free society like our own and a totalitarian hellhole like Iraq.

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MEMORANDUM ON PAST CONGRESSIONAL AUTHORIZATIONS FOR THE USE OF FORCE

CONGRESSIONAL RESEARCH SERVICE,
THE LIBRARY OF CONGRESS,
*Washington, DC, January 10, 1991.*

Subject: Some Past Congressional Authorizations for the Use of Force.

Author: Mark M. Lowenthal, Senior Specialist in U.S. Foreign Policy.

The ongoing crisis in the Persian Gulf has raised the issue of whether and how Congress should assert its role over the possible engagement of U.S. forces in hostilities against Iraq. Assuming that Congress feels that it should have a definitive vote on this issue, several avenues are possible. One would be a declaration of war, which the Congress has voted five times in U.S. history (see CRS Report 90-531 RCO: Iraq-Kuwait: Issues Concerning a U.S. Declaration of War, by Mark M. Lowenthal. November 30, 1991). Congress could also vote an authorizing resolution under the War Powers Resolution (P.L. 93-148). Alternatively, Congress could vote a resolution authorizing the use of force without reference to the War Powers Resolution.

Several times in U.S. history, Congress has voted authorizations for the President to use force without actually declaring war. The most well-known recent instance was the Gulf of Tonkin Resolution (P.L. 88-408). Other significant instances (see below for texts) that may be of interest in the current situation include:

Algerine Cruisers (Barbary War), 1815.
Cuban Resolution, 1962.
Berlin Resolution, 1962.

In two of these cases (Algiers, Tonkin), there had already been hostilities between U.S. and local forces. Hostilities continued in both cases. After attacks by U.S. naval units, the various Barbary states agreed to U.S. demands in July and August 1815. The Gulf of Tonkin Resolution was used by President Lyndon Johnson as authority for the escalation and prosecution of the war in Vietnam. U.S. troop strength reached roughly 500,000 in 1969, when reductions began. The Cuban and Berlin resolutions served more as measures of support for Presidential policy during times of heightening tension, as well as an authorization to use force at the President's discretion. In neither of these cases did U.S. forces engage in hostilities.

None of the resolutions placed any limit on the numbers or types of forces that could be employed. Each of the resolutions was open-ended rather than finite in terms of how long or it would be in effect or under what conditions it would terminate. The Tonkin Resolution, however, did allow that Congress could, by concurrent resolution, terminate the authorization.

Three of the authorizations (Algiers, Cuba, Tonkin) were joint resolutions; Berlin was a concurrent resolution.

In addition to these cases, there have also been some less well-known instances in which Congress has authorized Presidents to use force if necessary. Two of these involved actions taken against U.S. owned steamers in South America, in Paraguay in 1858 and in Venezuela in 1890 (see below for texts). The resolution regarding Paraguay specifically authorized the use of force; the resolution regarding Venezuela authorized the use of "such means . . . or such power as may be necessary.

ALGERINE CRUISERS, 1815

[CHAP. XC.—An Act for the protection of the commerce of the United States against the Algerine cruisers]

WHEREAS the Dey of Algiers, on the coast of Barbary, has commerced a predatory warfare against the United States—

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That it is shall be lawful fully to equip, officer, man and employ such of the armed vessels of the United States as may be judged requisite by the President of the United States for protecting effectually the commerce and seamen thereof on the Atlantic Ocean, the Mediterranean and adjoining seas.

SEC. 2. *And be it further enacted,* That it shall be lawful for the President of the United States to instruct the commanders of the respective public vessels aforesaid, to subdue, seize, and make prize of all vessels, goods and effect of or belonging to the Dey of Algiers, or to his subjects, and to bring or send the same into port, to be proceeded against and distributed according to law; and, also, to cause to be done all such other acts of precaution or hostility, as the state of war will justify, and may in his opinion require.

SEC. 3. *And be it further enacted*, That on the application of the owners of private armed vessels of the United States, the President of the United States may grant them special commissions in the form which he shall direct under the seal of the United States; and such private armed vessels, when so commissioned, shall have the like authority for subduing, seizing, talking and bringing into port any Algerine vessel, goods or effects, as the before-mentioned public armed vessels may by law have; and shall therein be subject to the instructions which may be given by the President of the United States for the regulation of their conduct; and their commissions shall be revokable at his pleasure. *Provided*, That before any commission shall be granted as aforesaid, the owner or owners of the vessels of which the same may be requested, and the commander thereof for the time being shall given bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of seven thousand dollars, or if such vessel be provided with more than one hundred and fifty men, in the penal sum of fourteen thousand dollars, with condition for observing the treaties and laws of the United States, and the instructions which may be given as aforesaid, and also for satisfying all damages and injuries which shall be done contrary to the tenor thereof by such commissioned vessel, and for delivering up the commission when revoked by the President of the United States.

SEC. 4. *And be it further enacted*, That any Algerine vessel, goods, or effects which may be so captured and brought into port, by any private armed vessel, of the United States, duly commissioned as aforesaid, may be adjudged good prize, and thereupon shall accrue to the owners, and officers, and men of the capturing vessel, and shall be distributed according to the agreement which shall have been made between them, or, in failure of such agreement, according to the discretion [of] the court having cognisance of the capture.

Approved, March 3, 1815.

PARAGUAY, 1858

[A Resolution of the Adjustment of Difficulties with the Republic of Paraguay]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of adjusting the differences between the United States and the republic of Paraguay, in connexion with the attack on the United States steamer Water Witch, and with other matters referred to in the annual message of the President, he be, and is hereby authorized to adopt such measures and use such force as, in his judgment, may be necessary and advisable in the event of a refusal of just satisfaction by the government of Paraguay.

Approved, June 2, 1858.

VENEZUELA, 1890

[(No. 28.) Joint resolution for the relief of the Venezuela Steam Transportation Company]

Whereas it appears from the correspondence transmitted to the Senate by the message of the President, of the second day of February, eighteen hundred and seventy-two (Executive Document Numbered Twenty-eight, second session Forty-eighth Congress) and on the twelfth of April, eighteen hundred and eighty-eight (Executive Document Numbered One hundred and forty-three, first session Fiftieth Congress), that since the year eighteen hundred and seventy-one indemnity has been repeatedly demanded by the Executive Department of the United States from the Venezuelan Government, but without avail, for the wrongful seizure, detention, and employment in war and otherwise of the American steam-ships Hero, Nutrias, and San Fernando, the property of the Venezuela Steam Transportation Company, a corporation existing under the laws of the State of New York, and a citizen of the United States, and the imprisonment of its officers, citizens of the United States, under circumstances that render the Republic of Venezuela justly responsible therefor; and

Whereas all the diplomatic efforts of the Government of the United States repeatedly exerted for an amicable adjustment and payment of the just indemnity due to said corporation and its officers, citizens of the United States, upon whose property and persons the aforesaid wrongs were inflicted, have proved entirely unavailing: Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States be, and he is hereby, authorized and empowered to take such measures as in his judgment may be necessary to promptly obtain indemnity from the Venezuelan Government for the injuries, losses, and damages suffered by the Venezuela Steam Transportation Company of New York, and its officers, by reason of the wrongful seizure, detention, and employment in war or otherwise of the said company's steamers Hero, San Fernando, and Nutrias by Venezuelan belligerents in the year eighteen hundred and seventy-one, and to secure this end he is authorized to employ such means or exercise such power as may be necessary.

Received by the President June 7, 1890.

[Note by the Department of State.—The foregoing resolution having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

CUBA, 1962

*Cuban Resolution*

[Public Law 87-733 (S.J. Res. 230), 76 Stat. 697, approved October 3, 1962]

Joint Resolution Expressing the determination of the United States with respect to the situation in Cuba

Whereas President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers to "extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "the present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union"; and

Whereas the International Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

BERLIN, 1962

*Berlin Resolution*

[House Concurrent Resolution 570, 87th Congress, 76 Stat. 1429, passed October 10, 1962]

Whereas the primary purpose of the United States in its relations with all other nations is and has been to develop and sustain a just and enduring peace for all; and

Whereas it is the purpose of the United States to encourage and support the establishment of a free, unified, and democratic Germany; and

Whereas in connection with the termination of hostilities in World War II the United States, the United Kingdom, France, and the Soviet Union freely entered into binding agreements under which the four powers have the right to remain in Berlin, with the right of ingress and egress, until the conclusion of a final settlement with the Government of Germany; and

Whereas no such final settlement has been concluded by the four powers and the aforementioned agreements continue in force: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress—

(a) that the continued exercise of United States, British, and French rights in Berlin constitutes a fundamental political and moral determination;

(b) that the United States would regard as intolerable any violation by the Soviet Union directly or through others of those rights in Berlin, including the right of ingress and egress;

(c) that the United States is determined to prevent by whatever means may be necessary, including the use of arms, any violation of those rights by the Soviet Union directly or through others, and to fulfill our commitment to the people of Berlin with respect to their resolve for freedom.

GULF OF TONKIN, 1964

*Tonkin Gulf Resolution*

[Public Law 88-108 [H.J. Res. 1145] 78 Stat. 384, approved August 10, 1964]

A Joint Resolution To promote the maintenance of international peace and security in Southeast Asia

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression

that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these people should be left in peace to work out their own destinies in their own way: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty, requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

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THE WHITE HOUSE,
*Washington, January 8, 1991.*

Hon. THOMAS S. FOLEY,
*Speaker of the House, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: The current situation in the Persian Gulf, brought about by Iraq's unprovoked invasion and subsequent brutal occupation of Kuwait, threatens vital U.S. interests. The situation also threatens the peace. It would, however, greatly enhance the chances for peace if Congress were now to go on record supporting the position adopted by the UN Security Council on twelve separate occasions. Such an action would underline that the United States stands with the international community and on the side of law and decency; it also would help dispel any belief that may exist in the minds of Iraq's leaders that the United States lacks the necessary unity to act decisively in response to Iraq's continued aggression against Kuwait.

Secretary of State Baker is meeting with Iraq's Foreign Minister on January 9. It would have been most constructive if he could have presented the Iraqi government a Resolution passed by both houses of Congress supporting the UN position and in particular Security Council Resolution 678. As you know, I have frequently stated my desire for such a Resolution. Nevertheless, there is still opportunity for Congress to act to strengthen the prospects for peace and safeguard this country's vital interests.

I therefore request that the House of Representatives and the Senate adopt a Resolution stating that Congress supports the use of all necessary means to implement UN Security Council Resolution 678. Such action would send the clearest possible message to Saddam Hussein that he must withdraw without condition or delay from Kuwait. Anything less would only encourage Iraqi intransigence; anything else would risk detracting from the international coalition arrayed against Iraq's aggression.

Mr. Speaker, I am determined to do whatever is necessary to protect America's security. I ask Congress to join with me in this task. I can think of no better way than for Congress to express its support for the President at this critical time. This truly is the last best chance for peace.

Sincerely,

GEORGE BUSH.

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[United States Court of Appeals, District of Columbia Circuit, No. 71-1510]

THE HONORABLE PARREN J. MITCHELL, ET AL., APPELLANTS, V. MELVIN R. LAIRD ET AL.

(Argued Nov. 6, 1972)

(Decided March 20, 1973)

(Rehearing En Banc Denied June 21, 1973)

Thirteen members of United States House of Representatives filed complaint against the President of the United States, the Secretaries of State, Defense, Army, Navy, and Air Force, and the United States of America seeking injunction restraining defendants from prosecuting war in Indo-China unless Congress explicitly authorized continuation of war and for dedclaration that defendants were carrying on an unconstitutional war. The United States District Court for the District of Columbia, William B. Jones, J., dismissed action, and plaintiffs appealed. The Court of Appeals, Wyzanski, Senior District Judge, held that plaintiffs had standing to sue, because the House of Representatives had the duty to consider whether to impeach the President. The Court also held that the President in certain circumstances had the power to initiate a war, but not to continue it indefinitely without Congressional approval, and that even if Congress had orginally given by the Gulf of Tonkin Resolution a power to continue the Indo-China war, after repeal of that Resolution, the President had no constitutional power to continue the hostilities except to withdraw in safety the forces already committed. But the Court declined to adjudicate the question whether the President had exceeded his Constitutional power because in the case as presented the materials necessary for adjudication were not now available, and, therefore, in the present posture the question was "political."

Appeal dismissed.

MacKinnon, Circuit Judge, dissented from denial of rehearing en banc and filed opinion in which Tamm, Robb and Wilkey, Circuit Judges, joined.

1. INJUNCTION #22

Issues in suit brought by 13 members of House of Representatives against the President, Secretaries of State, Defense, Army, Navy, and Air Force, and the United States seeking injunction restraining defendants from prosecuting war in Indo-China and declaration that defendants were carrying on an unconstitutional war was not rendered moot by the President's formally purporting to end hostilities in Vietnam and Laos; in addition, a declaration respecting past actions could have legal import as regards plaintiffs' duty under the Constitution to consider whether in continuing hostilities defendants committed high crimes and misdemeanors so as to justify, impeachment. U.S.C.A.Const. art. 1, §8, cl. 11.

2. UNITED STATES #135

The United States was required to be dismissed as party defendant in suit by 13 members of House of Representatives seeking to enjoin defendants from prosecuting war in Indo-China and declaration that defendants were carrying on an unconstitutional war where the sovereign had not consented to be sued. U.S.C.A.Const. art. 1, §8, cl. 11.

3. WAR AND NATIONAL DEFENSE #2

There are some types of war which, without congressional approval, the President may begin to wage: for example, he may respond immediately without such approval to a belligerent attack, or in a grave emergency he may, without congresssional approval, take the initiative to wage war; were it otherwise, the country would be paralyzed before Congress could act. U.S.C.A.Const. art. 1, §8, cl. 11.

4. DECLARATORY JUDGMENT #306

Since requested declaration whether actions of the President and Secretaries of State, Defense, Army, Navy, and Air Force in continuing hostilities in Indochina was beyond authority conferred on them by the Constitution would hear on constitutional duty of plaintiffs, 13 members of House of Representatives, as regards bringing of impeachment proceedings and on plaintiffs' duties to make appropriations to support hostilities or to take other legislative actions related thereto, such as raising an army or enacting other civil or criminal legislation, plaintiffs had standing to bring action. U.S.C.A.Const. art. 1, §8, cl. 11.

5. CONSTITUTIONAL LAW #08(1)

It is not necessarily beyond judicial competence to determine the allocation, between the Executive and the Legislative branches, of the power to wage war; not every case raising such issue is necessarily beyond court's jurisdiction as presenting a "political question." U.S.C.A.Const. art. 1, §8, cl. 11.

6. WAR AND NATIONAL DEFENSE #2

It is constitutionally permissible for Congress to use other means than a formal declaration of war to give its approval to a war already begun by a President acting alone; it is a discretionary matter for Congress to decide in what form, if any, it will give its consent to continuation of such a war. U.S.C.A.Const. art. 1, §8, cl. 11.

7. WAR AND NATIONAL DEFENSE #2

The Constitution contemplates various forms of congressional assent to wage war; there is no authority vested in the courts to require Congress to employ one form rather than another form, if the form chosen by a Congress be in itself constitutionally permissible. U.S.C.A.Const. art. 1, §8, cl. 11.

8. WAR AND NATIONAL DEFENSE #2

The appropriation, draft extension, and cognate laws enacted with direct or indirect reference in the Indo-China war do not serve as a valid congressional assent to the Vietnam war. U.S.C.A.Const. art. 1, §8, cl. 11.

9. CONSTITUTIONAL LAW #72

Even if the necessary facts were to be laid before it, a court cannot substitute its judgment for that of a President who assumes office in midst of an allegedly unconstitutional war commenced by his predecessor; actions of the succeeding President, who has unusually wide measure of discretion in such area, should not be judicially condemned except in a case of clear abuse amounting to bad faith. U.S.C.A.Const. art. 1, §8, cl. 11.

10. CONSTITUTIONAL LAW #08(1)

Complaint seeking declaration that President and Secretaries of State, Defense, Army, Navy, and Air Force were conducting an unconstitutional war in Indo-China was

properly dismissed, as seeking adjudication of a "political question" beyond constitutional jurisdiction of the federal courts; the President, who along with individual defendants, were presented, on taking office, with a belligerent situation not of their creation was not to be judicially condemned in absence of clear abuse, amounting to bad faith, of his wide discretion in conducting the country's foreign affairs. U.S.C.A.Const. art. 1, §8, cl. 11.

Lawrence R. Velvel, Washington, D.C., with whom Stefan Tucker and Christopher Sanger, Washington, D.C., were on the brief, for appellants.

Gregory Brady, Asst. U.S. Atty. with whom Harold H. Titus, Jr., U.S. Atty., John A. Terry, Michael A. Katz, Asst. U.S. Attys. and Hermine Herta Meyer, Atty., Dept. of Justice, were on the brief, for appellees. Thomas A. Flannery, U.S. Atty. at the time the record was filed and Walter H. Fleischer, Atty., Dept. of Justice, also entered appearances for appellees.

Before Bazelon, Chief Judge, Tamm, Circuit Judge, and Wyzanski, Senior United States District Judge for the District of Massachusetts.

Wyzanski, Senior District Judge: April 7, 1971 thirteen members of the United States House of Representatives, as plantiffs, filed in the District Court a complaint against the President of the United States, the Secretaries of State, Defense, Army, Navy, and Air Force, and the United States of America. Plaintiffs alleged that for seven years the United States, by the named individual defendants and their predecessors, has been engaged in a war in Indo-China without obtaining "either a declaration of war or an explicit, intentional and discrete authorization of war" and thereby "unlawfully impair and defeat plaintiffs' Constitutional right, as members of the Congress of the United States, to decide whether the United States should fight a war." Plaintiffs prayed for first, an order that defendants be enjoined from prosecuting the war in Indo-China unless, within 60 days from the date of such order, the Congress shall have explicitly, intentionally and discretely authorized a continuation of the war, and, second, "a declaratory judgment that defendants are carrying on a war in violation of Article I, Section 8, Clause 11 of the United States Constitution.

The District Court dismissed the action as to the President, on the authority of Mississippi v. Johnson, 71 U.S. (4 Wall.) 475, 18 L.Ed. 437 (1866), and as to the other defendants, on the authority of Luftig v. McNamara, 126 U.S. App. D.C. 4, 373 F.2d 664 (1967), cert. denied 387 U.S. 945, 87 S.Ct. 2078, 18 L.Ed.2d 1332 (1967).

By somewhat different paths, the three judges who have heard this appeal from the District Court's judgment of dismissal have concluded unanimously that said appeal should be dismissed.

[1] The first issue presented is whether the case is now moot. Recently, the President has purported formally to end hostilities in Vietnam and Laos. There has been no similar action with respect to Cambodia, another part of Indo-China. The continuation of hostilities there precludes our holding that this case is moot. Furthermore, a declaratory judgment respecting past action might have legal import, inasmuch as though this point is not specifically pleaded, plaintiffs have a duty under the Constitution to consider whether defendants in continuing the hostilities did commit high crimes and misdemeanors so as to justify an impeachment of the individual defendants, pursuant to United States Constitution, Article I, Section 2, Clause 5.

[2] The second issue is whether the dismissal of the action against the United States was correct for a reason not given by the District Court. We are unanimously of the view that as to the government, the dismissal was correct because the sovereign has not consented to be sued.

The third issue is whether the dismissal of the action as to the remaining defendants was proper for another reason not given by the District Court: to wit, that plaintiffs have no standing to sue. None of the judges who heard his appeal is persuaded that plaintiffs are sound in their explicit reliance upon defendants' alleged duty not to interfere with what the complaint alleges is "plaintiffs' Constitutional right, as members of the Congress of the United States, to decide whether the United States should fight a war."

[3] Implicit in plaintiffs' contention is their assumption that the Constitution gives to the Congress the exclusive right to decide whether the United States should fight all types of war. Without at this point exhaustively considering all possibilities, we are unanimously of the opinion that there are some types of war which, without Congressional approval, the President may begin to wage: for example, he may respond immediately without such approval to a belligerent attack,or in a grave emergency he may, without Congressional approval, take the initiative to wage war. Otherwise the country would be paralyzed. Before Congress could act the national might be defeated or at least crippled. In such unusual situations necessity confers the requisite authority upon the President. Any other construction of the Constitution would make it self-destructive.

[4] However, plaintiffs are not limited by their own concepts of their standing to sue. We perceive that in respects which they have not alleged they may be entitled to complain. If we, for the moment, assume the defendants' actions in continuing the hostilities in Indo-China were or are beyond the authority conferred upon them by the Constitution, a declaration to that effect would bear upon the duties of plaintiffs to consider whether to impeach defendants, and upon plaintiffs' quite distinct and different duties to make appropriations to support the hostilities, or to take other legislative actions related to such hostilities, such as raising an army or enacting other civil or criminal legislation. In our view, these considerations are sufficient to give plaintiffs a standing to make their complaint. Cf. First v. Cohen, 302 U.S. 83 S.Ct. 1942, 20 L.Ed.2d 947 (1968): Association of Data Processing Service Organizations, Inc. v. Camp, 397 U.S. 150, 90 S.Ct. 827, 25 L.Ed.2d 184 (1970); Barlow v. Collins, 397 U.S. 159, 90 S.Ct. 832, 25 L.Ed.2 192 (1970).

[5] The fourth issue is whether plaintiffs seek adjudication of a "political question" beyond the jurisdiction conferred upon the courts by Article III of the Constitution. Despite Luftig v. McNamara, supra, which admittedly indicates that it is beyond judicial competence to determine the allocation, between the executive and the legislative branches of the powers to wage war, we are now persuaded that there may be, in some cases, such competence. Massachusetts v. Laird, 451 F.2d 26 (1st Cir. 1971). aff'g s.c. 327 F.Supp. 378 (D. Mass. 1971); Orlando v. Laird, 443 F.2d 1039 (2nd Cir. 1971). Cf. Powell v. McCormack, 395 U.S. 486, 89 S.Ct. 1944, 23 L.Ed.2d 491 (1969).

Here the critical question to be initially decided is whether the hostilities in Indo-China constitute in the Constitutional sense a "war," both within and beyond the meaning of the term in Article I, Section 8, Clause 11. That the hostilities have been not merely of magnitude but also of long duration is plainly alleged in paragraph 4 of the complaint. It is there said that "For at least the last seven years . . . the Untied States . . . has been engaged in Indo-China in the prosecution of the longest and one of the most costly wars in American history. As of the present, one million human beings, including over 50,000 Americans have been killed in the war, and at least one hundred billion dollars has been spent by the United States in and for the prosecution of the war." There would be no insuperable difficulty in a court determining whether such allegations are substantially true. If they are, then in our opinion, as apparently in the opinion of President Nixon, as revealed by his use of the word "war" in his second Inaugural Address, delivered January 20, 1973, there has been a war in Indo-China. Nor do we see any difficulty in a court facing up to the question as to whether because of the war's duration and magnitude the President is or was without power to continue the war without Congressional approval.

But the aforesaid question invites inquiry as to whether Congress has given, in a Constitutionally satisfactory form, the approval requisite for a war of considerable duration and magnitude. Originally Congress gave what may be argued to have been its approval by the passage of the Gulf of Tonkin Resolution, 78 Stat. 384 (1964). See Orlando v. Laird, *supra*. However, that resolution cannot serve as justification for the *indefinite* continuance of the war since it was repealed by subsequent Congressional action, 84 Stat. 2055 (1971). Apparently recognizing that point, the Government contends that Congressional approval has been given by appropriation acts, by extension of the Selective Service and Training Act, and by other measures.

[6, 7] We are unanimously agreed that it is constitutionally permissible for Congress to use another means than a formal declaration of war to give its approval to a war such as is involved in the protracted and substantial hostilities in Indo-China. See Massachusetts v. Laird and Orlando v. Laird, both *supra*. Any attempt to require a declaration of war as the only permissible form of assent might involve unforeseeable domestic and international consequences, without any obvious compensating advantages other than that a formal declaration of war does have special solemnity and does present to the legislature an unambiguous choice. While those advantages are not negligible, we deem it a political question, or, to phrase it more accurately, a discretionary matter for Congress to decide in which form, if any, it will give its consent to the continuation of a war already begun by a President acting alone. See Massachusetts v. Laird, *supra*, aff'g a. c., 327 F.Supp. 378 (D. Mass. 1971); Orlando v. Laird, *supra*; Berk v. Laird, 317 F.Supp. 715 (E.D.N.Y. 1970). That is, we regard the Constitution as contemplating various forms of Congressional assault, and we do not find any authority in the courts to require Congress to employ one rather than another form, if the form chosen by Congress be in itself constitutionally permissible. That conclusion, however, leaves unanswered the further question whether the particular forms which the Government counsel at our bar refer to as having been used by Congress in the Indo-China war are themselves of that character which makes them *in toto*, if not

separately, a constitutionally permissible form of assent.

The overwhelming weight of authority, including some earlier opinions by the present writer, holds that the appropriation, draft extension, and cognaic laws enacted with direct or indirect reference to the Indo-China war, (and which have been acutely and comprehensively analyzed by Judge Judd in Berk v. Laird, *supra*) did constitute a constitutionally permissible form of assent. Massachusetts v. Laird, Orlando v. Laird, Berk v. Laird, all *supra*, and United States v. Sisson, 294 F.Supp. 511 (D. Mass. 1968). Judge Tamm is content to adhere to that line of authority.

[8] But Chief Judge Bazolon and I now regard that body of authority as unsound. It is, of course, elementary that in many areas of the law appropriation by Congress have been construed by the courts as involving Congressional assent to, or ratification of, prior or continuing executive action originally undertaken without Congressional legislative approval. Without a pause to cite or to examine in detail the vast body of cases involving such construction, it is more relevant to emphasize the special problem which is presented when one seeks to spell out from military appropriation acts, extension of selective service laws, and cognaic legislation the purported Congressional approval or ratification of a war already being waged at the direction of the President alone. This court cannot be unmindful of what every schoolboy knows: that in voting to appropriate money or to draft men a Congressman is not necessarily approving of the continuation of a war no matter how specifically the appropriation or draft act refers to that war. A Congressman wholly opposed to the war's commencement and continuation might vote for the military appropriations and for the draft measures because he was unwilling to abandon without support men already fighting. An honorable, decent, compassionate act of aiding those already in peril is no proof of consent to the actions that placed and continued them in that dangerous posture. We should not construe votes cast in pity and piety as though they were votes freely given to express consent. Hence Chief Judge Bazelon and I believe that none of the legislation drawn to the court's attention may serve as a valid assent to the Vietnam war.

Yet it does not follow that plantiffs are entitled to prevail. When on January 20, 1969 President Nixon took office, and when on the same or even later dates the other individual defendants took their present offices, they were faced with a belligerent situation not of their creation. Obviously, the President could not properly execute the duties of his office or his responsibility as Commander-in-Chief by ordering hostilities to cease on the very day he took office. Even if his predecessor had exceeded their constitutional authority, President Nixon's duty did not go beyond trying, in good faith and to the best of his ability, to bring the war to an end as promptly as was consistent with the safety of those fighting and with a profound concern for the durable interests of the nation—its defense, its honor, its morality.

[9, 10] Whether President Nixon did so proceed is a question which at this stage in history a court is incompetent to answer. A court cannot procure the relevant evidence; some is in the hands of foreign governments, some is privileged. Even if the necessary facts were to be laid before it, a court would not substitute its judgment for that of the President, who has an unusually wide measure of discretion in this area, and who should not be judicially condemned except in a case of clear abuse amounting to bad faith. Otherwise a court would be ignoring the delicacies of diplomatic negotiation, the inevitable bargaining for the best solution of an international conflict, and the scope which in foreign affairs must be allowed to the President if this country is to play a responsibile role in the council of the nations.

In short, we are faced with what has traditionally been called a "political question" which is beyond the judicial power conferred by Article III of the United States Constitution. And on that ground the complaint was properly dismissed by the District Court.

Appeal dismissed.

Before Bazelon, Chief Judge, and Wright, McGowan, Tamm, Leventhal, Robinson, MacKinnon, Robb and Wilkey, Circuit Judges.

ORDER

Per Curiam.

The motion for rehearing *en banc* initiated by a member of the Court in regular active service is denied, a majority of the Circuit Judges who are in regular active service not having voted in favor of it (Rule 35, Federal Rules of Appellate Procedure).

Separate statement by Circuit Judge MacKinnon with whom Circuit Judges Tamm, Robb and Wilkey joint as to why they would grant rehearing *en banc, sua spoute.*

MacKinnon, Circuit Judge:

I would vote *sua sponte* for rehearing *en banc* of this case to correct the manifest error to which Judge Tamm also dissents in the above opinion. My objection runs to pages 615–616 of the slip opinion which state, *inter alia*, that appropriation, extensions of the draft and other legislation by Congress supporting the Indochina war do *not constitute assent* to the war. This statement, which is implicitly self-contradictory, fails to give full recognition to the so-called Gulf of Tonkin Resolution which was passed on August 10, 1964 by both Houses of Congress by a cumulative vote of 506 to 2. The Resolution declared *inter alia:*

"Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligation under the Southeast Asia Collective Defense Treaty, the United States is to be prepared, as the President determines, to take all necessary steps, *including the use of armed force*, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom." (Emphasis added.)[2]

This Resolution clearly authorized and thereby approved and consented to "the use of armed force" in Southeast Asia. Congress terminated this Resolution effective January 2, 1971,[2] but it is impossible as a practical matter to "undeclare" a war in this manner. By subsequently appropriating money[3] for military forces and materiel with restriction on operations in Laos and Thailand but with no restriction on operations in Vietnam and Cambodia,[4] Congress impliedly recognized that the war could not be undone completely by terminating the Gulf of Tonkin Resolution. The appropriations thus indicate Congress' continuing assent to the prosecution of the war.

The basis stated by the opinion for the self-contradictory statement that Congress in passing measures to support the Vietnam war was not validly assenting thereto is that:

"This court cannot be unmindful of what every schoolboy knows[5]: that in voting to appropriate money or to draft men a Congressman is not necessarily approving the continuation of a war no matter how specifically the appropriation or draft act refers to that war. A Congressman wholly opposed to the war's commencement and continuation *might* vote for the military appropriations and for the draft measures because he was unwilling to abandon without support men already fighting. An honorable, decent, compassionate act of aiding those already in peril is no proof of consent to the actions that placed and continued them in that dangerous posture. We should not construe votes cast in pity and piety as though they were votes freely given to express consent. Hence Chief Judge Bazelon and I believe that none of the legislation drawn to the court's attention may serve as a valid assent to the Vietnam war." (Emphasis added.)

In my opinion, contrary to the above quotation, the annual multi-billion dollar appropriations over an eight-year period reflect a clear Congressional assent to the war. The appropriations were intended both for future activities, as with the regular annual appropriations, and for current activities, as with the supplemental appropriations[6] Congress was not acting blindly. The annual appropriations followed extensive bearings which disclosed precisely that the money was being used for military operations in the Vietnam conflict. Congress even went so far as to earmark some appropriations for "military activities is Southeast Asia"[7] and "to provide all necessary support for members of the Armed Forces of the United States fighting in Vietnam."[8] To state that Congress did not thereby assent to the war is to disregard the obvious Congressional intent on this very important matter. Continuing the war would have been impossible without the consent which Congress manifested in the only meaningful way that Congress acts—by formally adopted enactments.

The primary error in the panel opinion is that it confuses the expressed *intent* of Congress with what is completely court-created speculation as to *motive*. Intent and motive are not the same. Even if courts possessed authority and jurisdiction to inquire into the motives of Congress, which they do not,[8] the panel opinion only asserts a possible *speculative* motive, i.e., what "A Congressman [not even a majority of either House of Congress] * * * *might* vote." (Emphasis added.) This irrational and illusory base has no support in the record and is not proper support for a responsible judicial decision. I would thus excise the heretofore quoted portion of the opinion. As recently as April 2, 1973, the Supreme Court affirmed a decision which noted the "political nature" of the questions involved.[10] In view of the now complete removal of United States ground forces, the quoted language of the opinion is nothing more than a court-created *post hoc* rationalization, devoid of any support in the record, which is obviously so untimely, illogical and political that it should not form any part of a judicial opinion. Otherwise, I concur in the result reached by the opinion.

FOOTNOTES

[1] Public Law 88–108, Aug. 10, 1964, provides:

Joint Resolution

To promote the maintenance of International peace and security in southeast Asia.

Whereas naval units of the Communist regime in Vietman, in violation of the principles of the Charter of the United Nations and of International Law, have deliberately and repeatedly attacked United States naval vessels lawfully present in International wa-

ters, and have thereby created a serious threat to International peace; and

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of southeast Asia to protect their freedom and ban no territorial, military or political ambitions in that area, but desires only that those peoples should be left in peace to work out their own destinies in their own way: Now, therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

Sec. 2. The United States regards as vital to its national interest and to world peace the maintenance of International peace and security in southeast Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the Southeast Asia Collective Defense Treaty, the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

Sec. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by International conditions granted eroded by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

Approved August 10, 1964. 78 Stat. 384.

[2]On January 12. 1974 the 91st Congress enacted a motion in Foreign Military Sales Act providing:

Sec. 12. The joint resolution entitled "Joint resolution to promote the maintenance of International peace and security in Southeast Asia", approved August 10, 1964 (78 Stat. 384; Public Law 88-408), is terminated effective upon the day that the second session of the Ninety-first Congress is last adjourned.

P.L 94-672. Jan. 12, 1974, 84 Stat. 2055. The Second Session of the 91st Congress last adjourned sine die on January 2, 1971 (116 Cong. Rec. 1-1640). Under the terms of the above section the Gulf of Tonkin Resolution became effective on January 2, 1971, which was ten days before the Act terminating it was approved.

[3]Pub. L. No. 92-204, Dec. 18, 1971, 85 Stat. 716.

[4]*Id.*, 85 Stat. at 735.

[5]This is not generally considered to be reliable authority.

[6]E.g. Act of March 26, 1966, 80, Stat. 79.

[7]Pub. L. 80-18 May 7, 1965, 79 Stat. 109; Orlando v. Laird 443 F.2d 1030, 1042 n. 2 (2d Cir. 1971).

[8]Pub. L. 90-5, March 16, 1967, 81 Stat. 5; Orlando v. Laird, *supra* at 1012 n. 2.

[9]Courts are not enpowered to pass upon the motives that cause legislative bodies to act upon legislation. Fletcher v. Peck, 10 U.S. (0 Crunch) 87, 129-131 3 L.Ed. 162 (1810); D.C. Federation of Civic Associations v. Volpe, 148 U.S. App. D.C. 207, 223, 450 F.2d 31211, 1247 (1971), cert. denied, 4105 U.S. 10310 92 S.Ct. 1200, 31 L.Ed.2d 480, (1072).

[10]Atlec v. Richardson, 411 U.S. 911, 93 S.Ct. 1545, 36 L.Ed.2d 301 (1973), affirming Atlec v. Laird, 339 F. Supp. 1347 (E.D.Pa. 1972).

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. I thank the gentleman for yielding.

Mr. Speaker, I take the well this afternoon as an advocate of peace. I come to the well with a heart that is heavy but a spirit that is not broken.

Mr. Speaker, in that context I ask each of us in these Chambers to be neither fool nor naive for brilliant oratory, magnificent analyses notwithstanding, the decision we are about to make is tantamount to a declaration of war.

A decision of such gravity, of such magnitude that the leadership on both sides of the aisle have asked us, each of us, to arrive at this decision as a matter of conscience.

Conscience demands the highest test, for it asks the most difficult question: Is it right? What then is an appropriate test for the issue should not be whether we stand with the President, but whether we can live with ourselves in the aftermath of that decision.

What is an appropriate test? I would suggest that each and every one of us, Mr. Speaker, in these Chambers for this moment assume that we are parents, each with two children in the Persian Gulf, one daughter and one son.

And let us assume the worst, that we went to war and that in the aftermath of war one of our children died in the Persian Gulf and one of them came back with broken body, broken dreams, and broken spirits.

And when that one remaining child comes home and says to you, "Dad, Mom, was this necessary?" that you can answer, without blinking, that question.

I have answered that question for myself: No, this is not necessary; and, yes, there are alternatives.

I am but a humble Member of Congress, but if I were indeed the President of the United States, in order to save one life in the pursuit of peace, I would travel to the ends of the Earth, even Baghdad, to make sure that no one died. But I am a humble Member here.

So all I can do is register a vote. But I say as you go to that electronic device to vote, think of two children, one dead, one broken, that you will have to answer someday as a matter of conscience, as a matter of morality, "Was it necessary?" I believe it was not. If you too join in that belief, then let us stop beating the drums of war, let us oppose this march to violence and let us attempt to challenge risking war and have the audacity, as a civilized people evolving to a new and higher order of evolution of human life on this planet, to dare to seek peace.

I oppose the resolution before this body.

□ 1350

Mr. BROOMFIELD. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this is certainly a very historic day in the history of the United States. It represents the culmination of some of the finest bipartisan efforts that I have seen by a number of distinguished leaders of this body.

I personally want to commend my distinguished leader, the gentleman from Illinois [Mr. MICHEL], my chairman of the Committee on Foreign Affairs, the gentleman from Florida [Mr. FASCELL], specially commend the gentleman from New York [Mr. SOLARZ], and most important President Bush, who gave his strong support to this resolution.

The resolution we now bring before the House is a statement of national purpose. It is a vote of confidence in the President on our gulf policy and a confirmation that America is united. It does send a message to Saddam Hussein. It tells him the President's recent letter was not an idle threat, but a credible warning.

Mr. Speaker, this resolution is a credible warning because it is thoroughly bipartisan. It is supported by Democrats and Republicans, liberals and conservatives. It says that the President's policies carry the full backing of those who represent the American people.

Authorizing the use of force does not commit the President to waging war, but it does give him that option. This resolution gives him the muscle he needs to wage war, but probably, more importantly, it gives him the bargaining chip he needs to seek peace. It is based on the most recent U.N. Security Council resolution, and it puts Congress in step with the rest of the world.

Mr. Speaker, this is a step in the direction of lasting peace, but it is not, as we all know, an easy vote. We were not elected to make the easy votes. We were elected to take on the tough ones as well.

I believe we are really at the crossroads of history. The superpower standoff has ended. The world is searching for a better way to maintain true peace.

Now we can make a commitment, admittedly a difficult commitment, toward achieving that peace, or we can lose our nerve at this critical hour and thereby call down upon ourselves the judgment of history.

Should we fail to support this resolution, it will be a sign to others in the world that America is eager to praise the ideals of collective security, but shrinks from making the commitment to achieve it.

Today, Congress can take an important step toward attaining the goal of

justice among nations and true world peace, and I urge our colleagues here to support the President of the United States by supporting this very, very important resolution.

Mr. GEPHARDT. Mr. Speaker, I yield 3½ minutes to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Speaker, I thank the distinguished majority leader, the gentleman from Missouri [Mr. GEPHARDT], for yielding to me, and I have not had the opportunity to speak during this debate until now, and I wanted to characterize the debate, that it is a debate on patriots and national conscience. Patriots all in this room and national conscience.

Mr. Speaker, this debate is giving the opportunity to the Nation to think, to think, to think and for the Members to be able to think.

I strongly supported the President, continued to support the President, up to this particular juncture. Our greatest concern has been explained by so many Members who have spoken here today. We are concerned about Saddam Hussein, his army, his weapons, his chemical poison gas, his germ warfare and his nuclear weapons, and we want him to get out of Kuwait.

Mr. Speaker, we all want that, but what about the broader issue? I ask my colleagues, "What do you do if he gets out of Kuwait? How are you going to stop his chemical warfare and the other items involved?"

Mr. Speaker, there is a much broader issue involved, and the people of America wanted to know.

World oil supply has been part of the debate. There is no oil shortage. There is a glut of oil on the market. The people know there is no shortage. They want to know why this is so and why we would be considering fighting for an oil supply that is not factually correct in the minds of the people, and the people want to know.

It is because, in part, the moneychangers in the temple are plundering the world's treasuries is what is really involved, and the people want to know.

There is no particular point that I can add to this debate that has not been discussed, and perhaps it is prospective in part. Saddam Hussein, and I hope my colleagues listen, he would not have the technology, he would not have the expertise, he would not have the arms, had it not been for, in part, the United Nations, namely Germany, France, the Soviet Union, China, Japan, and, yes, the United States of America who have provided him the resources for war up until just a few months ago, and some are still doing it.

So, I hope whatever we decide, when it gets to that point, that we look ahead. It is not going to be over when these decisions are made.

Are we going to join with the other nations of the world and say to the people of the United Nations, "It's not good enough for you to give us money. You provided the resources, and you provided the arms, and, therefore, you owe the world, and you owe us a great deal more."

Let me close on this point so I do not, I say to the majority leader, run out of my time. Somebody said to me in the hall, "Well, you know, are you going to vote this way? Are you going to vote that way?"

I have been here for 22 years, and this is a vote I am casting for myself. I have earned that right, and I am voting for my people.

I went into the Army. I was 18 years old. I served for 3½ years in a combat infantry unit in World War II in Europe, as some other people in this House have done. The World War II veterans are becoming lesser and lesser in this House, and so, too, the corporate memory of what war really is all about. My God, it is so easy to say, "We got to get him. We got to get him." It is so easy to say that.

No aspersions on anybody in this House, but those kids are the ones that are going to be out there lonely, one by one, trying to stay alive. So, Mr. Speaker, I say to my colleagues, "If you have never been there, and you've never participated, it's impossible for you to understand what that means in commitment to a human soul."

So, I would hope, I would hope and pray, that the people of this House would think about that. Never mind the drum beatings and all the things we have heard today. It is those kids that are involved, those kids are involved, yours and mine. And is it worth it at this point without trying that much harder? I tell my colleagues it is not, and we live to see the day soon from here when we will come back again and lament the decision to vote for this particular amendment.

I hope we vote against this particular resolution.

□ 1400

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. HUTTO].

Mr. HUTTO. Mr. Speaker, I rise in support of the Solarz-Michel resolution.

As chairman of the Readiness Subcommittee during the 101st Congress let me speak to you for a moment about the readiness of our forces. I believe our Air Force and our naval forces are fully ready for any contingency, and our ground forces are very near full readiness. This is a tribute to the fine training within the Department of Defense. Additionally over the last 2 years the Readiness Subcommittee and the Congress have authorized $174 billion in operation and maintenance funds for these forces.

There have been times in our Nation's history when our forces were not as ready, when our aircraft weren't ready to fly and our tanks weren't ready to roll, but such is not the case today. Our equipment is well maintained and very capable of accomplishing the mission. All of the reports I have seen indicate that our forces are ready, morale is high, and the forces are well equipped.

By every account I have heard, there seems to be no doubt that our Air Force and Navy are fully ready and able to fight and win. Additional equipment and men and women are arriving daily from the United States and Europe. The force is building and will soon be in excess of 400,000.

No one in this Chamber wants war, but if it does come, I believe that the U.S. forces are prepared to carry out their military objective, and this is partly because this body has properly funded the readiness account.

Whatever we decide, and whatever the President must eventually do, our men and women in the gulf are prepared and well equipped for their mission.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the bipartisan U.N. resolution, which I am proud to cosponsor. I think it is important to support our President in this crisis. If we do not, we will never be able to get Saddam out of Kuwait.

George Bush is our Commander in Chief. He and Secretary of State Baker have put together a strong U.N. coalition against Iraq and now he is asking that the Congress approve U.N. resolution 678. He has all the diplomatic, intelligence, and military information that is not available to us as Members of Congress. I think we ought to leave the responsibility with the President to make the right decision when to use military force.

I worry that if the Gephardt resolution is adopted, and our forces have to stay longer in the Persian Gulf, and then 6 months from now we take offensive action, we are going to have more American casualties. The reason is that our forces now are at their peak of preparedness. The longer Americans stay in that desert, they lose their sharpness.

Even in Vietnam we rotated our troops after 12 months and the conditions in the desert are much harder to survive in than Vietnam. Because of the harsh living conditions in Saudi, we will have to start rotating our forces out in the next few months and when you rotate military forces, you weaken their effectiveness.

Most of our veterans organizations and military organizations are supporting the President's gulf policy.

Another reason not to delay is that it gives Iraq even more time to dig in and strengthen its defensive fortifications in Kuwait and Iraq. This is what could add to our casualty list.

Sanctions are not going to force Saddam out of Kuwait in my opinion and eventually war will start. No way will our forces be as prepared as they are now.

So I ask you to support the bipartisan U.N. resolution and let's get our American troops home as soon as possible.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. CONDIT].

Mr. CONDIT. Mr. Speaker, I rise today in support of the Bennett-Durbin resolution (H. Con. Res. 1) and the Solarz-Michel resolution (H.J. Res. 62).

The question before us is this, Will the United States of America stand with the vast majority of nations of the world in resisting Saddam Hussein's aggression?

Will the United States stand with the community of nations and demonstrate that the days of invasion, conquering, and looting of weaker nations by stronger nations are over?

Will the United States Congress stand behind the United Nations, which has formally and officially endorsed actions to force Iraq's surrender of occupied Kuwait?

Mr. Speaker, we dare not compromise or undercut this worldwide effort to remove Iraq from Kuwait.

We dare not send mixed messages to Mr. Hussein at this late hour, or we will find that the last chance for peace will evaporate like water in the desert.

Saddam Hussein stands alone—the United States stands with the rest of the world.

Saddam Hussein invaded Kuwait solely for greed and power, not for freedom; not for an overall Middle East peace settlement; not for human rights; and certainly not for the self-determination of peoples.

Every action taken by our President has been in concert with the resolutions of the United Nations. For the first time in a long time, we see the world's most prestigious organization acting as a leader in resisting aggression. We cannot afford to undercut this effort. If the League of Nations had shown this determination and resolve in the 1930's, who knows how world history would have changed—and, as we all know any change would have been better.

The time is to act now, not 6 months from now. I firmly believe that if we wait, we will be having this same debate again. We need to support our troops now. We need to support the rest of the world now. We need to send a clear message today to this greedy aggressor that the United States Congress is prepared to stand by the United Nations resolutions to use all possible means to free Kuwait and bring justice to its citizens.

Mr. Speaker, I have consistently supported a peaceful resolution to the Persian Gulf crisis. I have also consistently supported congressional participation in any decision to commit military action in the crisis. We have given sanctions an opportunity to work. We must stand with the United Nations, the President and our soldiers! I urge you to support the Bennett-Durbin and Solarz-Michel resolutions.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the very distinguished gentleman from Illinois [Mr. ROSTENKOWSKI], the chairman of the Committee on Ways and Means.

Mr. ROSTENKOWSKI. Mr. Speaker, I wish to commend the gentleman from Illinois [Mr. MICHEL] and the gentleman from New York [Mr. SOLARZ] for the job they have done.

Mr. Speaker, this is a serious debate—the most serious in my career—about a very painful decision. This is why every Member of Congress is here—to represent constituents who may be asked to give their very lives in pursuit of the national policy we are discussing today.

I want to commend the character of this debate. There are honest differences of opinion here that know no partisan boundaries. Each of us—the elected representatives of the American people—is sincerely trying to decide how to best promote peace and stability throughout the world. Each of us is motivated by a sense of duty and responsibility. We want to do what is right, what is in the best interest of this country and all humanity.

We all agree that the Iraqi invasion of Kuwait is abhorrent. We all agree that Iraq must leave Kuwait. We all know who the aggressor is—Iraqi President Saddam Hussein. This debate only illustrates our differences on how to respond to Iraq's naked aggression. But we agree totally and unanimously on the goal of the international community—the full restoration of the sovereignty of Kuwait.

Many of my colleagues say that this is the toughest vote they have ever had to cast because it is a decision involving war and peace, life, and death. It is for me, too. This is much more difficult for me than the Gulf of Tonkin resolution of 1964. Today's situation is clearer. The possibility of armed conflict, casualties, and even death is much more apparent.

I strongly believe that Congress can—indeed must—participate in such an important decision involving such a critical national commitment. But if Congress must make the decision on whether armed combat is an appropriate action, let me caution my colleagues that we cannot and should not attempt to decide how that war should be fought.

After long and difficult personal reflection, I have decided to vote for the Michel resolution. I will vote for it because I want to send a strong message to Iraq that aggression doesn't pay. And I will vote for it because I have full confidence that our President and my friend George Bush will act in a responsible and compassionate fashion.

President Bush does not seek war. He knows how horrible war is because he has served courageously in combat. He is a man of peace. He is a father and a grandfather who both reflects and respects family values. He is a diplomat who has learned that warfare is a last resort. No parent—and he is a parent—no veteran—and he is a decorated veteran—no person of conscience—and George Bush is certainly a person of conscience—would ever lightly decide to commit America's youth to war to resolve international conflicts. So my vote today is not a vote for war, although war may be the ultimate result. It is a vote of confidence in our President and his judgement.

The end of the cold war is a confusing time for all Americans and all citizens of the world. Our worries about a superpower nuclear war have been replaced by fears of regional conflicts that could escalate into international catastrophes. Such conflicts caused World War I and World War II. History has taught us that we must take such challenges seriously and respond quickly. Temporizing—vacillating—can prove to be devastatingly expensive.

For most of this century, America has worked for international peace, acknowledging that the pursuit of peace is more important than the cost in blood and treasure. In this instance, many others have joined us. The nations of the world are united against the Iraqi aggressor—as they belatedly united against Nazi aggression a half century ago.

Some would say that some nations are more committed than others when it comes to paying the bills of the Desert Shield Operation. That is an important question that deserves our attention. It is not surprising, however, that the United States is playing the largest role. But that is a question for another day.

It is a sad fact of history that peace does not come cheaply or painlessly. Achieving it is expensive. Maintaining it demands constant vigilance.

If there is a war in the Persian Gulf, it will be the first conflict carried on live television. It will truly be a living room war. Those of us at home will witness the carnage of war and be shocked. And properly so. War is hell.

But what has happened to Kuwait is also shocking and repugnant. Incredible atrocities to women and children have been confirmed by Amnesty International. What has happended in Kuwait must be undone because it violates all norms of moral behavior and international law.

There is another justification for our policy, equally important and that is to send a clear message about what standards of conduct in the post-cold-war world are to be. The international community must not and cannot tolerate criminal aggression—where the sovereignty of a nation is brutally violated with impunity.

That is why I will vote for the Michel resolution and support our President.

For each of us, this is a vote of conscience—a personal statement of principle. But when all our votes are cast and the last echo of our speeches has faded from this chamber, it is imperative that we again unite as Americans and support our President and the international community and reverse the aggression of Iraq and Saddam Hussein.

We will then send a clear message to tyrants everywhere that there's a very high price to be paid for such international criminality.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. HUBBARD].

Mr. HUBBARD. Mr. Speaker, I ask Members to support the Solarz-Michel resolution.

Today, an editorial in the Gleaner, the daily newspaper which serves Henderson, KY, lends further support to this plan of action.

To briefly quote the editorial:

> No cause is more noble than that of peace. But in our pursuit of peace in this crisis, we cannot ignore the nature of the beast that confronts us. We should not send a signal of weakness to a despot positioning himself to gain control of much of the world's oil reserves and the power that comes with it. We cannot reward this man's brutal aggression.

The publisher of the Gleaner is Walt Dear and the editor of the Henderson, KY, newspaper is Ron Jenkins.

I urge my colleagues to consider the views expressed by this highly regarded newspaper and vote to support the Solarz-Michel resolution.

The editorial is as follows:

[From the Gleaner (Henderson, KY)
Jan. 12, 1991]

BUSH SHOULD HAVE POWER TO WAGE WAR

Even as we strongly support the continued pursuit of every reasonable effort for a peaceful solution to the gulf crisis, we believe it unwise to strip our president of support he deserves in dealing with Saddam Hussein.

Congress should grant President Bush the authority to wage war against Iraq.

Our nation and the international coalition have been confronted by a ruthless, power-hungry dictator of a country whose invasion of Kuwait had not relationship to the Palestinian problem he so loudly embraces.

While we remain hopeful that Saddam can be convinced to pull his troops from Kuwait under terms of the United Nations resolution, there is no indication that he will accept any diplomatic offers that mandate his compliance with the U.N. resolution.

Instead, Saddam defiantly waves his sword while obviously relishing the division of the American people and their elected representatives over this most troubling issue.

As agonizing as it is for all of us to conjure images of our young men and women in deadly combat, we as a nation should not give the Iraqi leader comfort by undermining our president and the international coalition.

No cause is more noble than that of peace. But in our pursuit of peace in this crisis, we cannot ignore the nature of the beast that confronts us.

We should not send a signal of weakness to a despot positioning himself to gain control of much of the world's oil reserves and the power that comes with it. We cannot reward this man's brutal aggression.

One person's appetite for power has created a very complex problem that has stirred legitimate debate the world over, including, of course, in our own community. With as many as 100 Henderson County sons and daughters already committed to Operation Desert Shield, the gravity of this crisis is ever so real to us. It is because of them and their comrades that we should exhaust every ounce of effort to resolve this crisis without war.

Still, we should not deny our president the support he deserves in facing up to this tyrant and the real threat he poses if he gets away with the invasion of Kuwait.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the very able and distinguished chairman of the Committee on Armed Services, the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Speaker, like many of my colleagues who have spoken here in this well over the last 2 days, I, too, believe that the passage of the Solarz-Michel resolution is the last, best hope to a peaceful solution to this crisis.

But I recognize that if we pass this resolution and Saddam Hussein continues to stonewall us as his foreign minister did this week, then it means war.

We in the Armed Services Committee held hearings on the possibility of war and what it would look like.

Our Members are not unanimous in their conclusions—and I respect my colleagues and their views. Let me now give you my conclusions.

First, I believe we have a proper and limited objective—to get the Iraqi forces out of Kuwait. We do not seek to conquer Iraq and create further power vaccums in the region.

Second, we plan to fight the war in phases—beginning with air power and ending only if necessary with the use of ground troops. Those who think air power alone will win the war will have their chance. We do not want more American casualties than is absolutely necessary.

Third, our Arab allies will fight Iraqi forces, at least in Kuwait, and we have drawn up our battle plans accordingly.

Fourth, we have worked out an arrangement with Israel and our Arab allies to prevent any attempt by Saddam Hussein to break up the coalition by attacking Israel.

In short, I believe that our forces are capable of achieving our goals. Saddam Hussein must leave Kuwait. Peacefully if possible, by force if necessary.

But there is also the question of when we decide to use that force. Many of us, especially among those of us on the Democratic side of the aisle, have wanted a United States that acted with the United Nations in resolving world crises.

We have been acting with the United Nations. Most of us praised President Bush for working with the United Nations last August to set up and then enforce the economic sanctions.

Most of us thought it proper that before we used force we get a U.N. resolution to authorize it, which we did.

We now have that resolution and it sets January 15 as the date that Saddam Hussein must get out of Kuwait. It was not just a decision by the United States. It was a decision by the Security Council of the United Nations to bring things to a head on January 15.

What would happen now to the authority of the United Nations in the post-cold-war era if we backed the administration down and forced it to change time lines?

In the last analysis, we must mean what we say when we deal with the Saddam Husseins of the world.

If the United States is to be credible in the post-cold-war world, if the United Nations is to be a useful vehicle for collective security, then we cannot shrink from the use of force. A future aggressor can ignore the next U.N. deadline if we ignore this one.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I rise in sincere opposition to the Presidential Solarz-Michel resolution, pointing out the inconsistencies of 2 hours ago saying it is Congress' authority to declare war, and in this resolution now saying that we pass the authority to the President to declare war some day next week on his own.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KILDEE].

Mr. KILDEE. Mr. Speaker, I rise in strong opposition to the Solarz-Michel resolution of war.

Mr. Speaker, I had hoped to serve my political career without ever having to confront the awesome and immediate question of war and peace such as we face here today.

I had also hoped that humanity had reached the level of development that we could find alternative, more rational solutions to such international conflicts.

Strictly enforced international economic sanctions can be that alternative.

When we talk of a New World order in the post-cold-war era, we can find no better example than the universal revulsion and rejection of the brutal Iraqi aggression against its defenseless neighbor, Kuwait.

The quick and decisive action by the United Nations has ensured that Saddam Hussein has gained nothing from his occupation of Kuwait.

On the contrary, each day the international economic sanctions are allowed to work weakens Iraq—economically, diplomatically, and militarily.

Time is on our side in this conflict.

And if we continue to enforce the sanctions, the whole world will continue to be on our side.

But if we choose war at this time, America alone will bear the burden and pay the costs of that military action.

Let us more strictly enforce the international sanctions.

Let us use the multination military force in the region to impose an airtight naval, air, and land blockade of Iraq.

Let us use our highly capable electronic intelligence capabilities and rapid communication facilities to monitor compliance with the sanctions.

Let us punish countries and companies who violate the sanctions by denying them access to our American market.

Mr. Speaker, the Members of this body face no greater question than whether or not to commit American troops to the horrors of combat.

But if we take that momentous decision—let it be with a full understanding of the consequences.

Let us not assume it will be used only as a negotiating tactic.

With our votes, we are authorizing the President to lead this Nation into war.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. MOODY].

Mr. MOODY. Mr. Speaker, I rise in regret that the previous motion did not carry, and in strong opposition to the Solarz resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Speaker, I rise in strong opposition to the Solarz amendment.

Mr. GEPHARDT. Mr. Speaker, I yield such time as she may consume to the

gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in strong opposition to the Solarz amendment. Even though it is tactfully worded, it amounts to a de facto declaration of war. Its significance is that it gives President Bush a green light to use any kind of military power in the gulf that he so chooses. Passage of this resolution would mean that, if the President wants to initiate a full-scale military offensive, there would be absolutely nothing that Congress could do to delay or restrain him. If this resolution passes, then henceforth, we are powerless in the question of America's response to Iraq's actions in the Gulf.

The idea of granting the President the authority to make war is not automatically unthinkable. But the problem is that, under the present circumstances, at the present time, it is wholly premature.

The United States has long been a pillar of justice and reason in the international community. The initiative for the League of Nations and United Nations originated with our Presidents. We regularly implore other nations to adhere to international law and utilize negotiation, arbitration and the international courts for peaceful resolutions of disputes. Why, then, are we rushing off to war?

Just as the schoolyard bully usually chooses that path due to a shortage of acuities that would facilitate reasonableness, the choice for war is one that involves a similar nearsightedness. Have all our intellectual resources been consumed? Have we tried everything imaginable in order to avert the severest of consequences? If war really is to be a last resort, have we fully exhausted all alternatives?

To each of these questions, I answer, "no." I firmly believe that we could try harder, try again, try a different approach, try with a new offer. We could do more, and I have faith that the President could still come up with a peaceful resolution of this conflict if he fully applied himself to that end.

Mr. Speaker, we are not yet on an irreversible path to war. Yet, I believe that if we vote for the Solarz resolution then we very possibly may be. I am not ready to accept that. I believe peace is still possible and so, I urge all my colleagues to oppose the Solarz resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. CHAPMAN].

Mr. CHAPMAN. Mr. Speaker, I rise in support of the Michel resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. HERTEL].

Mr. HERTEL. Mr. Speaker, I oppose going to war, and I oppose this resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I rise in opposition to this amendment. We must not act on the lowest common denominator in terms of the Middle East.

Mr. Speaker, I rise in opposition to the Michel-Solarz resolution.

Our actions should be based in this House on our very special responsibilities, indeed our sacred trust.

Congress has but one option to state our view to have an impact upon the course of our national policy whether to wage war, to take offensive action or not against Iraq.

Our decision in the affirmative is not reversible, such decision and vote is a one way street. Once President Bush has this authority, our role to commit U.S. troops or not commit troops to war, the decision will be out of Congress' hands and the President has been clear as to his intention to use such military force.

We in Congress can take no comfort in the reasonableness of Iraq or of Saddam Hussein. We should well understand that the near decade long Iraq-Iran conflict resulted in over 1 million casualties. This Nation, the United States of America, should understand better than any other the importance of the individual life, the special meaning of life, because Iraq's Saddam Hussein doesn't. Because Saddam Hussein is willing to dump his nation into a meat grinder of war, should our policy for offensive military action, nearly unilateral U.S. troops and dollars, be geared to this common denominator, the lowest common denominator? I would plead with my colleagues to recognize the consequence of this conflict. In the Middle East we have the greatest concentration of military personnel and weapons arrayed since World War II, but armed with the expotentially more effective weapons of the 1990's.

I've repeatedly noted my colleagues intention and remarks geared to backing up our troops and military and the implication that the only way that we can do so is by voting to go to war.

Well the intention of my colleagues may be good but the logic is seriously flawed.

We in Congress have a responsibility, a sacred trust to be certain in placing our military service men and women into a war, to be certain as to the vital U.S. interests involved and that offensive military action is the last resort.

Maintaining the economic sanctions, the blockade of trade, and the defensive deployment of U.S. military are not actions exclusive of the use of military force, they are the appropriate and proportionate response today to the circumstances, not perfect but far preferable and much better suited to the needs of the Persian Gulf in January 1991. The new world order ought to be based upon what has been the greatest strength and success of the United States for over 200 years, that is our democratic values.

The Iron Curtain and the uncommon events in just the past 2 years within the Soviet Union were based on the strength of ideas and values not military might.

It was the scientists, the labor organizations, and workers the artists and poets that finally prevailed against a nation armed to the teeth to suppress its people but those weapons were of no use against the human spirit and the freedom of people to think. The new world order isn't based upon the mistakes of yesterday such as the intemperate decision to commit U.S. troops. To commit U.S. offensive military action without the broad support of the American people, the vast majority I believe have not focused upon the commitment and consequence of such action. In fact that minority who do support the President really believe that some how this last threat will avert war—the Members of this House should know better, but some have wrapped themselves in the same thought.

Mr. Speaker, the United States can do better, we can lead to a new world order by sharing the responsibilities of achieving the result, the objectives, with the global coalition supporting the U.N. resolutions. They should be doing far more than offering their uncertain vote to commit the United States to a conflict. Their votes in the United Nations would be much more meaningful if cast without the promises of U.S. assistance and debt relief and with a commitment of their troops, their sons and daughters and their financial resources.

Today we should take heed of the American people's views and our sacred trust and vote to continue diplomacy and the economic sanctions the blockade and defensive deployment of our military forces. We have not exhausted such efforts, they have scarcely had the opportunity to have had their full effect. The action to commit our Nation to war should be the last resort not precipitated by impatience, for a conclusion. The coalition of nations and the U.N. members would be better off if tempered by discipline and sacrifice rather than have their anxiety solved by a premature nearly unilateral U.S. military solution, the new world order begs for a better policy path.

Today it is Saddam Hussein and Iraq, but tomorrow it will be other Third World nations. Are we to respond again and again with the use of U.S. military force with all the human carnage and tragic consequences such entails. I would hope not and I fear for the opportunity lost in the Persian Gulf and cost in human life both United States and others and the hundreds of billions of dollars that will be expended, really dead-end spending today and tomorrow with no real solution but a throw-back to yesterday and all those conflicts and wars framed in the good intentions of achieving peace.

This joint resolution of war is a crucible that will not produce a new world order and peace will not come from the amalgam of elements and policies that are present here today—the base metal of premature war can't make the gold of peace that has proved so illusive in the 20th century. We must strive for peace, there is no easy path, no comfort, there are risks but such pushbutton solutions as the joint resolution before us if employed by the President will do much more harm than good, and therefore, I shall vote against it and ask my colleagues careful consideration to vote against this measure.

The SPEAKER pro tempore. The Chair, under its prerogative, would announce to those Members controlling the time of the debate that the gentleman from Missouri [Mr. GEPHARDT] has 23½ minutes remaining, the gentleman from New York [Mr. SOLARZ] has 10½ minutes remaining, and the gentleman from Michigan [Mr. BROOMFIELD] has 7 minutes remaining.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Flordia [Mr. GIBBONS].

Mr. GIBBONS. Mr. Speaker, I said the other day in this debate that the Congress had declared war in my lifetime twice. I correct that statement now. The Congress is declaring war for the third time in my lifetime. If you doubt my word, ask Mr. SOLARZ; if you doubt my word, ask Mr. MICHEL. I have confirmed it with both of them. This is a declaration of war.

Think about it. I ask you to vote against it. I am not saying that I would never vote for a declaration of war, or a declaration of war in an event similar to this. But this is not the time. This country is not united in a declaration of war. If there is one thing we learned out of Vietnam, as the gentleman from Florida [Mr. PETERSON], who spent 7 years in a POW camp in Hanoi said, the people of the United States must be behind our Armed Forces and back them up, and our people are not ready for that.

Mr. Speaker, I think we must begin to face the future. This is perhaps the last act that this Congress will have to do with this gulf.

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Except we must raise taxes to pay for this. It has already cost us some $30 billion, and the best revenue estimates are that it will cost us around $1 billion a day to conduct this operation. Are you ready for that? If you are not ready to vote for those kinds of taxes, you are not ready to vote for this resolution.

We are going to need a draft. The recruitment for the Army has already dropped off significantly. There are not enough troops in the Armed Forces to rotate those that are in the desert. And who of you believes that a ruthless dictator like Saddam Hussein, who could take a million casualties before he declared an end, will not take a million casualties again before he declares an end.

And who of you can believe that we will not be called upon to occupy and to police that desert and those countries for the rest of my lifetime and perhaps for the rest of all of the lifetimes of the people that are in this Chamber today? If we win, we cannot come home. We must stay there, and our young people are not fools. They will go if drafted. Those who are there have signified their willingess to fight, but we do not have the manpower pool in the Armed Forces now to conduct the kind of war that I foresee and the kind of peace that faces us.

This is a terribly serious question. None of us know what kind of forces we are going to unlease in that part of the world. We know that Israel will be attacked and we know that if Israel is attacked it will respond.

As I count the votes, I can see that my side has lost. We have given up on patience and firmness, on an embargo that is working and will work, the best embargo that mankind has ever created. I hope that Michel-Solarz resolution will be defeated.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. TRAXLER].

Mr. TRAXLER. Mr. Speaker, I rise in opposition to the resolution. First I would like to extend my appreciation to the majority leader, Mr. GEPHARDT, and my distinguished colleague from Michigan, of course, Mr. BROOMFIELD, my very dear friend, for the high level debate that has been achieved in the course of this discussion over the last several days. It is a credit to both of you, to this institution and to the Congress as a whole.

Mr. Speaker, from the very beginning I have publicly dissented from the policies our Nation is pursuing in the Persian Gulf. Neither the President nor the Congress has rethought what form our Nation's diplomatic and military policy ought to be in, in the postwar era. Sadly, we are still behaving as if we are the supercop of the world, and we are substituting Third World regional conflicts for the cold war with the Soviet Union.

Mr. Speaker, wise rulers never commit their nations to war, and this is a war resolution, never commit their nations to war unless it is overwhelmingly agreed that their nations' vital interests have been severely threatened. I cannot conclude that there are vital American interests at stake in the gulf.

The continuing appropriations to maintain our military power, not at this moment, but in the months and years to come, is going to sap the vital economic abilities of this Nation. Our vital national interests are no longer served by our continuing to be the world's policeman. We cannot afford it.

We are in the Persian Gulf today simply and plainly for one reason—there was a gentleman in the Senate who said it, he spelled it out, o-i-l, oil. We are defending the oil interests of the Middle East and other parts of the world, and make no mistake about it. That does not relate to our own national vital long-term interests.

We all know that this country could be energy independent if we chose to be. Just ask the American farmer.

The preservation of oil supplies for our economic competitors, our economic competitors is not the proper use of our military waning power. We cannot afford to strengthen our foreign rivals at our own economic expense. We must not send our sons and daughters into war for the preservation of our competitors' economies. Indeed, the warfare of the 1990's and the next century will be economic, not military. Every dollar we borrow from the Germans and the Japanese, the Middle East Arab Nations to finance this war and our continuing military buildup and national debt steals from our economy and our Nation's well-being and its future.

If war comes, we will be wasting our economic resources and our precious young people. We will most assuredly be weakening our ability to confront the urgent domestic problems facing our Nation.

We are a nation that quickly can deploy troops around the world, to the other side of the planet, yet we cannot afford to fix our roads and bridges? We cannot afford to improve our water and sewer systems? We cannot afford to restore our rail and our transportation infrastructure? We cannot do education, we cannot do health, and we will not be able to compete in the next century.

This is a de facto war resolution. I will not vote to go to war for the oil supplies of Europe and Asia.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I rise in strong support of the Michel-Solarz resolution authorizing our President, if all else fails, to use whatever force is necessary to remove Saddam Hussein from Kuwait.

Mr. Speaker, I rise in strong support for this critically important resolution, House Joint Resolution 62, authorizing the President to use force to support the U.N. resolutions and I commend my distinguished colleagues on the Foreign Affairs Committee, Mr. SOLARZ, our Committee's distinguished chairman, Mr. FASCELL, our ranking minority member, Mr. BROOMFIELD, and our distinguished Republican leader, Mr. MICHEL, for their extensive work in drafting this timely, bipartisan measure.

Mr. Speaker, the wanton, brutal violations of international law by Iraq must not be allowed to stand. The rapes, the pillaging and the destruction of Kuwait by Iraqi occupation forces must be brought to an end. How do we make that happen? We bring that about best by fully supporting our President's initiatives and the 12 U.N. Security Council resolutions opposing Saddam Hussein's offensive actions in the Persian Gulf.

None of us want war, and particularly those of us in this body who have served, in combat.

Support of this measure can help us to avert war. If Saddam Hussein does not believe the Congress is behind our President and the multinational effort, and if he is not convinced that we are willing, as a last resort, after all other diplomatic, political, and economic means fail, to resort to the use of force, then, we will indeed be led into war.

The issue before us is not the authorization of U.S. offensive action. The offensive war was started by Saddam Hussein on August 2, 1990. What we are considering is not just the United States-United Nations defense of Kuwait, by all means, as spelled out in the U.N. resolution. What we are considering is ruthless aggression, the rule of law, of order and the world's collective security. This is no more offensive than our retaking the islands in the Pacific during the Second World War, or our in-

vasion of Normandy, or our actions in Panama, Inchon, or Grenada.

Mr. Speaker, this resolution is, in the words of Secretary Baker, a last, best chance for peace. This resolution does not suggest that on January 15, 1991, we will attack Iraq. However, it does send a strong message to Saddam Hussein that if he does not leave Kuwait he will suffer. It also sends an important message to our allies throughout the world—to the 37 nations which are standing by us in this crisis, that the Congress is in agreement and supports the international community, and that we stand solidly with our men and women in uniform, who are courageously implementing our Nation's foreign policy. Let us stand firm sending a clear message that their efforts are not for naught.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Speaker, I rise to insert in the RECORD an analysis of why precisely this is not intended either in a historical or legal sense as a declaration of war.

Mr. Speaker, one of the more complex legal issues to arise in the context of this debate is whether—for the purposes of constituional law, as well as public and private international law—a congressional authorization of the use of force in an international police action of the kind contemplated today is equivalent to a declaration of war.

For the record, I would stress as an original cosponsor of the resolution before us, that I do not consider this approach to amount to a declaration of war in either a historical or legal sense, and, for reasons stipulated below, would oppose such a declaration in today's international context.

Not merely the theory but the history of international relations since the First World War embodies the distinction between just and unjust causes of war. The covenant of the League of Nations, the United Nations Charter, and the charter of the Military Tribunal at Nuremberg all reject the realpolitik doctrine of staatrason—the tyrannical notion that might makes right.

Instead, modern world politics are founded upon a conception of international society analogous to the laws and customs on coercion in domestic societies, that resort to violence in international affairs must be regarded either as lawful police action or crime. In other words, resort to armed force in international society is legitimate only if it is used on behalf or in service to the fundamental principles and purposes undergirding international law.

Thus the moral philospher Michael Walzer observes that, "aggression is the name we give to the crime of war." Indeed, the founders of the United Nations were determined, in the words of the charter, "to save succeeding generations from the scourge of war * * * and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest." Similarly, the U.N. General Assembly has defined aggression as "a crime against the peace, for which there is responsibility under international law." Specifically, the signatories to the charter undertook in article 2(4) to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state."

In postwar American diplomacy, the classic exposition of this principle was stated by President Truman in October 1945, when he declared that the fundamentals of American foreign policy would rest in part on the proposition "that the preservation of peace between nations requires a United Nations Organization comprised of all the peace-loving nations of the world who are willing to use force if necessary to insure peace."

The concept of international law enforcement through collective security, therefore, is embodied in the U.N. Charter and is an integral part of international law, as well as—through the supremacy clause in article VI of our own Constitution as applied to treaties—the law of the United States.

In other words, a congressional declaration of war in this circumstance would be contrary to the purposes of the United Nations. It might also frustrate our diplomacy by making it appear that it is the United States versus Iraq rather than the world community versus Saddam. In addition, it might needlessly prolong a potentially bloody and unpredictable conflict with Iraq, because of the legal and political complications associated with the problem of war termination. Indeed, as Americans understand, it is in part for such reasons that there have been only five declarations of war in our history and none since 1941. Rather than the declaration of war analogy, the apt legal comparison in the current circumstance would be closer to Korea than to Vietnam or World War II, though all historical analogies are to some extent imprecise and potentially misleading.

In some ways, the psychological dimension of a declaration of war is as important as the legal. Psychologically, a declaration of war implies that what is at issue in our confrontation with Iraq is traditional war and the instincts of patriotic nationalism on both sides which springs from such a circumstance. But from the American perspective what is actually at issue with this resolution before us is response to international criminality, not war, with sufficient grounds for cessation of hostilities, if they commence, being the removal of Iraqi troops from Kuwait and the possible holding of Saddam and his henchmen accountable before an international bar of justice, a Nuremberg-like tribunal, if apprehended.

The articulation of more limited intentions is of crucial importance because it makes clear to the Iraqi people that America would define victory as Iraqi acquiescence to the constraints of international law, without either the humiliation of surrender or the prospect of societal annihilation. Police actions imply force is authorized for limited, not total purposes.

Operating under Security Council resolutions, America therefore has an obligation to walk the extraordinarily difficult line of applying all force appropriate to protect our own forces but not so much as to wreak havoc on that part of Iraqi society which is unrelated to Saddam's aggression or war-making capacities.

While this Member is convinced that a congressional declaration of war is inappropriate under current circumstances, the constitutional duty of Congress is clear. Not only does the Constitution vest the power to declare war in the Congress, but it further contemplates that a status or condition fairly described by armed hostility between the United States and another state—whether declared or undeclared—must be legislatively authorized.

The Framers of the Constitution did not entrust the war power to Congress to protect Congressmen; they did so to protect the American public. They believed that the gravest of all governmental decisions—the making of war—should not be the responsibility of a single individual. It should be taken by a democratically elected, geographically and socially balanced legislature after careful debate and deliberation. It would either be tyrannical or irresponsible for a Congress of, by, and for the people to shirk its responsibility and transfer the power to make war to the Presidency. In America, after all, process is our most important product.

In this context, neither the Congress nor the Executive can duck the fundamental question of constitutional fidelity. Accordingly, I voted earlier today for the Durbin-Bennett resolution, despite my concerns for its legal and constitutional imprecision, and support the resolution before us giving the executive branch explicit approval for discretion to implement a spectrum of U.N. resolutions.

While the authorizing resolution before us has the effect of granting the Executive discretion to use American Armed Forces as constables enforcing international law in an international police action, it most emphatically is not tantamount to a declaration of war for the domestic legal purpose of triggering statutes which confer special powers on the executive branch in the event of a declaration of war or the existence of hostilities.

Most of the executive powers which are conditioned upon a declaration of war or a state of war relate to military administrative matters, such as term of service, leave of absence, promotions, retirement, compensation, and senior officer appointments. Some, however, relate to other important issues such as civil liberties, budgetary spending limits, commercial transactions, and international trade:

Civil liberties: Under 50 U.S.C. section 1811, the Attorney General, "for a period not to exceed 15 calendar days following a declaration of war by Congress," may authorize electronic surveillance to obtain foreign intelligence information without obtaining a court order.

International trade: Under the Trading with the Enemy Act, the President may, "[d]uring the time of war," control and prohibit banking, property, and other commercial transactions with an enemy foreign country and its nationals. (50 U.S.C. App. 5(b).)

Budgetary restraints: The Budget Enforcement Act of 1990 provides that "upon the enactment of a declaration of war," subsequent sequestration reports and orders are precluded—2 U.S.C. section 907a(b). In addition, the legislation prohibits parliamentary points of order regarding legislation that would exceed the level of budget authority and outlays set in the most recent concurrent resolution on the budget.

The bipartisan, bi-institutional approach to upholding international law and order implicit in the Solarz-Michel resolution does not automatically trigger any statutory provisions which are based upon the existence of a state of war. Nor does congressional authorization of the United States' use of force in an international police action have the same effect as a declaration of war for purposes of triggering such statutory authorities. Unlike a declaration of war, which creates the formal legal commencement of a state of war, the authorization this body contemplates today does not affirm that a state of war exists. Nor does it assume conflict is inevitable. Rather, it merely authorizes the President to use force if necessary pursuant to specifically designated Security Council resolutions.

In conclusion, it may be a paradox but I am convinced that the prospect of peace in this medieval Middle Eastern setting is clearly enhanced by preparation for war and the avoidance of political equivocation in Washington. It is my firmest conviction that the prospect of war looms more dangerously if Saddam concludes that he has punctured American resolve. Accordingly, it is my judgment that Congress best advances the imperative for peace by making Saddam aware that as concluded by Congress which is the reflection of the will and judgment of the American people a police action war with Iraq would be just, although undesired.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. COUGHLIN].

Mr. COUGHLIN. Mr. Speaker, I rise in strong support of the resolution supporting the United Nations, and as requested by the President of the United States.

Mr. Speaker, I believe the time is now for the Congress to stand up and be counted in support of the principled stand that the U.N. Security Council has taken and the President has supported.

Can it possibly be in our interest to allow brutal dictators like Saddam Hussein to march into small, innocent neighboring nations?

Can it possibly be in our interest to allow a man who has already killed thousands of his own citizens with chemical weapons, who has already initiated one war that cost his nation some 1 million casualties, who has already made clear his desire to possess nuclear weapons, who has already iterated a radical, pan-Arab philosophy that would establish him as the Arab world's leader, who has already threatened America's other friends throughout the region with weapons of mass destruction, which he has certifiably used in the past—can it possibly be in our interest to risk giving such an individual control of more than half of the world's total proven oil reserves?

If we fail to back up the President and the U.N. Security Council's actions now, the coalition that stands poised to reverse Iraq's aggression will simply disintegrate. Like it or not, America is the only nation capable of leading this effort, and the failure of U.S. leadership in this regard will result in the coalition's failure, and I would suggest, a catastrophic change in the political order of the Middle East that would haunt us for years to come.

Some say that we should simply wait a bit longer to see if sanctions might work. I am persuaded that they will not. The Director of Central Intelligence has apprised us that the sanctions have taken a toll on Iraq, but that in his judgment, they will not succeed in removing Iraqi forces from Kuwait. While the Iraqi GNP has been reduced by some 50 percent, Iraq's per capita income still remains double that of our coalition ally, Egypt. Clearly, Saddam Hussein—a man who withstood 8 years of war with Iran, replete with 1 million casualties and missile attacks on Baghdad—surely, this man will survive economic sanctions for another 6 months.

Meanwhile, what will occur if we wait another 6 months for sanctions to take hold? First, it will expose our forces and their equipment to some of the harshest conditions on Earth, including daytime temperatures of 140 degrees. This would diminish morale and our ability to use force at a later time. It would impose an especially undue burden on our Reservists and Guardsmen in the gulf.

Second, knowing that an attack is not imminent would give Saddam Hussein the ability to cut back his own military exercises and would, in fact, minimize the toll that sanctions would take on his military.

Third, waiting would give Saddam the ability to improve further the military fortifications on his borders, meaning that, when sanctions are deemed to have failed, we will face a more entrenched foe and will put more American lives in jeopardy.

The same is true of Saddam Hussein's arsenal of weapons of mass destruction. Does it make sense to give him another 6 months, another year, to produce more chemical weapons, to develop more biological weapons, to continue his work to develop nuclear weapons, so that he can then confront our forces with these additional tools of death?

No. The time is now to put the Congress on record in support of the United Nations and the President. The time is now to oppose dictators.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Mr. Speaker, I rise in support of the Michel-Solarz resolution.

Mr. Speaker, I believe that Saddam Hussein's aggression must be stopped and that is why I am supporting the Solarz-Michel resolution. As the President has said—it is not the United States against Iraq—it is Iraq against the world. Indeed, the U.N. Security Council voted unanimously in favor of economic sanctions, and then after hostages were taken, to approve use of force to support those sanctions.

Like all Americans, I want a peaceful resolution of this problem. All involved are hopeful that the current military buildup and threat of force will encourage Hussein to pull out of Kuwait without conflict. But in order for this strategy to succeed, we must continue the pressure on Saddam Hussein to get out of Kuwait.

Supporting this resolution clearly does not preclude negotiation. There is still time to negotiate a peaceful settlement, though such a settlement must include a complete withdrawal of Iraq from Kuwait. However, a time limit must be set or this standoff could go on for years, resulting in smaller countries who rely on Iraq oil lifting their sanctions, the continued plunder and starvation of the Kuwaiti citizens, and the escalation of costs. Nobody wants to go to war, but the only way to avoid it is to support the current aggressive stance which has brought results thus far.

If we fail to authorize use of force, Hussein will undoubtedly conclude he was won Kuwait forever. CIA Director William Webster has indicated that he believes Saddam Hussein is willing to endure economic hardship, even a subsistence economy, to outlast international efforts to make him leave Kuwait. Even if sanctions do bite, no one knows how long it will take or whether they will ever change Saddam's mind about being an aggressor. The CIA Director also made it clear that he feels Iraq can maintain its military power for an extended period even if the sanctions do work.

I do not want a war. None of us does. It is imperative, however, that we show Saddam Hussein and other potential aggressors that we and others in the world will not tolerate military solutions to their private problems. This resolution, and the U.N. resolution it so clearly supports, are necessary steps in convincing Saddam of that fact.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in support of the Michel-Solarz amendment because, in my judgment, it does not require the use of force, but offers the best hope for a diplomatic solution to the Persian Gulf crisis by backing the U.N. resolution and the position of the multinational coalition.

Mr. Speaker, the choice presented by the resolutions offered today requires the most difficult, wrenching choice of my 8 years in Congress. This matter has weighed heavily upon me for many months.

During the holiday season this year, I watched families celebrate together and could not put aside the enormity of this decision for our Nation. I have listened to the concerns of the families in my district; I have pondered the implications of my vote and the consequences of the action we are about to take.

Mr. Speaker, it is my judgment that the best chance for peace and stability not only in the Middle East but throughout the world lies in casting my vote in support of the world community's position on this crisis, as expressed in the U.N. Resolution 678. Of the two measures presented today regarding the use of force, only the Michel-Solarz resolution is consistent with the U.N. position.

I believe the United States and the other members of the multinational coalition opposing Iraq's utterly unconscionable, brutal aggression have exercised restraint. i believe we will continue to exercise restraint beyond January 15 as long as authentic diplomatic possibilities for resolving the crisis exist. Surely, though Saddam Hussein has refused our effort to present our position to him, we will not undercut genuine diplomatic efforts of the United Nations, other Arab States, the Soviet Union, or the nations of the European Community as long as they exist.

But, if we vote today to undercut U.N. Resolution 678, how will diplomatic efforts have the backing needed to bring about a peaceful resolution? If we now place new conditions on an already clear and firm international position, what urgency will there be for Saddam Hussein to participate in any substantive effort to end the occupation of Kuwait?

Make no mistake, the U.N. resolution was not a vote to start a war on January 15. Neither is our vote today reaffirming that resolution a vote for war. But the United Nation recognized that, for diplomacy to work, the threat of force must be credible and the absolute, resolute unanimity of world opposition to the continued occupation of Kuwait clear. While the gentleman from Missouri's resolution is offered with the best intentions, it undercuts both the credibility of our commitment and the unity among nations and so would make peace harder to achieve.

I believe we must stand together with the world community, not in support of war, but in support of the most effective means of achieving peace—the clearly expressed message to Saddam Hussein that he faces grave consequences by not complying with the world's call for his unconditional withdrawal from Kuwait.

Some of my colleagues have said that we must rely on waiting for economic sanctions to work. However, the embargo has thus far been at least 90-percent effective and still Saddam has not budged. Our best intelligence sources tell us that Iraq can weather the most effective embargo for many more months or even years, can increase its self-sufficiency over time, and will retain a per capita income far above that of neighboring nations. Both Egypt and Turkey continue to experience huge and painful economic disruptions as a result of participating in the embargo. The gentleman from New York who sponsored this resolution has pointed out that, even if sanctions are fully successful, Iraq's per capita income will still be twice that of Egypt and greater than Turkey's.

If we were to vote today to simply rely on sanctions not backed by the credible option of force, Saddam would have the luxury of ignoring diplomacy and concertating on fortifying both his economic and military strength and maximizing the price paid by our allies. Saddam can use time as a weapon if the failure of diplomacy does not carry with it the risk of multinational commitment to other means to dislodge him from Kuwait, as the United Nations intended.

And let us put to rest the notion that we have acted simply in the interests of cheap oil. Not one of us would put our service men and women at risk for such a narrow purpose, and even those among us who oppose the size of our deployment have no basis to attribute such a cynical position to the President. It is not cheap oil we seek to protect, but the functioning of the world's economy which is dependent upon the Middle East's oil. Were Saddam Hussein willing to control it for his own benefit, the economic impact on the world would be devastating. The cost of Desert Shield is enormous but it is a fraction of the worldwide economic disruption that would ensue if the Middle East's resources were under control of one so arbitrary and ruthless as Saddam Hussein.

As the Washington Post said yesterday, does anyone think Saddam would not take heart from a vote that denies the President the option of using force in conformity with both national policy and international mandate? Let me emphasize that the Gephardt resolution is not in conformity with international mandate and so would weaken the U.S. position not only with Saddam Hussein but with our allies in the world who have aligned with us against Saddam.

Diplomacy must continue because the search for a settlement of this crisis must succeed if the interests of the world community are to be served. Time is not our ally, unity is. If we are truly unified as a Congress and as a nation with the world position, we must step forward today and affirm it. Thereafter, I would hope that other problems be addressed through a regional peace conference and long-term stability and hope be the true legacy of this crisis for the Middle East. I urge my colleagues to stand together in support of the Michel-Solarz resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. OXLEY].

Mr. OXLEY. Mr. Speaker, I rise in support of the Michel amendment. I believe that peace through strength really works and will work in this case for peace.

Mr. Speaker, I rise in strong support of the Michel-Solarz, peace through strength resolution. Contrary to the contentions of some, this resolution is not a declaration of war. This resolution authorizes the use of force against Iraq only if and when the President informs the leaders of both Houses of Congress that sanctions and all other diplomatic efforts have proven futile in convincing Saddam Hussein to quit Kuwait.

As the President has said, Iraq sorely miscalculated the response of the world community. The unity of the international response has been unprecedented. The Michel-Solarz resolution simply endorses United Nations Resolution 678, authorizing the use of force against Iraq, should it prove necessary. The United Nations took a courageous stand. The U.S. Congress should do no less.

I do not want war, and I do not believe that President Bush wants war. However, the world community has been clear that Saddam Hussein can avert armed conflict by leaving Kuwait. The United Nations has passed 12 resolutions in this regard, yet he continues his occupation of Kuwait.

Some have argued that economic sanctions will force Saddam to comply with U.N. resolutions. Unfortunately, sanctions rarely, if ever, work. A full-scale embargo against Nicaragua could not change its totalitarian policies under Daniel Ortega, and 2 years worth of sanctions could not bring Manuel Noriega to his knees in Panama. Certainly, Iraq is more economically self-sufficient than Nicaragua or Panama, and Saddam is more brutal and dangerous than Ortega or Noriega.

Others have suggested that the United States should not lead the effort against Iraq. Japan, Germany, and other nations are more reliant on foreign oil than are we. However, this suggestion ignores the fact that military units from 28 countries are now directly involved in Operation Desert Shield or in the enforcement of sanctions. A total of 250,000 coalition troops have joined the 360,000 American troops in the gulf region. Moreover, about 80 percent of U.S. expenses through December 31, 1990—over $6 billion—has been pledged or collected.

We have seen time and again during this century that appeasement will not buy lasting peace. We must not allow this body to become the Neville Chamberlain of the 1990's. And make no mistake, to give Saddam more months to consolidate his plunder of Kuwait without the threat of military force would be to appease him—but only temporarily. Like all tryants, Saddam Hussein's ambitions know only the bound-

ary of vigorous military resistance. The language of force is the only language this bloodthristy dictator understands.

Teddy Roosevelt said that the United States should speak softly and carry a big stick. We have a big stick, and Saddam still has not heeded our warning. He has not, because he does not believe that we will use the stick. He is watching today, to see if we will confirm his belief. It is time we raised the stick over our heads.

It is time Saddam understands that we want peace, but not at any price. It we must, we will act to liberate Kuwait. We will enforce peace through strength.

Over the past 3 days, we have heard numerous speakers lament the awful precedent which would be set for the new world order if we used force to dispel Saddam from Kuwait. My friends, think of the terrible precedent which is set if Saddam's illegal annexation of Kuwait is allowed to persist.

Yes, peace through strength has served our Nation well for over 200 years and it will again. I ask for your support for the Michel-Solarz bipartisan resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. RAMSTAD].

Mr. RAMSTAD. Mr. Speaker, because I truly believe this is the best course for a peaceful resolution of the Persian Gulf crisis, I rise in strong support of the Michel-Solarz resolution.

Mr. Speaker, today I rise to cast what could very well be the most difficult vote I will ever face. As one who saw the lives of three friends taken by the Vietnam war, I cast this vote with a heavy heart.

I have agonized long and hard over the best course of action to preserve peace in the Middle East while getting Saddam Hussein to withdraw from Kuwait.

There is a consensus in this country that Iraq's naked aggression must not be rewarded. If left unchecked, Saddam Hussein's quest for power and heinous atrocities will only turn to other targets.

The real debate is over how to best check this imperial dictator's aggression. In an area as strategically and economically vital to the United States as the Middle East, our choice is either to thwart that aggression now, or be forced to face it later.

Since the Iraqi invasion, I have strongly supported economic sanctions and diplomatic efforts to bring this crisis to a peaceful resolution. I have not supported the use of military force because I believe that these sanctions alone would work.

At this point, however, I believe our last best chance for peace is for Saddam Hussein to fully appreciate that the President of the United States has the full support of Congress to use military force to remove Iraq from Kuwait should diplomacy fail.

After much thought and careful deliberation, I am convinced that a credible threat of force is essential to a peaceful resolution of the Persian Gulf crisis and a compete withdrawal of Iraq from Kuwait.

I have reached this conclusion following several briefings with the President, Secretary of Defense, Chairman of the Joint Chiefs of Staff, and a careful review of the testimony of the CIA Director. It is clear that neither diplomacy nor sanctions has a chance if the credible threat of military force is removed.

Accordingly, I have decided to support the bipartisan Michel-Solarz-Broomfield joint resolution which affirms Congress' support for the President and U.N. Resolution 678.

Unfortunately, we don't have unlimited time to rely exclusively on sanctions. Prolonging this crisis only works to the advantage of Saddam Hussein according to our intelligence, military, and diplomatic sources.

First, there are credible reports that Iraq could possibly have nuclear weapons in a matter of months. If we don't stop Hussein now, we will have to confront him later when the cost in American lives could be infinitely greater.

I cannot in good conscience vote to set the stage for our troops to become embroiled in a nuclear conflict when addressing this issue now could avoid it. We must not subject our Nation and the rest of the world to nuclear blackmail by Saddam Hussein.

Second, military sources tell us that delay will only allow Saddam Hussein to further develop his military capacity. This would also add to the potential loss of life should we have to take military action later.

And finally, diplomatic sources tell us that the unprecedented international coalition of support behind our policy will begin to erode if other nations begin to doubt the resolve of the United States to see this crisis through.

Like all Americans, I do not want America to go to war. But as ironic as it may seem, if we wish to vote today for peace, we must vote to threaten war.

If Congress were to vote down the Michel-Solarz-Broomfield joint resolution, it would send a message to Saddam Hussein that he faces no serious consequences if he ignores the January 15 deadline set by the United Nations. With that assurance, he clearly would not have any incentive to negotiate, much less withdraw peacefully from Kuwait.

My vote today is not a vote for war in the gulf. Rather, as the resolution itself mandates, the President will not be authorized by Congress to use offensive military force until "the United States has used all appropiate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions * * *."

I hope and pray there is no war. I firmly believe that a strong affirmative vote by Congress in support of the President will substantially improve the changes of achieving peace.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa [Mr. NUSSLE].

Mr. NUSSLE. Mr. Speaker, I rise in strong support of the bipartisan Michel-Solarz resolution.

Mr. Speaker, I rise today in support of the bipartisan Solarz-Michel resolution. It is vital to the security of our troops in the Gulf and our Nation that the United States sends a clear message to Saddam Hussein—that we will not ignore his acts of aggression against Kuwait. If sanctions and other diplomatic efforts are to have a chance of working, Saddam Hussein must know that we have not closed any doors.

More importantly, Mr. Speaker, I believe that the most important goal of this special session of Congress is to ensure peace in the world. Our Nation must stand together with one clear and firm voice if we are to resolve this situation in a peaceful manner, and the Solarz-Michel resolution is our last best chance to achieve this goal.

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Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, I rise in support of the Solarz-Michel resolution.

Mr. Speaker, a wise soul once said something to the effect that those who forget history are doomed to repeat it. This remark weighs heavily on my mind as we consider the situtation before us. It prompts me to think of Neville Chamberlain who, so anxious for peace, came back from Munich where he had agreed to give in to Hitler's demands for a part of Czechoslovakia. Hitler had promised him that he wanted only this small part and nothing more. At the time, Chamberlain returned to wildly cheering crowds on the streets of London and in his own Parliament building, such as had never been heard there in some time. He had bought peace at the price of appeasement. His umbrella became the symbol of appeasement. A sadly, prophetic Winston Churchill remarked, "You were given the choice between war and dishonor. You chose dishonor and you will have war." That's history; and let not our action today be our umbrella of appeasement.

As we all know, Chamberlain's efforts for "peace in our time" and his policy of negotiation with authoritarian states, rather than a concerted show of strength, led the peaceful world into the greatest conflagration yet known. Chamberlain later came to realize that the aggressor could not be appeased. His biography attests to his conversion but it was too late. Appeasement only whetted the appetite for more, more, more.

Reflecting upon this lesson in history, how long are we willing to wait for it to catch up with us again. Granted, there are slight differences between 1939 and the current crisis, but should Hussein be successful in his land grab, he, too, will only want more. His position will have been strengthened and he will be confident, that having stolen Kuwait, he will be able to take more. The West, as with Hitler 50 years ago, will not have had the resolve to stand firm against aggression, thereby having missed the opportunity to save the very lives that they were trying to save.

The world cannot again make the same mistakes that it made a half century ago. It must stand firm now against another tyrant in order to preserve the peace that it so desperately values.

Mr. Speaker, we must pass the Solarz-Michel resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. HOBSON].

Mr. HOBSON. Mr. Speaker, I rise in support of the Solarz-Michel bipartisan resolution.

Mr. Speaker, this is a unique time in world history. For the last 5 months, we have seen the world stand together and condemn the aggression of Saddam Hussein and the Iraqi Government. Never before has the world been so united against such a brutal transgression of the rights of a sovereign nation.

The resolutions before us today raise the question of whether Congress should grant the President the authority to use force if Saddam Hussein's forces do not leave Kuwait before January 15. I believe that in the effort for world peace this Congress must stand with the President and the world and support the U.N. Security Council resolution.

In light of Secretary Baker's disappointing meeting with Iraqi Foreign Minister Tariq Aziz in Geneva this week, when Iraq refused to participate in any negotiations for an unconditional and nonmilitary resolution to this situation, it is more important than ever that the United States present a united front with the rest of the world. I believe the Solarz-Michel resolution is the best approach for a peaceful solution. A vote against this resolution would most certainly be interpreted by Saddam Hussein as evidence of division and paralysis in the world coalition.

By demonstrating our confidence in the U.N. policies, we will grant the President the trump card he needs to bring about peace. We can only negotiate peace from strength. Saddam Hussein is a dictator and, therefore, only understands power. He must know we are serious and will take every step necessary to stop the destruction of an independent country and the murder of an innocent people.

This Congress must send Saddam Hussein a clear message that this country will not tolerate naked aggression. We cannot permit Saddam Hussein to benefit from his brutalities—because if he does, he will surely strike again.

Clearly, none of us wants to go to war. We all pray that this situation is resolved peacefully. However, this vote today is not one to declare war, but to decide which is the best path toward peace. I believe this bipartisan resolution will give the President the power he needs to force Iraq out of Kuwait and is the best course to prevent bloodshed of our young men and women stationed in the Persian Gulf.

For these reasons, I support the Michel-Solarz resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. INHOFE].

Mr. INHOFE. Mr. Speaker, because I believe it is the only opportunity we have for peace, I rise in strong support of the Solarz-Michel resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Colorado [Mr. SCHAEFER].

Mr. SCHAEFER. Mr. Speaker, I rise in support of the Solarz-Michel resolution.

Mr. Speaker, this debate and the following votes will undoubtedly be the most important of this Congress. Despite the gravity of the issue, the right course of action is clear. The only reasonable decision Congress can make is to support the President, and endorse the Michel-Solarz resolution. I do not make this decision lightly with a nephew on the front lines and another ready to go. The best chance for peace, in this the 11th hour, is to make credible to Hussein the threat that he faces the destruction of his army, as well as his government, if he fails to withdraw from Kuwait.

Congress has demanded a say in our policy toward Iraq. Now we are making that decision with the whole world looking on. Do we stand with the President and the world community, or do we falter, and allow Saddam Hussein to tighten his grip on Kuwait? There are those who want to give sanctions more time. When this crisis started, we were told that sanctions would yield results in 6 months.

Now we are told it will take more months or a year, or 2, while he continues to sneer at the nearly unanimous condemnation of his actions and eventually lead to a draft of our young men and women. Our own CIA Director informed us that the sanctions have been ineffective. I find it hard to believe that Hussein will succumb to economic pressure when he now ignores the threat from the nearly half a million troops massed against him on his border.

Our troops have sat in the desert for 5 months. How much longer should we keep them there? We all know of the hardships they face, as well as the special problems for those serving in the National Guard and Reserves. We have given Iraq every opportunity to reconsider its invasion. President Bush invited the Iraqi Foreign Minister to meet with him, and offered to send Secretary of State Baker to talk with Hussein, but these moves were rebuffed. Only recently did Iraq agree to the meeting between their Foreign Minister and Secretary Baker, but Iraq refused to even consider the demands of an outraged world. It is now time to give our President the authority to act decisively.

We must recognize that the Middle East is vital to America's interests, and that Hussein's brutal actions pose a direct threat to them. We must also understand that America must protect these interests, even with force. As a former marine, I know what this could entail, and do not take this position lightly. However, we cannot allow international lawlessness to go unpunished, let alone rewarded. With adoption of the Michel-Solarz resolution, the decision between war or peace will solely be that of Iraq.

It is time to act as one, and provide a united front to Hussein. I urge my colleagues to join our military, the American people, and world opinion in supporting the President. Thank you.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, because I, too, honestly feel that it is the best chance for peace, I will support the Solarz-Broomfield-Michel bipartisan resolution.

Mr. Speaker, I rise today in firm support of the only resolution before us today that holds any chance of a peaceful solution—the Michel-Solarz resolution.

I would like nothing more than to put my faith in continued economic sanctions in the hope that they alone could force Saddam Hussein to withdraw his troops from Kuwait. However, the recent events in Geneva and the rhetoric from Baghdad have convinced me that this course cannot succeed.

I believe that Saddam still doubts the will of the international force on his borders to use armed force if necessary to liberate Kuwait, largely because he doubts the will of those of us in this Chamber to authorize the President of the United States to employ United States troops.

It is my deepest hope that passing the Michel-Solarz resolution today and giving the President that authority, will finally convince Saddam that we are, in fact, serious, that we are willing to stand up for the inviolability of recognized borders and the preservation of true, lasting peace.

I believe that Saddam understands only the language of power and strength; that he has no intention of giving up anything unless he is forced to do so and that diplomacy and sanctions mean nothing to this terror-monger and brutalizer of his own people, let alone those of other nations.

This authority, that contained in the Michel-Solarz resolution, speaks the language that Saddam understands. Furthermore, each day that we wait without sending this message to Saddam consigns the people of Kuwait to a living hell of near unimaginable proportions.

In a report of Iraqi human rights violations in Kuwait released by Amnesty International last month account after account of beatings, torture, and rapes are documented by eyewitnesses. The longer we wait, the less of Kuwait there will be to retrieve and rebuild. No, we must force Saddam to withdraw now.

Furthermore, it is important to recognize that this is not the last Congress will hear on this matter. Indeed, the Michel-Solarz resolution requires that before exercising the authority granted to him by the resolution, he shall provide the Speaker of the House and President pro tempore of the Senate a specific determination that all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the U.N. Security Council resolutions and that those means have not been and would not subsequently been successful.

The resolution further stipulates that the President shall submit to Congress a summary of his efforts in this regard every 60 days.

Mr. Speaker, it is only fair to point out that the President is not rushing to war. After all, he has tried again and again and again to meet with Saddam to try to come to a peaceful resolution and he has been ignored. Also, as we all know, the Iraqi Foreign Minister refused even to accept President Bush's letter in a last minute attempt for a peaceful solution.

The President will do all that he can to achieve our goals peacefully; that is plain. It is not our President who is rushing to war, but Saddam Hussein.

Finally, I would like to quote to you from a letter that I received yesterday. It was from Bob Radcliff, a good friend of mine who lives in Tampa, FL. In that letter, my friend included the words of his son, Roger, an Air Force colonel who files A–10 ground attack planes and is currently in Saudi Arabia with Operation Desert Shield. His son wrote the following to him:

The machine that has been assembled here since August is unbelievable. No other nation in history could have pulled this off. You can't begin to appreciate the size of this effort unless you're here. Having said that, it will be one hell of a mess if this is allowed to drag on. We are not geared to sustain this effort over the long term. Even a draft won't get the people with the right training fast enough.

In the meantime, urge our Congress to support the President. Let's get this over with when the time is right.

Mr. Speaker, for the sake of the Nation, for the sake of world peace, I urge my colleagues to support the Michel-Solarz resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. RITTER].

Mr. RITTER. Mr. Speaker, I rise in strong support of the Solarz-Michel resolution as the last best hope for peace and a strong, strong message that Perez de Cuellar can bring to Baghdad in the days ahead.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I strongly support the President's policy in the Middle East and fully intend to vote in favor of a resolution authorizing the President to use military force against Iraq.

After careful consideration and based upon the opinions of knowledgeable foreign affairs specialists, I am persuaded that this resolution offers the best hope of averting armed conflict with the country of Iraq. I do not desire war and seek to avoid it. My vote is a vote for peace.

I have spoken personally with the President and have been briefed by his most senior advisors. Only by presenting a strong, unified front between the executive and legislative branches of our Government can we hope to avoid war. Congressional equivocation on this matter will induce Hussein to believe that President Bush is bluffing. He may then call the bluff, which would trigger the war.

The United States and the international community have responded to Iraq's aggression because of an alarming combination of dangers. First, there is the threat of terrorism against our own citizens. Because Hussein has threatened to retaliate against innocent Americans if there is U.S. military action in the Middle East, the State Department has issued a strong warning against American travel abroad, broader geographically than any warning since World War II.

Second, there is the chilling prospect of Saddam Hussein's domination of world oil supplies. If we do not repel him, he will gain control over almost half the world's oil. Regardless of price, we cannot risk such dominance by a regime which flagrantly ignores international rules of peaceful coexistence.

Third, there is the undeniable threat of greater Iraqi aggression, particularly against Israel. When asked if Iraq would attack Israel should Iraq be attacked by any nation, Iraq's Foreign Minister replied, "Absolutely, yes." Surely we cannot ignore such an explicit statement against such a good ally of the United States.

Hussein has made it clear that he is prepared to take great risks. It is now up to us in Congress to convince him that he has miscalculated and that this risk is too great for him to proceed with his plan to stay in Kuwait. By taking strong legislative action now, we may be able to avert strong military action later in the Middle east. Let's hope that congressional passage of this resolution causes Hussein to rethink his position.

In the meantime, my prayers are with the President and for our Armed Forces stationed in Saudi Arabia.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Speaker, I rise in strong support of the bipartisan Solarz-Michel resolution. I think it is the last best home for peace.

Mr. Speaker, recent reports reveal that Iraq may have intended to invade Saudi Arabia and capture that oil-rich nation after its cruel seizure of Kuwait. We already know that he clearly intended to attack the United Arab Emirates. All of Iraq's threat against Kuwait included the U.A.E.

Yesterday's Financial Times newspaper reported that the Iraqi Government bought satellite photography of both Kuwait and Saudi Arabia just 3 months before Iraq's brutal invasion of Kuwait.

This new information seems to confirm earlier reports that Iraqi military units had crossed the Saudi Arabian border on three occasions after having seized Kuwait.

And, this new information shows that Iraq planned the invasion of Kuwait, and probably Saudi Arabia, well in advance of the August military operation, long before he promised King Fahd of Saudi Arabia, President Mubarak of Egypt, and others that he would not invade Kuwait.

The detailed photography provided Iraq with sensitive information about roads, infrastructure, and other facilities in Kuwait and Saudi Arabia.

It is likely that the Iraqi military strategists found the sensitive photos invaluable for assessing potential targets in both nations when they planned and carried out their invasion of Kuwait.

The Iraqi purchase of satellite imagery was made from Spot-Image, a privately owned French company with ties to the French Government.

Despite Saddam Hussein's claim that he invaded Kuwait because of historic claims to that country and a disagreement with Kuwait over oil production levels, the truth is that the Iraqi dictator probably intended to capture Saudi Arabia as well and thereby control 65 percent of the world's oil production capacity. It is clear also that his claim that he did all of it for Palestine is a bold-faced lie.

In light of this new information, it is clear that Saddam Hussein's decision to invade Kuwait was premeditated and may have included the intention to seize Saudi Arabia.

We now have additional justification for supporting the President's decision to stand firm against Iraqi aggression and defend Saudi Arabia.

Making satellite photography available to a dictator is unwise and may have contributed to the speed of Iraq's seizure of Kuwait. We should work with the French Government in an effort to better control such sensitive photography and further restrict the export of sensitive technology both by this country and our allies.

[From the Financial Times, Jan. 11, 1991]

IRAQ BOUGHT SATELLITE PICTURES OF KUWAIT

(By Lionel Barber)

Iraq bought high-definition satellite photographs of Kuwait and Saudi Arabia from a French company specializing in photo-reconnaissance three months before the August 2 invasion.

The pictures contained sensitive information about roads, infrastructure and other installations helpful to a potential aggressor. Despite this, Spot-Image, a Toulouse-based business with close links to the French government and the US department of defence, went ahead with the sale.

The last batch of photographs was delivered to Baghdad on May 2 last year, and formed part of a contract signed in 1988 to provide satellite data.

Mr. Gerard Brachet, Spot-Image's chairman, who was in Washington this week, defended the deal with Baghdad in an interview with the Financial Times: "Iraq was not an unusual customer or one which commanded special attention."

Spot-Image is the privately owned sales company for the French government's heavily subsidized satellite programme. It is supplying the Pentagon and other clients in the multinational coalition with photographs of the Gulf region.

Out of a total 20 pictures delivered by Spot, "five, three or seven" were deemed sensitive by the company.

These overlapping photographs of the targeted areas in the region, taken from two different perspectives, allowed the Iraqis to look at territory and installations to map a route for an invasion and identify potential points of resistance from Kuwaiti defences.

Satellite experts in Washington say that civil customers interested in exploring land for urban planning only require pictures from one angle. Military clients want pictures from two or three perspectives to gain an impression of the height of structures and the physical dimensions of potential targets.

This tends to confound Iraq's claim at the time of the invasion that its move was unpremeditated and was instead provoked by Kuwaiti intransigence on issues such as oil production levels and outstanding loans to Baghdad.

Spot was sufficiently alarmed by the Iraqi request for data on Kuwait and Saudi Arabia that it subsequently halted future deliveries to its customer in Baghdad, the National Remote Sensing Centre, a front organisation for the Iraqi government. Asked if he had passed on details of the Iraqi request to French or US authorities, both of whom would have viewed it as potentially critical intelligence, Mr. Brachet said: "I doubt that;

I am not aware of anything we did, but I am not saying anything against information you have."

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan [Mr. PURSELL].

Mr. PURSELL. Mr. Speaker, I rise in support of the Solarz-Michel resolution and congratulate its leadership as a united front with the President and the United Nations.

Mr. Speaker, I rise in support of the bipartisan Solarz-Michel resolution in an effort to strengthen our 11th-hour peace efforts in the Persian Gulf. The President, Congress, and the United Nations, solidly united at this moment in history, puts us on the best path for peace. As we approach the U.N. deadline for Iraq's withdrawal from Kuwait, it is important that the international community remain united in its support for the U.N. sanctions and the Security Council resolutions.

Solarz-Michel is the best means for keeping pressure on Saddam Hussein and, without that pressure, the chances of a peaceful withdrawal are unlikely. Support for President Bush's unprecedented accomplishment in putting together an international coalition calling for a peaceful solution, as well as support for the U.N. process and U.N. efforts, is critical at this late date. This resolution sends a message to Hussein that this weekend's meeting with the U.N. Secretary General may be his best chance for peace. It also strengthens any other international efforts toward a negotiated settlement—which remains our first priority.

Hussein's decision to act with force and dismember a sovereign Arab State comes at a critical time in world history, a time when post-cold-war relationships and alliances are being defined. During this crisis, the international community must stand united against acts of aggression like that carried out by Iraq.

Last Sunday I met with the families of Jackson's 1461st National Guard unit, now serving in Saudi Arabia. They know firsthand of the sacrifices being made. I remain deeply concerned about our brave men and women in uniform, as well as their families.

No one wants this crisis resolved through military conflict. Diplomacy is the preferred option. Unfortunately, Saddam Hussein will not respect diplomacy unless it is backed by our forceful resolve.

My prayer, like so many others, continues to be that our resolve will not be tested.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. BENTLEY].

Mrs. BENTLEY. Mr. Speaker, I rise in support of the Solarz-Michel resolution on the basis that this is our best way to proceed right now, and it is with a heavy heart that I do it right now.

Mr. Speaker, today I speak with a heavy heart after listening for many hours these past few days to my colleagues who have spoken so intensely and sincerely on the crisis that has unfolded over the past 5 months. After hearing all sides of the debate, I am firmly convinced that each and every Member of this body has spoken from his or her heart. During this period, I've been talking nonstop with my constituents, each one of which has a valuable pearl of wisdom to offer.

One constituent of mine who is opposed to military action is a World War II veteran who lost a brother in that war and whose son served honorably in Vietnam. There was another who voiced her support for using any and all available means of neutralize Saddam Hussein's war fighting capability. Others have expressed concern about the notion of extending sanctions indefinitely and what that would mean for our troops in the desert. Perhaps the most persuasive call that I received, however, was from a member of the National Guard associated with the 290th Military Police Unit, from my district—poised only a few miles from the Iraqi border. The message that he delivered from his colleagues in the gulf was that they wanted the Congress to support the President.

As such, Mr. Speaker, I plan to support the bipartisan joint resolution that is being offered today because in this hour, I believe it imperative that the Congress of the United States send our troops and Saddam Hussein a unified message of resolve and support.

I wish that Congress had engaged in a debate over this serious issue many months ago—but it never happened. We are now at a crossroads. This is not the time for Congress to speculate about armored tactics. Nor should this body offer pronouncements about who should or should not have blinked. With only 3 days to the deadline, this is not the appropriate time to be second guessing the President.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I rise in support of the Solarz-Michel resolution. I want to commend in particular the Speaker and the majority leader for their commitment that today we leave this Chamber united.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. PAXON].

Mr. PAXON. Mr. Speaker, I rise in strong support of the Solarz-Michel resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER].

Mr. DREIER of California. Mr. Speaker, I rise in opposition to war and in strong support of President Bush and the bipartisan compromise to ensure that we do not have to go to war.

Mr. Speaker, the decision to commit America to war is one of the most difficult and painful votes that Congress will ever take. However, for a host of reasons, President Bush's policy in the gulf must be supported. This is not simply a question of protecting the world's oil supplies. Indeed, if it were, I could not support the President's position. It is also not just a question of defending an ally or stopping world aggression.

Instead, it is a combination of all of the above and more. One analyst has pointed out that "This is not just someone who wants a leading role in the Middle East, but someone trying to establish dominance of the Arab world." Today, Saddam Hussein is a threat to Saudi Arabia, Turkey, Israel, and all of the other countries in the region. If left unchecked, Saddam will pose a threat to the entire world because of his chemical and nuclear weapons coupled with missiles to deliver them around the globe. He is also responsible for some of the most heinous human rights violations ever.

Some have argued that sanctions will do the job. It is still possible that they may damage Iraq's economy. However, Iraq was able to suffer through 8 years of war with Iran and endure the chronic shortages and sacrifices that the effort entailed. We are fooling ourselves if we believe that 6 months or a year of sanctions alone would compel Saddam to give up his newly won prize.

In addition, news reports have suggested that Iraq is already circumventing the embargo. German companies have shipped chemicals and oil supplies through third countries. India has provided food aid to Iraq. And just Monday, a Soviet freighter loaded with military supplies was intercepted in the gulf.

The Associated Press reported this week that 1,000 Soviet advisers had decided to stay in Iraq because the economic conditions were so much better than in the U.S.S.R. What does this say for the effectiveness of the sanctions so far?

Mr. Speaker, I do not believe that war is inevitable. There is still time for Saddam Hussein to see the light. Like many of my colleagues, I held out hope that international sanctions against Iraq would succeed in forcing Saddam Hussein's military out of Kuwait. But I am no longer convinced that sanctions can work by themselves.

Given the outcome of Wednesday's meeting between Secretary Baker and the Iraqi foreign minister, it appears that the only way Saddam Hussein is going to leave Kuwait without going to war is if he is convinced that the United States and our coalition partners will use overwhelming force to achieve our objective. He must be convinced of our resolve. It does not mean that war is the only solution. It does not mean we are abandoning sanctions. Rather, we are giving the President the added leverage to achieve a diplomatic solution and reign in the maniacal ambitions of Saddam Hussein.

Mr. Speaker, I urge my colleagues to support this bipartisan package which provides us with the best hope for peacefully removing Saddam Hussein from Kuwait.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. MILLER].

Mr. MILLER of Ohio. Mr. Speaker, it has often been said over the past few days that the votes we cast today will be the most significant any of us will have to make. There is no question that we have an awesome responsibility and one that strikes home for me. My grandson, Drew Miller, has been deployed to the Persian Gulf since August aboard the Navy hospital ship, U.S.S. *Comfort*. Having a family member in the gulf gives this decision a personal dimension that weighs heavily; at the same time, I know all of us here today value the lives of each and every one of those

men and women who have volunteered to serve in our Armed Forces.

I will be voting for the Michel-Solarz resolution, and I do so because I believe it is the only way we can uphold our Nation's interests and achieve our objectives without going to war. Demonstrating that the Nation is united with the President in his determination that Iraq's aggression must be reversed, that the legislative branch will back the President in threatening the use of force, offers the best hope of convincing Saddam Hussein that he must withdraw from Kuwait. I do not believe my grandson, nor any of the other service men and women who have been sent to the gulf, would want to come home without accomplishing what they had been sent to do. We must give the President the authority he needs to implement the U.N. Security Council resolutions.

Mr. BROOMFIELD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. EDWARDS].

Mr. EDWARDS of Oklahoma. Mr. Speaker, this is possibly the most important moment of any of our careers in the Congress—it is a solemn, serious moment—these are perhaps the most important votes any of us will ever cast. What we do here today may well determine the prospects for war or peace now and for years to come. None of us wants war. It is not only the opponents of the bipartisan resolution who shudder at the image of young Americans losing their lives in the desert.

But the issue is not just what happens if we pass this resolution—the issue is also what happens if we do not pass it.

Saddam Hussein believes the Congress of the United States lacks the will to stop his aggression. This is our last hope to convince him that his only chance for survival is to pull his invading army out of Kuwait. Sanctions will not force him to pull out. The lack of fresh vegetables in the markets will not sway a dictator who has used chemical and biological weapons against his own people and who was willing to endure hundreds of thousands of casualties in the war with Iran. This—this show of resolve to stand against aggression—is our last chance to keep the peace.

We had the same opportunity when the Germans marched into Czechoslovakia and the world did nothing. Our wishful thinking led to an escalation of aggression and miscalculation which resulted in 12 million deaths.

My friends, you are distancing yourselves from the reality of what is happening in Kuwait—the torture too hideous to describe, the murders of parents in front of their children. We need to end the tyranny of this Iraqi dictator.

Let us not be the Neville Chamberlains of our day. Let us show that we have learned the lessons of history. Let us stop this cancer now before it spreads and the entire world is threatened by Iraq's nuclear and chemical weapons.

Let us in this Congress not show timidity and indecision while half a million brave young men and women in the Arabian desert show the courage and the will to stop aggression and to build a future in which dictators will know that free nations will not tolerate aggression and murder and rape and torture. Today we shape the future. Let us have the courage to do it wisely. We must vote for this resolution. Let us do so today and send a clear message to the world.

What message will we send? Opponents of this resolution refer to our troops as kids. Well, they certainly are young, as were the young soldiers who fought against Hitler. They are not kids. They are dedicated, committed young Americans who understand—and who have told many of us, in words far more eloquent than those spoken on this floor today—that Saddam Hussein cannot, must not, be allowed to get away with this aggression, and who fear for a world in which such aggression goes unanswered. They know far more of them will be at risk tomorrow if we do not act today. Today, let us live up to the trust they have put in us to share the ideals and the courage they exemplify so well.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Speaker, I rise in opposition to the Michel-Solarz substitute.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I rise in opposition to the resolution under consideration for many reasons, and particularly those stated so eloquently and analytically by my good friend, the gentleman form Florida [Mr. GIBBONS].

Mr. GEPHARDT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, I rise in opposition to the Solarz-Michel resolution.

Mr. Speaker, I am saddened and disappointed that we voted down the Hamilton-Gephardt resolution; we did not have the will to stay the course. We did not have the patience to put the screws on Iraq steadily, resolutely, and with strength. We did not have patience to exhaust all other options to achieve our goals before selecting the ultimate option: war. We were afraid that the morale of our men and women would be eroded, so we chose war.

Twenty-seven years ago, Congress approved the Gulf of Tonkin resolution that declared our goal, "To promote the maintenance of international peace and security in Southeast Asia." Today this body again adopting a resolution of war with the stated intent of bolstering the prospects for peace. We have given authority to one person—one person alone—to take this Nation into war. I can only hope the President will use this authority wisely, but I fear that we have learned nothing between then and now.

I fear that we are about to choose tears and pain and mangled bodies; I fear that we are choosing burned flesh and children losing their fathers—and yes, their mothers, too; I fear that we are choosing the putrid stench of death.

Dr. Martin Luther King, Jr., once said, "Violence never brings permanent peace. It solves no social problems; it merely creates new and more complicated ones." Peaceful means to force an Iraqi withdrawal remain, and I urge our President to explore them fully.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio [Ms. OAKAR].

□ 1430

Ms. OAKAR. Mr. Speaker, I rise in opposition to this resolution. My friends, the moment of truth is here. Each Member can never go back. Make no mistake, a vote for this resolution places war as the first option, not the last option, and we abdicate the congressional checks of power our constitutional forefathers warned citizens about. We give one person supreme authority—the President—insulated by a handful of military advisers, all because a 6-hour meeting did not work out, and because of the lack of resolve to let the international sanctions work, to squeeze out Saddam politically and economically, and they are working.

So examine closely the U.N. resolution which these authors want Members to endorse. It authorizes all means of force. It requests all countries to provide appropriate support for these actions. But will all countries participate in military force and all means possible? The answer is no. Only a handful of countries are participating in Saudi Arabia right now.

I was not elected by Europe, Japan, or Saudi Arabia. I was elected by the American people. In reality, the President has personalized this and made this America against Iraq, and not the world against Iraq. Irrespective of what the U.N. resolution says, it is the American people who are picking up the tab. Essentially, the American taxpayer is paying to protect the world's oil, $2 billion a month, without a shot fired. It will go up as combat begins. This has led the United States into a recession, costing thousands of jobs of our own people. We cannot even get Japan and other countries to pay their pledged share.

And whose sons and daughters, fathers and mothers lives will be on the line when the war breaks out? American lives, and the lives of the middle-class and the moderate income people in this country. I visited the troops of Saudi Arabia. Let Members be honest:

The lion's share of those troops, 400,000 strong, are Americans. These young people are among our best and our brightest. They are loyal and patriotic. Can we afford to drain our country of its most valuable resource, its youth? Can we afford the estimated thousands of lives lost, when our goals are confused? And can we afford to destroy ourselves as a country, internally, with the loss of our people's lives?

The division in this country will be more insidious than the war itself. The divisions in this country have already begun. It is time we said "America first."

Finally, what are the consequences of war for America and the world? Today, with the deafening silence on the part of the administration about a national energy policy for our own energy security, we see the Soviet troops marching into Lithuania and the Baltic countries, the unrest in the Asian provinces of the Soviet Union, the civil unrest, unjust trials in China, the extreme tensions in the Middle East, the disparity of wealth, and poverty of the people in Africa and Central America.

If war breaks out, there will be no surgical strike for Saddam Hussein. There will be a world war of untold dimensions.

All of our dreams for world peace will have been shattered because of the failure to negotiate and let the sanctions work. The American people's future, the world's destiny is in your hands. It is essential that we understand that we are the people's House. It is appropriate that we have the last vote on this issue. Let Members uphold the Constitution and think of our people for a change. Vote "no" on the Solarz-Michel resolution which I believe will lead our country into war, and vote for the American people.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I would like to begin by thanking our colleague, the gentleman from California [Mr. DELLUMS] and so many of our other colleagues, as well as the leadership of this House for bringing Members back to a constitutional form of government.

It has been said many times today that this is a historic day, and truly it is, but we must remember why it is. Because either we will declare a war or we will not, because the vote that we are about to cast is all that stands between war and peace.

This declaration of war is the final piece in a plan to rid the world of Saddam Hussein. For that is the intent, not just the liberation of Kuwait. That goal can only be achieved by war. War in Kuwait and war in Iraq. Not a war of surgical strikes, but a war requiring surgeons. A war in the air, and a war on the ground.

This is the beginning of a war and a burden that will not be shared by our allies. With this declaration of war on Iraq, the coalition is already weakening. This is an American declaration of war. No other member and no other parliament of the international coalition will take such action. This resolution is a declaration of war, is an admission of the utter and final failure of diplomacy. War cannot be chosen because of frustration, impatience or anger. War can be chosen only when all the hopes for alternative resolution have been exhausted. We have not reached that fateful division in the road.

The Solarz-Michel resolution slams the door on diplomacy by raising the provocation that will unquestionably necessitate Saddam Hussein's renewed resistance to the threat of war. Passage of this resolution gives one man, the President, the sole decision to take this Nation to war. He will never have to come to this Chamber to make the compelling argument that all economic sanctions and diplomatic efforts have failed. A compelling argument, a case that the soldiers and their families deserve, from the President. He has not made that case, and that compelling case cannot be made today.

Virtually every witness who testified before the House and Senate committees told Members that the sanctions are working, and that they are extracting a terrible price on the economy of the war-making capacity of Iraq. Diplomatic efforts have not been exhausted by a 6-hour meeting in Geneva.

The President has said he will defy public opinion, he will defy our allies, and he will defy this Congress. That he, alone, has the power to make that decision, when and where and how to initiate war, and this declaration of war gives him that authority. But we, we all will live with the results of that decision for a decade or more long after George Bush leaves the White House. A decision to expend tens of billions of tax dollars on a war, that we do not have; a decision to triple an already handicapped economy, with tens of billions of dollars in additional debt; a decision to forego the efforts to improve health care and crime prevention and drug prevention because we will not have the resources, even to consider these programs, because of this war; a decision, more importantly, to commit tens of thousands of young persons to an occupation and peacekeeping force in the Saudi sands, while the young talent and the young people of our economic competitors are fulfilling their ambitions and their aspirations, and expanding their competitive advantage over our Nation.

War may only last a few weeks or a few months. I can tell Members that 30 years ago John Kennedy stood 100 yards from this floor and warned Members to "Never fear to negotiate." Even when Soviet missiles just 90 miles away presented a true threat to our national security, endless, endless efforts were expended, both publicly and secretly, to stop war, to negotiate a settlement, so that all parties could participate privately, secretly, publicly, and successfully when missiles were 90 miles from the shores of this Nation.

□1440

Today we have a crisis halfway around the world, backed by an unprecedented international alliance. We must not fear to give an opportunity to these current diplomatic efforts that will be crushed by a declaration of war and will be crushed by the war that ensues. By voting not to declare war today, we hold open the option for peace. By voting for war, we very well may preclude the possibility of peace. I would hope that we would reject this resolution.

Mr. SOLARZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Mr. Speaker, I rise in support of the Solarz-Michel resolution, which authorizes the President to use force, if necessary, to compel Saddam Hussein to withdraw from Kuwait. I believe that Congress must send Saddam Hussein a clear and unequivocal message that unless he complies with the United Nations resolutions he will pay a very heavy price. If Congress is willing to stand by the President and back up the international coalition confronting Saddam Hussein, peace remains possible.

If Congress fails to send a message of strength and solidarity, Saddam Hussein will be encouraged to dig in his heels and remain in Kuwait. He will continue his search for ways to fracture the international coalition so painstakingly assembled by President Bush. The disparate nature of the coalition makes it extremely fragile. We cannot guarantee that it will remain together for the indeterminate amount of time it might take for sanctions to work. And that's assuming Saddam Hussein can be compelled by the hardships sanctions impose upon his people to withdraw from Kuwait. Given the brutality of his rule, his complete contempt for human life, and his willingness to employ weapons of mass destruction against his own people, I doubt very much that the hardships experienced by the Iraqi people will force him from Kuwait.

We must also be concerned with Saddam Hussein's next move if he is allowed to keep Kuwait. Saddam Hussein's appetite for power and territorial aggrandizement will only be whetted by a success in Kuwait. His expressed desire to unite the Arab world under his leadership, his desire to control the wealth and resources of the Gulf States, and his clear willingness to use force to achieve these aims will undoubtably bring him into conflict with the United States sometime in the future. If we fail to act now, we may be forced to confront Saddam Hussein alone and when he has had the chance to expand his already awesome military arsenal to include nuclear weapons. The

cost of confronting him then will be much higher than the cost we are contemplating today.

I would like to address an issue that has been raised by critics of the President's policy. They have suggested that by confronting Saddam Hussein with the threat of force, we will hand victory to the radical forces in the Middle East and America's long-term interests in the region will be jeopardized. My colleagues, Saddam Hussein and his terrorist allies are the radical forces of the Middle East. They are already challenging American interests in the Middle East. The moderate forces, like Egypt's President Hosni Mubarak, are part of the coalition confronting Saddam Hussein. If we permit Saddam Hussein to retain Kuwait, the forces that the President's critics fear will have already won.

Mr. Speaker, by supporting the President and sending a clear message to Saddam Hussein that America stands shoulder to shoulder with its allies against his aggression, we are preserving the last best chance for peace. I urge my colleagues to support the Solarz-Michel resolution.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. THOMAS].

Mr. THOMAS of Georgia. Mr. Speaker, I rise in support of the Michel-Solarz resolution.

It is my fervent hope that my vote will give the President one last tool to secure a peaceful solution on this crisis. But I fear that Saddam Hussein has made it clear he does not want peace. So I cast my vote with the understanding that it amounts to a declaration of war.

I have no illusion that war, if it comes, will produce a swift and happy ending. It will be a tragedy. It will cost lives abroad in the field of battle and quite likely cost lives at home through terrorism. The Arab world will not love us when this is over. Our allies will second-guess us. We will not be spared a financial burden in the future.

But I have had to ask myself two questions. What would happen if Saddam Hussein is allowed to dominate the wealth of the Middle East and thereby spend this decade shopping in the arms bazaar of the world? My answer is that he would become a strategic threat to my Nation and my State.

My second question is whether our young men and women in uniform would be in more or less danger if we allow the sanctions to work for another year or more. My answer is that Saddam Hussein will starve his people to feed his military, and a delay gives him time to win new allies and manufacture more nerve gas and biological weapons. So it we are to save American lives in the long term, we must move now.

I want to reiterate that this is not a war over oil. It is not a war over the price of a gallon of gas. It would be immoral for the President or the Congress to send the American military into combat for some degree of comfort at home or to boost our national economy. If I thought that was the President's motivation, I would vote to impeach him. If that were my motivation, I should resign my office in shame.

But the wealth that would flow from control over half the world's oil for years to come is what would transform Saddam Hussein from being just another petty tyrant into the unchecked commander of a nuclear arsenal. We decide today if we will stop him now when he is weak, or pass to my children or their children the task of stopping him when he is strong.

This has not been an easy decision for me because I have thousands of constituents and countless friends deployed in the desert. I hope and pray to God that I have made the right choice.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Speaker, I rise in strong support of the Michel-Solarz resolution, not to give the President the marching orders to go to war, but to strengthen his hand in negotiating for a peaceful solution.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. RAY].

Mr. RAY. Mr. Speaker, I rise in support of the Solarz-Michel resolution and the U.N. Resolution 678. Saddam Hussein invaded Kuwait over 5 months ago. President Bush, in my opinion, acted decisively and wisely. He garnered the cooperation of 28 countries, and obtained the endorsement of the Security Council of the United Nations to use military force to expel Saddam Hussein and his forces by January 15, if he did not withdraw or initiate a withdrawal action by that date; 82 percent of Americans approved of his initial action according to polls.

There have been a number of initiatives to encourage Saddam Hussein's peaceful withdrawal before this January 15 deadline, and we remain hopeful that these will work. President Bush offered Iraq 15 different dates for a meeting in Baghdad, or elsewhere, between Secretary Baker and Saddam—none was accepted, and time is running out.

On January 3, President Bush made his last attempt to avoid war by inviting the Iraqi Foreign Minister, Tariq Aziz, to meet with Secretary Baker in Geneva. The meeting took place on Wednesday, January 9. This meeting was made subject to the same conditions, which are: No negotiations; no compromise; no attempts for an Iraqi face-saving; and no rewards for aggression.

To date, there has been little if any movement on Iraq's behalf. Minister Aziz even refused to take President Bush's letter back to Saddam Hussein, which was delivered in Geneva on January 9.

Secretary Baker and Secretary Cheney on Wednesday, January 2, briefed several Members and myself on the currrent status. Secretary Baker has publicly said that he is not optimistic about peace in the gulf. The leadership of the House and Senate had said that full scale debate should not occur until after the Baker-Aziz meeting and we are not engaging in that debate, which in my opinion is timely.

In this briefing, Secretary Cheney and Secretary Baker told the Congress that the coalition of 28 countries is holding together—currently there are 280,000 American troops and 150,000 prepared to embark or already underway, with 200,000 foreign troops in place. Our allies have committed $23 billion toward support in 1990, and Secretary Baker is requesting additional funding for 1991. I agree very strongly with the administration that America cannot and should not bear the major financial burden of this conflict.

On Friday, January 4, I was visited by former hostage Miles Hoffman from Columbus, GA. He was the only American wounded by Iraqi soldiers, held captive, and thankfully was released. In this meeting, Mr. Hoffman was accompanied by three other former hostages—Mr. and Mrs. Christopher Folsom of New York, and Mr. Cecil Brown of Atlanta, who were released in December.

I had a very interesting conversation with this group. The former hostages advised me:

First, that we should not drag the negotiations out. We should strike forcefully in Baghdad, or other areas of Iraq, and temporarily ignore Kuwait where Iraqi troops are amassed; we should destroy Iraq's communication and command centers, and cut off their supply routes—in effect, isolate Iraq's forces in Kuwait.

Second, it is their impression that the Iraqi troop morale is not high, and that they will largely collapse in the face of a massive strike—a small number have already defected. Intelligence sources have publicly repeated expectations that up to 200,000 Iraqi defections will occur.

Third, according to them, sanctions are not working—and will not work. Food and other supplies are entering Iraq unrestricted from Jordan and Iran, and goods are being smuggled in through Turkey. It is suspected that Libya and other sympathetic countries are sending hard currency to Saddam as a share of their oil profits. This money enables him to buy needed goods. In addition, Iraq does have an agricultural capability, which they are accelerating.

Mr. Speaker, there are those who want to give sanctions more time to work, and there are those who believe that if we were to wait for more time we would be giving up an essential edge to our strategy. In my opinion, each view on this very important matter is sincerely held, and debate on this issue should occur.

Miles Hoffman pointed out that Saddam will not understand the concept of democratic debate. Mr. Hoffman said that the people of Iraq do not understand the debate that goes on * * * because in Iraq, anything against Saddam Hussein is a death sentence. So it is very important for us on the floor today and tomorrow to show our resolve, and to show America's will to carry out the U.N. sanctions.

However, I would suggest to my colleagues who are raising the specter of thousands of U.S. casualties and body bags coming home that they are rendering a serious disservice to the families who have loved ones deployed in the Persian Gulf. My colleagues, I would urge that we refrain from the use of such rhetoric. Our service people and their loved ones know the risks—let us not make their lives even more uncomfortable than they already are.

My view is that the President has the authority to engage American troops in an offensive action without a declaration of war from Congress. There have been over 105 offen-

sive military actions in our Nation's history and only 5 declarations of war.

However, I concur in the fact that the Congress should debate the issue as we are doing now, and at a minimum endorse the U.N. Security Council's action. That resolution, No. 678, authorizes an offensive action against Iraq after January 15 by United States and U.N. forces. I hope that such a measure is accepted here in the House, and it will be my intention to support the Solarz-Michel resolution and to work for a strong vote in support of the President.

I do believe, very strongly, that we should move positively after January 15, if Saddam has refused to cooperate. The perception of the constituents in the Third District of Georgia is that the President and the United Nations have drawn a line in the sand, and that this commitment must be respected. President Bush and the United Nations have not waivered from the statement that "Iraq must withdraw with no rewards for aggression," and I would support our carrying through on this demand.

If the Iraqi forces do withdraw, and this appears doubtful at this time, it is most likely that U.N. forces will remain in sufficient numbers indefinitely to assure that no further aggressive activity will occur by Saddam Hussein. There is no doubt that he will be up to further mischief in one form or another in the future. However, that issue will require debate on another day.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. GEREN].

Mr. GEREN of Texas. Mr. Speaker, I rise in support of the Solarz-Michel resolution. It is the last best hope for a just peace.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the very distinguished gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I envy those who come to this well clear and certain about their vote. I am torn by mine. I understand that sanctions may not work their purpose, but for now, I think they work in our favor. I understand that diplomacy has not worked; but I am not persuaded that diplomacy has played out.

Mr. Speaker, I do not think we should rush to war.

But if Congress fails to give the President the authority the Security Council gave when it passed Resolution 678, we will weaken his hand just as diplomacy is getting dead earnest. Hamilton-Gephardt urges the President to apply "diplomatic pressure," and I wholeheartedly agree. But the President has made the only diplomatic concession he can make: he has promised not to attack if Iraq pulls out of Kuwait. The only pressure the President can now apply is the threat of war; and we will muffle that threat if we do not give approval to Resolution 678.

Like many, I am voting for Solarz-Michel because it urges the President to keep trying diplomacy, while giving him the authority he needs to make his diplomacy credible. I wish the resolution were stronger in this respect. I am opposed to immediate military action; I think January 15 should be a starting line, not a deadline, for serious diplomacy. But I have no illusions about the language of this resolution; as it is written, we can only trust that the President will use the power we grant him to step up diplomacy before stepping up to war.

This debate, like most debates, has stressed the differences in these two resolutions. In truth, they converge on every important point but one: Solarz-Michel gives the President the power to wage war without further action of the Congress; Gephardt-Hamilton makes the President obtain a declaration of war, but promises him an expedited vote. If Gephardt-Hamilton were to pass, and if diplomacy continued to fail, I am convinced the President would be back to us in a matter of weeks, seeking the authority to wage war. I think the President would win that vote. But I doubt the Iraqis will get that message. I think they will see it as a sign our will is weakening. And at this juncture, I do not think we should send that sign. I also do not think we should go to war yet; and I vote for this resolution hoping it will avert war, but fully appreciating the awesome power we are giving the President.

Mr. SOLARZ. Mr. Speaker, I yield 5 minutes to the very distinguished gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. Mr. Speaker, the debate today has made me proud to be an American and proud to be a Member of the U.S. Congress House of Representatives. I thank my colleagues for the quality of the debate to this point.

The Bible tells us that there is a time for everything under the heavens, a time for peace and a time for war. I do not believe that it is time for war, and I pray that war will be avoided; but I do believe that the real threat of war, as paradoxical as it may seem, is our last best chance for peace in the Persian Gulf.

Saddam Hussein is a ruthless dictator. He has personally carried out the death sentences of his political opponents. The sad truth is that he understands but one thing, and that is force. He must be convinced that the threat of force is real. Otherwise, he will have no motivation to accept peace.

Edmund Burke once said that the only thing necessary for the triumph of evil is for good men to do nothing. I do not want history to say of us that we did nothing.

Only by giving the President the authority to use force pursuant to our Constitution do we make the threat of force real. If Saddam Hussein knows we will not use force to drive him from Kuwait, he can simply wait for the world coalition to collapse around him, and we all know that this coalition is very trenuous.

With the passage of this resolution, he must make a choice, either withdraw from Kuwait or face a reprisal from an outraged world community, and justly so. The choice is his.

I recently returned from the Persian Gulf. I left on that trip hoping that economic sanctions alone would work. I was inclined to deny the President the authority to use force at this time.

I returned with a strong view that economic sanctions are not working as I had hoped, and there are real dangers involved in an indefinite delay.

Several days ago a Soviet ship was intercepted carrying missile launchers to Jordan. Undoubtedly they eventually would have found their way into Iraq.

Imagine what would happen in the Persian Gulf if Soviet policy changes while we wait on economic sanctions to work.

Scientists and engineers from around the world, whose loyalty goes to whoever pays them the most, are working day and night as we debate here to help improve those god-awful weapons of mass destruction in Iraq.

I am absolutely convinced that by indefinitely delaying, we increase the dangers that young Americans will ultimately confront.

Few in this Chamber believe the United States can act as a policeman in the world. The primary question we must always ask is whether proposed military action is necessary to defend America's vital interests.

Saddam Hussein has the potential to develop and use chemical, biological, and nuclear weapons, and he has demonstrated the willingness to use them. He also has the potential to put an economic stranglehold on the world economy by manipulating the price of oil.

My colleagues, his threat is real to our vital interests, and to stop him our threat must also be real. Saddam Hussein will not see our threat as real until Congress gives the President the authority to use force.

It is difficult in a democracy such as ours, made up of people who cherish human life, to face the prospect of using force, even in the face of incredible brutal aggression.

But today is a defining moment in our history. It is time for us to stand together at the water's edge, Democrats and Republicans, liberals and conservatives, to deliver one clear message to Saddam Hussein. That message must be that the United States of America, the greatest democracy in the history of the world, wants peace, but is prepared to use our enormous military power as a last resort to force Iraq out of Kuwait and thereby make it clear to the world that naked, brutal aggression will not stand.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I rise in opposition to the Michel-Solarz resolution.

Mr. SOLARZ. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I rise for patience and courage and oppose going

to war for profits related to the control of Mideast oil, and oppose the Solarz-Michel resolution.

I consider these to be the most important set of votes that I will cast in my congressional career to date. I support the Gephardt-Hamilton resolution, and oppose the Solarz-Michel alternative. I am a Member who is not prepared to give the President a blank check in the situation in the Middle East.

Let me speak as one of the Members of Congress who grew up during the Vietnam era, whose friends fought and died in that battle where America lost over 50,000 of its finest young men and women in that conflict, and in an equal tragedy, since that time, another 50,000 have died here at home from war-related illnesses and suicide. Theirs is largely an untold story. They fought an undeclared war, one that split the Nation in two, and left our troops subject not only to the abuses of war, but the equal abuses of coming home to a Nation divided. This is today again a nation divided.

The State of Ohio and the district that I represent are patriotic beyond measure. We well understand the meaning of duty. Our Veterans of Foreign Wars, the VFW has the second largest membership in the United States, even though we are not the second most populous State. Ohio's American Legion sends more boys and girls to Boys' State and Girls' State than any other State in the Union, and we are not the most populous State in the Union.

We are home to Wright-Patterson Air Force Base and dozens of other Active and Reserve units. In fact, Ohio leads the Nation in the number of Active and Reserve members of the Armed Forces who have enrolled in the G.I. educational benefits program. Most of our medical and naval reserve units have already been called; others are on standby.

Our citizens have the experience and willingness to serve and fight, but they want to understand why. We as Members of Congress hold a sacred trust with our troops in the field as well as our citizenry here at home. There must be no doubt about why America moves to war. The reasons must be crystal clear and the objectives honorable. War must be the very last of resorts, not the first.

I appreciate our congressional leadership responding to the pleas inside this body to hold this debate and discussion prior to January 15. I wish it had come earlier, last year in fact. Because in many ways decisions made by the Executive have already placed us in a position that if we support our President fully now we automatically approve the deaths of hundreds and thousands of our own U.S. forces. What a position to be in.

Yet, the Constitution demands our involvement, and like the President, we also take on oath of office to protect our Constitution against all enemies, foreign and domestic. We must discharge our duties, and if Saddam Hussein is listening to this debate, let him understand that in America we allow for debate, even in our highest legislation bodies, for we fundamentally believe in the capacity of our people, through their elected representatives, to make their opinions known, to be represented.

That is why the United States is the most stable political republic on the face of the Earth. It is why we love this land and her remarkable people.

The American people have a right to a Congress that meets its constitutional responsibilities today and in the future. This branch of government is not an extension of the executive branch nor its handmaiden. Each of us is elected in our own right and is sworn to the very same oath as the head of the executive branch, our President. Each of us must uphold the oath to protect and defend the Constitution of the United States against all enemies, foreign and domestic.

When I was privileged to be sworn in as a Member of Congress, I promised myself that I would never be a party to any undeclared war. The Vietnam experience was too divisive and lacked the national will to carry forth national policy.

Today we are afforded our constitutional rights to debate war before it happens, and so we should.

I speak on behalf of every mother, every wife, every father, every husband and relative who has a loved one serving our Nation in the U.S. military. All of them must be assured by our actions here in the Congress and the President's actions that all diplomatic and peaceful means toward resolution of this conflict have been exhausted before the war option is triggered.

How can anyone in this body honestly say that all diplomatic means have been exhausted? Our Secretary of State spent all of 6 hours in a meeting the other day. One cannot even conclude that any negotiations even occurred. It was another press event at which ultimatums were delivered by both sides.

Our troops deserve finer and more committed efforts. Even as we speak, diplomats from around the world are trying to find a keyhole through which negotiations can begin. In the meantime, the economic sanctions are locked in place. They will take time to be fully felt. It is no secret, over one-half of Iraq's GNP is tied to its ability to sell its oil, and it is unable to do that. Sanctions will exact a heavy toll as the months proceed and allied cooperation on these sanctions is the one area where we can say our allies are helping us fully. They certainly are not helping us with the money to pay for this massive deployment, nor with significant troop strength, combat troop strength that is battle-hardened.

Letting the economic noose tighten slowly around Iraq is a much more credible posture for the United States at this juncture than becoming an aggressor nation ourselves to respond to Hussein's aggression. War should only be a last resort. The lives of our people and civilians in that region are much too precious.

During this debate, it is important to place on the record reasons about why America should be involved in this conflict. Of late I have become more and more concerned that the debate has centered on the how of it all. We read about perhaps air strikes will happen first, and then perhaps ground forces. And then we read estimates of how many will die, 500, 1,000, 10,000, perhaps more. The Department of Defense has ordered 50,000 caskets just in case, and now over 16,000 body bags. We see on TV our troops being immunized and donning gas masks. What we do not hear enough about is why we are there, and for how long and the causes for which we are fighting.

First, we heard that America was there to deter aggression and restore the legitimate Government of Kuwait. That did not ring to the American public; a new rhetoric was forthcoming. America, it was said, was there to preserve key resources. Oil was never mentioned outright, but other words were: Jobs, economic security, and then the real clincher, the American way of life; then later the administration began talking about Iraq's nuclear capability and its potential threat in the future.

I would like to examine each of these issues. The President says that America must stop aggression. If this is so and America is the world's policeman, why did not America intervene and stop aggression when the U.S.S.R. invaded Afghanistan or Hungary or Czechoslovakia in years past? If the Soviet Union soon occupies the Baltic States which long for democracy, will America stand up for those subjugated peoples, or how about when Turkey invaded Cyprus? Where was America then? Or when Israel invaded Egypt, or when China moved into Tibet, or, in fact, where was America during the Iran-Iraq war? We seemed to be on both sides of that one depending on what month it was. Or how about when Syria went into Lebanon as recently as a few days ago? Where was America then in standing up to aggressors? Why does America now see only this particular Iraqi aggression as in its vital interests?

There is only one common denominator that explains President Bush's rush to war, and that is oil, on which the Western World for too long has become increasingly dependent.

Although some of the oil companies have been nationalized, the distribution and marketing of Middle East oil is a Fortune 500 company activity. What are the interests of Aramco and British Petroleum and Shell and Exxon and Gulf and Texaco and Mobil and Chevron?

It is surprising how very little has been written about the role of the international oil companies, and the silence is deafening. Yet we can read very clearly in economic reports that come out. In December of last year, the New York Times reported that as a result of the Middle East situation there was an average fourth quarter gain of 64 percent in forecasted new profits for the 12 major oil companies. The companies included Amoco with a 57-percent increase in profits, Arco, a 61-percent increase in profits, British Petroleum, whose major interest is in Kuwait, a 112-percent increase in profits, Chevron, a 113-percent increase in profits, Exxon, a 41-percent increase in profits, Mobil, a 42-percent increase in profits, Phillips, a 265-percent increase in profits, Texaco, a 110-percent increase in profits, and Unocal, a 500-percent increase in profits.

Fourth quarter earnings for oil companies have significantly increased. Big oil companies have sold crude at about $30 a barrel in this quarter, or $10 a barrel more than in the corresponding quarter a year ago. That is a 50-percent increase.

The inter-Arab oil conflict inherent in this invasion of Kuwait by Iraq concerns control of oil and access to the Persian Gulf. In the book entitled "Oil Turmoil and Islam in the Middle

East," the author discusses the dominant role of Saudi Arabia looms over her neighbors as a source of potential envy, conflict, and unrest in the Arab world. To quote,

Saudi Arabia's apparently boundless wealth fuels Saudi influence in the Arab world, often to the consternation of her neighbors. Saudi wealth and predominant share of the Organization of Arab Petroleum Exporting Countries' proven reserves give King Fahd control over any decision concerning the collective use of Arab oil. If the share of oil exporting nation's reserves controlled by Saudi Arabia's political allies is added to the Saudi share, the conservative bloc in that region controls fully 75 percent of all of those Middle Eastern countries' total reserves. In comparison, the so-called radical oil producers, which include Iraq, Libya and Algeria, control only 19 percent of Arab reserves, seventy-five percent versus nineteen percent. Production capacity also strengthens the conservative bloc's hand. From 1973 to 1975, the conservative bloc produced an average of 70.3 percent of the Arab exporting nations' total output. The Saudi share alone averaged nearly half. Saudi Arabia is the only member able to increase production significantly. At any time the Saudi fields could increase production by 3.5 to 4.5 million barrels per day. Out of their additional production capacity, all of the other nations' of 7.5 million barrels per day, the radical states combined can produce only 2 million barrels per day, only about one-third of it, which obviously weakens their bargaining position in their own inter-Arab union.

It is ironic that while the radical states have consistently advocated the use of the oil weapon, it is the conservative states which control the issue. The inter-Arab tension is historic and growing.

The Arab Petroleum Exporting Countries could never use politically their oil wealth without the cooperation of the Saudi-led conservatives. Without Saudi consent, the oil weapon is quite like a large artillery piece without ammunition. Therefore, the conservative bloc can render impotent any maverick attempt by the radicals to impose an oil policy similar to that of 1973.

The conservative members actually control the use of oil for itself and the other Arab States. The conservative bloc's influence on the use of the oil weapon is manifest in its foreign currency reserves. The reserves allow the petroleum exporting countries to cut production drastically for several months without significant loss or suffering.

If the radical states, Iraq, Libya, Syria, attempted to reduce production significantly, the consequent impact on their domestic economies would likely lead to civil unrest and to political instability.

The combination of factors such as oil production, reserves, surplus capacity and surplus capital makes Saudi Arabia and its conservative allies the only states capable of determining when, whether, how, and for how long oil could benefit Arab foreign policy.

It is not hard to understand what is at the base of the simmering unrest in the region of Saudi Arabia and her allies, and that unrest is all tied to oil money and the control of it.

If we look at maps of that part of the world and each of those nations, they are largely deserts with the population concentrated in the areas where oil is drawn, refined and ultimately shipped.

In fact, if we look at the eastern edge even of Saudi Arabia along the gulf, the largest concentration of United States citizens living outside the United States works for Aramco on Saudi Arabia's eastern border.

For the last several decades, America has become more and more dependent on Middle East oil. Germany and Japan are even more dependent, but it is interesting that these nations are nearly silent on the war option that this Congress is considering but quite vocal on using diplomatic and economic sanctions for a long period of time.

For our Nation which has failed to develop energy independence to now ask our troops to fight for continued access to a diminishing oil resource halfway around the world, in my judgment is morally wrong. I would rather take the billions of dollars the United States is investing in the deserts of the Middle East and judiciously bring money, our money, and our troops back home.

Our Nation that landed a man on the Moon in 10 years can be energy self-sufficient by the 21st century, just 10 years from now.

America saw this crisis coming. This is not news to us.

Senator Frank Church of Idaho, magnificent American, held hearings in the Senate on the role of multinational oil companies and concluded that if the world failed to set up international institutions capable of resolving Middle East oil-related disputes and distributing those profits fairly, the world was headed for armed conflict. Then, in the late 1970's, at the height of the U.S. energy crisis, President Carter warned the energy challenge was the "moral equivalent of war." Some Members may be old enough to remember that phrase. However, during the decade of the 1980's the Reagan-Bush administration failed to follow through on developing an energy policy for America. They did not lead this country for our people. They fought this Congress on filling the strategic petroleum reserve, and they fought Congress on developing alternative fuels. They resisted conservation efforts in everything from home construction to energy-efficient engines.

So now, our people, our neighbors, are being asked to send their relatives, America's troops to make up for political blindness at the highest levels of this Government. Oil is not worth the loss of life of one person from my district or any other district in this country. Let's spend those billions of dollars being wasted in the desert, let's spend them here in America to develop our clean coal technologies, our agriculture and alcohol fuels, hydrogen and solar power, and create thousands of jobs here at home in communities from coast to coast, where people are looking for work.

Even if the United States invaded Kuwait tomorrow and took all of it, all of its oil, how many years of oil lie under the ground of Kuwait? Only 30 years. While here in America we have over 1,200 years just in recoverable coal reserves that can be mined and separated into clean fuels with the new technologies available to us. Of course, the oil companies do not want to do that, but this is certainly within the capacity of the Nation which landed a man on the moon.

Now, this is a time of deepening recession in America, and we know that 75 percent of America's world trade deficit is due to oil and auto imports. Over half of our energy is imported. At the same time as we do that, we have States like Texas and Louisiana and Oklahoma, and Members can go all the way from Lorain, OH, and Denver, CO, and all the mining States around this country in deep recession where people are in need of work. The answer to the energy problem lies within our own borders. Not sending America's best to fight a desert war for a dwindling resource.

Even if America took control of Saudi Arabia, of Kuwait and Iraq, and all of their oil, we still have more recoverable, twice as much, just recoverable coal reserves underground in this Nation, if we but have the will to develop it. Our goal should be to take care of our business here at home as soon as possible. Let us put America back on a sound economic and energy footing so we can remain the standard bearer of liberty throughout the world, and do so not by the force of our arms, but by the greater power of the ideal of our democratic republic, the oldest functioning democracy on the face of the Earth.

Now, America has no treaty obligations in the Middle East akin to the Versailles Treaty which bound us to Western Europe's defense after the First World War. Rather than coveting oil, America rather must ask what is our proper role in a region where we have systematically seen the collapse of the old order—the oil-rich monarchies that kept the oil flowing from the Middle East for most of the century. Of late, we have seen much change. Recall with me, we have seen the Shah of Iran deposed, much to the surprise of most of the West. We have seen the President of Egypt, Anwar Sadat, assassinated. One week he was on the cover of Time magazine as Man of the Year, and shortly thereafter, dead in his own land. We have witnessed kings in that region overthrown in Libya and Iraq. Saddam Hussein overthrew a king. We have seen unrest in Sudan, and certainly in Israel, and we saw for 8 years in the 1980's Iran-Iraq war in which over 500,000 of their citizens died.

This is the time of America to recognize that the old order in the Middle East, based on kingdoms, not democracies, is being torn from within by power pressures for change. Before going to war, America must ask how deeply, and for how long does the United States intend to police inter-Arab politics to preserve the old order. What is America's obligation to bolster the power of monarchies in the Kingdom of Saudi Arabia, and for the Emirate of Kuwait?

Fundamentally, the Middle East needs an inter-Arab version of NATO to resolve the continuing disputes in the region which will continue whether America is there or not. America cannot be the sentry at the gate for all the upheavals that will be forthcoming in that region in years hence, but we can be a constructive force, with our allies, to forge a Middle East version of NATO.

Let me continue for the record.

The President likens this conflict to World War II. But unlike World War II, the United States has no Treaty of Versailles binding us

to mutual security pacts in the region. In World War II, America fought to preserve democracies. In this instance, we are doing just the opposite. We are fighting to preserve kingdoms and emirates because of our dependence on their oil. We are fighting to preserve governments that have invested the bulk of their revenues outside the nations in which their leaders reside. Saddam Hussein is likened to a Hitler. But just last July our own government told him the United States would not intervene in inter-Arab border disputes, and just a few years ago the Reagan-Bush administration officially recognized the Government of Iraq, and the Bush administration fought the Congress as recently as last summer on trying to place sanctions on Iraq for its human rights abuses. During the Iran-Iraq war United States Arms were channeled to Iraq by the Reagan-Bush administration. So which Iraq is it that the administration now claims we must fight against? Did the Iraqi nation changes its stripes, or did we?

After World War II the United States waited in Europe and supported NATO for over 40 years—to stem the tide of Soviet expansion. Why must we now choose the war option rather than patient, deliberate sanctions? In World War II, Hitler systematically rolled over the industrialized nations adjoining him. Though Hussein is an aggressor, he has been turned back in his adventures, by Israel, by Iran, and will be turned back in Kuwait as well.

If he is a Hitler, he is certainly much less successful, and he is not an industrial power as Germany before and during World War II.

We know for the 8 years of the Iran-Iraq war, the Reagan-Bush administration supported Iraq and Saddam Hussein. In fact, up until last August. Members of this Congress tried to enlighten the Bush administration of the human rights abuses going on in Iraq, but our repeated warnings fell on deaf ears. Then, all of a sudden last August, the administration began calling Hussein a new Hitler. Why was he not a Hitler in July or a year ago, or when President Reagan and Vice President Bush recognized the nation of Iraq. When did he change? Within 1 month, we saw the administration trying to transform the desert dictator into a Hitler. Somehow it does not ring true when the United States Ambassador to Iraq, April Glaspie and our own Deputy Secretary of State John Kelly told Congress and Hussein both back in July that the United States would not interfere in inter-Arab border disputes, and then within hours, the United States had deployed 200,000 troops. Two months later, 200,000 more troops. And on a dime, the administration reversed itself and said the situation was vital for U.S. interests.

By contrast, the United States waited in Europe and NATO for over 40 years.

We withstood the insults of Stalin, Khrushchev, Brezhnev, and so many other dictators. The world loves America, not because of the strength of her arms, though security is essential in today's world, but more because of the force of the idea of freedom and our liberties. It is these ideas to which emerging nations aspire. Let us not be distracted by those who would use force as a first means in this most recent test of national wills. Those with the will to wait out sanctions will be victorious in the end, and thousands of lives will have been saved. This is a lesson for America to teach the world.

Now, on the nuclear threat, some say it is Iraq's nuclear threat that America should fear, but America has withstood nuclear threats to date, all of them. We acknowledge this is a dangerous world. We also know mutual assured destruction is the only answer other than total disarmament by all powers to withstand a nuclear threat. Our ultimate posture must be that nuclear detonation by one power will be met in equal or greater force by another. It is this mad system which holds the violence in check.

America cannot really stop Iraq, nor China, nor Pakistan, nor the dozens of nations that will seek to operationalize this terrible technology as we move into the 21st century.

We must be diligent in moving to limit and disarm where possible, but in the end our ultimate weapon is our own ability to wreak havoc on would-be aggressors. Such is the world we have helped to create.

As far as the importance of the U.N. resolution, let me commend the President and the Secretary of State for seeking allied support. This is essential and the first test of the new world order; but those nations who signed that commitment have a largely verbal commitment. They do not have combat troops in place in any manner similar to the U.S. deployment, nor have they committed real money. Even Japan and Germany, whose economies are chugging along, have not met their early obligations expected as of this month.

This Congress cannot fulfill its responsibility by approving a blank check resolution such as the U.N. resolution or the administration's proposal. It simply puts too much faith in an uncertain future that no one at this point can predict. We must preserve our congressional prerogatives.

Now, the President says that the United States must restore the legitimate governments in the region. We all desire this; but an equally important question is how legitimate are any of these governments in the eyes of each other when their borders were largely drawn by the colonial powers who physically vacated the region over the last 20 years and who were more interested in oil than in democracy. It was they who initially let the big oil companies draw the borders between these nations and then drained the oil fields for generations, ignoring the fact that the politics of the region might catch up to the economy someday.

One of the fundamental problems of the Middle East is that certain families became extremely wealthy and did not invest enough of their oil profits in their own homelands. They put their money in Western banks, they sent their children to frolic in the jet set capitals of the world while the vast majority of the people there remained poor.

Let us look at Kuwait, a most interesting nation to check the balance sheets on. Kuwait's economy, and some have called Kuwait a large oil well, is dominated by the Kuwait Petroleum Co., which is effectively a holding company with a large number of subsidiaries involved in the production and distribution of petroleum and natural gas.

Another source of Kuwait's power is the large worldwide investment portfolio which is believed to yield revenues equal, if not larger, than income from petroleum exports. And where is that portfolio invested? The Kuwait investment authority is located mainly in the United States and Great Britain. Thus we see Britains rush to join the gulf effort. The Kuwait investment authority holds nearly 10 percent of British Petroleum.

The New York Times reported back in December that the fourth quarter profits for B.P. are estimated to increase 112 percent this year.

Kuwait also holds investments in the United States which total nearly $50 billion in assets overall. These investments include a $3 billion portfolio of stocks and securities managed by Morgan Stanley. Undisclosed portfolios managed by Citibank and Chase Manhattan, gold reserves at the New York Federal Reserve Bank, a stake in the partnership led by the Gordon Investment Corp. that plans to buy Columbia Savings and Loan $3 billion junk bond portfolio.

Kuwait's investment in Britain includes 10.5 percent of the Midland Bank, 11 percent of Travel and Financial Services concern of Hogg Robinson. They are the owner of the St. Martins Property Corp., builders of London Docklands Development. They also hold gold reserves at the Bank of England.

Kuwait's investment authority holds $8 billion in stocks and securities in Japan, and the Kuwait Petroleum Corp. also has European holdings of more than 4,500 service stations in Hungary, Italy, Britain, Scandanavia, Belgium, Luxembourg, the Netherlands, and four oil refineries in Europe. Not bad for a nation of less than 2 million people of which only about one-third were ever allowed to vote within the nation of Kuwait in the first place.

Is it any wonder to use that revolutions, both religious and military, have plagued the region in most recent years. The region's indigenous politics is just emerging and subject to violent change. The world will not be able to contain those pressures.

The United Nations would best focus its efforts on how to create a Middle East multinational peacekeeping structure as part of the solution to this situation and to resolve other border disputes.

In talking with the citizens of my district, I have listened closely to what they have been saying to me. They want to support our President, but fundamentally they do not believe in an early rush to war. They want to give tough sanctions a chance to work.

Many have said to me, "MARCY, don't let America become the bad guy in the Middle East."

They say to me, "Why aren't our allies paying their fair share of the cost of this? Where are their troops?" They ask me.

Many have said that dying for oil is not worth the price.

In fact, I am getting these little canisters in my office now from citizens saying, "No blood for oil."

Many have asked me how they can conserve in their households, in their buying of automobiles, how they can cut down on their energy consumption per year. Frankly, more women have asked me that question than

men, but I have been surprised at how many people in my district have asked me that question. They do not want their neighbors to die in the Middle East.

Others have said to me that they are willing to pay more for gas if it will save lives.

For the record, I will enter some of their other statements for history.

"Talk and negotiation are the only ways we can really solve problems. The President should temper his words and soften them. Otherwise, he will only create unnecessary tensions and risk an armed conflict."

"As a democracy we must have discourse and debate and it cannot be stifled because the Administration feels it will expose a divided or unsupportive American people. I am unsupportive and I expect the truth is that the nation would be deeply divided by war."

"He (President Bush) has not communicated to the American people the reasons why we are in Saudi Arabia. Regardless of the cause, I feel it is not worth losing American lives. Can the President go to war without a national debate? Without Congress' consent? And just what are the goals in the Gulf? I believe he has gone too far, too fast. I know I speak for the majority of Americans when I say our hope is for our service people to return home unharmed."

"I hope you and the other Congressmen and women will consider all of the alternatives to war. I wouldn't want my brother to get drafted and killed in another Vietnam. Would you?"

"According to the Constitution the power of declaring war belongs to Congress. I hope as a Member of the Congress you will remind the Executive Branch that they don't have the power to declare war. Tell George Bush we don't want another Vietnam."

"The statements that we do not want war, and yet the continued exchange of threats makes me wonder if we might not be looking for an excuse to engage the Iraqis in battle.

"As a father of three sons, ages 21, 19, and 18, I also have a deeply personal stake in the decisions you make."

"The irony is that both our own rhetoric and Iraq's rhetoric have fed upon the other and have consequently dragged us both further into the mire of non-communication and closer to military confrontation. Recent positive action by both countries (the call for face-to-face negotiations, the release of hostages) have lost momentum in the face of dogged insistence upon rhetoric."

"We should remember to try to give peace a chance. The military option should be the very last resort. The United States must exhaust all possible negotiations before ever rushing into war."

"Congress must be able to have a say in this matter. As the Constitution so clearly states, Congress represents the American people. Therefore, only Congress can express the will of the people. President Bush must consult with Congress before taking any other action. It is the only way we citizens can either provide or deny our support."

"Since Iraq invaded Kuwait I have not heard one person say we should go to war over it. I honestly do not believe that war would be supported by the U.S. population. A serious energy policy would get a lot more support."

"We feel that there has been an insidious movement to divert attention away from domestic problems by calling up the troops and sounding the call to battle. We can hardly afford the costs of maintaining our armed forces in Saudi Arabia and ought to withdraw. This President may need to lose face in order to establish once and for all that, while the President may be Commander-in-Chief of the Armed Forces after war has been declared, he or she may not threaten or attack another country without the consent of Congress."

"It appears that George Bush is single-handedly leading us into a war that is not what most citizens feel is justified or necessary . . . U.N. Security Council approval of the use of force does not make it right for us to take the offensive and attack Kuwait. War does not solve anything, and in this case, bombings would destroy the oil anyway."

"I hope that you as a Member of Congress will consider all alternatives to military force, and make sure that George Bush realizes that he does not have the authority or support of the citizens to declare war. This country cannot afford another situation like Vietnam. Diplomacy and withdraw should be the words rather than war."

In sum, let me say that I support our President so long as our troops remain in a defensive posture. But to oppose the Solarz-Michel resolution as too open-ended, too much of a blank check in a possible war where future events can not possibly be predicted today. Saddam Hussein must leave Kuwait and we should give tough economic sanctions sufficient time to work. But 4 months just is not realistic. In the meanwhile, America must develop our own energy-sufficiency. I await the President's State of the Union Address in this regard. We should set a national goal to make this Nation energy self-sufficient by the 21st century, and if we set our minds to it, we could do it.

We should work to transfer the Armed Forces currently in the Persian Gulf into an international peacekeeping force and downsize America's commitment slowly as the sanctions take effect and we are able to replace our troops with those from other nations as well.

And we should support the President in all diplomatic initiatives and other government-to-government efforts to reach settlement in the region.

I think that doing this we would exhibit to the best of our ability what President Dwight Eisenhower not so many years ago wisely counseled and described as "patient courage."

Mr. Speaker, I submit these additional comments.

WAR CANNOT HAPPEN WITHOUT BODY BAGS

The Washington Post-ABC Poll shows that 68% of the American public think the Congress should be more actively supporting the President's policies in the Persian Gulf. Of the same people interviewed for the poll their support for the use of force diminishes as soon as casualties are mentioned, when asked if they would support the use of force if it meant the loss of 1,000 American lives, 44% favor the use of force and 53% oppose. When asked if they would support war if it meant 10,000 casualties 35% favor the use of force and 61% oppose force. One is forced to conclude that support for the President is support for war. War does not take place without body bags.

Who is fooling who? The Defense Department just placed an order for 16,099 body bags with a company in Philadelphia. Why is the Defense Department not leveling with the American public and telling us how many casualties to expect.

JOBS

Secretary of State James Baker has stated that one of the reasons we are in the Persian Gulf is to protect jobs. It is estimated that 3,000 U.S. nationals were employed in Kuwait. Should President Bush risk the killing of 3,000 soldiers to save 3,000 workers? Does that make sense?

The cost of Operation Desert Shield is estimated to be $1 billion a month. A few months ago the Bush Administration claimed that we were involved in the Middle East to protect jobs. One billion dollars would be more appropriately invested in the United States to develop new jobs.

What is the point of fighting over oil fields when in a war they will be destroyed thus driving up the price of oil again.

KUWAIT INVESTMENT AUTHORITY

Kuwait's economy is dominated by the Kuwait Petroleum Company which is effectively a holding company with a large number of subsidiaries and partially owned companies involved, directly and indirectly, with petroleum and natural gas. Another source of economic power is the large and presumed worldwide, investment portfolio of Kuwait, which is believed to yield revenues equal if not larger than income from petroleum exports.

All main industrial activities in Kuwait are related to oil, natural gas, or the booming construction industry. Efforts to foster other industries have been hampered by the small size of the domestic market and lack of natural resources other than hydrocarbons.

The Kuwait Investment Authority is located mainly in the United States and Britain, thus we see Britain's rush to join the Gulf effort. Kuwait Investment Authority holds 9.8% of British Petroleum. The New York Times reported on December 26, 1990 that the fourth quarter profits for British Petroleum are estimated to increase 112%.

Kuwait also holds investments in the United States which total $45 billion to $50 billion in assets overall. These investments include a $3 billion portfolio of stocks and securities managed by Morgan Stanley; undisclosed portfolios managed by Citibank and Chase Manhattan; Gold Reserves at the New York Federal Reserve Bank; a stake in the partnership led by the Gordon Investment Corporation that plans to buy Columbia Savings and Loan's $3 billion junk bond portfolio. (Washington Post August 6, 1990)

Kuwait's investment in Britain includes 10.5% of Midland Bank; 11.3% of travel and financial services concern Hogg Robinson; Owner of St. Martins Property Corp., builders of London docklands development; Gold reserves at the Bank of England.

Kuwait investment authority holds $8 billion in stocks and securities in Japan; 72% of Torras SA, a Spanish industrial holding company with interests in 170 different companies in chemicals, paper, food and financial services; 37% of Dao Heng Holdings, holding company for one of the six biggest of 30 or so local Hong Kong Banks.

The Kuwait Petroleum Corporation also owns Santa Fe International, a California-based engineering and oil exploration company purchased in 1981 for $2.5 billion and has European holdings of more than 4,500 service stations in Hungary, Italy, Britain, Scandinavia, Belgium, Luxembourg, the Netherlands and 4 oil refineries in Europe.

OIL COMPANIES FOURTH QUARTER PROFITS

On December 26, 1990, the New York Times reported that as a result of the Middle East situation an average fourth quarter gain of

64% is forecast for 12 companies. The companies included Amoco (57%), Arco (61%), British Petroleum (112%), Chevron (13%), Exxon (41%), Mobil (42%), Phillips (265%), Texaco (110%), and Unocal (500%).

Fourth quarter earnings for oil companies have significantly increased. Big oil companies have sold crude at about $30 a barrel in this quarter, or $10 a barrel more than in the corresponding quarter a year ago. This is a 50 percent increase.

Mr. SOLARZ. Mr. Speaker, I yield such time as she may consume to the delegate from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise in opposition to the Solarz-Michel amendment, in light of the fact that I represent more than 600,000 people in the District of Columbia, many of whom are serving in disproportionate numbers in the gulf today, even though their Representative in this body cannot cast a vote yea or nay for any of the resolutions before the body at this time.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Speaker, I rise in opposition to this proposition. Members who vote for it are going to have to tell their constituents that we are dropping out of the process and from now on they are going to have to direct all their inquiries to the White House because we are abdicating our responsibilities.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Speaker, I firmly believe that sanctions can work, that they can wipe out Saddam Hussein as a threat to the stability and peace of the Middle East, without firing a shot, and I therefore oppose the Solarz-Michel initiative.

More in sorrow than in anger, I regret that this body seems destined to choose a resolution tantamount to a declaration of war.

If it is done, we must link arms and support our decision—and our President—to show Saddam Hussein that a democracy, which listens to all its citizens, speaks and acts with one firm voice. E Pluribus Unum. From many comes one.

And we will have vested an awesome responsibility in the President. We will trust that he will draw on his wellsprings of wisdom and vision in leading this Nation through this critical juncture, so fraught with danger.

We hope and pray that from the depths of his character he will find the inner strength to exercise patience, to resist the temptation to act out of frustration, anger, and outrage to achieve instant gratification: the destruction of Saddam Hussein.

We pray he will act out of prudence and caution, to exhaust every acceptable peaceful option, to exhaust the potential of economic sanctions to achieve in peace—what could, perhaps, more swiftly be achieved in war: removal of Saddam Hussein as a 900-pound gorilla towering like an ominous, black cloud over the sand dunes of the Middle East, threatening and intimidating his neighbors, and destablizing the entire Arabian peninsula and the land of Israel as well.

Economic sanctions are working.

If you don't believe me ask seven out of the eight Secretaries of Defense. I'll quote two of them.

Secretary James Schlesinger:

In effect, we can leave Iraq in isolation until it comes to its senses, the probability of success for the sanctions is very, very high * * * it seems rather illogical to express impatience with them (sanction) because they will not have produced the hoped-for results in six months time.

Secretary Robert McNamara:

Surely we should be prepared to extend the sanctions over a 12- or 18-month period if that offers an opportunity to achieve our political objective without the loss of American lives. Who can doubt that a year of blockade will be cheaper than a week of war.

If that isn't good enough, ask the last two chairmen of the Joint Chiefs of Staff.

Adm. William Crowe testified that the embargo is "biting heavily" and that "it is the most effective peacetime blockade ever levied * * * he believes that "we should thoroughly satisfy ourselves that" sanctions will not work, and "that hostilities would best serve our interests before resorting to unilateral offensive action against Iraq."

Admiral Crowe, a man we entrusted with the defense of our Nation, is puzzled that "some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution."

Should not we all be puzzled as well?

Gen. David Jones:

My main concern with this latest scheduled reinforcement isn't that we might choose to fight, but rather that the deployment might cause us to fight perhaps prematurely and perhaps unnecessarily.

And if that isn't good enough, ask the current Director of the CIA.

William Webster:

Iraqi ground and air forces can probably maintain near-current levels of readiness for as long as nine months.

And what happens to Saddam Hussein's ground and air forces after that? He continues—

Major repairs to sophisticated aircraft like the F-1 will be achieved with significant difficulty, if at all, because of the exodus of foreign technicians. Iraqi technicians, however, should be able to maintain current levels of aircraft sorties for three to six months.

And after that, what?

Admiral Crowe said "Give sanctions a fair shake," because even if we must go to war, it will be against an Iraqi military debilitated by the invisible weapon of sanctions.

Paradoxically, many of my colleagues who voted for Solarz-Michel, did not vote for war, but for peace.

It worries me that, in this high stakes game of confrontation and brinksmanship, we may back ourselves into war, prematurely.

If Saddam Hussein does not leave Kuwait immediately, will we have the courage to continue sanctions? Or will thousands, perhaps tens of thousands, die because we misjudged Saddam Hussein?

Or because we lost sight of what our truly top priority should be: removing Saddam Hussein not just from Kuwait, but from the map of the Middle East as a towering threat to his neighbors as well as to the peace and security of the region, and all, my colleagues, without firing a shot.

My distinguished colleague U.S. Congressman STEVE SOLARZ has stated several times that economic sanctions may not force Saddam Hussein to make the political decision to withdraw from Kuwait. Perhaps so, but sanctions can degrade and demean Iraq's economy and render Saddam's military machine impotent.

Historically, sanctions have changed a countries behavior when sanctions have reduced their economies by an average of 2.5 percent. Iraq's economy will shrink by a staggering 50 percent, perhaps as much as 70 percent according to the chairman of the Senate Armed Services Committee, U.S. Senator SAM NUNN.

Clearly, sanctions have the potential to squeeze Saddam Hussein inexorably, bloodlessly, bringing him, as a practical matter, to his knees.

There is another benefit to sanctions barely touched on in these 3 days of always deeply felt, sometimes emotional, and frequently heart wrenching debate; while economic sanctions against Iraq are in place, the climate is opportune to construct an international arms control regime.

As we sit on the precipice of war, we must ask ourselves, how we arrived at this point.

How is it that a ruthless, amoral dictator of a simple developing country with a primitive economy like Saddam Hussein, can sit on top of a horrifying state-of-the-art arsenal of conventional and nonconventional weapons of mass slaughter and destruction? And how could the very weapons we produced now be threatening American lives and global stability?

What madness, has led us to this point?

What greed has induced us to turn a blind eye to the law of unintended consequence.

What madness drove us to disperse these tools of death to countries and leaders who are demonstrably irresponsible and unstable? How come that Qadhafi, Homeini, Assad, Saddam Hussein, and other ruthless, amoral, vicious tyrants have had so little trouble satisfying their lethal shopping lists to terrorize and intimidate their neighbors, at best, and rain destruction and death on them, at worst?

There is a fundamental problem with a foreign policy that feeds war and instability, rather than peace and stability, a foreign policy that cannot accept that supplying brutal Third World dictators that focus power in one person and rule by force and terror, threats, and intimidation is desperately prejudicial to our interests—outrageously expensive and threatening to global peace and security.

For the developed, arms-supplying countries, these were the policies of the cold war. An era when both the United States and the Soviet Union, in pursuit of their bitter cold war confrontation, bought loyalty with whatever lethal weapons they had to offer, sell, or give away.

In an era when our defense against the menacing and oppressive Soviet Union was paramount and the arms race persisted at a dizzying pace, simple economics sent us looking for arms buyers, to reduce our cost of arms production in order to achieve economies of scale. Other arms producing countries, including the Soviet Union, did likewise.

Now we see the folly of those policies. We spent billions more developing weapons to counter the weapons we had sold to governments we should hardly have trusted in the first place, or to governments who would use those weapons against our friends.

The arms industry fuels the arms industry. And it does so at the cost of the lives of hundreds and thousands of people, billions and billions of dollars, great detriment to the environment and the erosion of the quality of life in America, and the world over.

Hindsight is irrelevant if we simply criticize and bemoan our mutual errors in arms production and sales. We must learn from our mistakes and shape future policy to avoid the pitfalls.

It is time for this Nation, and all civilized, developed nations of the world, to invest in our common security, and band together to form an arms denial regime that would end the folly once and for all of developed countries fueling the pitfall and tragic succession of regional conflicts—small and local perhaps, but all too lethal, and too threatening to world peace.

We have met the enemy and he is us.

The Simon Wiesenthal Center published a list of the companies and countries that have supplied Saddam Hussein with his awful chemical and biological weapons which he has used before on others, as well as on his own hapless Kurdish tribesmen, and which now menace our own troops in the desert of Saudi Arabia. This list also chronicles those who have helped aid his quest for nuclear weapons.

Ironically, this absurd, costly, immoral arms sales practice, fueling regional conflicts the world over, is what now threatens global stability, after we and the Soviets have mercifully, and at long last, consigned the cold war to history.

The developing nations must finally achieve a unanimous consensus to bury regional conflicts, as the United States and the Union of Soviet Socialist Republic have buried the decades old superpower conflict, simply by negotiating an ironclad, absolute prohibition on the sale or gift of weapons of mass destruction to any Third World country.

And this is the challenge that our diplomats and our statesmen must address in the post-cold-war era.

[Western suppliers of unconventional weapons and technologies to Iraq and Libya supplied by the Simon Wiesenthal Center and prepared by Kenneth R. Timmerman.]

*Saddam's Foreign Suppliers (Companies suppling Iraq's unconventional weapons programs)*

| Country of domiciliation: | *Number of firms* |
|---|---|
| Argentina | 3 |
| Austria | 17 |
| Belgium | 8 |
| Brazil | 1 |
| Switzerland | 11 |
| Egypt | 1 |
| France | 16 |
| Federal Republic of Germany | 86 |
| Greece | 1 |
| Holland | 2 |
| India | 1 |
| Iraq | 2 |
| Italy | 12 |
| Japan | 1 |
| Jersey | 1 |
| Monaco | 2 |
| Poland | 1 |
| Spain | 4 |
| Sweden | 1 |
| United Kingdom | 18 |
| United States | 18 |
| Total | 207 |

THE POISON GAS CONNECTION—IRAQ'S SOURCES OF UNCONVENTIONAL TECHNOLOGIES

| Company | Country | Type | Equipment delivered | Source |
|---|---|---|---|---|
| Aerotech (Buenos Aires) | Argentina | MT | Consen group, missile tech | FT 20/11/89. |
| Conseltech SA | Argentina | MT | Consen group, missile tech | FT 20/11/89. |
| Intesa S.A. (Cordoba) | Argentina | MT | Consen group, missile tech | FT 20/11/89. |
| AST Consult Co | Austria | CW | Laboratory construction | Profil, 6/3/89. |
| Consultco | Austria | CW | SAAD 16 construction | Spiegel, 13/89. |
| Emmerich-Assman | Austria | CW | Owner of Hutter and Schrantz | Profil, 6/3/89. |
| Feneberg | Austria | CW | Construction planning | Profil, 24/4/90. |
| Lenhardt Metal Construction and Roofing | Austria | CW | Steel construction, CW plant | Kurier, 13/1/90. |
| Neue Berger | Austria | CW | Percursor chemicals | Austria State Radio, 4/1/89. |
| Swatek and Cerny | Austria | CW | Sanitary equipment | Profil, 6/3/89. |
| Consultco | Austria | MT | Saad 16 Engineering | Stern, 26/1/89. |
| Delta Consult Studien GmbH | Austria | MT | Electronics, plans (Consen) | Kurier, 13/5/90. |
| Delta System GmbH | Austria | MT | Consen group; missile tech | FT, 20/11/89. |
| Girozentrale Bank | Austria | MT | Financing of weapons lab | Profil, 6/3/90. |
| Hutter und Shranz | Austria | MT | Construction of weapons lab | Profil, 8/5/89. |
| Ibau | Austria | MT | Blow-out wall, missile plant | Profil, 8/5/89. |
| Denzel | Austria | WT | Helicopters from MBB | AFP. |
| Hirtenberger | Austria | WT | Percussion caps and traction machines | Profil, 13/8/90. |
| Steyer-Daimler-Puch | Austria | WT | Nonferrous-metal cartridge case facility | Profil, 24/4/90. |
| Voest-Alpine | Austria | WT | GC-45 Howitzers | The New York Times Magazine, 26/8/90. |
| Philips Petroleum | Belgium | CW | Thiodiglycol sold to KBS | BBC Panorama, 2/2/87. |
| Sebata | Belgium | CW | Built CW plant | The Washington Post, 25/8/90. |
| PRB (Poudrieres Reunies de Belgique) | Belgium | MT | Solid fuel, munitions/rockets | Groot Bijgaarden De Standard, 17/5/90, WSJ, 19/4/90, At Tayar 4/9/90. |
| Amalgamated Trading Ind. (ATI) | Belgium | WT | Super-gun | Groot Bijgaarden De Standaard, 18/5/90, Monde et Vie. |
| Cockerill | Belgium | WT | Super gun parts | |
| Forges de Zeebrugge Herstal | Belgium | WT | Super gun parts | |
| Six Construct | Belgium | WT | Air base construction | Mednews 3,21/22 (27/8/90). |
| Space Research Corp | Belgium | WT | Super-gun prime contractor | |
| Avibras | Brazil | MT | Joint missile R&D programs | Mednews 1,12 (12/11/88). |
| Companies Inc | CH | CW | Chemical percursors | New York Times, 31/1/89. |
| IFAT Corp Ltd | CH | CW | Engineering, Saad 16 | Spiegel 18/89, Profil, 24/4/89. |
| Condor Projeki A.G. | CH | MT | Consen group, missile tech | FT 21/11/89. |
| Consen S.A. (Zug) | CH | MT | Missile technology; provided 150 electronics and computer engineers. | FT 20/11/89; NBC News 30/6/89, Kurier, (Austria) 13/5/90. |
| Desintec A.G. (Zug) | CH | MT | Consen group, missile tech | FT 20/11/89. |
| Schaeublin | CH | Nuclear | Tools for nuclear facility | Berliner Tagesspiegel 22/8/90. |
| Schmiedemeccanica | CH | Nuclear | Centrifuge assemblies | Tages Anzeiger 3/9/90, Berliner Tagesspiegel 22/8/90. |
| Georg Fischer | CH | WT | Tadji, casting molds, machinery for cannon plant | Spiegel 28/90, 11/7/90. |
| Space Research Corp | CH | WT | Super-gun procurement office | |
| Von Roll | CH | WT | Tadji, super-gun parts | Tribune de Geneve, 17/6/90, the New York Times Magazine 26/8/90. |
| VUF AG(Verwaltung und Finanzierung) | CH | WT | Middleman, financing | Mednews 2/4/90. |
| WTB International AG | Egypt | CW | Saad 16, controler | Spiegel 19/89. |
| Atochem | France | CW | Sarin precursors to Montedison | BBC Panorama 2/2/87. |
| Carbone Lorraine | France | CW | Subcontractor to Protec | Nouvel Observateur 20/9/90. |
| Le Vide Industriel | France | CW | Subcontractor to Protec | Nouvel Observateur 20/9/90. |
| Pirep | France | CW | Subcontractor to Protec | Nouvel Observateur 20/9/90. |
| Prévost | France | CW | Subcontractor to Protec | nouvel Observateur 20/9/90. |
| Protec SA | France | CW | French partner to Karl Kolb; purchased manufacturing equipment and Tabun precursors for Samarra plant. | Nouvel Observateur 20/9/90; IHT 21/9/90. |
| SVCM | France | CW | Subcontractor to Protec | Nouvel Observateur 20/9/90. |
| Sagem | France | MT | Missile guidance systems | Mednews No 1.17, 30/5/88, the New York Times 24/5/90. |
| SEP | France | MT | Rocket motors, nozzles | Mednews 3,21 (12/4/90); SEP denies. |
| SNPE | France | MT | Solid rocket fuel (w/Snia Bpd) | Mednews 3, 12 (12/4/90). |
| Framatome | France | Nuclear | Nuclear fuel for Osirak reactor | CEA. |
| St. Gobain | France | Nuclear | Nuclear Technologies | Mednews 2/4/90. |
| Technatome | France | Nuclear | Osiris nuclear reactor | CEA. |
| Usinor-Sacilor | France | Nuclear | Special steels for centrifuges | Spiegel, 8/90. |
| Intespace | France | WT | High resolution infrared cameras for observation satellites Via Brazil?. | Defence, Dec. 1989. |

THE POISON GAS CONNECTION—IRAQ'S SOURCES OF UNCONVENTIONAL TECHNOLOGIES—Continued

| Company | Country | Type | Equipment delivered | Source |
|---|---|---|---|---|
| Thomson-CSF | France | WT | Saad 13 electronics factory | Jane's Defense Weekly, 6/4/85. |
| Tesa | FRG | ?? | ?? | Monde et Vie 23/8/90. |
| Josef Kühn | FRG | BW | Mycotoxins TH–2, T–2 | Spiegel 33/90. |
| Anton Eyerle | FRG | CW | Mobile toxological labs | Spiegel 4/89. |
| Aviatests (Rheinmetall subsidiary) | FRG | CW | Saad 16: wind tunnel for missile and aerodynamics research. | Spiegel 33/1990, Profil 6/3/89. |
| BP | FRG | CW | Military research | Spiegel 13/89, 33,90. |
| Carl Zeiss | FRG | CW | Equipment for Saad 16 CW lab | Spiegel 13/89, 33/1990. |
| Deutsch BP | FRG | CW | Military research | Spiegel 13/89, 33/1990. |
| Heberger Bau GmbH | FRG | CW | Buildings for CW plant | Blundestag, 20/12/88. |
| I.B.I. | FRG | CW | Construction, procurement | Spiegel 3/89, Stern 26/6/89. |
| Industriewerke Karlsruhe, Augsburg (IWKA) | FRG | CW | Machinetools, CW packing | Spiegel 24/6/89. |
| Infraplan | FRG | CW | Project 9230, nerve gas plant | Stern 1/89, NBC News. |
| Iveco/Magirus/Deutz | FRG | CW | Vehicule for mobile labs | Spiegel 4/89. |
| Karl Kolb | FRG | CW | Saad 16, laboratory equipment for material testing; biological agent equipment; Prime contractor of Samarra CW plant. | NYT 8/8/84, Spiegel 3/89, Stern 27/3/89, Christian Science Monitor 13/12/89. |
| MBB | FRG | CW | CW lab equipment for Saad 16 | Stern 26/1/89. |
| Pilot Plant, dissolved | FRG | CW | Equipment for Samarra plant | Spiegel 3/89, NY Times. |
| Plato-Kuehn | FRG | CW | Toxins | Spiegel 30/1/89. |
| Preussag | FRG | CW | Water-treatment, buildings for Samarra CW facility | BBC Panorama 2/2/87, Spiegel 13/8/90. |
| Quast | FRG | CW | Reactor vessels for Sarin; corrosion-resistant alloy parts | BBC Panorama 2/2/87, Christian Science Monitor 13/1/89. |
| Rhein-Bayern Vehicle Construction | FRG | CW | Mobile toxicological lab | Spiegel 13/8/90. |
| Rhema-Labortechnik | FRG | CW | Inhalation system for toxic research | Spiegel 4/89. |
| Sigma Chemie | FRG | CW | Precursors for BW | Washington Times 31/1/89. |
| Sigma Chemie | FRG | CW | ?? | Monde et Vie. |
| W.E.T Engineering | FRG | CW | Precursors, production plant | Spiegel 34/90, NY Times. |
| WTB Walter Thosti Boswau | FRG | CW | Nerve gas plants | Stern 26/1/89. |
| AEG | FRG | MT | Weapons and ammunition production equipment | Spiegel 33/1990. |
| Blohm Maschinbau | FRG | MT | Saad 16, computer controlled grinding facilities | Spiegel 13/89, 33/1990. |
| Brown Boveri | FRG | MT | Electronics | Profil, 8/5/89. |
| Daimler-Benz | FRG | MT | Vehicules | Monde et Vie 23/8/90. |
| Degussa | FRG | MT | Saad 16, military research; unspecified equip at CW plant | Spiegel 13/89, 33/1990. |
| Fritz Werner Industrie Ausrüstungen | FRG | MT | Machine-tools | Spiegel 13/89, Monde et Vie 23/8/90. |
| Gildemeister Projecta GmbH | FRG | MT | General contractor for Saad 16 missile programs, computer programs; supplied machine tools, test equipment. | Stern 26/1/89, 9/8/90 Spiegel 13/89, 24/90. |
| GPA | FRG | MT | Consen group | Financial Times 21/11/89. |
| Integral/Sauer Informatic/IC:E | FRG | MT | Saad 16, computer programs | Stern 26/6/89. |
| Leifeld & Co | FRG | MT | Rocket nozzles, via Nasr (GB) | Der Spiegel 28/90. |
| M.A.N | FRG | MT | Tadji, missile launcher parts | Financial Times 21/11/89, Spiegel 28/90. |
| Machinenfabrik Ravensburg | FRG | MT | Machine-tools | Spiegel 33/1990. |
| Mauser-Werke | FRG | MT | Saad 16, research | Spiegel 13/89, 33/1990. |
| MBB | FRG | MT | Training, engineering, R&D; electronic & testing of Condor II missile. | Stern 9/8/90. |
| Nickel GmbH (Hamburg) | FRG | MT | Climate control, missile plant | Vienna Profil, 8/5/89. |
| PBG (Freiburg) | FRG | MT | Consen group; missile tech | FT 20/11/89. |
| Promex Explorations GmbH | FRG | MT | Middleman, CW. missile tech | Mednews 3,12 (12/4/90) |
| Rheinmetall | FRG | MT | Tadji, missile propellants; parent firm of Aviatest | Spiegel 28/90, Monde et Vie, Profil 6/3/89. |
| Siemens | FRG | MT | Electronic rocket fuel mixers; precision lathes and computer control equipment; programming equipment for Tadju complex; non-echoing room for Saad 16 missile R&D. | (DS 27/3/89). |
| International Trade Consulting SA Transtechnica (MBB subsidiary). | FRG | MT | Main Saad 16 subcontractor, providing lab equipment for missile and CW R&D. | Stern 26/1/89; NBC News, 3/3/89, Spiegel 18/89, 19/89. |
| Waldrich-Siegen | FRG | MT | Machine-tools at missile plant | K. Timmerman; La Grande Fauche (Paris, Editions Plon, 1989). |
| Wegmann | FRG | MT | Tractor rocket launch system | Financial Times 20/11/89. |
| Weiss Technik | FRG | Nuclear | Hot and cold chambers | Vienna Profil, 8/5/89. |
| Dillinger Huette-Sarstahl | FRG | Nuclear | Special steels for centrifuges | Spiegel, 13/8/90. |
| Export-Union GmbH | FRG | Nuclear | Metal for production of gas centrifuges | Spiegel, 13/8/90. |
| Ferrostaal (MAN subsidiary) | FRG | Nuclear | Main contractor, Tadji | Spiegel, 28/90, 32/90, 33/90. |
| H+H Metalform GmbH | FRG | Nuclear | Rolling mill to manufacture centifuges, computer controlled facility for material checks, hardening of cannon barrels, cartridge cases, missile bodies. | Spiegel, 9/7/90, 13/8/90, 33/90, AFP. |
| Inwako GmbH | FRG | Nuclear | Ring magnets for uranium enrichment processing plant; SCUD-missile upgrade. | Spiegel, 35/90, 20/8/90. |
| KWU | FRG | Nuclear | Reactor core technologies | Mednews 2/4/90. |
| Leybold AG | FRG | Nuclear | Tadji, high-temperature furnace; recasting plants for cannon factory. | Nucleonics Week 9/8/90, Spiegel 6/8/90,32/90, 33/90. |
| M.A.N. Technologies Ltd | FRG | Nuclear | Middleman for H+H | Der Spiegel 18/12/89. |
| Nukem | FRG | Nuclear | U–235 fuel pins; blocked | Spiegel 33/1990; Energy Daily, 3/10/80. |
| Saarstahl | FRG | Nuclear | Maraging steel for centrifuge production at Tadji complex | Spiegel 33/1990. |
| TüV | FRG | Nuclear | Materials testing, Tadji | Spiegel 33/90. |
| ABB (Mannheim) | FRG | WT | Electrical equipment for furnaces at Tadji complex | Spiegel 28/90, 33/1990. |
| Buderus, Feldmühle subsidiary | FRG | WT | Casting technology for cannon plant at Tadji | Spiegel, 32/90, 33/1990. |
| Daimler Benz | FRG | WT | Security vehicles | Der Spiegel 27/3/89. |
| Dynamit Nobel (Troisdorf) | FRG | WT | Explosives | Spiegel 33/1990. |
| Faun | FRG | WT | Transportation facilities | Spiegel 13/8/90. |
| Hochtief (Essen) | FRG | WT | Construction, Tadji | Spiegel 28/90, 32/90, 33/1990. |
| Klöckner Industrie-Anlage GmbH | FRG | WT | Steel boiler, foundry, compressors, machine parts for Tadji | Spiegel 9/8/90, 32/90, 33/1990. |
| Krauss-Kopf | FRG | WT | Unspecified equipment at weapons plant | International Herald Tribune 7-81/89. |
| Lasco Umformtechnik | FRG | WT | Weapon and ammunition manufacturing facilities | Spiegel 33/1990. |
| LOI Industrieofenanlagen | FRG | WT | Special furnaces for hardening steel at Tadji complex | SPIEGEL 32/90, 33/1990. |
| Ludwig Hammer | FRG | WT | Unspecified equipment at weapons plant | International Herald Tribune 7-8/1/89. |
| M.A.N. Roland | FRG | WT | Transportation equipment | Spiegel 13/8/90. |
| Mannesmann (Duisberg) | FRG | WT | Super gun components | Spiegel 33/1990. |
| Mannesmann Demag-Hüttentechnik | FRG | WT | Casting equipment for Tadji | Spiegel 28/90. |
| Mannesmann-Rexroth | FRG | WT | Components for super-gun | Groot Bijgaarden De Standaard (Belgium) 8/5/90. |
| Marposs (Krefeld) | FRG | WT | Weapons and ammunition production facilities | Spiegel 33/1990 |
| Matuschka | FRG | WT | Parent of Leico (Leifeld & Co) | Spiegel 9/7/90. |
| MBB | FRG | WT | License for fuel-air explosives | BBC Panorama 3/9/90. |
| Ravensburg | FRG | WT | Boring equipment for cannon manufacturer at Tadji | Spiegel 32/90, 33/90. |
| Ruhrgas | FRG | WT | Tadji | Spiegel 32/90, 33/90. |
| Schirmer-Plate-Siempeklamp | FRG | WT | Weapon and ammunition production facilities | Spiegel 33/1990. |
| Schmidt, Kranz & Co | FRG | WT | Computer controlled facility for materials checks, hardening of artillery tubes. | Spiegel 33/90. |
| SMS Hasenclever | FRG | WT | Forgning press for Tadji | Spiegel 32/90, 33/1990. |
| TBT Tiefbohrtechnik | FRG | WT | Machine tools, Tadji complex | Spiegel 32/1990. |
| Thyssen | FRG | WT | ?? | Spiegel 33/1990 (13/8/90). |
| Züblin | FRG | WT | Steel plant at Tadji complex | Spiegel 28/90, 33/1990. |
| Dango & Dienenthal | FRG | WY | Molten metal treatment, Tadji | Spiegel 9/7/90, 33/1990. |
| Körber AG (parent firm of Blohm) | FRG | MT | Machine-tools for Saad 16 | Spiegel 13/89. |
| Advanced Technology Institute | Greece | WT | Super-gun engineering w/SRC | NYT Mag 26/8/90; Figaro 1/6/90. |
| KBS | Holland | CW | Thiodiglycol | BBC Panorama, 2/2/87. |
| Melchemie | Holland | CW | Precursor chemicals | Spiegel 3/89, Christian Science Monitor 13/12/88. |
| Transpek India Ltd | India | CW | Trionyl chloride | Far Eastern Economic Review, 30/8/90. |
| Teco (German-owned) | Iraq | CW | Tadji, (middle-man??) | Spiegel 33/90. |
| Al-Arabi Trading company | Iraq | MT | State-owned front; owns TDG | MEED, 22/9/89. |
| Ausidet | Italy | CW | Sarin precursors for Montedison | BBC Panorama, 2/2/87. |

THE POISON GAS CONNECTION—IRAQ'S SOURCES OF UNCONVENTIONAL TECHNOLOGIES—Continued

| Company | Country | Type | Equipment delivered | Source |
|---|---|---|---|---|
| Montedison | Italy | CW | Sarin Precursors to Melchemie | BBC Panorama, 2/2/87. |
| Snia Techint (Fiat group) | Italy | CW | CW lab for Saad 16 | Mednews 3,12 (2/4/90). |
| Technipetrole | Italy | CW | Nerve gas plant, Akashat | Libération 12/3/84. |
| Snia Bpd | Italy | MT | Solid rocket fuel | Mednews 3,12 (12/4/90). |
| Euromac (European Manufacturer Center) | Italy | Nuclear | Iraqi front; krytron triggers | AFP, AP, 29/3/90, Spiegel 9/7/90. |
| Snia Techint (Fiat group) | Italy | Nuclear | Hot Cells for Thuwaitha | L'Express 4/10/80. |
| BNL (Banco Nazional del Lavoro) | Italy | WT | Financing | |
| Danieli | Italy | WT | Tadji, steel rolling mill | Spiegel 28/90. |
| Ilva | Italy | WT | Forge equipment | Monde et Vie 23/8/90 |
| Istuto per la Ricostruzione Industriale (IL VA). | Italy | WT | Owns Fucine; super-gun parts | Reuters 14/5/90. |
| Societa delle Fucine | Italy | WT | Super gun parts (IL VA) | Reuters 14/5/90, Financial Times, 15/5/90. |
| Minolta | Japan | WT | Duplicating equipment | NBC NEWS, Monde et Vie. |
| Transtechno Ltd | Jersey | MT | Consen group, missile tech | FT 20/11/89. |
| Consen Investment S.A.M. | Monaco | MT | Consent group, financing | FT 20/11/89. |
| Consen S.A.M. | Monaco | MT | Consen group; Missile tech | FT 20/11/89. |
| Chemadex | Poland | Nuclear | Repair work on uranium processing plant | Washington Post 25/8/90. |
| Int'l Trade Consulting SA | Spain | MT | Middleman for missile tech | Mednews 3,12 (12/4/90). |
| Casa | Spain | WT | Helicopters from MBB | AFP. |
| Trebelan | Spain | WT | Steel cradles for super-gun | Financial Times 26/5/90, Monde et Vie 23/8/90. |
| International Trade Consulting SA | Spain | MT | Middleman for misslie tech | Mednews 3/12 (12/4/90). |
| Bofors | Sweden | MT | Electronics; Missile launchers | Financial Times 26/5/90, Monde et Vie 23/8/90. |
| Canira Technical Corp | UK | MT | 50 percent share owned by TDG; attempted buyout of Learfan, Belfast, to acquire carbon-carbon technology. | MEED, 22/9/89. |
| Matrix Churchill | UK | MT | Machine-tools, precision lathes (owned by Iraq) | WSJ, US News and World Report 4/6/90, MD. |
| Nasr Dependance Meed Int'l | UK | MT | Iraqi front; rocket nozzles | Der Spiegel 28/90. |
| SRC Composites | UK | MT | Joint venture SRC/TDG; attempted buy-out of Canira/Learjet factory in Ireland, 1989. | Financial Times 17/4/90. |
| TMG Engineering | UK | MT | Iraqi front (TDG); bought Matrix-Churchill | MEED 22/9/89. |
| Trade Development Group | UK | MT | Iraqi-owned front, MT and Wt purchases, finance of carbon-tipped machine tool plant. | BBC Panorama 3/9/90, Mednews 2/4/90. |
| Transtechno UK | UK | MT | Consen group, missile tech | FT 20/11/89. |
| Consarc Engineering | UK | Nuclear | High-temperature ovens | NY Times 16/7/90. |
| Astra Holdings | UK | WT | Super-gun parts, owner of PRE | WSJ 19/4/90, MD, AFP 5/5/90. |
| BSA | UK | WT | Machine-tools for weapons plants | BBC Panorama 3/9/90. |
| Eagle Trust | UK | WT | Owner of Halesowen (equipment for super gun) | Monde et Vie 23/8/90. |
| Global Technical & Management International | UK | WT | Mine detection, acoustic detonators for sea mines | London Press Association 30/3/90, Monde et Vie 23/8/90. |
| Halesowen | UK | WT | Parts for SRC supergun | London Press association 17/4/90. |
| Int'l Highway Transports | UK | WT | Transport of super-gun parts | TRT/TV 29/4/90; Monde et Vie 23/8/90. |
| Meed International | UK | WT | Iraqi front; machine-tools | BBC Panorama 3/9/90. |
| Sheffield Forge Masters | UK | WT | Super-gun barrils | Reuters, AP, 11/4/90. |
| Space Research Corp | UK | WT | Super-gun procurement office | Reuters, AP, 11/4/90. |
| Walter Somers | UK | WT | Hydralic equipment super-gun | Wall Street Journal 23/4/90. |
| Center for Disease Control | USA | BW | West Nile Fever virus | NBC News, 11/4/90. |
| Al Haddad Trading | USA | CW | Sarin Precursors | BBC Panorama 2/2/87. |
| Alcolac International | USA | CW | Precursor chemicals | US News and World Report 4/6/90. |
| Nu Kraft Mercantile Co | USA | CW | Precursor chemicals | New York Times 31/1/90. |
| United Steel and Strip Corporation | USA | CW | Precursor chemicals | New York Times 31/1/89 |
| US Steel and Strip Corp | USA | CW | ?? | Monde et Viez 23/8/90. |
| Lummus Crest | USA | CW | Ethylene oxide | Washington Times 27/4/90. |
| Electronic Associates, Inc | USA | MT | Computers for missile R&D | ABC News 7/9/90. |
| Hewlett Packard | USA | MT | Computers for missile R&D | Mednews 3,12 (2/4/90), Washington Post 3/5/90. |
| Scientific Atlanta | USA | MT | Computer for missile R&D | Washington Post 3/5/89. |
| Wiltron Company | USA | MT | Computer equipment, scalar analyzer system | L'Express 7/9/90, Washington Post 3/5/89. |
| XYZ Options | USA | MT | Carbon-tool machine tool bits | Financial Times, 21/11/89. |
| Consarc | USA | Nuclear | High-temperature ovens | NY Times 16/7/90. |
| BNL (Banco Nazional Lavoro) | USA | WT | Atlanta branch of italian owned bank, financing | Chicago Tribune 6/5/90. |
| Centrifugal Casting | USA | WT | Machine-tools for gun barrels | ABC News, 20/8/90. |
| Sitico | USA | WT | Iraqi financed from for VUF AG | Mednews 2/4/90. |
| Tektronix, Inc | USA | WT | Computer graphic terminal | Washington Post 3/5/89. |
| Textronix | USA | WT | Computers for missile R&D | Mednews 3,12 (2/4/90). |

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma [Mr. ENGLISH].

Mr. ENGLISH. Mr. Speaker, I rise in opposition to the Michel-Solarz resolution.

Mr. Speaker, obviously, voting to commit our American forces to war is the toughest vote any Member of Congress can cast—and that is as it should be. It is difficult to work one's way through the slogans, friendships, and political alliances to reach the hard basic facts and then weigh them carefully in making a decision.

In this case, I weighed carefully the stated goals as outlined by President Bush over the past few months—protecting our allies, releasing the hostages, halting the development of nuclear weapons, stopping a tyrannical dictator, protecting jobs and oil, as well as getting Iraqi forces out of Kuwait. These are all worthwhile goals. Some have already been achieved.

However, the resolution passed by the United Nations and the Solarz-Michel resolution authorize the use of whatever means are necessary to achieve one of the remaining goals—the removal of Iraqi forces from Kuwait.

At a breakfast I attended at the White House yesterday morning—Friday, Jan. 11—I asked President Bush whether he would approve—if hostilities should begin—the continuation of those hostilities until Saddam Hussein is removed from power. The President responded that he could not provide me with that assurance.

As I weigh the cost in lives—and military experts tell us a war will cost us several thousand American lives—it simply is not worth the cost to achieve the goal of pushing Iraqi forces out of Kuwait while possibly leaving Saddam Hussein in power. The source of the problems we are facing is Saddam Hussein. To leave the door open for him to remain in power after the loss of thousands of American lives is unacceptable. For this reason, I oppose the Solarz-Michel resolution.

If hostilities should begin, I strongly support allowing our military commanders to take whatever steps they determine are necessary to bring the conflict to a speedy conclusion with as little loss of American lives as possible. I hope that if a war begins, President Bush will see the wisdom of doing it right—not stopping our forces until Saddam Hussein is out of power. If History has taught us anything, it's that war is an all or nothing business.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Speaker, I rise to oppose the Solarz-Michel resolution. Yesterday, I received this advice from the President—Vote with your heart. Let me speak from the heart. With my sincere respect, I will not be with you today, Mr. President, but maybe tomorrow, and many times in the future.

But today I rise as a freshman casting my first votes. I am one of the youngest members of this august body and come here with high hopes in my heart, prayer in my thoughts, idealism in my dreams, and a belief in the magnificence of America. Let us work a little longer with purpose toward peace and with patience and principle.

Mr. GEPHARDT. Mr. Speaker, I yield 30 seconds to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, I thought the previous resolution offered the best hope to gain some valuable time for negotiation—a week or 2 weeks. I hope that the President will nonetheless hear the message that we continue to hope and pray that a peaceful resolu-

tion to the Persian Gulf crisis can be found. A few days extension past January 15 is not a sign of indecision on the part of the President, nor grant of delay for Hussein.

Only three days remain until the January 15 deadline set forth by the U.N. Security Council for Saddam Hussein to withdraw his troops from Kuwait. As that date draws closer, I hope the President will bear foremost in his mind that January 15 is a deadline for Saddam Hussein alone. It is not a deadline for this country or our allies to initiate offensive military action to drive Iraqi troops out of Kuwait.

If this House votes to authorize the President to use offensive military force, it is my most fervent hope that he will not use it too quickly. It must remain as the ultimate and final alternative, to be used only after every other avenue to resolve this crisis peacefully has been completely exhausted. I'm confident the President feels the same way.

Once again, I call upon the President to continue to remain patient and flexible, and to consider any viable, responsible possibility to resolve this crisis peacefully. I know the hope grows dimmer with each passing hour, but I want to believe hope still exists for bloodshed to be averted.

If every hope for diplomacy and negotiation has expired, then so be it. We should close ranks and support the President. But I pray that such a conclusion is only considered after all others have failed. Help us Mr. President, if you can. Show the American public you will go the extra step if any possible settlement can be achieved.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Maine [Mr. ANDREWS].

□ 1454

Mr. ANDREWS of Maine. In a few minutes the Congress of the United States will vote to go to war. I will not.

Resolving conflict, standing up to brutality and aggression without rushing into war is and always will be the most difficult course. But it is and it always will be the right course.

It was a lesson that was taught to me by my parents and a lesson that I learned in the schoolyard. It is a lesson that we are all taught by the Bible. And, yes, it is indeed a very difficult lesson and it is a very difficult course.

But indeed it is the right course. That course, giving peace every possible chance to work before rushing into war, is about to be rejected by this Congress. Hundreds and hundreds of people from my district at home in Maine have called me in just the last few days. Some are angry. Many are scared. All are worried.

But just about every single one of them has asked me, "Why, why when we have such a powerful alternative to war, are we committing this Nation to war?"

Yesterday was the most difficult day, one of the most difficult days of my life, not because I struggled with how I was going to vote today but because I struggled to understand, myself, why, with the effective and real alternatives we have before us, why this Congress will vote today to go to war.

That question has haunted me every day of my young congressional career, and it haunts me as I stand before you today. But it will tear and it will rip at me when the mother or the father of a soldier from my district in Maine who has died in the desert in the Persian Gulf looks me in the eye and asks: "Why?"

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BUSTAMANTE].

Mr. BUSTAMANTE. Mr. Speaker, I thank the distinguished majority leader for yielding time to me.

Mr. Speaker, I rise in opposition to the Solarz-Michel resolution. Our common goal is to remove Iraqi forces from Kuwait. Our differences exist on the tactics that get us there.

The choices before us today are clear: Either we bomb Iraq or starve it. The war option results in immediate sacrifices.

The economic option, in my opinion, is the wiser course because it will reduce the risk of American casualties and cost.

Since we are dealing with the issue of life and death, it is a mark of prudence to take the safer, wiser course.

Economic sanctions may not have the effect of toppling Saddam Hussein quickly from power. But they will work to further weaken Iraq militarily.

I don't question the use of the war option, but I do question using the war option at this time. We waited 40 years to win the cold war.

Why can't we show a little more prudence in letting the sanctions work to weaken Iraq militarily while the multinational military capability increases?

I don't question the comparison that many have made that Saddam Hussein is another Hitler. But let's not forget that for 10 years he was our Hitler. We were in bed with Saddam.

When Saddam Hussein unleased biological and chemical warfare against the Iranians, we assented.

When Saddam Hussien used biological and chemical warfare against his own people, the Kurds, we assented.

When some of us tried to block shipments of military spare parts, the administration said, no, Saddam Hussein is our friend.

When some of us urged the President to reduce subsidies of agricultural products to Iraq, the administration said, no, Saddam Hussein is our friend.

Now we are being asked to support this resolution because Iraq is on the brink of becoming a nuclear power. And what did this administration do to prevent that?

Shortly after our first deployment to the Persian Gulf, the Commerce Department approved an export application for a supercomputer shipment that would assist Iraq's goal in its nuclear program.

Mr. Speaker, this resolution is a product of an imprudent and failed policy of the past decade by this and the prior administration.

It further paints us into a corner of our own making and provides us with no real further options in dealing with the creature of our own making that we call Saddam Hussein.

This resolution leaves us with only a single isolating option—war.

It is our duty to explore every possible diplomatic and economic option available to us, and this resolution limits this Nation from considering a broader range of alternatives.

It is for these reasons, Mr. Speaker, that I cannot support the Solarz-Michel resolution.

□ 1500

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I ask a question. How long, Mr. Speaker; how long, Mr. President, will our economic, political, and military strategies be dependent on foreign oil?

I oppose the resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I rise in opposition to the Michel-Solarz resolution. My colleagues, make no mistake about the meaning of this resolution and of this vote. This resolution amounts to an abdication of the Congress' exclusive responsibility to declare war. Let us be very clear: Our approval of this resolution will hand over to the President the ability to place the lives of American men and women at risk on January 16.

My friends, I am not convinced that we have reached that last resort. I am not persuaded that the President of the United States and the President of the United Nations have exhausted every last remedy short of war. And I am troubled by the possibility that the U.S. Congress may vote to allow one man, the President of the United States, to make that determination.

The Persian Gulf crisis is a critical test for the new world order. The leadership and the deeds of the United States and of the nations united against Iraq's aggression will determine whether we will enter the post-cold-war era in the last decade of the 20th century with a strong victory for collective international action or with yet another failure of the global community to discipline a lone outlaw. Yet peace may be preserved and aggression deterred without a shot being fired.

Mr. Speaker, I supported the President's initial response to Iraqi aggression, and, as I have said, I am just as determined as the next American to force Iraq out of Kuwait. My differences with the President are on our means toward that goal. It seems very clear to me that the administration has not walked that extra mile to pursue a peaceful, diplomatic resolution of this crisis. When thousands of lives are at risk, it ought to be incumbent upon the President to continue to seek out every avenue, every forum, every interlocutor to discuss means of resolving the crisis without bloodshed. Some have said that we cannot allow Iraq to "save face." My colleagues, I do not mind Iraq saving face if it saves the lives of 5,000 American citizens.

Much of our debate has centered on one question: Are the sanctions working? Two former Chairmen of the Joint Chiefs of Staff, former Secretaries of State and Defense and a former National Security Adviser have testified that the United States should maintain the sanctions well past that arbitrary deadline next week until Iraq does begin to suffer from the embargo and expresses a willingness to discuss its withdrawal or until it is clear to a majority of experts and the Congress that the sanctions will not be severe enough to force that concession. I am willing to give the sanctions time, with American lives at stake, and I would urge my colleagues to hold that line as well.

Every Member of this body agress that war should be the last resort. We have not reached the last resort. The most experienced and knowledgeable former members of our Defense, State and Intelligence agencies testify that sanctions have not been given a chance to work. U.N. diplomatic efforts have not been exhausted. And the lives of thousands of Americans hang in the balance. We gain nothing by handing over the Congress's assent to war at this early hour, and we have everything to lose by refusing to maintain a policy that is working very well. Give peace a chance for the sake of your countrymen on the front lines. Vote to preserve the Congress' prerogative to declare war, and vote against the Michel-Solarz resolution.

Mr. GEPHARDT. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank the gentleman from Illinois [Mr. GEPHARDT], the majority leader, for recognizing me for 3 minutes.

Mr. Speaker, I rise today to speak against the Solarz-Michel resolution. I also rise to speak for peace.

The vote, this vote, this simple vote, this one little vote, that we are about to cast today has become a vote of conscience. However we vote, it says something about who we are as individuals and who we are as a people.

We used to call this resolution, for that is what it really is. By voting for this resolution my colleagues are voting for a declaration of war. The American people do not want war.

Mr. Speaker, people called my office this morning crying on the telephone saying, "Stop the war. We don't want war."

History will testify to the fact that wars are poor builders of a peaceful tomorrow. We should be prepared to cast our lot with sanctions. We have an opportunity; it is not too late to turn back the dark clouds of war. It is not too late.

What is wrong with being patient? Patience is not appeasement. Patience is not a dirty and nasty concept.

I ask my colleagues, "Are we ready to accept the burden of history? Will we fight a war that didn't have to be?"

As a nation, as a people, and as Members of this body, we must accept the idea that means and ends are inseparable. If we are going to make real the idea of a new world order, a world community at peace with itself, then the means by which we struggle must be consistent with the end we seek. If peace is the end we seek, then the means must be peaceful.

During the past few years we have witnessed a nonviolent revolution in Eastern Europe, a revolution of value, a revolution of ideas. We are seeking people in Africa, Asia, South America, moving toward democracy using the discipline and philosophy of nonviolence. These people were not inspired by bombs, or guns or missiles. They were inspired by our Constitution, our Declaration of Independence, and our Bill of Rights.

I say to my colleagues, "We have a chance, a last chance, a last opportunity to give peace a chance in the Middle East and not the tools of destruction and death."

Mr. Speaker, there is a better way, a more creative way, a more excellent way. I do not want the blood of American young men and women, nor the killing of tens of thousands of innocent people who call the Persian Gulf home to be on my hands, nor on my conscience. Whatever we do as a Congress, it will happen on our watch. Both the spirit and judgment of history will be on us.

Maybe we should all lay down the burden of war. I have made up my mind that I am going to follow the words of the old spiritual. "I am going to lay my burden down, down by the riverside. I ain't gonna study war no more."

We should also heed the words of the Scripture, "Blessed are the peace makers, for they should be called the children of God."

We should be the makers of peace, not war. Mr. Speaker, and my colleagues, let January 15 serve as our moral deadline by rejecting this resolution of war. Let us vote for peace. Give peace a chance in the Middle East.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota [Mr. WEBER].

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. GALLEGLY].

Mr. GALLEGLY. Mr. Speaker, as an original cosponsor of Michel-Solarz, I rise in support as a last hope for peace.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, I rise in strong support of our President and his constitutional capacity as Commander in Chief.

Mr. BROOMFIELD. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska [Mr. BARRETT].

Mr. BARRETT. Mr. Speaker, I rise in support of the Michel-Solarz amendment.

Congress must send the signal, and not empty threats, to Saddam Hussein that the Nation stands behind the President and is serious and committed to enforcing the U.N. resolutions. To do otherwise would only encourage further Iraqi intransigence and Hussein's terrorism, brutality, and quest for military domination of the Middle East.

I believe that signal is best made with the passage of House Joint Resolution 62, the Solarz-Michel resolution, which authorizes the President to order our troops to free Kuwait from Iraqi occupation. The House accepted House Joint Resolution 62. I rejected the two nonbinding resolutions also debated by the House.

The first, as worded, House Concurrent Resolution 1, is confusing and has the wrong message for Saddam Hussein; however this resolution passed the House 302–131. This country must stand together against aggression, but sincerely, this resolution does not deal with the reality of the situation in the Persian Gulf.

This nonbinding resolution unnecessarily tries to reaffirm Congress' authority in declaring war. I believe the Constitution clearly stipulates that Congress has the sole and awesome responsibility to declare war. And Congress is deciding this issue and will have the opportunity to vote. House Concurrent Resolution 1 could not further define that burden.

The second resolution debated, the Hamilton-Gephardt resolution, House Concurrent Resolution 33 would have also sent a mixed signal to Iraq. While giving approval for the use of force to defend our troops and to enforce U.N. economic sanctions, this resolution also required further congressional approval of any military action. Signaling Hussein that we have more patience to offer, as this resolution proposed, was defeated 183 to 250.

Hussein has demonstrated time and time again that he does not respond to patience, diplomacy, or to our appeals on moral decency, with any movements toward peaceful settlement. He only uses our goodwill to strengthen his stranglehold on Kuwait and ready his military machine to bring down upon the peoples of the Persian Gulf and the world his most heinous and destructive weapons of war.

House Concurrent Resolution 33 would have tied the hands of our President, and of our troops in the gulf, with conditions that ca-

pitulate our responsibilities in defending what is right and defeating what is wrong.

I cannot fathom a more soul wrenching experience, nor am I likely to ever make a more difficult decision, than the votes I made today. I voted to give our President the authority, provided that diplomatic efforts and economic sanctions have failed, to commit our forces to battle in the event that Saddam Hussein's forces fail to leave Kuwait.

The President, as Commander in Chief of our Armed Forces, must be given the flexibility to meet the demands placed on our country and to preserve and protect our national interests.

Presidents have deployed our troops over 200 times in our country's history. Congress has declared war only five times. In this instance, and as a veteran, I believe that authorizing the President to commit our troops to battle in the Persian Gulf, fundamentally improves our chances of achieving peace and reaffirms Congress' role as described in our Constitution.

Mr. BROOMFIELD. Mr. Speaker, to close debate on this side I yield the balance of my time to the leader of the Republican Party, the gentleman from Illinois [Mr. MICHEL], principal sponsor of the resolution we are now considering.

□ 1510

Mr. MICHEL. Mr. Speaker, may I at the very outset compliment you for coming off the rostrum to become just the Member of your district from Washington and for the caliber and quality of your remarks, so appropriate for the occasion. Yes, I would have to say it was a fine hour for the House of Representatives, particularly in your dissertation that you gave.

I do not know what history will say about our debate, but I do know it will be said that during the crisis of the gulf, the Members of the 102d Congress stood up and were counted. The Constitution, the American people, and the cause of freedom have been well-served during these 3 days in January 1991.

Now the question of each of us is how best can I help to achieve a just peace? I believe it is far more preferable to pursue a long-term objective of real peace in the region by sharing with the President of the United States the risk of war in the short term. That is a question of high public policy, but it can be answered only in the private reaches of the heart, where the still small voice of conscience roars like thunder.

Mr. Speaker, I voted against the last resolution, one of those 250. Let me tell you why.

I guess younger Members are tired of hearing of World War II types always using the prelude to that war as a model for foreign policy. For so many Members, your war was the Vietnam war. That war shaped your thinking one way or the other. A different war, different lessons.

But allow me one last reference to the period with a Churchillian quote. He says:

> Those who procrastinated in the face of Nazi aggression, "were decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity, and all powerful to be impotent."

It sounds like a critic's characterization of our own Congress in the past several years at times.

I, like so many other members of my generation, am haunted by the ghosts of Munich and the ghosts that Munich produced, and that is why I am so opposed to a policy of delay against aggression threatening our vital national interests.

At this point you might be saying all right, but that was then, and this is now. And I agree. There is not a perfect fit between the lessons of Munich and the problem of Kuwait. New problems demand new approaches.

All I could ask is that we at least consider that delay often can have more serious consequences later on than swift action. This is not just a theory. It happened once, to the horror of the world. What reason do we have to believe our time is immune from a similar disaster?

Mr. Speaker, President Bush has forthrightly and openly asked for our help. How can we at this time of crisis turn our backs on him before the entire world? Our American troops in the gulf have bound themselves by sacred ties of duty and honor and willingness to sacrifice. Cannot we at least be bound to a binding resolution that will give their Commander in Chief what he has requested?

This is, in the final analysis, a vote that transcends all the differences we may have, political, ideological, or generational. And, yes, as the Speaker so eloquently said in his remarks, this is a vote of conscience, and I am so proud to be associated with our distinguished array of bipartisan cosponsors. I want to thank them all, the Democratic side, the Republican side, for their great contributions to this effort. We hope that the contribution of your conscience will persuade you to vote with us on our resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Speaker, I rise as I have several times over the last 2 days in opposition to the declaration of war and in opposition to Solarz-Michel.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Speaker, I rise in strong opposition to the Solarz resolution.

As has been stated by the most respected Admiral Crowe among others, the consequences of war would be unpredictable.

The Pentagon's own casualty estimates for ground attacks on Kuwait show casualties could exceed 50 percent.

The President plans to attack under U.N. auspices. A U.N. Administrator in the Sudan laments that likely blockage of the Suez Canal and the Red Sea will bring famine of massive and biblical proportions for millions of Ethiopians and Sudanese.

And just think of the environmental catastrophe stemming from burning oil fields and oil-choked seas.

Let's not pretend we're going to easily control the consequences.

Vote against the Solarz resolution a declaration of war.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. ANNUNZIO].

Mr. ANNUNZIO. Mr. Speaker, I rise in opposition to the Solarz resolution.

It is a premature and hazardous course to follow when we have not yet exhausted all of the diplomatic and economic avenues available to us.

Toughness, patience, and persistence pay off when economic sanctions are imposed. Five months are not enough. It will take until at least spring or early summer to weaken Saddam militarily and destroy his ability to effectively wage war.

There are those who feel that a quick-fix war will force Iraq out of Kuwait. I do not agree. The hoped-for quick-fix could easily lead to sending the world up in flames. It is easy to start a war, but difficult to stop it. And once started, there is no going back. And the price to pay will be devastating.

Are we ready to reimpose the draft on our young people?

Are we ready to raise taxes to pay for this war?

Are we ready for the certain death and destruction, and the loss of American lives that will come from this war?

Are we ready for the acts of terrorism and sabotage that will be unleashed on Americans?

I think not, and therefore, I urge that we exhaust every alternative before turning to war. I urge my colleagues to vote against the Solarz-Michel resolution.

Mr. GEPHARDT. Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I rise in strong opposition to the Solarz-Michel resolution.

Mr. GEPHARDT. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Speaker, I came to this body as an advocate for jobs, justice, and peace. As the Member who introduced the first Martin Luther King holiday bill, I cannot tell you how disappointed I am that this resolution, an undated declaration of war, would go into effect on the birthday of this great leader of nonviolence. I conclude that our national interests are not at stake, and I will oppose this resolution.

Mr. Speaker, I rise in support of the Gephardt resolution calling for continued sanctions against Iraq, and I strongly oppose the throwback to the Gulf of Tonkin resolution, the Solarz-Michel resolution, which effectively gives the President a undated and cloaked declaration of war.

I came to Congress in the spirit of Dr. Martin Luther King, whose birthday and message of peace we celebrate next week. Dr. King taught us of the wisdom of dialog and peace, its possibilities for the ultimate enhancement not only of human rights but of our self-interests. He taught us of the dangers of the impetuous temptations toward violence, its unpredictable consequences and unanticipated costs. He taught us that peace is the ultimate civil right, that it is our incumbent obligation to ensure its survival to the greatest extent of our ability.

It was on this basis that I opposed the undeclared wars of Vietnam and Nicaragua, the military strikes in Grenada and Panama, the military support for paramilitary death squads in El Salvador. I believe they enhanced neither democratic rights nor ultimate U.S. interests. And it is on this basis that I oppose the Solarz-Michel resolution, giving the President a declaration of war.

The August 2 Iraqi invasion of Kuwait was, by any standards, a ruthless act of aggression. And the world's response to date has been a miraculous one: A Congress of nations made a virtually unanimous moral judgment in its first major cooperative undertaking in years, taking swift action against Saddam Hussein's military subjugation of his neighbor. In the face of this barbarism, old hatred and distrust was discarded, new alliances were forged, and many a speech was given by our President and others about the new world order, founded in the unprecedented events of 1990, were international frictions were relieved by means other than force. By passing the Solarz-Michel resolution, we threaten that new world order, the lives of thousands of young Americans, our domestic strength and the American Constitution.

Passage of the Solarz-Michel resolution is a declaration of war: It authorizes the President to take this Nation to war if he sees it necessary. Its wording—a modern day equivalent of a Gulf of Tonkin resolution—reveals two critical truths: That the President would lose critical votes by asking the Congress for a formal declaration of war, and that he will not concede to the fact that only the Congress has the power to declar war.

Intelligence reports tell us that a war in the Arabian desert is likely to be protracted over a period of many months, with hundreds of thousands of American troops caught in an unfamiliar desert, fighting a high-technology war with divided support around the world and at home.

While the world coalition is likely to maintain solidarity during the course of peaceful sanctions, its already unenthusiastic support for war is likley to further fracture in the course of an extended war. Europe and Japan are more likely to pursue their agendas of economic advancement in the coming year than they are to become embroiled in an inferno on the Saudi front. A United States war in the Arab Peninsula could be a very lonely one.

And whether the war lasts 10 days or ten months, whether it is fought with some of the allies or by ourselves, the decimation of Iraq and its rules will have geopolitical consequences—the creation of new power vacuums—that are being generally ignored. Therefore, even if we win, we still lose. Blowing away Saddam Hussein might give great satisfaction to even the most reasonable of men and fulfill a desire for an ultimate censure of a despot. But his removal would only fan the flames of this politically volatile region.

Regional security would be the first casualty of a gulf war. With Iraq removed as the dominant military power in the region, terrorist Syria and fundamentalist Iran will inherit the mantle of leadership among Arab countries. Arab masses, reacting to the specter of the loss of Arab lives, may become hostile to Arab regimes that endorsed military action and to the United States. Israel, threatened by an increasingly radicalized and hostile Arab world, may be more likely to resort to use of its nuclear weapons to impose its will on this region. American prestige, the critical multilateral balance of power in the region, and principle of collective security are therefore all likely to be casualties of the war.

And while we speak about the casualties of war what are we to tell the thousands of American parents and spouses—and the disproportionate number of African-Americans, still aching from the President's veto of the Civil Rights Act—when their loved ones come home bagged in plastic? That because the President ordered more than 400,000 troops to the desert he had to save face? If we attack, whose face do we save? The famed novelist E.L. Doctorow wrote this week that in the new world order, "A modern nation's honor is not the honor of a warrior, it is the honor of a father providing for his children."

Another cost of war would be our already faltering economy, the risks to which also argue for diplomacy. In December it was reported that the Pentagon estimated a $31 billion cost in fiscal 1991 for the gulf deployment—a figure that assumes that fighting will not break out—$31 billion that will be devoured by war costs. Even without a shooting war, it will cost $85 million a day to maintain Desert Shield. When it comes to war for ambiguous reasons in remote lands, cash flows freely. When it comes to the war against poverty, illiteracy, and despair in our inner cities, the eagerness is replaced with the rigidities and rhetoric of budget sequestration.

The entire 1990 Federal budget allocation received by Detroit—$291 million—would be eaten alive by Desert Shield in 3½ days. The entire 1990 budget for our Community Development Block Grant Program—$3 billion—is gone in a month for the gulf deployment. The entire $1.3 billion 1990 budget for Head Start dwindles to nothing after 15 days to support the President's war effort. All of these costs are occurring without a single shot fired. This Government would not even blink to commit these critical funds to war, but we see nothing but empty pockets when it is budget time for these critical programs.

Let us not delude ourselves that this will be a clean war. To those who talk about a quick victory against Iraq, I say there is room for doubt. Gen. Colin Powell, the Chairman of the Joint Chiefs, said that a quick, clean victory against Iraq is highly unlikely: there are too many variables in war and too many strategies to counter single-dimension initiatives like massive air strikes. Quick, massive strikes as well would claim thousands of Iraqi civilians but ensure no victory. The infliction of casualties a large number of the 1 million Iraqi troops would almost certainly ensure our own massive troop casualties.

However, we need not speculate on what might happen in a pitched battle with Saddam Hussein. We have already provided a military response. It is called a siege, and not only has history proven it to be the best of military strategies, it is working with great effectiveness and cost-efficiency today. Reports last week showed that since September, when sanctions were implemented, Iraq has suffered food prices seven times higher and declines in food rations of up to 50 percent. Already 40 percent of Iraqi domestic production has been cut and their economy is losing at a rate of $20 billion annually. Inarguably, sanctions are working. Without putting our children in harm's way, we are bringing slow but inevitable doom to Saddam Hussein. Because of the power of our sanctions, what we should be doing is giving sanctions an opportunity to complete their purpose, without the mass death and destruction of all-out war.

It took us 40 years to negotiate the end of World War II. So what if it takes us 1 year to negotiate the withdrawal of an isolated and despondent despot? Sanctions and strategic diplomacy—our collective willingness and strength to enter into a broad dialog to enhance, rather than wreck, the principle of collective security—may not bring the immediate gratification of military exploit that some of us think will enhance U.S. prestige, but will bring the results of peace, regional security, and the protection of U.S. lives that we all seek.

Mr. GEPHARDT. Mr. Speaker, I yield the balance of our time to the distinguished deputy whip on the majority side, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, we have come to the closing moments of a long and wrenching debate. For the past 48 hours, the media have carried our deliberations live, gavel to gavel, into millions of our homes. Calls have been jamming the Capitol switchboard.

America, indeed, the world is watching us.

We are about to cast what so many Members have acknowledged may be the most important vote of our lives, whether or not to go to war.

Make no mistake about it—this resolution is tantamount to a declaration of war.

Before we cast this vote, each of us must ask ourselves: Do we really have no other choice?

War is the least predictable and most painful of our options. It must be the very last resort.

We support the goals of the President's policy. And Saddam Hussein must know that this country is united against his aggression, and determined that he will leave Kuwait.

We support the deployment of troops to enforce the sanctions and to maintain international pressure.

But January 15 is an arbitrary and unrealistic deadline.

The sanctions against Iraq are working. Now is too soon to declare this policy a failure and rush to war.

As we speak, over a million men and women face each other in the open desert, on the open seas. All the firepower of modern weaponry is ready to be unleashed. The cost in human lives could be enormous.

There are those who believe a war in the gulf will be a short war, that the casualties will be few, and the consequences contained.

But there are no short or easy wars. In fact, no war is ever really over. And for some men and women, war is an eternity.

Ask the families and friends and veterans of our last war. Their lives were forever changed.

America has 400,000 men and women on the front line. We are proud of them. And we stand behind them 100 percent.

But the best way to support them is to make sure that we do not ask them to make the ultimate sacrifice unless it is absolutely necessary.

Can we really say to those men and women in the desert today that we have given diplomacy a chance?

Will we just cast aside the testimony of Admiral Crowe and General Jones? Will we ignore the advice of six of the seven last Secretaries of Defense, all of whom have told us to stand firm with economic sanctions rather than use the military option?

Do we really want to go to war with this country so deeply divided? Have we learned nothing from the bitter experience of the last generation who went into battle?

I am aware, as is every one else in this Chamber, that this resolution will pass. And with its passage, the road to war opens before us.

Nearly a generation ago, we sent hundreds of thousands of our young to fight a war that no one wanted—in a land we did not know—against a foe we did not understand. We made the grave mistake at that time of failing to separate the warrior from the war.

To the men and women who carry our flag in the Persian Gulf today and in the weeks and months to come, let me say to you—we will not make that same mistake twice. You are our own; we draw strength from your courage and we will stand by you, regardless of how we cast our vote today.

To each of my colleagues here in this Chamber now, let me appeal to you one more time to pause before you cast this vote, and ask yourself the very same question that hundreds of thousands of families in America are having to face today. Is this the time? And is this the cause for which you would ask your son or your daughter to risk their life?

I urge you to vote against this resolution.

□ 1520

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. ROWLAND].

Mr. ROWLAND. Mr. Speaker, I rise in support of the Solarz resolution.

Mr. SOLARZ. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I rise in support of the Solarz-Michel resolution because I am persuaded that we do not advance the cause for peace by undercutting the President or repudiating U.N. Resolution 678. We advance it by strengthening the President's hand.

Mr. Speaker, these are difficult times. Our actions in the next few hours will shape history for decades to come, and will perhaps determine the fate of thousands of lives.

All of us want to see the crisis in the Persian Gulf resolved without any loss of life. I also fervently believe that war should be the option of last resort. But it will not occur because we wish it so.

Nothing will be served by a lengthy debate over the policy failures on the part of our Government that have led us to this unhappy chapter in history. Nevertheless, I feel compelled to make a few observations about policies which trouble me. The economic sanctions endorsed by the United Nations and enforced by the world community were undermined by the November decision to set a January 15 deadline for Saddam Hussein to withdraw from Kuwait.

Moreover, our range of options was seriously eroded by a decision to commit some 200,000 additional troops to Saudi Arabia as part of Operation Desert Shield.

I am also disturbed over the disproportionate number of American troops in the multi-national force in the Persian Gulf. Those with the most at stake have committed the least. That's wrong.

I realize quite well, however, that we have to deal with the realities of the moment—not the way we would have it or the way it should have been. Leadership is attempting to shape events as they are evolving, not to sit back until a policy has been developed and then suddenly attempt to chart a new course at the last minute.

We should have come back into session last year to debate the events as they happened. I can tell you that I would not have supported a January 15 deadline which virtually assured that economic sanctions and diplomatic endeavors would not have a reasonable time to work. I would not have supported the additional deployment of some 200,000 American troops to Saudi Arabia when it was apparent that our allies were not making comparable commitments of manpower, and that we were raising the stakes and essentially going it alone on the battlefront.

Unfortunately, the time to debate those issues has come and gone. We are now at the end of a well-developed policy that leadership required us to challenge months ago, not today. It is up to us now to support this policy, to make the best of our limited options, and hope that it does indeed lead to peace, not war.

I have listened very closely to the debate in this Chamber this past 2 days. I find there is a remarkable consensus in the Congress about most of the critical issues we face.

Members on both sides of this issue are willing to authorize the use of force. Both Hamilton-Gephardt and Solarz-Michel are declarations of war, for they both approve the use of our military forces to enforce the economic embargo. The major difference in their effect is that Hamilton-Gephardt would require a second vote for an offensive against Iraq. Unfortunately, that works to the advantage of Saddam Hussein, not ours.

Most everyone on both sides of this debate agree that Saddam Hussein is an international renegade who the world will have to stop either now or in the future. It is uncertain whether it will be easier or more painful in the future. I fear it will be the latter.

Everyone argees that Saddam Hussein must be forced out of Kuwait and not benefit in any way for his rape and pillage of that small country. The only questions are how, when, and at what cost.

Most everyone in this Chamber agrees that economic sanctions will not guarantee the result that we seek—the removal of Saddam Hussein from Kuwait. We hope they will—and we should pursue that policy vigorously. But our intelligence is inconclusive, and not particularly helpful.

And most everyone agrees that a blockade is doomed to failure without a real and credible threat of force should sanctions fail.

But it must be a credible threat to use force. Credibility depends on whether by our words and deeds we have demonstrated clearly that we mean what we say about our willingness to use force to achieve our policy goals.

The President has worked hard to rally the international community behind a global position and strategy to compel compliance from Saddam Hussein. It set a deadline of January 15, and authorizes force should he fail to give up Kuwait.

Make no mistake about it, the Hamilton-Gephardt resolution seriously undercuts U.N. Resolution 678. It erodes the credibility of that threat to use force, cuts the legs out from our President, and sends the wrong message to Saddam Hussein and his kind.

Hamilton-Gephardt is tantamount to a repudiation of U.N. Resolution 678 at the very moment that U.N. Secretary Perez de Cuellar is meeting with Saddam Hussein to try to salvage peace. Instead of supporting this effort, Hamilton-Gephardt might very well trigger an unraveling of the international coalition now standing up to Saddam Hussein. At the very least, it will certainly shake their confidence in our leadership.

For those that want to rely upon continued sanctions, I can only say I do too. But they have to go hand-in-hand with a credible threat

of force, and when you undercut that, you lessen the chance of its success.

Frankly, how can the President as our Commander in Chief persuade anyone—particularly Saddam Hussein—of our resolve and determination if we tie the President's hands as we approach these next few critical days of decisionmaking?

The Solarz-Michel resolution does not foreclose the continued use of sanctions. It does not foreclose the use of diplomacy after January 15. It does add an authorization to use force to the arsenal of tools afforded to the President. I do not give him that authority lightly or without a lot of reservation.

We cannot all be Secretaries of State; 535 Members of Congress cannot possibly carry out the day-to-day negotiating, consulting, and decisionmaking to deal with such difficult and complex matters of state.

I sincerely believe that the President wants peace, not war. He has persuaded me that he is our last best hope for peace. I cannot, in good conscience, tie the President's hands at this late moment and simply hope for the best. We've traveled too far down the road at this point to change the course.

In closing, I just want to point out that I, like everyone else in this Chamber, has deliberated, and indeed agonized over this decision. I have tried my best to listen to our President, to my constituents, and to my heart. In every instance I find that it is a close call.

In the final analysis, I sincerely believe that our last best hope for peace is to support our President and U.N. Resolution 678. I only hope and pray that I have made the right choice. Just as importantly, I hope and pray that the President will use the power we have granted him with great wisdom and care. He holds our country's last best hope for peace.

Mr. SOLARZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as we come to the close of this historic debate, I find myself in a somewhat anomalous position. It was almost 25 years ago that I got my start in politics as the campaign manager for one of the first antiwar candidates for Congress in the country. It never occurred to me then that I would be speaking on the floor of the House of Representatives a quarter of a century later in support of a bipartisan resolution that many whom I respect fear could lead to another Vietnam.

Yet, I believe there are some fundamental differences between the situation in which we found ourselves in Vietnam then and the situation we confront in the Persian Gulf today.

In Vietnam, vital American interests were never at stake. In the gulf, they are. In Vietnam, the cost in blood and treasure was out of all proportion to the expected benefits of a successful defense of South Vietnam. In the gulf, the enormous benefits of a successful effort to get Iraq out of Kuwait far exceed the admitted price we will have to pay if force must be used.

We have heard a lot of talk in this debate about the need for patience. We were patient when Japan invaded Manchuria in 1931. We were patient when Italy attacked Ethiopia in 1936. We were patient when Germany blitzkrieged Poland in 1939. We were patient when Germany overran France in 1940. We were patient, Mr. Speaker, right up to December 7, 1941, when Japan attacked us at Pearl Harbor, by which time Germany had conquered almost all of Europe and Japan controlled much of Asia.

The great lesson of our time is that evil still exists, and when evil is on the march, it must be confronted.

In the Persian Gulf, almost half a year after the brutal and unprovoked annexation of Kuwait, the time for patience has ended and the time for firmness has arrived. Saddam Hussein represents a clear and present danger, not only to the region, but to the world. He has gone to war twice in the last 10 years. He has used chemical weapons not only against his enemies, but against his own people, and he is well on his way toward acquiring nuclear weapons as well.

Driven by a megalomaniacal lust for power, he is determined to dominate the entire Middle East, and if he is not stopped now, we will have to stop him later under circumstances where he will be much more difficult and much more dangerous to contain.

None of us wants war. Yet the truth is that not until Saddam Hussein is stripped of any lingering illusions he may have about our willingness to use force will there be any real chance of a peaceful resolution of this crisis.

That is why, with only 3 days left before the expiration of the U.N. deadline, this bipartisan resolution, by confronting Saddam Hussein with a choice between leaving and living or staying and dying, represents the last best chance for peace.

The vote on the Gephardt-Hamilton resolution a short while ago demonstrates that a majority of the House believes that the protracted application of sanctions is a formula for failure rather than a strategy for success.

□ 1530

Judge Webster, the head of the CIA, does not believe the sanctions will be sufficient to get Iraq out of Kuwait. Nor do the British, nor the French, nor the Egyptians, nor the Saudis. Not one of our coalition partners believes that sanctions will be sufficient to get Iraq out of Kuwait.

The reason they do not believe sanctions will be sufficient is because they know that Saddam Hussein does not give a whit for the welfare of his own people. All he cares about is the maximization of his own power. However great the economic impact of the sanctions may be, they know, as we know, that Saddam Hussein does not have to run for reelection in 1992. He does not have to worry about a contentious Congress or a critical press. He will hunker down. He will wait. And while he waits, there is a very real possibility that this inherently fractious and fragile coalition will begin to unravel, and the sanctions will erode, and he will prevail.

With the adoption of the bipartisan resolution, however, we should be in a position to achieve our objectives by peaceful means if possible, but, yes, by the use of force if necessary.

If we prevail, as surely we will, we will have prevented a brutal dictator from getting his hands on the economic jugular of the world. We will have protected and stabilized the Arab governments courageous enough to have opposed him. We will have eliminated his weapons of mass destruction and greatly reduced his conventional military power. We will have enhanced the prospects for progress in the peace process between Israel and its Arab neighbors. And perhaps most importantly of all, by demonstrating that aggression does not pay, and that the international community will uphold the sanctity of existing borders, we will have established a precedent that could lead to the creation of a new world order governed by the rule of law rather than by the law of the jungle, and in which nations shall not make war against other nations anymore.

Mr. Speaker, I urge the adoption of the bipartisan resolution.

Mr. MURPHY. Mr. Speaker, 2 hours ago, this House, by an overwhelming majority, reaffirmed the sole right of Congress to declare war. Despite citations of over 200 instances of the use of force by the United States and its representatives without a congressional war declaration, when we assemble the largest concentration of military power in one location since the beginning of time, it is proper and fitting that Congress reaffirm its constitutional right to authorize the unleashing of these horrific forces.

It has been said here on this floor time and again over the past 20 hours of debate that we, this House must unite and support the President and his actions in the Persian gulf. But this support should not be the moral equivalent of a rubber stamp, or the blind leading the blind, or of the unquestioned obedience of a follower to a leader.

When we all took the oath of office, here in this Chamber 9 short days ago, we swore to uphold the Constitution of the United States, as members of the legislative branch, we have that right and that solemn obligation. Our vote shortly after noon this day confirms and reaffirms this responsibility and say to the President, "When you decide that there is no other alternative, when all other options are exhausted, come to and make your case and Congress will decide the appropriate time and place to wage war."

What a difference a few hours can make in the life of a democracy. After defeating a resolution which called upon the President to continue to use American forces to protect Saudi Arabia, to enforce the U.N. embargo and to protect our forces in the region, we spin 180 degrees and overwhelmingly pass the Presidential-Solarz-Michel resolution giving Presi-

dent Bush a virtual blank check to make war, perhaps within the next 72 hours.

The vote for the Presidential-Solarz-Michel resolution is a vote for inconsistency. It is a vote for impatience. It is a vote for the congressional equivalent of passing the buck and the responsibility for war to a President without the need for further legislative branch input or oversight for at least 60 days.

The overwhelming vote for the Presidential-Solarz-Michel resolution is a vote to diminish congressional power scarcely 3 hours after we so strongly reaffirmed it earlier today.

It is inconsistent to talk about the great costs of war without explaining how those financial costs will be paid. It is inconsistent to keep reminding America to remember the hundreds of thousands of American forces stationed there in the Mideast while forgetting that we have the obligation to see that they are used wisely, properly and only when there is no other alternative. But the greatest inconsistency of all, Mr. Speaker, is to boldly reaffirm a constitutional right to the sole power to declare war and then to turn around moments later and hand off this responsibility without any guarantee that it will be used only as a final step in a still unfinished search for a peaceful solution to this situation.

This is indeed a historic day for this Nation unfortunately, Congress has been less than spectacular in meeting the challenge and upholding its constitutional mandate to contribute to a peaceful solution to the crisis.

Mr. LEWIS of California. Mr. Speaker, I rise today to strongly support the Michel-Solarz resolution expressing the same sentiment as the U.N. Resolution 678.

After defeating the Hamilton-Gephardt resolution, which I opposed, I believe it is imperative that Congress reaffirm this Nation's resolve to do whatever necessary to remove Saddam Hussein from Kuwait.

It is important to remember, however, that this resolution is not an order to commence hostilities on January 15. It simply allows the President to have all options available to him after this date—a fact that will not go unnoticed by Saddam Hussein.

Again, let me state that, in my view, this resolution is the last, best hope for a peaceful resolution of this conflict. Only by giving the President adequate authority and bargaining power can we ensure that all diplomatic solutions have been attempted.

Mr. Speaker, we all want to avoid war. In my view, the Michel-Solarz resolution is the best method of accomplishing this goal.

Mr. McGRATH. Mr. Speaker, after careful thought, I intend to support the Michel-Solarz resolution. All three resolutions before us today recognize that force may be necessary to liberate Kuwait. Only the Michel-Solarz resolution has the force of law, and if we are condoning military action, the timing is best left to our Commander in Chief. I am confident that the President has listened closely to this debate and that he will navigate this incredibly complex and dangerous conflict with the use of force as an absolute last resort.

We simply cannot face the possibility of war with a cacophony of voices enunciating American policy. I recognize that this resolution may be viewed by history as a declaration of war in spite of the carefully drafted language. We will not be able to reverse our course once hostilities begin.

Economic sanctions have had some effect, but our ability to sustain combat readiness and international cooperation is limited by many factors.

In the time between our vote and any decision to commence hostilties, the United States should continue to actively seek substantially greater commitments of personnel and financial support by our allies in this effort. Many U.N. members have simply raised their hands to vote while we have sent our sons and daughters to a harsh and potentially bloody battlefield. If we are truly part of an undertaking of the entire international community, we should not be ashamed to demand their full participation.

This has unquestionably been the most heartwrenching decision of my career. Whether we all agree on the immediate issue, I urge every American to join me in praying that we can achieve a peaceful solution, and for the protection of the brave citizens of our Nation who face great danger on our behalf in the days ahead.

At this point, I ask to insert in the RECORD an editorial of New York Newsday, January 11, 1991, which very adequately reflects my views on this issue:

CONGRESS' DUTY: GIVE BUSH ROOM

The decision for Congress is clear: It is time to authorize the use of force in the Persian Gulf.

The vote is necessary not only to meet the constitutional requirement that Congress declare war, but to strengthen President George Bush's hand in trying to convince Iraq's Saddam Hussein that, unless he withdraws from Kuwait, he faces a war he cannot possibly win. The paradox holds true: To avoid war, there must be a credible threat of war.

War is not inevitable. Hussein is a consummate high-risk gambler who is likely to try for a last-second—or even overtime—deal. It could be that the diplomatic process really just began Wednesday in Geneva. If that is the case, then there is all the more reason to give Bush maximum support, to give him the strongest possible hand.

There might have been a time, even a few weeks ago, when it would have been appropriate to tell the administration not to use force and continue with economic sanctions. But events have overtaken that view. From the United Nations vote to authorize the use of force if Iraq did not begin to leave Kuwait by Jan. 15 to Iraq's stonewalling in Geneva, the terrain has changed.

Having brought Hussein face to face with the prospect of war, would waiting another year or more for sanctions to take hold have greater effect? It's not credible. It's more likely that the delicate international coalition that Bush stitched together would come apart at the seams long before sanctions hurt Iraq. It's more likely that domestic opinion will acclimate to the status quo and accept Hussein's monstrous devouring of Kuwait.

This is not an easy or a happy decision. An affirmative vote is clearly more than a tactical ploy. It diplomacy fails, there will be war and American soldiers will die. There is a lingering feeling that the administration has needlessly rushed into this position. And Congress deserves considerable blame as well. Action in November might have preserved U.S. options.

But that is past. Congress must deal with the reality before it. Bush has properly asked Congress for authorization to use force. It was essential he do so. Significantly, the major resolutions introduced in Congress all include authorizations for the use of force. The difference is in the matter of timing.

A group of prominent Democrats, including Rep. Lee Hamilton of Indiana and House Majority Leader Richard Gephardt, have offered a resolution that calls upon the president to pursue economic sanctions first and, if they fail, to return for an authorization to use force. This might have made perfect sense—two months ago. Not now.

The bipartisan resolution we support, sponsored by Rep. Stephen Solarz (D-Brooklyn) and House Minority Leader Robert Michel (R-Ill.) and backed by the White House, authorizes the use of U.S. armed forces pursuant to the U.N. resolutions, calls on Bush not to use force until he has determined all other appropriate avenues have been explored, and states that the War Powers Resolution applies to his actions.

We urge the President to pay particular attention to the last two parts of the resolution. If a war must be fought, it is essential that the American people believe that every reasonable alternative has been thoroughly explored. It could be that the authorization to use force will prove to be a more effective weapon than the use of force itself.

Mr. RITTER. Mr. Speaker, I rise in support of peace, and in support of the Solarz-Michel resolution that is the last best chance for peace.

I am convinced that when dealing with a bully like Saddam Hussein, peace can only come from a position of strength. Therefore, the threat of the use of force, along with sanctions, offers us the most hope for not having to use force. But if force must be used, and even the supporters of the Gephardt sanctions-only resolution do not rule out the use of force in the future, then sooner rather than later is safer for our servicemen and women in the field.

Our men and women in the desert fear what might happen in 6 months or 1 year while Saddam increases his capability to deliver weapons of mass destruction—chemical, biological, and possibly even nuclear. In the meantime, they cook in the desert.

In approving the Solarz-Michel resolution, the Congress joins 160 of the United Nations, the 28 allied nations active in the Persian Gulf deployment and the President in sending a strong message to Saddam that the U.N. resolutions must be adhered to by Iraq.

It is my sincere hope that this strong message of unity will help U.N. Secretary General Javier Perez de Cuellar convince Saddam that he must comply with the U.N. resolutions.

No one hoped more fervently than I that economic sanctions alone would force an Iraqi withdrawal from Kuwait. But in light of what we have witnessed in Iraq and Kuwait, and in light of my recent visit to the Mideast and Persian Gulf and my meetings with experts and officials there, it is obvious that sanctions alone will not get Saddam Hussein to withdraw.

I also feel strongly that the other members of the coalition deployed against Saddam, and the United Nations should have more forces on the ground beside our men and women. I also hope to see our richer allies like Germany and Japan share a far larger part of the finan-

cial burden of this operation. Japan's limited contribution thus far, given its far greater dependence on Mideast oil, is a scandal. All of this relates to working out the details of what constitutes the new world order.

But until such time as we have the details of the new world order worked out, we cannot stand by and allow Saddam to swallow up any country he chooses, to strike at the jugular of the world economy, to rape, torture, pillage, and murder, and to generally wreak havoc on the existing world order.

By showing our resolve to act if necessary, the Solarz-Michel resolution offers us the last best chance to stop Saddam peacefully.

I do not cast my vote lightly. This is a solemn occasion and the weight of responsibility is enormous. It is likely the most important vote I have cast in 12 years in Congress. Yet, in the search for real peace, where surrender to the forces of evil embodied by Saddam Hussein is unacceptable, it is the only alternative.

Mr. HANSEN. Mr. Speaker, for the past 2 days this body has been engaged in an interesting debate; a debate on a high plane of thought. I question no one's motive for this debate, but wonder why we are doing this when the United Nations, with our support and, indeed, the support of nearly every member nation has spoken: Iraq must leave Kuwait by January 15 or face being forced out.

The question has been raised, "Why must the United States bear the brunt of enforcing this decision." While it is true that the United States is shouldering a sizable burden, consider this: Of the forces united in the gulf against Saddam Hussein, more than a quarter million are from over a dozen nations, including sizable contingents from our British allies, from Egypt, and from Syria. NATO aircraft from Germany and Italy have moved into Turkey to protect that nation from retribution for their swift and decisive stand they took in the wake of the Kuwaiti invasion. The Kuwaiti Government in exile has offered to pay for one-half the cost of this operation. The Saudis have supplied our troops with food and fuel and our Government with money.

Yes, I agree, there are those nations who are not doing their fair share. It troubles me, particularly when I see those nations who not only have ample resources, but have the most to lose, being penny wise, but pound foolish.

I have listened with interest as my colleagues have discussed what message we would send Saddam Hussein if we vote to allow the sanctions more time. I am also concerned about the message such a vote would send to this fragile coalition President Bush has so skillfully drawn together. We not only show a lack of resolve to the Iraqis, we show it to our allies. How long will the coalition last in anything but name if we falter now? How long will the sanctions last in anything but name if we lack the conviction to enforce the very resolution we worked so hard to obtain? Friends, a vote to give the sanctions more time is nothing more than a vote to give Iraq more time. Time to circumvent the sanctions by dealing with greedy nations and unscrupulous rulers. Time to appeal to Arab unity to weaken the coalition against him. Time to build up his deadly arsenals of nuclear, chemical, and biological weapons, and a delivery system for those weapons which would threaten the whole world. Time to become a hero among Arabs for defying the entire Western world.

Diplomacy, another much bantered about word, has been, and is still, vigorously being pursued. As we debate this issue today, U.N. Secretary General Perez de Cuellar is pleading with Saddam Hussein to listen to the voice of reason, the voice of right, and leave Kuwait. But Hussein has shown little or no interest in listening to reason or doing what is right. His recent refusal to even see a letter offered by President Bush should be ample evidence of that.

This Nation sought and received the strongest sanctions from the United Nations possible. They have not worked. This Nation has sought to reason with Saddam Hussein. He has not listened. We sought and received a U.N. resolution calling for Iraq's removal, by force if necessary, from Kuwait. That resolution must work.

In closing, I would like to note the American people must be awfully confused by the vast amounts of conflicting data during this debate. We have all used the facts and figures which best suit our individual positions. Democracy is where everyone has his say, but not everyone has his way. But through this all I have detected a common thread, and that is a consensus that Iraq must leave Kuwait. I don't think there is a Member here who believes otherwise. And how should we do that? By giving the President the freedom to join with the United Nations in enforcing U.N. Resolution 678.

Mr. Speaker, I yield back the balance of my time.

Mr. ORTIZ. Mr. Speaker, I rise today in support of the Solarz-Michel resolution authorizing the use of force to implement the U.N. resolution not because I support war, but because I support peace. I strongly believe that our last and best hope in avoiding war in the Middle East is the diplomatic effort of the Secretary of the United Nations, Gen. Javier Perez de Cuellar.

I do not want war. I am concerned about the lives of our young soldiers and about their families and loved ones in the United States. But we are running out of options. Saddam Hussein has refused all reasonable attempts at a diplomatic solution, indicating a complete unwillingness to withdraw from Kuwait without force. Our greatest intelligence indicates that although economic sanctions are having an impact, they have not and will not cripple the Iraqi Army or force Saddam's withdrawal from Kuwait. Therefore, I am convinced that the only way to achieve a peaceful solution to the Persian Gulf crisis is the successful mission of General Perez de Cuellar.

General Perez de Cuellar has been called the world's last messenger for peace. He is planning today to present Iraq with two options: withdraw from Kuwait and there will be peace or remain in Kuwait and face forceful removal. In order for this message to have impact, it must be credible. The U.S. Congress today has the opportunity to strengthen the negotiating power of General Perez de Cuellar or weaken him. I believe we must allow him to negotiate from a position of strength and world unity.

The world community has spoken unanimously in its condemnation of the invasion of Kuwait by Iraq. The United Nations has warned that Iraq must withdraw from Kuwait by January 15. The deadline is not a U.S. imposed deadline, but a date agreed upon by the world. And the goal is not negotiable. Iraq must withdraw completely. There should be no prize for the aggressor.

My friends, today is a day on which we must make one of the most difficult decisions we will ever make in our political lives. Diplomatic efforts have failed us so far. We sit facing a dictator more brutal than any we have seen in recent history. Saddam is a man who has shown an exuberance for massive killings; the like of which we have not seen in five decades. We are a country in a community of nations who cannot be happy about war. And yet we must do the right thing now and avoid a much more massive amount of American casualties in the not-too-distant future.

As General Perez de Cuellar attempts today to negotiate a peaceful withdrawal of Iraqi troops from Kuwait, he must have the undivided support of the American people. Without the threat of force and possible destruction of his country, Saddam has no incentive to comply with the demands of the world that he completely withdraw from Kuwait. Saddam Hussein must be convinced. Secretary Perez de Cuellar must speak with authority, and this Congress must stand up now and make the difficult decision.

Only Congress has the power to make this decision. The Constitution gives Congress, and not the President, the power to declare war. Therefore, it is the Congress which must support the U.N. resolution. The vote today cannot and must not be a political issue. It is an American issue.

In closing, I am reminded of the words of a great American general and President, George Washington. Washington stood in the well of Statuary Hall and told the assembled Congress in 1780 that, "To be prepared for war is one of the most effectual means of preserving peace." Those words spoken so wisely almost 200 years ago are still true today.

I ask my constituents and all of the American people to pray for peace, and support the enforcement of the U.N. resolution.

Mr. HOPKINS. Mr. Speaker, the vote cast today will likely be among the most important that we as individual Members of this body will ever have to make.

We will not only have to account for this vote to our constituents and the American people, but also to our children and grandchildren.

For how we vote today will have a significant impact on how the post-cold-war takes shape and how nations settle their differences in the future.

We are at a turning point in history.

We can either look military aggression in the eye and stop it, or we can look the other way and pray that other would-be Saddam Husseins fail to notice that under the New World order aggression pays, and pays very well.

Mr. Speaker, we need to send a message today.

A message that the Congress stands united with the President and American people in our

resolve to thwart his vicious invasion of Kuwait.

This message is truly the last and best hope of averting a costly and unwanted war.

Whether we like it or not, this Congress has always been viewed abroad as a credible and significant obstacle to our commitment to resort to force if necessary.

Unless we send a clear message that we, the Congress, also consider military force to be a legitimate and possibly necessary tool to achieve our objectives, I fear that, sanctions or no sanctions, diplomacy or no diplomacy, Saddam Hussein will simply hunker down and wear us out.

Wear out world opinion, the integrity of our coalition and the embargo. And in the end, he will keep Kuwait or some piece of it and have proven that aggression does pay, bullies do win and the prospects for a lasting world peace is nothing but an illusion.

What we are really debating today is not whether our objectives merit the use of force but when is the most prudent time to employ force.

Mr. Speaker, I submit that this is not an issue to debate on the floor of the House; when to use force is a tactical military decision best made by our President and his national security advisers.

If we have collectively agreed that the use of force is justified, then when we resort to war cannot be decided by a committee of 535.

But that is precisely what the democratic leadership resolution proposes to do.

It says to the President: While we agree with your conclusion that using force may be inevitable, the Congress, in its infinite wisdom, believes it knows better.

The Congress based on hearings, briefings, and a couple of trips to the area claims to have reached the more enlighted conclusion that waiting for a few more months is in our national interest and a more effective way to achieve our goals.

Mr. Speaker, if the Congress has reached the conclusion that our objectives are not worth going to war to achieve, then it should vote on this conclusion.

But we should try to direct the Commander in Chief on the tactical question of when is the most opportune time to use force.

I say to my colleagues, if you agree with the majority of Americans that the use of force to oust Iraq from Kuwait is justified and may be inevitable, then you only have one choice today—support the bipartisan joint resolution and defeat all the others which only serve to muddy the issue and undermine our objectives in the eyes of Hussein, the world, and the 300,000-plus young Americans waiting in the Saudi desert.

Mr. HOAGLAND. Mr. Speaker, my friends have said "You are voting for war."

I have said "No, I am voting for best hope for preserving peace."

After considerable soul searching, I have concluded that the best hope for preserving peace is a strong congressional vote of support for the President's policy.

Saddam Hussein must understand clearly the consequences of refusing to accede to international demands.

It he continues to refuse to cooperate, to brutalize people and nations, to violate every standard of international law and human decency, we must, given where we are at this moment, act decisively.

I have said before that it would be appealing to implement a 1990's containment policy, to dig in around Iraq, continue to isolate it, and settle in for the long haul, as we did along the Warsaw Pact border following World War II. That policy worked with the Soviet Union. It lasted over 40 years and cost virtually no American lives. This is the alternative, the policy that would let the sanctions work.

But the President has taken us down a different path. And Congress has chosen to address these issues too late in the game for that option. Such a dramatically different policy is no longer feasible.

With the President's determined leadership, the United Nations adopted the January 15 deadline. Over 25 nations have relied upon our actions and have committed troops, material, or money to the unprecedented international effort. Turkey and Egypt are under tremendous economic pressure because of the embargo. Saudi Arabia for its own reasons is urging a quick resolution. The Soviet Union has backed our hand in the Middle East fully, over the objections of the Soviet military, who have developed relationships with the Iraqis during arms sales, because of the leadership of Shevardnadze. Now he has resigned.

What would the consequences be if the Congress overruled the President on the use of force and nullified the January 15 deadline?

First, Saddam Hussein would surely take heart. Serious negotiations—such as there have been—would surely be out the window.

And what would the effect be upon the members of our coalition? Confusion and chaos. What would happen to our credibility? Why would other nations, friends or foes, rely upon U.S. representations again?

The administration has made mistakes along the way, leaving us with no other real option. Former American Ambassador to Iraq April Glaspie made a gross miscalculation when she told Hussein shortly before the invasion of Kuwait that America would not be concerned about border conflicts between Arab States.

And the administration did not seek the authorization it should have when, just after the election, it announced the massive troop buildup to over 400,000, and unilaterally changed America's strategy from a defensive one to an offensive one. This did not allow Congress and the Nation to debate whether to choose the containment option, the "let-the-sanctions-work" option, as an alternative. The President has been unnecessarily bellicose in many of his statements, and has excessively personalized the argument with Hussein.

But present reality is the President has committed our Nation to a schedule and to a clear course of action. The question is, where do we go from here?

With delay, Hussein will only become more dangerous. He has over 200 rockets capable of firing chemical and biological warheads of mass destruction on many nations in the Middle East. He is hard at work developing a nuclear capability. Once he acquires that, the costs of stopping him skyrocket.

I am convinced we must keep his feet to the fire. If he will not accede to our demands, we must recognize that if we delay confrontation, we are increasing the risks, not decreasing them.

In difficult times, we search history for guidance. At a similar time of crisis, the Cuban missile crisis in October 1962, President John F. Kennedy said:

> My fellow citizens, let no one doubt that this is a difficult and dangerous effort on which we have set out. No one can foresee precisely what course it will take, but the greatest danger of all would be to do nothing. The 1930's taught us a clear lesson: aggressive conduct, if allowed to go unchecked and unchallenged, ultimately leads to war.

We are here to make the tough decisions. None of our options are good. We must give the President the authority he seeks.

If war results, our military leaders tell us we will have a relatively quick victory, with fewer rather than more American casualties. Let us pray that that will be the case.

Mr. RAY. Mr. Speaker, I rise today in firm support of the United Nations Security Council Resolution No. 678 enacted on November 29, 1990, which authorizes military force against Iraq providing Saddam Hussein has not withdrawn his forces from Kuwait by January 15, 1991.

Mr. Speaker, I am against the Bennett-Durbin resolution. I believe extraordinary effort has been made by the United States and the United Nations in an effort to resolve the heinous acts committed by Iraq against Kuwait, a United Nations member and a United Arab Council member. The President's actions during the 5 months leading up to this debate have been very much in order. Further drawn out debate would not help, and, in my opinion, would even seem to be taking on a hint of begging and pleading to Tariq Aziz to accept the demands of:

No negotiations; no compromise; no attempts for an Iraqi face saving, and no rewards for aggression.

These demands have, on a number of occasions, been clearly spelled out.

To me, the insulting and unmovable stance of the Iraqi Government reached a level of intolerance which the American people should not accept. The ultimatum given to Iraq to be out of Kuwait by January 15 is a decisive one, and I concur with the perception of many who have contacted me that threats made by the United Nations and the administration must be followed through and not delayed.

The word "oil" has been used frequently—that is, "Is American blood worth shedding for oil?" I assume this means oil profits. I want to take a few minutes to comment on oil.

Oil is a major energy source. If in the hands of a manipulative country, oil could be the source of great power. A prime concern for the last 40 years of the NATO Alliance has been that the Soviet Union was posturing to take control of the oil and minerals of the world. If this had occurred with a substantial portion of the oil in the Persian Gulf region, the Soviet Union would have, without question, controlled Europe and possibly Japan. The end result could have been the isolation of the United States with severe economic demands and extreme energy costs, coupled with political concessions by the free world.

Oil is a resource which should be made available to all countries at an affordable market price, not by extortion or methods of intimidation. Oil should not be held hostage by thug countries such as Iraq.

There is no doubt in my mind that Saddam Hussein would be in Saudi Arabia today in control of its oil if the United Nations had not acted wisely and decisively. I suggest also that the current prices of oil at $27 to $35 per barrel would be rather modest compared to the world price that Saddam Hussein would be able to set under such conditions as a world power broker. Our staunch ally, Israel, would also be in an untenable situation which might jeopardize their survival.

Mr. Speaker, our economic and diplomatic alternatives have expired. Therefore, we must prepare ourselves for what likely remains our last option to expel Saddam Hussein from Kuwait unconditionally and unequivocally. I do not take lightly the notion of authorizing possible military force to get Iraq out of Kuwait. I have contemplated the consequences of such an action, and they are devastating. A military offensive will undoubtedly cause pain, suffering, and death. But Mr. Speaker, Saddam Hussein has already caused much pain, suffering, and death.

It is clear to me that Saddam Hussein is not interested in further negotiation. This was evident by his unwillingness to select one date for a meeting in Baghdad when presented with 15 dates by the Bush administration. This was also evident in Minister Aziz's failure to deliver President Bush's letter to Saddam Hussein.

While no one would advocate war over diplomacy, we find ourselves in a precarious situation. Our adversary is unwilling to budge, and we are unwilling to budge. At some point, we must draw the line.

Mr. IRELAND. Mr. Speaker, I rise in support of the Michel-Solarz resolution. In passing this resolution, we will be sending a strong message to Saddam Hussein: We Americans have the courage of our convictions. Just as our strength and resolve brought us a peaceful victory in the cold war, this vote is our last best chance for a peaceful solution to the crisis in the Persian Gulf. I hope and pray that Saddam heeds this message and pulls out of Kuwait.

Let me emphasize my sincere hope that offensive action by the United States is not needed to persuade Saddam to get out of Kuwait. No sane person ever wants armed conflict; I pray that we will not have to ask our young men and women in the military to risk their lives in a Persian Gulf war. But I believe that there are some things that we must as a nation be willing to fight—and even to die—for. Among those things, as our Founding Fathers declared more than 200 years ago, is the right to "* * * secure the blessings of liberty to ourselves and our posterity." That very basic constitutional right is what is currently at stake in the crisis the world faces in the Persian Gulf today.

President Bush has made a strong case for why we cannot afford to appease Saddam Hussein. Peace on Saddam's terms would only feed his "appetite for conquest," he tells us, and "would be paid many times over in greater sacrifice and suffering." I agree. We know that Saddam is ruthless: He has used chemical weapons against his own people, he invaded Kuwait without provocation, and would have continued into Saudi Arabia had he not been stopped by a military presence supported by the entire world—including all of his Arab neighbors.

In my judgment, the idea that economic sanctions will eventually force Saddam out of Kuwait is not a sound one. CIA Director William Webster recently laid out the reasons why econmic sanctions won't work in a letter to Armed Services Committee Chairman LES ASPIN.

Mr. Webster notes that,

> Even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq * * * Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions, especially if the threat of war recedes significantly. He probably continues to believe that Iraq can endure sanctions longer than the international coalition will hold and hopes that avoiding war will buy him time to negotiate a settlement more favorable to him.

In other words, economic sanctions alone will not get Saddam out of Kuwait. That is why I voted against the resolution to preclude the President from taking offensive action in order to give the sanctions more time to work.

This standoff between Iraq and the rest of the world is not about oil or about restoring the emir to power in Kuwait. This is about Americans' ability to live our lives free from the constant threat of terrorism and unprovoked military aggression. If we appease Saddam today, we—and our children—will surely pay the price tomorrow.

So what should we do? For starters, we need to make clear to Saddam that, while we want a peaceful solution to this crisis, we are indeed ready and willing to use force to stop his unprovoked aggression. U.N. Resolution 678 sends just this message. It authorizes the use of force to compel Saddam Hussein to get out of Kuwait, it does not require the President or anyone else to start dropping bombs at 12:01 a.m. on January 16. That is why I am voting today to support that resolution.

I think it is extremely important that Saddam knows that President Bush has the authority to launch an offensive if he believes it is in the best interest of the United States to do so. I believe that, as Commander in Chief, the President already has that authority under the Constitution. But a strong message of support from Congress should make America's resolve that much more clear to Iraq's leader, and perhaps could help to convince him to pull his troops out of Kuwait voluntarily.

A voluntary withdrawal is the resolution we all hope and pray for. But if that is not to be, the President must have the authority to respond militarily.

Mr. DANNEMEYER. Mr. Speaker, deciding a position on the various Persian Gulf resolutions presented today is one of the most difficult decisions I have had to make as a Member of Congress. I have concluded that the United States does have vital interests at stake in engaging the conflict with Iraq. Our interests are defensive in nature and founded in the rule of law—not the law of some imagined new world order, but law to halt naked aggression.

I am convinced that Saddam Hussein seeks to dominate the region and its vast oil reserves. While we do not receive but about 10 percent of our imported oil from the Persian Gulf, much of the world relies heavily on it. The U.S. economy, domestic jobs, are at stake as we participate in the global economy.

However, oil alone is not reason enough for me to support military engagement in the Persian Gulf. I feel certain that Saddam Hussein would have combined against the entire Arab nations, moving on to Saudi Arabia after Kuwait, and then wherever his ego would take him were we not to make our presence felt.

Mr. Speaker, I have been extremely sensitive to divergent views throughout this debate. All sides have some merit, some views raise questions fundamental to the nature of American foreign policy. One of these views is proffered by a member of my own staff. I urge my colleagues to take notice, especially those colleagues who consider themselves political conservatives.

A REAL CONSERVATIVE POSITION ON THE PERSIAN GULF

(By Paul Mero)

Most conservatives defend the President's actions in the Persian Gulf, many call it heroic. I call it unwise. The true conservative position must address these points: (1) what is moral, (2) what is consistent, and (3) what is prudent as a long-term policy.

What is moral? No conservative consensus exists, as far as I am aware, in answer to the question, what is the national interest? Or, to put it a different way, for what causes are we willing to sacrifice American lives?

Some say the cause of "democracy." Notwithstanding a clear definition of democracy, no Arab nation involved in the Persian Gulf is even close to being considered a democracy. Some say "stability," as in Baker's comment that "instability is not in the best interests of the United States," but this policy simply puts American lives on the line for even non-democratic nations—American blood spilt in the name of defending an oligarchy? Socialism? Totalitarianism?

Some say the cause of "economics." That's right, some are actually willing to risk American lives over oil, a consumer product—a product we have an abundance of domestically and throughout the western hemisphere.

A simpler cause to die for, the only cause to die for, is a direct physical threat to the United States. Conservatives stand firm on the right to life of the unborn. Is this right diluted for adults in the name of war? I don't think so. Human lives are too precious, especially American lives, to be spent in anything less than a direct physical threat to their safety.

Iraq is not a direct physical threat to the United States. They are half way around the world. We are separated by vast oceans. They do not have a ballistic capability to reach the United States. They do not have nuclear capability. What threat are they as a nation to us?

Some conservatives say that Iraq's military capabilities are limited at present but are not long from being developed into a direct threat. They say, as they did in WW I, WW II, Korea, and Vietnam (wars that sacrificed over 426,000 American battle deaths), "better to take action now than to fight a

stronger enemy later." This might be true were we not moral agents. A moral people would not kill someone because they perceived a potential threat. I would feel much more comfortable killing a rabid, adult pitbull than I would a pitbull puppy on the notion that it one day might grow up to attack me. Just think what the world would be like if we acted against anybody whom we perceived to be a potential threat.

Our life insurance policy as a nation is a strong national defense, based on a firm commitment to develop SDI, not a policy of preemption to kill all potential threats around us.

The moral position, as I see it, is to risk American lives only when faced with a direct physical threat. Iraq is not in this category. The day Hussein has nuclear ballistic capability to reach the United States, and the day he threatens the U.S. directly, is the day to engage the thought of war.

What is consistent? Another argument offered by interventionists to engage in conflicts such as the Persian Gulf is that the United States is obliged to help others in need—that we are such a prosperous nation and that we should spread our prosperity with others, even if that means fighting and dying to give them what we have, assuming they want what we have.

When that rhetoric was posed to me at a Heritage Foundation roundtable I chastised these esteemed conservatives for being "international liberals." Actually what I said was that that kind of rehetoric, when applied to domestic policy, would buy these conservatives a seat at the Democratic National Committee.

Consistent conservative public policy would not, on the one hand, support a domestic policy that encourages personal accountability, responsibility, preparedness, self-reliance, and the free market (including the right to fail) and then, on the other hand, support a foreign policy that makes the United States the guardian of the world, wreaking havoc on self-determination and accountability just because in our paternalism "we know what's best" for everyone else or because the State Department prefers "stability."

It is arrogant to believe that we know what is best for a world whose many communities are at varying stages of national progression. It is sad to see needless human suffering anywhere in the world. But an even greater tragedy is to intervene to not permit failure that can lead to true growth and progression. This is why most of the world remains unprepared and weak and relies so much upon our all-too-eager benevolence.

Conservatives understand this rule as it applies to domestic policy, but some fail to see how it applies, internationally. Some argue that Kuwait is being denied its self-determination by Iraq. I suggest Kuwait is living a reality it could have, but was not, prepared to meet. War is endemic to a prosperous nation with no desire to do what it takes to protect its prosperity from foreign aggressors. If tiny Israel can hold its own, so can a tiny emirate such as Kuwait.

What is a prudent, long-term American foreign policy? This is an America First policy. A policy that recognizes the value of human life, especially American lives. A policy that holds the virtue of example higher than intrusive good intentions. A policy that puts our national defense, not offense, as a priority of public policy. A policy that extends the hand of trade and diplomacy. A policy that acknowledges that we cannot rid the world of evil. A policy that allows foreign nations to live or die as they choose. A policy that allows a charitable people to privately assist distressed or ravaged nations, but that requires our government, a volatile power fueled by special interests, to resist the temptation.

An interventionist conservative is an oxymoron. When will conservatives understand this?

Mr. SMITH of Oregon. Mr. Speaker, I rise today in support of the resolution to authorize President Bush to use force, should it be necessary, to enforce U.N. Resolution 678.

I do not make this vote lightly, nor with any amusement. I recognize full well that the policy options before us are limited, and that the consequences of this action are potentially great.

I have three college-aged children, two sons and one daughter. So I understand in very real, human terms what is at stake in this decision.

But, Mr. Speaker, there is simply too much at stake for this Congress to walk away. President Bush has done an admirable job of marshaling international opposition to the Iraqi aggression. He has literally enlisted the entire world's support for sanctions and a united military threat against Iraq, and his statesmanship should be highly commended.

The United Nations is finally living up to its promise, and fulfilling the potential for true security so many of this body's Members espoused before the agenda became real. If you support collective security in the abstract, you ought to support it in this very real atmosphere, because for perhaps the first time ever, the United Nations is making collective security a credible policy option. We cannot walk away from that.

Mr. Speaker, I want peace. But that is Saddam's decision. His aggression will not stand. And if we present a united front to the aggressor—just as the United Nations has done—we will have the best hope of securing that peace.

United we stand, divided we fall—it is that simple. President Bush has acted boldly and responsibly to counter Iraqi aggression, protect Americans and American interest in the region, and mobilized an unprecedented international front.

This Congress is obligated to join the President and solidify that united front. If we do not—if we undermine the President, we undermine our policy and the strength of the international coalition and that, ultimately would place our troops in the gulf at greater risk. I won't do that.

I stand with the President and with the United Nations, and I urge my colleagues to join me.

Mr. SMITH of Texas. Mr. Speaker, if international law and rules of world order are not enforced, then there are no rules and chaos reigns.

Wednesday's meeting between Iraq's Foreign Minister Tariq Aziz and Secretary of State James Baker put us near the end of all reasonable efforts of achieving a peaceful solution in the Persian Gulf. Iraqi officials have consistently dodged meetings with Baker and have refused a letter stating President Bush's desire to achieve a peaceful withdrawal.

At the end of more than 7 hours of talks between Baker and Aziz, not one reference was made to Kuwait in Aziz's news conference. This shows their continued refusal to talk about peaceful withdrawal.

Iraq attacked Kuwait, a neighboring country, seized its resources, and brutalized and killed its citizens. The evidence shows that its military machine would have invaded Saudi Arabia if a peacekeeping force had not intervened.

To negotiate and allow Iraq to keep part of Kuwait would be to reward aggression.

Iraq has demonstrated that it is willing to unleash its military machine on neighboring countries. It has directly threatened world stability. Its actions are those of an outlaw nation and must be put down if we are to preserve world order in the years immediately ahead.

We must not give up hope. Many nations, including the United States, are interested in achieving a peaceful withdrawl of Iraqi troops.

Why not continue with the economic sanctions imposed by the United Nations, dropping the January 15 deadline?

Sanctions have been shown to help but are not a solution.

In a January 10 letter to Chairman LES ASPIN, CIA Director William Webster states, "Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions." The letter further states that, "Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically."

Sanctions can only be used as a part of a larger plan to remove Hussein. They can not stand alone and be successful.

Furthermore, by dropping the deadline, we will only be saying to Hussein that we are now less serious about his leaving than before. If Hussein will not withdraw under the present circumstances—confronted by a clear deadline, 12 U.N. resolutions including a resolution authorizing force and a 28-nation peacekeeping force of more than 750,000 troops—then there is no reasonable hope that he will withdraw later because of economic sanctions alone.

As a totalitarian dictator, Hussein need not worry about reelection. He does not need to worry about confronting a disgruntled Congress. He does not have to face a critical press. Nor does he need to worry about protests being staged in front of his Presidential Palace.

The brutal gassing of his own citizenry demonstrates his conviction that civilians are disposable, secondary to the pursuit of political goals.

Members of Congress have introduced resolutions that attempt to limit the President's power of diplomacy. Congressional restrictions on when, where, or even if the President may use force are not what is needed. Such resolutions destroy the President's ability to conduct foreign policy. The President must retain his ability to call for the use of force as he deems necessary.

The role Congress should play in the current situation is to prevent the abuse of Presidential power. Congress should only interfere with Presidential authority if there is a consensus that the President is not acting in the best

interests of the Nation. If Congress comes to the conclusion that the President's actions are an abuse of this power, then it could take action to infringe on the President's ability to use force.

Congress must give the President the authority to use force if necessary. An emergency military action requires a clear and direct chain of command culminating in a single Commander in Chief. The President serves in that position.

Mr. DEFAZIO. Mr. Speaker, I rise in strong opposition to the Solarz-Michel resolution. By this act, the United States will become the only member of the anti-Iraq coalition willing to make a declaration of war. I deeply fear that we also will be the only member of that coalition willing to sacrifice its economic well-being and the lives of thousands of its young people.

Time draws short, and a terrible dark night approaches. Yet it is not too late, if only because it must not be. This war will only be stopped by those who refuse to allow it.

It is not to late. It must not be.

Today is an unspeakably tragic day. For the sake of our Nation and the stability of the Middle East, I hope and pray that President Bush will have the wisdom to use restraint and allow sanctions time to do the job.

Mr. RIGGS. Mr. Speaker, as a new Congressman, I can't pretend to be an expert on foreign policy. I am a citizen-legislator deeply concerned about matters of war and peace, who has been given the grave responsibility to act on behalf of my constituents, and in some small way, the people of America. I cannot shirk this responsibility or my conscience in these matters of war and peace and of life and death.

President Bush is to be commended for stopping Saddam Hussein's ruthless advance in its tracks. He has quickly deployed United States forces and succeeded in protecting the borders of Saudi Arabia. He has rallied the nations of the world—including fractious Arab States and former enemies—to oppose aggression and to implement an international embargo against Iraq. He has breathed new life into a moribund United Nations, rekindling the hope of a world of peaceful international order.

The President has set four United States goals in Kuwait which have been repeatedly stated in U.N. resolutions. I stand with the President foursquare behind these goals, but I must differ on how they are implemented. I strongly believe that aggressive action by the United States at this time would not only result in the potential loss of thousands of American and civilian lives, it would undermine one of the President's and the U.S.'s principal goals: the creation of long-term stability in the Middle East.

Our own military is unable or unwilling to give us a worst case scenario of casualties, military and civilian. Five former Chiefs of Staff have warned against the dangers of a premature attack. Conservative opinion makers like Patrick Buchanan, George Will, and Paul Nitze have urged restraint. Why? A massive conflict in the Arab world could result in an explosion of factionalism, terrorism, and perhaps even an angry backlash of Islamic fundamentalism.

The prudent alternative is to stay the present course. We have cut off Iraq's sale of oil, resulting in a 50 percent cut of that country's GNP. Intelligence reports say that the international embargo has interdicted more than 90 percent of Iraq's imports and exports.

I am deeply concerned about the continuing threat of Saddam Hussein even if he is evicted from Kuwait. But I must respectfully submit that the administration has not convinced me that the immediate threat of this despot to U.S. security overrides the compelling reasons for caution in this incendiary situation. Iraq's economy is limping backward into scarcity. Hussein's military machine daily deconstructs because of the unavailability of spare parts. His development of nuclear capability is rendered impossible because of the embargo. The sanctions are tightening a noose around Hussein. They should be given more time.

Diplomatic efforts have not been exhausted. It may be possible that the United States and Iraq cannot negotiate, but there are third parties more than willing to make an effort for peace. The United Nations and especially the Arab countries should be given the time to seek a peace that ensures the liberation of Kuwait and sets the stage for further conflict resolutions in the region.

War now also ensures a tremendous financial burden on Americans. Even if we just hold the line in Saudi Arabia, we will have to maintain an expensive military presence sufficient to deter any further acts of aggression. If we go to war now those costs accelerate tremendously, and if we clobber Hussein, we will have to pay for the unwelcome task of occupying Iraq until a stable nonbellicose government can be established there. Dollars pale when compared to sanctity of life, but here we are talking about an action that can result in both the unnecessary emptying of our Treasury and the loss of life.

On one hand, we have a international embargo and a naval blockade that we know is working. On the other, military force promises a dice roll in the region, where even the best case promises immediate casualties and long-term instability in the region.

Make no mistake, Saddam Hussein did not invade Kuwait to free Palestine. There should be no linkage on these questions, and if there is justice in this world Hussein will have to pay for his brutality.

But we must have a wider vision of the future. We have come to the brink of war against a strongman whose power is derived from the anti-Western sentiment in the region. President Bush has worked a miracle in aligning former enemies against this despot. Now, if we are able to reach a peaceful solution to this problem, the stage has been set for a multilateral conference on the issues that threaten peace and stability in the region.

We need also to look toward a future not dependent on fossil fuels. Oil dependence is both a political and environmental liability. The message is clear: We must begin to work for energy independence and to develop sustainable energy resources.

This is a difficult time for me. I understand the strong feelings on both sides of this question, and I'm especially cognizant of the need to support our brave young men and women in the Saudi desert and the Persian Gulf. If war does break out, we must stand strongly behind them. But now even in this darkest hour, we must continue to search for a peaceful solution.

I have had to throw the normal course of politics to the wind in my search for truth and the correct course of action. In the end, I have not been convinced that diplomacy has been exhausted or that sanctions won't work. I can only conclude that if I must err, it must be on the side of caution.

Mr. DIXON. Mr. Speaker, this is the most important and difficult vote I have cast in my congressional career. The vote before the House today is whether we will authorize the President to go to war against Iraq or continue to support international economic sanctions and exhaust all available peaceful options in resolving the Persian Gulf conflict.

I rise in opposition to the resolution offered by Representatives STEPHEN SOLARZ and BOB MICHEL which would authorize the use of United States military force against Iraq. I cannot give the green light to the President to go to war. Instead, I am casting my vote for international sanctions in order to prolong peace and for continued diplomacy. I join my colleagues in voicing my strong support for the Hamilton-Gephardt concurrent resolution.

Hundreds of my constituents and concerned Americans from around the country have contacted my office to express their reservations regarding our vote today and their objections toward taking the path toward war. Many of them have sons, daughters, or family members in the Persian Gulf serving on board ships or in Saudi Arabia. They are patriotic Americans who love their country and are working hard to provide a decent life for their families.

I have heard from veterans who served in Vietnam, the Korean War and World War II. Others were students in the 1960's and remember how deeply our country was divided during that period. They come from all walks of life. Yet, the agony of their message is clear. Our country should not go to war against Iraq.

Mr. Speaker, I am torn by the heartfelt messages of my constituents, the global role of our country as a world leader, and the stark brutality of Iraq President Saddam Hussein with his weapons of mass destruction. President Hussein imposes a clear and present danger to the Middle East and world peace as long as he occupies Kuwait. You can be assured that I am firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait. However, war is a grave and serious undertaking and inevitably, American lives will be lost and an untold number of our service men and women will return wounded. Yes, the vote today is a troubling one. But I believe we must stay the course for a little while longer.

At this time the wisest course of action to follow is to continue with international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait. We must be patient and give sanctions every opportunity to work, while at the same time maintaining our military option. After all, sanctions are working.

Sanctions have completely shut off the flow of Iraqi oil to the world market and have denied Iraq the huge oil revenue that has financed its development. Iraq's GNP has al-

ready been reduced by 50 percent, and is expected to fall to about 70 percent within the coming months. Sanctions will continue to weaken Iraq's military capability, and the embargo is also very effective in blocking Iraq's effort to develop nuclear weapons and sophisticated delivery systems. Sanctions require some patience and do work. We learned this lesson well when we imposed economic sanctions against South Africa's apartheid government.

I commend President Bush for his leadership in putting together the international coalition resisting Iraqi aggression. But using military force now is the surest way to dismantle that coalition. We should wait longer for sanctions to squeeze Iraq further, and in turn, reduce United States and allied casualties if military force is used later.

The Hamilton-Gephardt resolution does support President Bush. The resolution endorses the actions the President has taken so far to secure an Iraqi withdrawal from Kuwait; authorizes the use of force to defend Saudi Arabia and enforce the embargo; and ensures that if the President should seek to use force against Iraq in the coming months, his request for authority will be given expeditious consideration in the Congress.

Mr. Speaker, I continue to hope that war can be avoided, and that the lives of our young people in the Persian Gulf will be spared. If sanctions prove unsuccessful, there may come a time when the President may make a compelling argument for taking more aggressive action. We stand at a moment in history that is so grave and the cost so great that we can ill afford to stop and consider every possible option. As William Jennings Bryan once said: "Destiny is not a matter of chance, it is a matter of choice." As we stand at this crossroad, we have a choice—let's give sanctions more time to work.

Mr. MAZZOLI. Mr. Speaker, first, I would like to extend congratulations to my colleague, LEE HAMILTON. Not only has the gentleman from Indiana been my friend, but our districts adjoin across the Ohio River, and so I have had the opportunity to observe his performance for many years. I am now happy that the merit that we knew he had, but was somewhat hidden under the bushel basket, is now for the entire country and the world to view because he is certainly bringing great dignity to this debate.

I would like to extend congratulations to the majority leader, who has shown his leadership on this issue, as well as the budget issue last autumn; Speaker FOLEY, because it is Speaker FOLEY who showed the courage and the tenacity to bring this issue up as it ought to be brought up; and certainly last, but not least, the President of the United States, who has these tremendous and weighty burdens on his shoulders which all of us join in praying God that they be discharged in a way that will bring the situation in the Mideast to a speedy and, we hope, peaceful conclusion.

I think there are some postulates that ought to be talked about here as we get the debate started. One is that all Members, whichever resolution of the three before us that Members would support, all Members are serious and have approached this with a great deal of thoughtfulness.

As one who has served in this body for over 20 years and having observed the debate for the last day or two, I think this is really going to be one of the high points of congressional service for all of us.

I think another postulate is that Saddam Hussein is a vile, mean, and evil man who ought not to be condoned in any fashion by any civilized nation of the world. I think I ought to say, as a veteran of the U.S. Army, back in the 1950's, that I believe wars need to be fought from time to time, that they are not totally avoidable. My belief is that this one ought not be fought now, but I believe many of us approach on the premise not that all wars are bad but that this war may not be necessary now.

Whatever is voted up at the end of the debate day after tomorrow, I think it is our responsibility as Members of the House to support the men and women in Operation Desert Shield, to be sure they have the material and all the support necessary to carry out their function.

Having said that, Mr. Speaker, I rise in very strong support of the gentleman's resolution. I intend, also, to support the resolution of our friend, the gentleman from Florida [Mr. BENNETT], which I think establishes correctly that the real power to declare war is vested in article I, section VIII of the Constitution, in the Congress, and not the President.

But the Hamilton-Gephardt resolution is a stay-the-course resolution. It allows that the sanctions currently in place be continued, and that those sanctions be tightened. It makes sure that all the diplomatic efforts which are under way are continued and strengthened. It keeps the forces we have in place so that they would be available to thwart any attack or to mount an offensive action if that is deemed necessary and voted up by the body at some time in the future.

However, unlike the Solarz-Michel resolution, this one before us does not give the President a blank check or a carte blanche authority to take an offensive action.

I have to ask these very simple questions, Mr. Speaker. Why would we need to go to war right now or at midnight on Monday night, the beginning of January 15? The President's objectives have largely been realized. Our hostages have been returned. The oil supplies are protected. Neither Saudi Arabia nor any other nation in the area is threatened. The area is stabilized.

The two other things the President desires to be done, that Kuwait be rid of Saddam Hussein and his forces, and that the Sabah family be returned to the throne in Kuwait, I do not think are needed at this actual moment in time—needed eventually, but not right now needed enough to warrant going to war.

I hear so much about this fragile coalition which might fall apart unless a war is fought at midnight Monday night or soon thereafter. If the coalition is that fragile, then maybe it is not really a coalition except in name only.

Many of the members of the coalition are not paying the money they pledged. Many of the members of the coalition are not sending their men and certainly not their women into this fight. So what is the coalition? Maybe that coalition is not really one anyway, and so it should not be the determining factor of whether we send our men and women to a sure death, in some cases, in order to preserve this coalition.

I liken this to: "We will hold your coat while you do the fighting". That is what this is. There are a number of nations in the so-called coalition that said, "Hey, we will hold your coat, but we want you guys to do the fighting, and we then want you to pay for the fighting." They have not ponied up the money. They are not going to. They do not send us their troops, and they are not going to. But they want the benefits of our war. I do not think that is fair. I do not think that is something this House and this Congress ought to do.

The whole idea is to demonize Saddam Hussein and deify Kuwait. We hear so much about Kuwait. We have got to restore the Al Sabah family; this is a great nation that has been run over by an aggressor.

I will sum up by saying that Kuwait is a feudal dictatorship, a feudal kingdom. Its people do not vote. The majority of the people who lived within the bounds of Kuwait before the takeover were not even Kuwaiti citizens. They were guestworkers or U.S. people who were there doing work for the oil companies.

The fact of the matter is there is nothing free and democratic. There is nothing devoted to human civil rights in the nation of Kuwait. Why, pray tell, should we sacrifice ourselves and our future to restore that?

Mr. Speaker, I think what we ought to do is continue the sanctions, make sure they do not leak, make sure these members of the coalition who are knowingly allowing these leaks to take place do not take those actions, and then let us see what happens.

If later down the road we have to take offensive action, we will do so. We should do it. But, it ought not be done now at this point in time.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of the bipartisan Solarz-Michel amendment. And I do so with a great sense of responsibility, as we all must feel here today. This is, indeed, one of those historic occasions when we are called upon to perform our ultimate duty, to our constituents, and to our Nation. The responsibility weighs heavy on our shoulders, but we cannot shrink from it.

This debate, and the votes we will cast, are momentous indeed. But the resolution I support is not a declaration of war. Let us be very clear about that. It is rather a vote to stand firm, stand tall, and stand together, as one Nation. It is a vote to give our President the support he has asked for, the support he deserves, the support he needs. At this critical moment for our country, and for the world, we have been called upon to give the President of the United States the authority he requires to meet this great challenge. Yes, Congress does have a constitutional prerogative. But we must exercise that prerogative soberly and responsibly.

If anything, a yes vote on Solarz-Michel is the best chance to avoid war. For only if Saddam Hussein sees unity and resolve on our side, will he finally understand that he has no choice. Only a credible threat will force him to yield. If we fail to send that unequivocal message, Iraq might miscalculate once again. Saddam may conclude that we lack the will to

use force, and that if he stays put, his illegal occupation will stand. If you don't believe that, ask President Ozal of Turkey. He knows the Iraqis very well. He shares a border with them. His forces have 10 Iraqi divisions pinned down on that border. He is quoted in this morning's Washington Times as saying that it is crucial that we "send the right message * * * only * * * Congress can convince (Hussein) that the Bush administration is now authorized to use force to evict him." Mr. Speaker, that realization on the part of Saddam Hussein may be our best chance to avoid war. That's why it is so crucial that we do the right thing here, and give the President the support he asked us for.

During the past few months, we have heard much discussion centering on one small question: Why are we in the gulf?

The answer to this question is crucial in terms of this debate. What indeed is this conflict all about? Well, first let's determine what it is not about. Oil is certainly a consideration, but it is not the primary consideration. We have other sources of energy. And it is high time that we developed a real independence of Arab oil.

It is not even about Kuwait, and it is certainly not about democracy. Kuwait was a benevolent dictatorship, but it was a dictatorship. So is Saudi Arabia. It is not about human rights. Unfortunately, human rights abuses are rampant throughout the Arab world, and in so many other countries, like Cuba, Ethiopia, and Afghanistan.

The fact remains however, that we do have a vital stake in this confrontation. Our national interests really are at stake. For Kuwait is only the beginning. If Saddam Hussein is allowed to prevail, what kind of world will we live in? If Saddam stays in Kuwait, he will undoubtedly become the leader of the Arab world. His appetite for conquest and intimidation will grow. Other dictators will be encouraged. Instability in the world will be rampant.

We and our allies will be affected. Saddam Hussein will increase his arsenal of nuclear and chemical weapons, and he will use them, make no mistake about it. The threat lies not necessarily in what will happen tomorrow, but what will happen the day after tomorrow, if we do not act now. Winston Churchill put it best:

> Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.

Mr. Speaker, this is the history that we must avoid, because our children will pay the price.

I would just like to interject one note of caution into this debate—for those, whether in Europe, in the Arab world, or anywhere else, who think we should give something to Saddam, who think we should press Israel to make concessions. We must continue to categorically reject linkage. It is unconscionable that Israel be made a victim of this crisis. Of course, we want to solve the Palestinian problem. So do the Israelis. All the arabs have to do is accept. Israel's existence. Egypt recognized the State of Israel. In return, they got every inch of the Sinai Desert, although Israel won that territory in a war of self-defense. All problems in the Middle East can be addressed, but the solutions must be based on rationality and goodwill.

To those who oppose this bipartisan approach, I say this: I respect your view. I know we all want the same thing. But please, please, ask yourselves this question: What is the cost of waiting?

Ask yourselves these questions:

Can we afford to wait?

Can our men and women continue to sit in the desert, away from their loved ones, and in many cases away from their jobs and studies here at home?

Can our coalition stand the erosion of support that may come in the interim?

Can the Kuwaiti people continue to suffer from the horrible atrocities they have been subjected to?

Can our allies—Egypt, Israel, Turkey—continue to suffer the damage to their economies caused by the protraction of this crisis?

Can we wait around while a vicious, bloodthirsty dictator holds the world at bay?

Can we wait around while Saddam makes a mockery of civilized norms of behaviour?

Please ask yourselves these questions. Please be honest. Please vote your conscience.

Let's stand shoulder to shoulder with the President during this trying crisis.

With God's help, we may just be able to avoid a greater catastrophe later on.

Mr. DE LA GARZA. Mr. Speaker, arriving at this point in the discussion of this issue has been very difficult and painful. I would like to respectfully share with you my views at this time.

I support the President. I support the troops in Operation Desert Shield. But I am deeply disturbed at the events and the persons who have led us to this point in our history. I have and I will continue to support our troops and will support all efforts to give them the necessary tools to fulfill their mission. Having said that, the most important support we can give them is to do our utmost to keep them from having to use these tools.

I am not prepared at this time to accept the fact that all of the resources of the free world through the United Nations have failed in this instance and that the only recourse is war. What a shame and how sad if this is true that in 1991 the world admits failure for a peaceful, diplomatic resolution of the Kuwait affair. I support the U.N. resolutions—that's no problem—but do you know what they say? Get the Iraqi troops out of Kuwait. That's all they say.

I now ask, is that Emir of Kuwait worth dying for? No. Is the Emir of Kuwait worth one American life? No. I condemn the actions of Mr. Saddam Hussein, and I agree he is a menace to that area of the world and possibly beyond. I think that what he has done should not be the order of the day, but under the U.N. resolutions we drive him out of Kuwait. Again, that's all they say. What then, what have we gained? They do not speak of chemical weapons or nuclear weapons. All they say is he's a bad guy and should be driven out of Kuwait. Having done that, what have we gained, I respectfully ask?

The Hamilton-Gephardt resolution does not prohibit the President from acting. All it says is if should all else fail then Mr. President you tell us that's the case and we will act together. That's all it says, but let's do it together. Mr. President, as the elected representatives of the people, is that too much to ask? I support you Mr. President, but my conscience and my district demand that we give peace a chance first. Should that not be humanly possible and war is the ultimate need I would be with you and will pray that it be achieved with the least loss of life possible for it will be our young people in great part that will bear the burden. God bless and protect them.

With all my mind, body, and soul I pray that what we do here today be worthy of our service as representatives of the people of the United States, our troops, abroad, and our own conscience.

Mr. HOUGHTON. Mr. Speaker, I rise in support of the bipartisan resolution—backing the U.N. Security Council.

I wish, frankly, this were not the case. Because although through this resolution—war is not a fact on January 15, by any means—it does involve great risk. Risk is something we try to avoid, since it centers on something deep within every politician.

But, I am persuaded that now is the time to stand up, to take that risk. If we do not, I fear that we look straight into the barrel of higher risks for our children, our children's friends, and our grandchildren.

I did not set January 15, as a decision point. The United Nations did. I have no idea whether January 15 or February 15 or any other date is the right date. But, some date is, since without it, things will drag on and on, and it is we who will be bled dry by the costs—not Iraq.

If that happens, not only do we suffer, but two other things take place:

First, the so-called new world order following the end of the cold war would be pushed aside. There would be no order—no strengthening of the United Nations to evolve as the good cop, the strong balance wheel of the world.

The second thing to take place would be that Saddam Hussein would see without even a rap on the knuckles that he could bully and intimidate his part of the world—not unimportant to us in ways too long to list.

Mr. Speaker, the sanctions approach, as I understand it, pleads for time. This makes sense. I am sympathetic to the sanctions argument. I would like to see them work. I come from a world in which even a moderate economic squeeze can be brutal on people's lives. Sanctions are powerful tools. If pursued, certain questions would follow. Will Saddam Hussein be weaker? The answer would be yes. Will Saddam Hussein be less popular? Again, the answer would be yes. But, what I fear is that by going the sanctions route alone, you write off the military option. And, if you write off the military option, you cancel the one threat, the one message experts say Saddam Hussein understands.

Abraham Lincoln used to say that if the only tool you have is a hammer, soon everything begins to look like a nail.

This is the mindset of this cagey, wiley, back alley smart leader of Iraq, according to those with whom I talked recently in Cairo—Egyptians, Israelis, leaders of over 30 African nations—in other words, his neighbors.

Now, I know that this is not self-confession hour. But, I must say that I have tried to pray for peace, for wisdom in making my vote and other subsequent votes. The Lord gives no easy answers, and he didn't fail me in this case.

Yet, having been down here about 4 years, one point is clear: You can only do what you think is right for the greatest number, in the fullness of time, and not try to concoct the political decision.

Sometimes leaders have to do what is uncomfortable. The put-it-off, let-others-handle-it approach has its merits. There are times when no action is the best action.

But, I sense that this is not one of those times. As Richard Murphy, former Ambassador to Syria, told me today, it is a mean, brutal scene over there in Iraq. This is a man who already has killed 500,000—not of the enemy, but of his own people. It is reported by our Embassy in Cairo that in a not-so-distant dispute about military strategy, Saddam Hussein pulled out a revolver and shot dead one of his generals in front of all the other battalion commanders.

For us there is one lesson. If we want peace, we must put ourselves inside the head—not of the Marquis of Queensberry, but of a man who watches for any weakness, any sign of hesitation.

Make no mistake about it, through C–SPAN and CNN the eyes of Saddam Hussein are on us. Our talk and our action tomorrow will send the one signal he has been waiting for.

If we are resolute, unified with the rest of the world, he will move. If we stutter, he will hold.

I cannot be sure of any future event, but I am told that depending on the Saturday vote, Saddam Hussein is looking for a way to back down, yet not lose face.

He will not give us that satisfaction. More than probably he will not give it to the United Nations which he holds in contempt. He may give it to the Saudis, probably the PLO.

But, everything is on hold until we give the signal.

As proven by the Iranian war, this man has an obsession about not looking weak. He does not want to appear as if he had been pushed. But he will play the hand out right to the last card. I plead with you, then let us not fold prematurely.

I have had great difficulty coming to this decision, with great uncertainties having talked with hundreds of people in and out of the southern tier of New York—listening to their cries for peace.

But, you see, I cry for peace, too. I'm afraid this is not the issue.

The issue is how best to achieve it. And, I guess I come down on the side of standing tall rather than standing aside.

Good people differ, and I don't claim to have all the answers. I certainly don't claim to be a Middle Eastern psychologist, or a student of dictators. I just have a sense having come back only Thursday from Cairo, that now is the time to be firm.

If not, then conflict will fall, as it did after Mr. Chamberlain in the 1930's, on the shoulders of others at far, far greater cost.

I support our President. I support the United Nations of this world, arrayed for the first time in history—hand in hand—against a man who in time can only produce a holocaust. This we cannot allow to happen.

I now pray that what we do here helps to avoid, not promote conflict.

Mr. COSTELLO. Mr. Speaker, I rise in support of the Hamilton-Gephardt resolution. Before I explain my reasons for supporting this resolution, I would first like to commend the leadership of the House of Representatives on both sides of the aisle for bringing this issue to the floor for a full debate. Mr. FOLEY, Mr. MICHEL, and the Rules Committee have allowed ample time for all Members to be heard on this issue.

These are very difficult times for our country and for each and every Member of the U.S. Congress. The vote that we are to cast on Saturday will be the most important vote of our careers. I cannot imgaine a more difficult decision than one that may lay the lives of thousands of American soldiers on the line.

As you know, my son is a very proud 21-year-old infantry paratrooper with the 82d Airborne of the United States Army. He has been in Saudi Arabia since August of last year. He is not in Riyadh or tucked away in a safe place like some might imagine, he is in the sand in Saudi Arabia.

If we go to war it is almost certain that my son will be one of the first on the ground to see action.

My son enlisted in the U.S. Army and volunteered for the 82d Airborne Division, a first strike special forces unit. He left college to enter the U.S. Army. He is a very proud American and feels a sense of obligation to serve his country. He never intended to be a career soldier nor does he intend to stay in the Army past his 2-year enlistment. He told me when he enlisted that he wanted to do everything he could possibly do in a 2-year period.

God willing, he will return to southwestern Illinois to complete college and pursue a law career.

My son is proud to represent this country—he is proud to wear his uniform. He has been well trained, he is both physically and mentally prepared to go into combat. I hope and pray that my son and the 400,000 troops that are in the Persian Gulf never receive the order to go to war. But if they do, they are well prepared, well trained and ready for war. If we go to war, my son and thousands like him will win the war and make us very proud.

This debate is not just about the welfare of my son or any one soldier serving in the Persian Gulf. This debate is about how we best accomplish the goal of getting Saddam Hussein out of Kuwait. I have heard it said in this Chamber and in the media that some "liberal Democrats" will never vote for war. I have not ruled out war. I believe that we as Members of the House of Representatives—the people's Representatives—have an obligation to exhaust every available option before resorting to war.

In supporting the Hamilton-Gephardt resolution, I have not ruled out war and the Hamilton-Gephardt resolution does not rule out war. Hamilton-Gephardt simply gives economic sanctions and international diplomacy a reasonable period of time to work.

I have supported President Bush in the decisions he has made thus far in the Persian Gulf. I told him so in early December at a social function at the White House. I told him that I felt that he was doing a good job and that his administration should be commended.

The Department of Defense—the military and the Uniform Transportation Command/Military Airlift Command at Scott Air Force Base in my congressional district in Belleville, IL, has done a phenomenal job in moving people, troops, and supplies to the Middle East.

I intend to continue to support the President. However, I am not willing to abdicate my responsibility and give the President the authority to declare war when there is substantial evidence that economic sanctions and international diplomacy are working.

There is substantial evidence that economic sanctions and international diplomacy are in fact working. When President Bush asked the United Nations to support an economic blockade in August, the President said that it will take time and he asked the American people to be patient.

In every briefing here on the Hill and in the Middle East that I have attended, experts have stated that economic sanctions are working, the question is how long will it take for economic sanctions and international diplomacy to run Hussein out of Kuwait. No one has the answer to that question. Experts disagree but predict anywhere from 3 to 12 months. General Schwarzkopf stated in a briefing in Riyadh, Saudi Arabia that economic sanctions were working. He said the only question is how long do we want to wait. In fact, 97 percent of Iraq's exports have been cut off. Fifty percent of Iraq's GNP comes from the sale of oil. The sanctions in effect have cut the GNP of Iraq by 50 percent. When we have a 2- or 3-percent drop in our GNP in this country, there is a panic. I cannot imagine how the American people would react to a 50-percent reduction in our GNP.

It seems to me that we face two options to accomplish our goals in the Perisan Gulf:

First, we can either abdicate our responsibility and turn the decision over to President Bush to do whatever he chooses at anytime.

Second, we can give economic sanctions and international diplomacy a reasonable length of time to work.

There is no question in my mind that the only course to follow is the course of economic sanctions and international diplomacy.

If the President after a reasonable time can demonstrate to the Congress that economic sanctions and diplomacy have failed, we can always give the President the authorization to take this country to war.

If economic sanctions and international diplomacy are not given a reasonable time to work, we will never know if peace could have prevailed.

I am not willing to go back to southwestern Illinois in my congressional district and tell the families of those who have loved ones in the Middle East that economic sanctions were working but we did not have the patience to wait a reasonable length of time to give them a chance to succeed. Instead, we sent your sons, daughters, husbands, and wives into combat.

Finally, I want President Bush and my colleagues to know that when the debate concludes and the votes are counted that I will

accept the will of the peoples' representatives and support the decision of this body.

I support the Hamilton-Gephardt resolution because I know that it is in the best interest of this country.

Mr. SCHUMER. Mr. Speaker, we are gathered here today to debate the most momentous decision any Member of this Congress will ever face—the decision whether to commit our Nation to war in the Persian Gulf, or to stay the course of economic sanctions in hope of a peaceful solution to the gulf crisis. As I listen to this debate, I am torn, because many Members of this House whose advice and opinions I respect on this issue are split between authorizing the immediate use of force and continuing to enforce the sanctions. There are, indeed, many sound arguments in favor of each option.

No one in this House believes in appeasement. All of us share the conviction that Saddam Hussein must remove his troops from Kuwait. But as we debate the means by which this withdrawal is to be affected, I come back again and again to what I believe is an inescapable fact—once we commit troops to combat in the Persian Gulf, there is no turning back to seek a peaceful, diplomatic resolution of this crisis. And because this is true, I believe we must make every effort, take every extra step, toward a peaceful solution in the gulf. Have we exhausted those efforts? I think not.

The decision to make war is an awesome one. I am moved by the words of Speaker FOLEY, who said that if a Member has any doubts about the wisdom of commiting our children to war, he or she should err on the side of peace. Though I am tempted by the desire we all share to remove Saddam Hussein from Kuwait by force of arms, I am not completely convinced that this is the path our Nation should follow. And so, I am supporting the Gephardt-Hamilton resolution to continue diplomatic efforts and the economic sanctions imposed by the United Nations upon Iraq.

Many of those Members who support authorization of the use of force in the region have evoked the notion of a "New World Order" to justify their vote for war. I, too, have a vision of our world in the post-cold war era. I believe in the rule of international law, in the peaceful resolution of international conflicts, and in the vital importance of the United Nations for the preservation of peace. Many people feel that unless we go to war, international law will never govern the actions of nations, that the United Nations will never be an effective instrument of international stability and peace. But I say to those Members, that the idea that we can enforce international law through peaceful means alone, without the horrors of war, is not a utopian goal to be reached some day in the future—that day is here, now.

Saddam Hussein is a ruthless dictator, whose actions against his own people and the people of Kuwait are infamous and reprehensible. I want him out of Kuwait as strongly as any other Member of this House. The time may come when this Nation must go to war to ensure the freedom of the Kuwaiti people, and further the rule of law and the preservation of peace in the region. But I believe the time has not yet come when we have no other option but the last, most horrible recourse of war.

Mr. DORNAN of California. Mr. Speaker, I rise today in strong support of House Joint Resolution 62, sponsored by my good friends Mr. MICHEL and Mr. SOLARZ. I am also proud that my name appears on this most important legislation as an original cosponsor.

My decision to vote to give President Bush the authority he may require to use armed force to evict Saddam Hussein from Kuwait is not taken lightly. None of us wants to send young men and women into battle. The fact that I have a nephew, Don Dornan Jr., serving on the U.S.S. *Ranger* as Naval flight officer, an AWACS controller, on an E2–C Hawkeye makes it even more difficult. And just let me say that everyone in my family is very proud of Don and the job he volunteered to tackle.

But frankly I now see no other way to accomplish our goals in the gulf. Let us hope that after this vote today Hussein gets the message and gets out of Kuwait forthwith, though I am not holding my breath. We seem to be dealing with an irrational man locked in the Dark Ages, at least by our standards. But I would venture to say that even by Middle Eastern standards Saddam, a secular dictator who seems bent on martyrdom, is somewhat unusual.

After countless briefings on the issue and a first-hand look at the situation on the ground in Saudi Arabia, I had been hopeful that sanctions alone would be enough to drive Hussein from Kuwait. I have come to conclude, however, that sanctions alone cannot do the job. President Bush needs the big stick and the flexibility the authority to use force will give him if we are to have any chance of solving this problem peacefully, without sacrificing our principles. If, however Saddam remains unconvinced in the face of a very real military threat and sanctions, then we must not shrink from our duty to impose the will of the United Nations by force. If it comes to that I know our military personnel will do their duty with courage and conviction, and they will get the job done quickly.

First let me address the question of sanctions. Now I know that most of those who oppose this resolution do so because they believe that sanctions are working and will continue to squeeze Hussein, eventually driving him out of Kuwait.

But there is absolutely no reason to believe that sanctions alone will be able to accomplish our objectives. Indeed, those advocating such a position cannot say with any certainty that the international coalition now arrayed against Iraq will be able to sustain sanctions.

Will Germany, given its costly obligations in the East, be willing to continue subsidizing those front line nations hurt by the embargo?

Will Japan, which sees this as an American problem, not a Japanese one? As a recent article in the Wall Street Journal said:

> Japan's security has been assured by somebody else for so long that security is like air; there isn't any sense that someone has to pay for it. The U.S. would have to be in the Middle East anyway, some say, so why should Japan pay the U.S. to act in the American interest?

And will those front line countries of Turkey, Egypt, and so forth, be able to sustain the embargo in the face of economic dislocations and mounting economic pressure? No one can say.

But we can all be pretty sure that the longer the embargo is in place, the more porous it will become. As one of the former American hostages in Iraq told me just a couple of days ago, smuggling is a way of life in that part of the world, and no amount of blockading will be able to stop it. Almost all the hostages I spoke with saw definite signs that there was severe leakage in the embargo.

In short, there is absolutely no reason to believe that sanctions will become more effective. In fact, it is likely sanctions will be less effective; the Iraqis will surely find ways around them and will make economic adjustments to minimize their impact.

If the threat of military annihilation combined with sanctions—the current policy—is not enough to convince Saddam Hussein of the error of this ways, what reason is there to believe that sanctions alone will be successful? And how long are those of you advocating sanctions willing to give your policy time to work? One year? Five years? Ten years? And what if sanctions break down and Hussein becomes stronger as a result? Will anyone want to use force then?

Now let me turn to the question of the morality of what we are about to do here. Many of the opponents of the Solarz-Michel resolution have made the case that the military option will needlessly result in casualties and that those of us authorizing the use of force will have the moral responsibility of that decision. But those opposed to the use of force must also be held to account for the moral decision should their side prevail. Let's not forget that Hussein already has the blood of half a million dead on his hands, not to mention the hundreds of thousands of other casualties directly caused by his actions. If he is allowed to remain in power, what reason is there to believe he won't kill another half a million before he is through? Which is likely to cost more lives, the use of force now, or an unchecked Hussein running amok in the Middle East.

This issue was thoughtfully addressed by George Weigel of the Ethics and Public Policy Center. Mr. Weigel is perhaps the leading American authority of the Catholic just-war tradition. In the case of Hussein, Weigel claims that armed resistance would fall within the just-war doctrine because "what is being determined in the gulf is whether there will be a minimum of political and economic order in international public life, or whether we will descend in Hobbes's war of all against all."

Weigel also eloquently makes a point that I have been making, to wit, that voting either way involves unpleasant moral choices.

> There is no escape from moral responsibility in these matters. Those who urge a proportional and discriminate use of armed force against Saddam Hussein take on the moral responsibility for their action; which will, tragically but certainly, include the killing of innocents.

This is my position and I accept that responsibility.

Weigel continues.

> But it should also be understood that those who reject the use of military force, in the

case of Saddam Hussein, have not been absolved from moral responsibility for what follows: which will, certainly, include the killing of innocents, and in large numbers.

Indeed, I think this is a critically important point. For in Vietnam, the antiwar left got its way in the end and we all know what followed: the killing fields, reeducation camps, boat people, new economic zones, the Vietnamese gulag, the Bamboo Curtain, and so forth. Well over a million people lost their lives because the United States was driven out of Indochina by the American left. The antiwar crowd, which thought itself so morally superior, has never been held to account for the ghastly outcome of its policy. So I think it is important to point it out before we make these decisions that both positions have moral consequences. And I think history has shown that confronting evil early and decisively will, in the end, save more lives. This is the policy we should have used against Hitler.

Which brings me to my next point, the comparison of Hussein to Hitler. Some believe it is an accurate comparison, others say it is absurd. Well, the answer really depends on which Hitler you are talking about. I happen to think it is a very accurate comparison of the Hitler of the midthirties. As Norman Podhoretz recently wrote:

When Hitler occupied the Rhineland in 1936, a moment which roughly corresponds to the invasion of Kuwait by Iraq, he had not yet attained to the level of evil Saddam Hussein has already reached in launching a pointless war against Iran that resulted in a million casualities, in using poison gas against his own Kurdish citizens, and in the grisly atrocities he has committed in Kuwait. Nor was the Hitler of 1936 as powerful as he later became, which is why there is general agreement that he could have been stopped (and a larger war averted) by early resistance.

Indeed, the comparison doesn't end there. The Ba'ath Party's leading ideolog, Michel Aflaq, who remained closely associated with the Iraqi regime until his death in 1989, was, according to one historian, "full of enthusiasm for Hitler" and other German Fascists. Indeed, Aflaq saw in Nazi Germany a model for his ideas of a synthesis between nationalism and socialism.

The Hitlerian use of terror by Hussein to maintain control of the population has been well documented. Hussein personally conducted the war with Iran, much as Hitler took control of Germany's army in World War II. Hussein speaks of doomsday weapons that will "astonish our enemies and fascinate our friends," much as Hitler held out hope that his scientists would develop such weapons to save the Third Reich. And both are willing to lay waste to their countries in service of their megalomania.

When I was in Israel recently, I asked the Prime Minister and the Foreign Minister and many other elected officials if they were put off in any way by the comparison of Hussein and Hitler. To a man they said absolutely not, that it was a valid comparison.

I'll give Eliot A. Cohen of Johns Hopkins University the last word on this.

Unless we crush (Saddam Hussein) and batter his war machine we will open the way to schemes of Iraqi hegemony in the Arab world fed by vast financial resources, a surprisingly sophisticated technological base, and absolute ruthlessness. The stakes are * * * the very nature of the world our children and grandchildren will inhabit. A world safe for Saddam Hussein is a world safe, ultimately, for nuclear, chemical, and biological warfare waged to feed or, in defensive desperation, to thwart the ambition of Saddam and his ilk. That world looms less than ten years ahead of us. The Hitler analogy may be overdone, but at the end of the day there is a good bit to be said for it.

Now I am sure most of my colleagues have received from some of the leftwing groups which have discovered a convergence of aims with Saddam Hussein these posters proclaiming "No Blood For Oil." Done in a sort of cross between Communist and Fascist art, the posters, as usual, ascribe the basest of motives for U.S. actions. Now I am not one of those who is going to come before you and claim that oil doesn't have a major role in this crisis, it clearly does. Oil is a vital national interest. But it is ludicrous to suggest that access to oil is any more vital to the United States than for other countries, especially Third World countries. For if the advanced industrial economies of the West suffer from oil disruptions, the poor countries of the Third World will suffer as well, perhaps even more, resulting in more instability in many emerging democracies, and more poverty and death. Oil, as vulgar as it sounds, is a vital commodity. Even Jimmy Carter understood that, which is why he said the gulf was within "the vital interests of the United States" and that he would go to war to protect hostile powers from dominating that region, the so-called Carter doctrine.

But oil is not the only reason, or the most important reason, that we are engaged in the gulf. In my view the most compelling reason for our intervention is to contain aggression, and Hussein's aggression is of a particularly vicious variety. Now I know many of my colleagues will make the case that aggression occurs all over the world without our intervention, for instance in Red China or the Baltics. Well I would reply that the United States cannot confront all aggression everywhere. But where we can confront aggression with acceptable losses and while maintaining our principles, we should do so—if all else fails. In the case of the gulf, we are the only ones who can do the job.

And as I said, Hussein is a particularly brutal man. Any doubts as to his brutality should have been dispelled with the Amnesty International report on the atrocities—no other word will do—committed in occupied Kuwait. Now many of my liberal colleagues have expressed surprise that conservatives have embraced the Amnesty International report because we are often at odds with that group because of its Socialist sympathies. In this case, however, there is so much corroborating evidence and so many eyewitness accounts that the Amnesty report is really nothing more than a compilation of what we already know. That is the reason conservatives can feel comfortable with Amnesty's report.

Having said that, the reports out of Kuwait are truly grisly. Hussein's torturers have learned their lessons well from the Soviets, the Cubans, the North Vietnamese, the Nazis, and the Rumanians. One of the thirty ex-hostages I recently spoke with said that he witnessed an entire Kuwaiti family—a husband, wife, and three young children, the oldest only about 7 years old—executed by Iraqi soldiers for hiding a British citizen in their apartment. This type of atrocity has been repeated God only knows how often all over Kuwait.

For Hussein's goal has been to destroy all traces of Kuwait and the Kuwaiti people. One of the first acts committed by Iraq after its conquest of Kuwait was to destroy the documentation of all Kuwaitis, the personnel files of the entire country, if you will. He then urged Iraqis to move into Kuwait in an effort to repopulate the country with Iraqis, thus truly making it the 19th Province of Iraq. This is a version of Hitler's policy of Lebensraum, or increasing the living space for Germans in the east. The Vietnamese have also attempted this in Cambodia. It is a policy which is, at its heart, genocidal.

This should surprise no one. Saddam and the men he surrounds himself with have a history of brutality that is truly extraordinary, even by the inflated standards of the 20th century. His inner circle consists of relatives and loyalists drawn from his hometown of Takrit. But they resemble a Mafia don and family more than a government. As one historian wrote:

Iraq is run as a private preserve of Saddam and his inner clique. He distributes wealth, assigning sectors to his family and other close associates to control and to milk.

For example, those Scud missiles we are all concerned about were purchased by Husayn Kamil al-Majid, Saddam's son-in-law and the second most powerful man in Iraq, who pocketed a $60 million commission on the deal. Dick Cheney eat your heart out. The Hussein mob has its hands in almost every business in Iraq and they live high as a result. In short, it is a gangster state. Why President George Bush has to address this thug as Excellency is I'll never know. He is not a head of state, but a mass murderer.

Let me close by saying that I pray force won't be necessary to evict Saddam Hussein from Kuwait. But if war does come, I know our fighting men and women will cover themselves in glory, and that we will be victorious in a fairly short time.

Our cause is just. Our people are ready. The Nation is united. We are the only ones who can do the job. I know we will not fail.

It is always easy to vote against a resolution like this and lay claim to the title of peacemaker. But that would be a phony peace, and for future victims of Saddam Hussein it would be the peace of the grave. I, therefore, urge all my colleagues to support the Solarz-Michel resolution.

Mr. SWETT. Mr. Speaker, I stand before you today faced with the decision of whether or not I should vote in support of a resolution which authorizes the President, if necessary, to use force to end Iraq's occupation of Kuwait.

The crisis in the Persian Gulf is a deadly and explosive situation. Clearly, there is an enormous amount at stake. Already, two New Hampshire servicemen have given up their lives to this cause.

Air Force Capt. Michael Chinburg, 26, of Durham was killed on Jan. 8, 1991, when the fighter jet he was piloting crashed in Saudi Arabia. Captain Chinburg served heroically

with the 388th Tactical Fighter Wing of the Air Force. He was a 1982 graduate of Oyster River High School.

Marine Capt. Gary Dillion, 29, of Concord died on Oct. 8, 1990, when his helicopter crashed in the Saudi Arabian desert during a night mission. Captain Dillion was a 1978 graduate of Concord High School.

It is important to their memory that we act with courage and conviction when facing the crisis before us.

As a new Member of Congress, I am being asked to help clean up a mess that was at least partially created by the past failure of U.S. foreign policy to deal in a timely and morally correct fashion with the terrorist regime of Saddam Hussein.

Because of our preoccupation with the power of Iran in the Persian Gulf, American foreign policymakers turned a blind eye to Iraq's atrocious record on human rights and its support of terrorism against United States citizens. Instead of imposing economic sanctions on Iraq for its senseless and brutal use of terror, the country was removed from the list of terrorist nations and soon became the second largest importer of United States grain products.

When an Iraqi plane fired a missile at a United States warship in 1987, killing 34 American seamen, administration policymakers accepted a half-hearted apology from Iraqi diplomats in order to maintain good relations between our countries.

Even 2 years ago, when Saddam Hussein used poison gas to kill 5,000 of his own people, the administration was not courageous enough to initiate economic sanctions against Iraq.

The failure to develop and implement an aggressive national energy policy has left us far too dependent on oil fields in the Middle East. Instead of encouraging the use of renewable and alternative energy sources—such as cogeneration and solar power—we have sat by idly, importing more and more foreign oil over the past decade.

If, during that time, we had invested even a fraction of what we are now spending on Operation Desert Shield into research and development of alternative energies, our increased energy independence would have made us considerably stronger.

Even today, 2 years into the current administration and 5 months after the brutal and bloody Iraqi invasion of Kuwait, the Department of Energy still has no formal energy policy. I stand before you, Mr. Speaker, 4 days before the January 15 deadline is due to expire, as an angry witness to the administration's failure to develop a framework for encouraging our Nation's independence from foreign oil.

Other Members of this House—some of whom have served in this body since before I was born—have said this is the most difficult vote they have had to cast in their entire congressional careers. It is even more difficult for me, being my first substantive vote and coming little more than a week after I was sworn in as a Member of this body.

Mr. Speaker, I have listened long and hard to the impassioned arguments made by my colleagues on both sides of the issues and have reflected on the feelings of my constituents in New Hampshire, many of whom have contacted me during the last 2 weeks. After truly anguished reflection, I have decided that only by authorizing the President to use force, if that becomes necessary, can we accomplish the vital and just objectives and achieve observance of the U.N. Security Council's resolutions in the Persian Gulf.

At this time in history, we are witnessing the birth of a new world order, where differences will be settled on diplomatic and economic playing fields, rather than on battlefields, and where the will of the people and the rule of law will be supreme.

Sadly, as the current crisis shows, some countries, like Iraq, are not willing to let diplomacy resolve disputes. Iraq seems incapable of understanding or responding to anything but the credible threat of force.

Mr. Speaker, I am voting for the Solarz-Michel resolution, not to give the President the marching orders for war, but to strengthen his negotiating hand. I am not voting for war, I am voting for a chance at a lasting peace. I implore the President to use the powers granted in the Solarz-Michel resolution with caution and great care.

I remind the President that he should not use force until the United States has first exhausted all appropriate peaceful diplomatic means to gain Iraq's compliance with the U.N. Security Council resolutions.

But while I urge the President to use restraint, I also firmly believe that the stakes are too high to sit by idly while Iraq thumbs its nose at the entire world and commits further atrocities against the people of Kuwait. Saddam Hussein should not doubt that we are united and committed to seeing his unconditional withdrawal from Kuwait.

Mr. Speaker, it is better that we stand with the President now in the face of Saddam Hussein's act of naked aggression, than to wait a year or two to authorize the use of force. If we wait, Iraq will continue to increase its stockpile of chemical and biological weapons.

Saddam Hussein will also continue his relentless pursuit of nuclear capability. We have learned from watching Saddam Hussein that once he has a weapon, he will use it. As he has demonstrated so often in the past, he will not let compassion for his fellow man get in the way.

Mr. Speaker, the choice is a difficult one for all of us, but at this time, I believe it is the right one. I urge my colleagues to join in support of the Solarz-Michel resolution.

Mr. WEBER. Mr. Speaker, while we hope for a peaceful resolution to the Persian Gulf crisis, we must prepare for the threat of war. And if it comes to war, we must know that we fight for a just cause.

Saddam Hussein's August 2 invasion of Kuwait changed the Middle East. The horrible depredation of the Kuwaiti people is already fact. However, Saddam's unprovoked aggression, his willingness to use chemical weapons, and his potential nuclear arsenal have jeopardized the security of the region and the rest of the world. Preserving the supply of oil or restoring the Kuwaiti monarchy are not sufficient reasons to get involved in a conflict, but by his behavior and intransigence in relinquishing Kuwait, Saddam has brutally given us the choice of stopping him now, or facing a stronger and more defiant challenge later.

Some have argued that the burden the United States is carrying is disproportionate to the burden on our allies. Of course we must work relentlessly to get all the support we can from our allies. The decision to go to war cannot, legitimately or morally, be based on economics or rest on the contribution of a particular ally. Either this war is justified or not.

The ultimate reason war would be necessary and morally justified is to stop Saddam's brutal aggression and eliminate the threat he poses. History shows the terrible cost of appeasing those bent on aggression, and we have seen Saddam's reckless disregard for international law and world sentiment.

The conclusion is obvious: Something must be done to stop Saddam's aggression and restore stability. Right now, we have the means to achieve this. The coalition, while not perfect, is determined and prepared to do what it needs to do to carry out U.N. resolutions. We pray that this can be done through peaceful means, but it is important that we not tie the hands of the President. He needs to have all options available to him. Most importantly, he needs the prayers and support of the Congress and the American people.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on passage of the joint resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MICHEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 250, nays 183, not voting 2, as follows:

[Roll No. 9]

YEAS—250

| | | |
|---|---|---|
| Ackerman | Burton | Dornan (CA) |
| Allard | Byron | Dreier |
| Anderson | Callahan | Duncan |
| Andrews (TX) | Camp | Edwards (OK) |
| Archer | Campbell (CA) | Edwards (TX) |
| Armey | Campbell (CO) | Emerson |
| Aspin | Carper | Engel |
| Bacchus | Chandler | Erdreich |
| Baker | Chapman | Fascell |
| Ballenger | Clement | Fawell |
| Barnard | Clinger | Fields |
| Barrett | Coble | Fish |
| Bartlett | Coleman (MO) | Franks (CT) |
| Barton | Combest | Frost |
| Bateman | Condit | Gallegly |
| Bentley | Cooper | Gallo |
| Bereuter | Coughlin | Gekas |
| Berman | Cox (CA) | Geren |
| Bevill | Cramer | Gilchrest |
| Bilbray | Crane | Gillmor |
| Bilirakis | Cunningham | Gilman |
| Bliley | Dannemeyer | Gingrich |
| Boehlert | Darden | Glickman |
| Boehner | Davis | Goodling |
| Borski | de la Garza | Gordon |
| Brewster | DeLay | Goss |
| Brooks | Derrick | Gradison |
| Broomfield | Dickinson | Grandy |
| Browder | Dingell | Green |
| Bunning | Doolittle | Gunderson |

Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Hoagland
Hobson
Holloway
Hopkins
Horton
Houghton
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (CT)
Jones (GA)
Jones (NC)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Lantos
Laughlin
Leach
Lehman (CA)
Lent
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Luken
Machtley
Madigan
Marlenee
Martin
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Mollohan
Montgomery
Moorhead
Morrison
Murtha
Myers
Nichols
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Patterson
Paxon
Payne (VA)
Petri
Pickett
Porter
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slattery
Slaughter (VA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Sundquist
Swett
Tallon
Tanner
Tauzin
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torricelli
Upton
Valentine
Vander Jagt
Volkmer
Vucanovich
Walker
Walsh
Weber
Weldon
Whitten
Wilson
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—183

Abercrombie
Alexander
Andrews (ME)
Andrews (NJ)
Annunzio
Anthony
Applegate
Atkins
AuCoin
Beilenson
Bennett
Bonior
Boucher
Boxer
Brown
Bruce
Bryant
Bustamante
Cardin
Carr
Clay
Coleman (TX)
Collins (IL)
Collins (MI)
Conte
Conyers
Costello
Cox (IL)
Coyne
DeFazio
DeLauro
Dellums
Dicks
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
English
Espy
Evans
Fazio
Feighan
Flake
Foglietta
Foley
Ford (MI)
Ford (TN)
Frank (MA)
Gaydos
Gejdenson
Gephardt
Gibbons
Gonzalez
Gray
Guarini
Hall (OH)
Hamilton
Hayes (IL)
Hefner
Hertel
Hochbrueckner
Horn
Hoyer
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
LaRocco
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McDermott
McHugh
Mfume
Miller (CA)
Mineta
Mink
Moakley
Moody
Moran
Morella
Mrazek
Murphy
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Owens (NY)
Owens (UT)
Panetta
Payne (NJ)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Rangel
Reed
Richardson
Riggs
Roe
Roemer
Rose
Roybal
Russo
Sabo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Skaggs
Slaughter (NY)
Smith (FL)
Smith (IA)
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Taylor (MS)
Torres
Towns
Traficant
Traxler
Unsoeld
Vento
Visclosky
Washington
Waters
Waxman
Weiss
Wheat
Williams
Wise
Wolpe
Wyden
Yates
Yatron

NOT VOTING—2

Dymally
Udall

□ 1551

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DYMALLY. Mr. Speaker, because of medical reasons, I was unable to participate in the debate regarding the Persian Gulf crisis.

If I were present, I would have voted in the following way: "Yes" on Bennett-Dubin; "Yes" on Hamilton-Gephardt; and "No" on Solarz-Michel.

## LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I have asked to proceed for 1 minute so that I might inquire of the distinguished majority leader how he perceives the program to be in the coming week, or before the 23d when we are formally in session.

Mr. GEPHARDT. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the distinguished majority leader.

Mr. GEPHARDT. Mr. Speaker, I appreciate the gentleman yielding to me.

Our intention is to stay in session now for a few more moments. We believe the Senate resolution, which we believe is worded exactly as our resolution is worded, will be coming here soon. We have to stay in session until that happens. We will have special orders until that happens.

When that happens, we will then adjourn until Monday noon and we will be in session each day next week in pro forma sessions meeting at noon each day.

Members will not expect there to be votes next week. I have no plans for bills or votes, but we felt that it was important that the Congress stay in pro forma session each day of next week.

The message from the Senate will be coming in a few moments.

Mr. MICHEL. Yes, and that, of course, will tell us for all practical purposes that the Senate will substitute the language of the House bill, which then will not require it coming back to this body.

Mr. GEPHARDT. That is correct. We expect no further action here.

Mr. MICHEL. So that we expect no further action today here.

Mr. GEPHARDT. That is right.

Mr. MICHEL. Mr. Speaker, might I inquire further of the distinguished majority leader, I do not know that we made it all that clear for next week with the pro forma sessions during the course of the week.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, again the sessions next week are pro forma sessions, no votes, pro forma sessions each day at noon.

Mr. MICHEL. And Mr. Speaker, may I have the liberty to convey our conservation that we might very well just have pro forma sessions up until the 23d?

The SPEAKER. The Chair has had discussions with the majority leader and with the Republican leader. Members should be advised that the probability is that votes will not occur, but that the House will be in session each day between now and the regular session January 23, beginning with each day next week, as the majority leader has announced.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Georgia.

Mr. GINGRICH. Mr. Speaker, I just wanted to ask the majority leader, since we obviously are entering unchartered waters, can Members generally assume that if for some reason we do have to have votes, this being an unknown time, that Members would get say 24 hours' notice or some kind of minimum notice, particularly on the west coast, in order to get back in time. I just raise that issue since we do not really know what may happen.

Mr. GEPHARDT. Mr. Speaker, if the gentleman will yield, if there is a need to be here, we will give Members 24 hours' notice so that they can know when to be here.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman. If there are no other questions, I yield back the balance of my time.

## GENERAL LEAVE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous

material on the Solarz-Michel joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to announce that in accordance with the announcement of the leadership, we will be meeting on each day, Monday through Friday, except on January 21, which is the anniversary of the birthday of Dr. Martin Luther King, which is a Federal holiday, on which day the House will not be in session.

The Chair will receive a limited number of 1-minute requests.

## RECESS

The SPEAKER. If there are no requests, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1622

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 22 minutes p.m.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 77. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

A message also announced that the Senate has passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 2. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

The message also announced that, pursuant to Public Law 85-874, the Chair, as President of the Senate, appoints Mr. HATFIELD, to the Board of Trustees of the John F. Kennedy Center for the Performing Acts.

## COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER. The Chair lays before the House the following communication from the Republican leader:

HOUSE OF REPRESENTATIVES,
*Washington, DC, January 11, 1991.*

Hon. THOMAS S. FOLEY,
*Speaker of the House, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to Section 400DD(e)(2)(B), Public Law 100-494, I hereby appoint the gentleman from California, Mr. Lewis, to serve as a member of the United States Alternative Fuels Council.

Sincerely yours,

BOB MICHEL,
*Republican Leader.*

## REAPPOINTMENT OF MEMBER TO U.S. ALTERNATIVE FUELS COUNCIL

The SPEAKER. Pursuant to the provisions of section 4 of Public Law 100-494, the Chair reappoints to the U.S. Alternative Fuels Council on the part of the House the gentleman from Arkansas [Mr. ALEXANDER].

## ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 77. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

## ADJOURNMENT

Mr. ECKART. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 24 minutes p.m.) under its previous order, the House adjourned until Monday, January 14, 1991, at 12 noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

294. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-228, "D.C. Emergency Overnight Shelter Amendment Act of 1990," and report, pursuant to D.C. Code, Section 1-233(c)(1); to the Committee on the District of Columbia.

295. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-289, "Assault Weapon Manufacturing Strict Liability Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

296. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-279 "District of Columbia Uniform Disclaimer of Property Interests Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

297. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-281, "District of Columbia Fire Prevention Code Outdoor Grill Safety Amendment Act of 1990," and report, pursuant to D.C. Code, Section 1-233(c)(1); to the Committee on the District of Columbia.

298. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-277, "Advisory Neighborhood Commission Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

299. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-266, "Task Force on Hunger Act of 1990," and report, pursuant to D.C. Code Section 1-233(c)(1); to the Committee on the District of Columbia.

300. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-280, "Uniform Law on Notarial Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

301. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-278, "Smoking Regulation Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

302. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-268, "D.C. Family Support Act Federal Conformity Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

303. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-298, "General Obligation Bond Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

304. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-299, "Medicare Catastrophic Coverage Repeal Minimum Guidelines Temporary Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

305. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-262, "Washington Convention Center Management Act of 1979 Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

306. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-263, "Child Abuse and Neglect Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

307. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-292, "Paramount Baptist Church Equitable Tax Relief Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

308. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-291, "Petworth Methodist Church Equitable Real Property Tax Relief Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

309. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-293, "Jerusalem Baptist Church Equitable Real Property Tax Relief Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

310. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-294, "Episcopal Church Home Equitable Real Property Tax Relief Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

311. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-295, "Mount Ephriam Baptist Church, Inc., Equitable Real Property Tax Relief Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

312. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-296, "Closing of a Public Alley in Square 67, S.O. 88-309, Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

313. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-297, "Closing of a Public Alley in Square 76, S.O. 89-46, Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

314. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-283, "Paper and Paper Products Recycling Incentive Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

315. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-284, "Real Estate Transaction Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

316. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-261, "D.C. Workers' Compensation Equity Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

317. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. act 8-282, "Real Property Improvements and Construction Tax Amendment Act of 1990," and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

318. A letter from the Chairman, Harry S. Truman Scholarship Foundation, transmitting the annual report for 1990, pursuant to 20 U.S.C. 2012(b); to the Committee on Education and Labor.

319. A letter from the Acting Director, Defense Security Assistance Agency, transmitting by direction of the President a report that on January 4, 1990, at approximately 3 p.m., a United States UH-1H helicopter came under groundfire as it exited the landing lane at Canton Y Caserio San Francisco, El Salvador; to the Committee on Foreign Affairs.

320. A letter from the Chairman, Farm Credit Administration, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

321. A letter from the Deputy Director, Federal Emergency Management Agency, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

322. A letter from the Chairman, National Endowment for the Arts, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

323. A letter from the President, Overseas Private Investment Corp., transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512 (c)(3); to the Committee on Government Operations.

324. A letter from the Secretary of Commerce, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1990, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

*[Omitted from the Record of January 11, 1991]*

By Mr. WHEAT (for himself, Mr. CALLAHAN, and Mr. GEPHARDT):

H.R. 520. A bill to encourage States to establish parents as teachers programs; to the Committee on Education and Labor.

*[Introduced January 12, 1991]*

By Mr. BEVILL:

H.R. 521. A bill to authorize the Secretary of Transportation to carry out a highway project to construct Appalachian highway corridor X from Appalachian highway corridor V near Fulton, MS, to Interstate route 59 at Birmingham, AL; to the Committee on Public Works and Transportation.

By Mr. ESPY (for himself and Mr. EMERSON):

H.R. 522. A bill to transfer the personal property of the Lower Mississippi Delta Development Commission to the Lower Mississippi Delta Development Center and to authorize appropriations for the center; to the Committee on Government Operations.

By Mr. VOLKMER (for himself, Mr. ENGLISH, Mr. ROBERTS, Mr. STALLINGS, Mr. MORRISON of Washington, and Mr. JONTZ):

H.R. 523. A bill to provide for the calculation of certain wheat deficiency payments on a calendar year basis; to the Committee on Agriculture.

By Mr. MICHEL (for himself, Mr. SOLARZ, Mr. FASCELL, Mr. BROOMFIELD, Mr. MONTGOMERY, Mr. ASPIN, Mr. DICKINSON, Mr. MURTHA, Mr. ACKERMAN, Mr. EDWARDS of Oklahoma, Mr. BERMAN, Mr. GALLEGLY, Mr. LEVINE of California, Mr. GILMAN, Mr. MCCURDY, Mr. HUNTER, Mr. SKELTON, Mr. HYDE, Mr. STENHOLM, Mr. LEACH of Iowa, Mr. TORRICELLI, Mr. LEWIS of California, Mr. SOLOMON, Mr. KYL, Mr. LAUGHLIN, Mr. DORNAN of California, Mr. MCMILLEN of Maryland, Mr. VOLKMER, Mr. LANTOS, Mrs. LLOYD, Mr. MCEWEN and Mr. BLAZ):

H.J. Res. 77. Joint resolution to authorize the use of U.S. Armed Forces pursuant to United Nations Security Council Resolution 678; considered and passed.

By Mr. BENNETT (for himself, Mr. DURBIN, Mr. ANNUNZIO, Mr. MILLER of California, Mr. ROYBAL, Mr. STARK, Mr. SCHUMER, Mr. TOWNS, Mrs. BOXER, Mr. MRAZEK, Mr. SANGMEISTER, Mr. EVANS, Mr. BOUCHER, Mr. HOCHBRUECKNER, Mr. MCHUGH, Ms. SLAUGHTER of New York, Mrs. UNSOELD, Mr. TRAXLER, Mr. DELLUMS, Mr. SANDERS, Mr. COSTELLO, Mr. MAZZOLI, Mr. RANGEL, Mr. YATES, Mr. KLECZKA, Mr. NAGLE, Mr. SABO, Mr. GEJDENSON, Ms. KAPTUR, Mr. UDALL, Mr. ATKINS, Mr. WAXMAN, Mr. PANETTA, Mr. MFUME, Mr. KOSTMAYER, Mr. POSHARD, Mr. LEWIS of Georgia, Mr. PEASE, Mr. WYDEN, Mr. MATSUI, Mr. MARKEY, Mrs. COLLINS of Illinois, Mr. TORRES, Mr. GLICKMAN, Mr. KILDEE, Mr. MCCLOSKEY, Mr. ROE, Mr. VENTO, Mr. DEFAZIO, Ms. PELOSI, Mr. FAZIO, Mr. JONTZ, Mr. OLIN, Mr. DORGAN of North Dakota, Mr. BROWN of California, Mr. MCDERMOTT, Mr. NEAL of North Carolina, Mr. MOODY, Mr. WOLPE, Mr. COYNE, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. FOGLIETTA, Mr. OWENS of Utah, Mrs. SCHROEDER, Mr. STAGGERS, Mr. NEAL of Massachusetts, Mr. SCHEUER, Mrs. LOWEY of New York, Mr. MAVROULES, Mr. PERKINS, Mr. MOAKLEY, Mrs. MINK, Mr. OBERSTAR, Mr. PAYNE of New Jersey, Mr. ESPY, Mr. BEILENSON, Mr. KANJORSKI, Mr. BACCHUS, Mr. TRAFICANT, Mr. LAFALCE, Mr. WASHINGTON, Mr. HUGHES, Mr. REED, Mr. SIKORSKI, Mr. RUSSO, and Mr. ANDREWS of New Jersey):

H. Con. Res. 32. Concurrent Resolution to express the sense of Congress that Congress must approve any offensive military action against Iraq; considered and agreed to.

By Mr. GEPHARDT (for himself and Mr. HAMILTON):

H. Con. Res. 33. Concurrent resolution regarding United States policy to reverse Iraq's occupation of Kuwait; considered and not agreed to.

By Mr. HUCKABY:

H. Con. Res. 34. Concurrent resolution expressing the sense of the Congress that the President should develop a plan for increased financial contributions by nations allied with the United States which benefit from the commitment of United States military forces in the Persian Gulf; to the Committee on Foreign Affairs.

By Mr. MCEWEN:

H. Res. 31. Resolution to provide that the new franking requirements and procedures, as they pertain to the House of Representatives, be suspended pending the completion of a study and report thereon; jointly, to the Committee on House Administration and Rules.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mr. FORD of Michigan, Mr. WILLIAMS, Mr. GAYDOS, Mr. KILDEE, Mr. MILLER of California, Mr. HAYES of Illinois, Mr. OWENS of New York, Mr. SAWYER, Mr. ACKERMAN, Mr. ANNUNZIO, Mr. ATKINS, Mr. AUCOIN, Mr. BEILENSON, Mr. BENNETT, Mr. BERMAN, Mr. BOEHLERT, Mr. BONIOR, Mrs. BOXER, Mr. BROWN, Mr. BRUCE, Mr. BRYANT, Mr. CAMPBELL of California, Mr. CARPER, Mr. COLEMAN of Texas, Mrs. COLLINS of Illinois, Mrs. COLLINS of Michigan, Mr. CONYERS, Mr. DAVIS, Mr. DEFAZIO, Ms. DELAURO, Mr. DELLUMS, Mr. DOWNEY, Mr. DURBIN, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. ENGEL, Mr. ESPY, Mr. EVANS, Mr. FASCELL, Mr. FAZIO, Mr. FEIGHAN, Mr. FISH, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. GEPHARDT, Mr. GILMAN, Mr. GONZALEZ, Mr. GRAY, Mr. GREEN of New York, Mr. GUARINI, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HOYER, Mr. JEFFERSON, Mr. JONTZ, Mr. KENNEDY, Mrs. KENNELLY, Mr. KLECZKA, Mr. KOLTER, Mr. KOPETSKI, Mr. KOSTMAYER, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LEVINE of California, Mr. LEVIN of Michigan, Mr.

LEWIS of Georgia, Mr. MANTON, Mr. MARKEY, Mr. MARTIN, Mr. MARTINEZ, Mr. MATSUI, Mr. MCCLOSKEY, Mr. MCDERMOTT, Mr. MCGRATH, Mr. MCHUGH, Mr. MCNULTY, Mr. MINETA, Mrs. MINK, Ms. MOLINARI, Mr. MOODY, Mrs. MORELLA, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. POSHARD, Mr. RAHALL, Mr. REED, Mr. ROE, Mr. ROYBAL, Mr. SABO, Mr. SCHEUER, Mr. SCHUMER, Mr. SHAYS, Ms. SLAUGHTER of New York, Mr. SMITH of New Jersey, Ms. SNOWE, Mr. SOLARZ, Mr. STAGGERS, Mr. STUDDS, Mr. SWETT, Mr. SWIFT, Mr. TORRES, Mr. TOWNS, Mr. UDALL, Mrs. UNSOELD, Ms. WATERS, Mr. WAXMAN, Mr. WEISS, Mr. WHEAT, Mr. WILSON, Mr. WISE, Mr. WOLPE, Mr. YATES, Mr. EDWARDS of California, Mr. LIPINSKI, Mr. PERKINS, and Mr. DIXON.

H.R. 5: Mr. FORD of Michigan, Mr. DINGELL, Mr. ROE, Mr. ABERCROMBIE, Mr. ANNUNZIO, Mr. APPLEGATE, Mr. ASPIN, Mr. AUCOIN, Mr. BACCHUS, Mr. BERMAN, Mr. BONIOR, Mrs. BOXER, Mr. BROWN, Mr. CAMPBELL of Colorado, Mr. CARPER, Mr. CARR, Mrs. COLLINS of Michigan, Mr. CONDIT, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. DAVIS, Mr. DEFAZIO, Mr. DELLUMS, Mr. DICKS, Mr. DONNELLY, Mr. DORGAN of North Dakota, Mr. DOWNEY, Mr. DURBIN, Mr. DYMALLY, Mr. ENGEL, Mr. ESPY, Mr. EVANS, Mr. FASCELL, Mr. FAZIO, Mr. FEIGHAN, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. GILMAN, Mr. GLICKMAN, Mr. GONZALEZ, Mr. GUARINI, Mr. HAYES of Illinois, Mr. HERTEL, Mr. HOAGLAND, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. HOYER, Mr. JEFFERSON, Mr. JONTZ, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY, Mrs. KENNELLY, Mr. KILDEE, Mr. KLECZKA, Mr. KOLTER, Mr. KOPETSKI, Mr. LANTOS, Mr. LEHMAN of California, Mr. LEVINE of California, Mr. LIPINSKI, Ms. LONG, Mrs. LOWEY of New York, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MAVROULES, Mr. MCCLOSKEY, Mr. MCDERMOTT, Mr. MCHUGH, Mr. MCNULTY, Mr. MFUME, Mr. MILLER of California, Mr. MINETA, Mrs. MINK, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOODY, Mr. MRAZEK, Mr. MURTHA, Mr. NAGLE, Ms. OAKAR, Mr. OBERSTAR, Mr. OBEY, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PALLONE, Mr. PEASE, Ms. PELOSI, Mr. PENNY, Mr. PERKINS, Mr. POSHARD, Mr. RANGEL, Mr. ROYBAL, Mr. RUSSO, Mr. SABO, Mr. SAVAGE, Mr. SCHEUER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SERRANO, Mr. SKAGGS, Mr. SKELTON, Mr. SLATTERY, Ms. SLAUGHTER of New York, Mr. SMITH of Florida, Mr. STAGGERS, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TRAXLER, Mr. VENTO, Mr. VISCLOSKY, Mr. WEISS, Mr. WHEAT, Mr. WILLIAMS, Mr. WILSON, Mr. WISE, Mr. WOLPE, Mr. WYDEN, Mr. MATSUI, and Mr. SWIFT.

H.R. 233: Mr. ROYBAL, Mr. MILLER of California, and Mr. JONTZ.

H.R. 290: Mr. MILLER of California, Mrs. LOWEY of New York, Ms. PELOSI, Mr. BRUCE, Mr. DELLUMS, Mr. WISE, Mr. JONTZ, Mr. MURTHA, Mr. HUGHES, Mr. OWENS of Utah, Mr. SERRANO, Mr. LIPINSKI, Mr. COLEMAN of Texas, Mr. FOGLIETTA, Mr. DURBIN, and Mr. POSHARD.

H.R. 292: Mr. SERRANO and Mr. FROST.

H.R. 317: Mr. REGULA, Mr. LIPINSKI, Mr. POSHARD, Mr. CHAPMAN, Mr. RANGEL, Mr. NOWAK, and Mr. CAMPBELL of Colorado.

H.R. 346: Ms. DELAURO, Mr. WILSON, Mr. RANGEL, Mr. MILLER of Washington, and Mr. CHAPMAN.

H.R. 426: Mr. ERDREICH, Mr. GIBBONS, Mr. HEFLEY, Mr. HORTON, Mr. JAMES, Mr. MACHTLEY, Mr. MRAZEK, Mr. RANGEL, Ms. ROS-LEHTINEN, and Mr. WILSON.

H.R. 469: Mr. RAVENEL, Mr. BACCHUS, Mr. PAXON, Mr. STOKES, Mr. MCCURDY, Mr. LAFALCE, Mr. FALEOMAVAEGA, Mr. LEWIS of California, Mr. OXLEY, Mr. LOWERY of California, Mr. CAMPBELL of Colorado, Mr. SMITH of Florida, Mr. GOSS, and Mr. WILSON.

# EXTENSIONS OF REMARKS

## SADDAM HUSSEIN: A HEAVY HITTER IN THE TERRORIST BIG LEAGUES

HON. WM. S. BROOMFIELD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. BROOMFIELD. Mr. Speaker, our Government recently announced that it has evidence that terrorists supported by Iraq are planning attacks against United States interests around the world should the coalition use the military option to liberate Iraq.

I commend the administration for having taken seriously Saddam Hussein's initial threats to use terrorism against the United States, both here in this country, as well as overseas. I urge the President to continue to upgrade our Nation's antiterrorism capabilities. While I am unaware of any Iraqi-backed terrorist operations here in the United States, we should be well prepared for possible terrorist activities here. Iraq's past and present involvement in terrorism around the world, however, is well documented and reveals yet another facet of that dictator's strategy for intimidating our country.

In the past, Saddam Hussein has employed, supported, and trained international terrorist groups to include elements within the Palestine Liberation Organization [PLO], and other groups which advocated armed struggle against Israel and the West. The Hussein government has maintained ties with the radical Abu Nidal Organization, and its chief, Sabri Al-Banna, who is responsible for the Rome and Vienna airport massacres and a bloody attack on an Istanbul synagogue. The Iraqi Government also supported the Popular Front for the Liberation of Palestine-Special Command, and the 15 May Organization which was responsible for the bombing of a Pan Am flight in 1982.

Iraq reduced its terrorist activities during the 1980 to 1988 Iran-Iraq war, as part of an effort to improve relations with the West, but quickly returned to supporting terrorist activities in 1990. Prior to the August 2 invasion of Kuwait, the Iraqi leader invited various terrorist groups to return to Iraq. Elements of the Abu Nidal Organization, and the PLO, headed by Abul Abbas, are located in Baghdad. The Abbas organization seized the cruise ship *Achille Lauro*, and recently raided Israel's coast. Abul Abbas recently announced: "If America attacks Iraq, we will fight with our Iraqi brothers in our own way." Another infamous terrorist, Abu Ibrahim, is a recognized Palestinian explosives expert who lives in Baghdad. In addition, the notorious international terrorist, Carlos, known as "The Jackal", is reportedly back on Saddam Hussein's payroll. Saddam Hussein is back in the terrorist big leagues and has assembled a formidable lineup of heavy hitters for his team.

Given Saddam Hussein's part and current support of international terrorism, I am not surprised that our Government has detected the movements of Iraqi-backed terrorists. I am confident that the administration is doing everything possible to enhance security both in the United States and at our diplomatic missions overseas. Should the Iraqi leader unleash his legions of terrorists, he will pay a high price and should not forget what happened in Tripoli, Libya, in April 1986.

I want to share with my colleagues more background information from the Department of State concerning Saddam Hussein's support for international terrorism.

[From the U.S. Department of State Dispatch, Nov. 5, 1990]

### IRAQ'S SUPPORT FOR TERRORISTS

Saddam Hussein has called for a *jihad* or "holy war" against those who support the UN condemnation of Iraq. On September 13, in response to President Bush's statement that he would hold Iraq responsible for terrorist attacks against the United States, the Iraqi Foreign Ministry warned that the US military presence in the Persian Gulf would "draw a natural reaction from the Arab and Islamic masses." Earlier, Iraqi Foreign Minister Tariq Aziz had said that Baghdad is under no moral obligation to refrain from terrorism if threatened by the French, British, or US governments.

Iraq has a worldwide network available to support terrorist operations. In the past, Baghdad has used civilian and military intelligence officers, diplomatic facilities, Iraqi Airways offices, and Iraqi cultural centers to support its own operations, as well as those of non-Iraqi groups, primarily against its regional rivals, Iran and Syria, and Iraqi dissident targets. Baghdad also offers its support to Palestinian terrorist groups. Many of these groups say they are willing to support Iraq by mounting terrorist attacks against Western, Israeli, and moderate Arab facilities and personnel.

Several hundred civilians—mostly from the United States, Western Europe, and Japan—have been dispersed to strategic locations throughout Iraq, and thousands of other civilians have been denied permission to leave the country. Some of those who have left Kuwait and Iraq report that they were forcibly removed from their homes and separated from their families.

### STATE SPONSORED TERRORISM

Iraq's record shows that it regards terrorism as a legitimate means of striking its enemies, both foreign and domestic. During the 1970s, Baghdad gave logistical support to elements within the Palestine Liberation Organization (PLO) as well as to other groups which advocated armed struggle against Israel and the West. Baghdad has hosted elements of the PLO's security organization (Fatah), including Abdullah al-Hamid Labib (Colonel Hawari) who was linked to a wave of bomb attacks throughout Europe in the 1980s. In 1988, he was convicted *in absentia* by a French court for his part in assembling an arms cache in Paris.

Saddam Hussein has for years used acts of terrorism against political opponents of his regime. Baghdad sponsored three assassinations of exiled Iraqi dissidents, in the UK, Sudan, and Norway.

Iraq hosts dissident organizations which use terrorism against the governments of Syria and Iran, using these ties to increase pressure on his rivals during periods of increased tension. In late 1980, six Syrian dissident organizations operating out of Iraq formed the Syrian National Salvation Front which advocates the use of armed struggle against the Assad regime. The most prominent group within the Syrian National Salvation Front is the militant Muslin Brotherhood, which maintains armed cells inside Syria and reportedly attacked its diplomats overseas in 1989 and again in Brussels in early 1990. Iraq openly supports the Mojahedin-e Khalq, the Iranian dissident group most closely associated with terrorism, and supplies its national liberation army with weapons.

Iraq has historical ties to radical Palestinian groups, including the Abu Nidal Organization (ANO), and splinter factions of George Habbash's Popular Front for the Liberation of Palestine (PFLP), such as the Popular Front for the Liberation of Palestine-Special Command (PLFP-SC) and the 15 May Organization led by master bombmaker Abu Ibrahim. The 15 May group was responsible for a number of attacks, including the bombing of a Pan Am flight over Honolulu in 1982, several Israeli embassies and El Al offices, and of department stores in London, Paris, and Brussels. In 1979, the United States designated Iraq a state sponsor of terrorism under Section 6(j) of the Export Administration Act.

Iraq's interest in terrorism against Western targets waned during the 1980–88 war with Iran. In the early 1980s, Baghdad moved closer to the policies of its moderate Arab neighbors by reducing its support for non-Palestinian terrorists and placing restrictions on many Palestinian groups. Consequently, Iraq was removed from the US list of state sponsors of terrorism in 1982. As a further example of its changed policy, Iraq expelled the Abu Nidal Organization in 1983.

Saddam Hussein resumed pursuit of his wider ambitions in the Arab world once the fighting with Iran ended. In Lebanon, Baghdad increased aid to anti-Syrian groups (Lebanese militias and Syrian dissidents) as well as to Palestinian terrorist groups with historical ties to Iraq—the Palestine Liberation Front (PLF), and Colonel Hawari. In early August 1990, Iraq intensified contacts with several Palestinian terrorist groups; some have publicly threatened terrorist attacks against Baghdad's opponents. On September 1, 1990, in response to Iraq's renewed support for terrorist groups and its detention of foreign nationals, the US government returned Iraq to the list of state sponsors of terrorism.

### PALESTINIAN TERRORIST GROUPS PLEDGE SUPPORT FOR IRAQ

Iraq has tried to justify its support for Palestinian groups, including those engaged in terrorism, as being consistent with its public policy of aiding the struggle for a Palestinian homeland. Iraq also views its assistance as a means of enhancing its regional prestige

and, most importantly, preventing Syria from gaining control of the Palestinian movement. Over the years, most Palestinian factions reciprocated by offering Iraq political support in its war with Iran; some have helped Iraq oppose Syria.

In recent weeks, leaders of several Palestinian terrorist groups have paid tribute to Saddam Hussein and threatened operations against a wide variety of targets in the event of military action against Baghdad. Iraq's belligerence and promise of support have attracted those groups long favoring the use of force to solve the Arab-Israeli conflict.

Palestinian groups, including members of the PLO, have pledged to use "every means available" to remove US and other forces from Saudi Arabia. Palestine Liberation Front (PLF) leader Abu Abbas has been outspoken in his support for the Iraqis. Within days of Baghdad's invasion of Kuwait, he called for his men to "open fire on the American enemy everywhere. Quake the earth under the feet of the American and NATO invaders and the collaborators." On October 1, Abu Abbas threatened to down a US airliner if an Iraqi plane was downed as part of the UN-ordered air blockage. (The Abu Abbas-led faction of the PLF is the group which carried out the 1985 hijacking of the Italian cruse ship, *Achille Lauro*, and the unsuccessful May 1990 seaborne attack against civilians on Israeli beaches. Abu Abbas's claim of responsibility for that attack was broadcast from an Iraqi radio station.)

Some Syrian-based Palestinian groups have expressed their willingness to support Saddam Hussein in a conflict with the United States. Their reasons may have more to do with rallying enthusiasm within their own organizations than with support for Baghdad's regional ambitions. George Habbash, leader of the PFLP, has said publicly that he is opening an office in Iraq in support of Saddam Hussein. He has pledged that his organization will carry out attacks against the United States and others opposed to Iraq in the event of a military clash. In the 1970s and early 1980s, the PFLP killed civilians in attacks on airlines and buses in the Middle East and Europe.

Ahmed Jabril's staunchly pro-Syrian Popular Front for the Liberation of Palestine-General Command (PFLP-GC) and the Abu Musa organization recently have pledged support for Saddam. In late September, Saddam Hussein received Shaikh Al-Tamimi, leader of the Palestinian Islamic Jihad (PIJ) movement, who declared his support for Iraq. The PIJ claimed responsibility for a February 1990 Egyptian bus attack which left 9 killed and 16 wounded.

THE ANO COMES FULL CIRCLE

The US believes the Abu Nidal organization—one of the most dangerous terrorist groups—is moving elements of its organization back to Baghdad from Libya. Since the ANO was founded in Iraq in 1974, its members have killed or wounded more than 900 people on 3 continents. Over the years, in return for safehaven, logistical support, and financial assistance, the organization conducted operations with the support of three state sponsors—Iraq, Syria, and Libya. In recent months, ANO leaders have killed scores of members in internecine struggles.

Sabri al-Banna, the leader of the ANO, was the PLO representative in Baghdad until 1974 when he and others broke from Fatah, denouncing the PLO leadership for its diplomatic efforts to resolve the Arab-Israeli conflict. During the 1970s, the ANO carried out attacks from its base of operations in Iraq—mostly against PLO, Syrian, and Jordanian targets. In 1980, Iraqi and ANO interests began to diverge. The ANO launched a series of vicious attacks againt synagogues in Europe that became a trademark of the organization. These attacks interfered with Baghdad's attempts to attract European support for its war with Iran. Probably because of pressure from the United States and Europe, Baghdad insisted the ANO move its base of operations out of Iraq.

Syria allowed Sabri al-Banna's group—sometimes with the helping hand of Syrian intelligence officers—to expand its operations in Europe and the Middle East. In the mid-1980's, the ANO carried out attacks in the Rome and Vienna airports, continued the bombings and machine guns attacks on synagogues in Europe and Turkey, and conducted over a dozen attacks against Jordanian targets, including diplomats in Ankara and Bucharest and Jordanian airline offices in Europe.

Following public revelations of Syrian involvement in terrorist operations in Europe, the cost of Syria of its support for terrorism began to outweigh the benefits. The British prosecution of Nezar Hindawi—the man who attempted to place a bomb on an El Al fight—implicated Syrian Air Force Intelligence officials, the Syrian national airline, and Syrian Embassy personnel. In response the UK broke diplomatic relations with Syria, the United States and the Federal Republic of Germany recalled their ambassadors, and the European Community agreed to various political and economic sanctions against Syria. Under pressure from the United States, European, and friendly Arab nations, the Syrians had ANO move its headquarters to Libya in June 1987. However, Syria continued to allow ANO gunmen to operate in the Syrian controlled Bekaa Valley in Lebanon.

The ANO, which receives substantial Libyan financial and logistical support (including weapons and travel documents) conducted an attack in July 1988 against the Greek cruise liner, City of Poros, in which 9 civilians were killed and 98 wounded. The ANO also killed 8 and wounded 21 in its attack on the Acropole Hotel and the British Sudan Club in Khartoum, Sudan in May 1988.

The ANO now has assets in Iraq, Lebanon, Libya, North Africa, and Europe, which could be used to conduct operations against those opposed to Iraq's invasion of Kuwait. There are credible reports that ANO operatives are heading for Europe and the Middle East where authorities are taking steps to prevent terrorist attacks.

AN INTERNATIONAL RESPONSE TO TERRORISM

President Bush and Secretary of State Baker have responded directly to Baghdad's aggression and threats to use terrorism against Americans and others. The US government also is working in cooperation with the international community to dissuade Iraq and the groups its supports from holding hostages and attacking civilians. That cooperation also includes requests through diplomatic channels that those who have influence with Baghdad and the Palestinian terrorist groups use that influence to assure that there is no outbreak of international terrorist violence.

The threat of terrorist attack is taken seriously. Both the Government of Iraq and the groups its supports have carried out operations in the past. They have the resources and infrastructure in place to do so again. The US government has issued travel warnings and threat advisories alerting the American public and others, including foreign governments, to the threat. In response, the international community is working to enhance counter-terrorism cooperation at the operational level—from information-sharing to tightening security to protect against terrorist attack.

The United States has made it clear that it holds Iraq responsible for terrorist attacks it carries out, as well as attacks carried out by those who act on its behalf. There can be no moral defense of terrorism. The United States will continue to work with other nations to exert legal, economic, and other pressure on Baghdad to abandon its holding of civilian hostages and to end its support for terrorist groups who threaten civilians with bombings, assassination, and other violence.

## A PEACE TO END ALL WARS

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. JACOBS. Mr. Speaker, two decades ago this appeared in the Washington Post. What is that quotation? "Déjà vu all over again."

Every war to end all wars just ends up on the list of all wars.

[From the Washington Post, May 28, 1971]

AN EX-MARINE SUGGESTS A PEACE TO END ALL WARS

(From a statement before the Senate Foreign Relations Committee yesterday by Rep. Andrew Jacobs, Jr. who served as a PFC in the First Marine Division in Korea.)

One hears it said that a continuation of intervention will mean a generation of peace—it will teach the Communists a lesson. Yet in the very midst of our mammoth effort in Southeast Asia did the Russians even so much as hesitate to invade Czechoslovakia?

Who would ever believe that the underdeveloped tip of the Asian tail could wag the world?

A generation of peace? A war to end all wars?

I was 13 when World War II ended all wars. And I knew that sort of thing was only for my father's generation. I would be spared. And so at 18 I was sent into hell with an M-1 rifle to help bring back a generation of peace.

My little sister's boyfriends would be spared—long enough to serve in another crusade this time with M-14 rifles and another promise of peace.

And next month my little sister's little boy will be 16.

A generation of peace? A war to end all wars? How about a peace to end all wars?

Mr. Chairman, if our country ever goes to war again it should be because we have to, not just because we have a chance to.

And we don't have to borrow the trouble of a war to protect freedom where there is no freedom to protect.

The only way to avoid future Vietnams is to recognize our error in becoming involved in this one.

And that recognition—that realization will not result from official government declarations that Vietnam has been "our finest hour."

## THE GENUINE SUCCESS FOR U.S. FOREIGN POLICY

HON. ROBERT J. LAGOMARSINO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. LAGOMARSINO. Mr. Speaker, I believe most of us understood how former Secretary of State Shultz felt when he lamented that nothing is ever really over in this town. Consequently, when something really is over, and it represents a genuine success for United States foreign policy, we should stop and take note.

The State Department led an exceptional U.S. Government effort under Mr. Shultz's leadership to end a classic political and bureaucratic struggle that had outlasted every Secretary of State for the past two decades. That effort has been continued by, and now has yielded success for, Secretary Baker and the Bush administration. I am referring to the action of the U.N. Security Council on December 22, 1990, recognizing that the 1947 U.S. administered trusteeship ended for the peoples of the Marshall Islands, Micronesia and the Northern Mariana Islands on the basis of events which occurred in 1986.

On November 3, 1986, President Reagan signed Proclamation 5564, declaring that the United States had fulfilled its obligations under the 1947 trusteeship for the Pacific islands, and that the trusteeship agreement no longer applied to the islands. This action brought into full effect political status agreements which the Reagan administration, represented by Ambassador Fred M. Zeder II, had concluded with the democratically established constitutional governments of Micronesia and the Marshall Islands. The agreement with the Northern Mariana Islands was negotiated by Ambassador F. Haydn Williams on behalf of the Ford administration. Congress approved these agreements in two comprehensive pieces of legislation, Public Law 94–241 and Public Law 99–239.

These agreements, and the constitutions of the island governments, were approved by the peoples concerned in U.N. observed plebiscites, and the U.N. Trusteeship Council adopted resolutions—most notably Resolution 2183 of May 28, 1986—confirming that the islanders had freely expressed their wishes regarding self-government in valid acts of self-determination. U.N.T.C. Resolution 2183 specifically stated that the United States had satisfactorily discharged its obligations under the trusteeship.

Under its Covenant of Political Union with the United States, the Mariana Islands just north of Guam became the Commonwealth of the Northern Mariana Islands [CNMI] under the sovereignty of the United States. The Covenant extends United States citizenship to the people of the CNMI and partially applies the U.S. Constitution while bringing the islands of that chain into the U.S. for most legal and political purposes.

Under the unprecedented Compact of Free Association, the Federated States of Micronesia [FSM] and the Republic of the Marshall Islands [RMI] became sovereign, self-governing nations with separate and distinct citizenship. The RMI and FSM have full internal self-government and conduct their own foreign affairs and treaty relations. This includes control of all land and ocean resources in accordance with the international law of nations.

Under the Compact the U.S. retains authority and responsibility to provide for defense of the islands, a commitment which other microstates may come to envy as they pursue economic prosperity and political stability in the post-1989 world order which is now evolving. The Compact of Free Association can be terminated by the islanders in favor of independence at any time, or in favor of another status involving the U.S. if mutually agreed. Thus, the duration of free association may be indefinite, although the current Compact has a term of 15 years, or it may result in transition to another form of self-government, depending on the wishes of the people concerned. This is a very creative arrangement, and other major powers may want to model relations with autonomous areas after the U.S. approach to free association.

The RMI and FSM already exchange ambassadors with Washington, as well as with the numerous other nations which recognized that self-determination, not the timing of Security Council action, was the controlling legal and political criteria under Article 76 of the U.N. Charter for achieving self-government. The Security Council's action on December 22 eliminates any pretext for impeding further the universal acceptance of the new status of the RMI and FSM, as well as the CNMI.

The language of Security Council Resolution 683 of December 22, 1990, is significant because it states that the applicability of the trusteeship has terminated based upon entry into force of the status agreements in 1986. In other words, it constitutes a determination by the Security Council that the process which took place in 1986 had the effect of satisfying the objectives of the trusteeship with respect to the peoples concerned. This confirms the position taken by the U.S. in numerous lawsuits and policy debates on the question of trusteeship termination.

It is also important to note what the resolution does not say. For example, it does not state in the present tense that the trusteeship is "hereby" terminated, or anything to that effect. This is noteworthy because during the process for approval and implementation of the Compact there were those who asserted categorically that the U.S. could not implement the agreements until the Security Council adopted a resolution approving U.S. actions and expressly terminating the trusteeship. While those who write law review articles and editorials critical of U.S. policy in the trust territory found that view irresistible, the U.S. quite properly insisted that interpretation and implementation of the U.N. Charter provisions relating to termination were matters to be determined through political, legal and moral persuasion between the member states. That is what diplomacy and the U.N. are supposed to be all about.

The theory that the United States and the governments of the trust territory could not implement the forms of self-government chosen by the people without first jumping through hoops in the Security Council to get a resolution would have given any permanent member of the Security Council the ability, by veto, to prevent the U.S. and the people concerned from bringing an end to the anachronistic trusteeship regime even though the people had spoken. In essence, it would have made realization of self-determination by the island peoples an entirely discretionary matter in the hands of any member of the Security Council with the veto under Article 27 of the Charter. Since the islanders, unlike the concerned member states of the U.N., never consented to be subject to the trusteeship, the notion of self-government being held hostage to U.N. formalities was perceived in the islands as a form of "international colonialism" being imposed by the United Nations. In this case, it could have led to abuse of the trusteeship system to frustrate rather than facilitate the form of self-government chosen by the people.

The proposition that a permanent member of the Security Council could veto implementation of acts of self-determination recognized by the Trusteeship Council and the international community as valid and consistent with the U.N. Charter simply was not acceptable to the United States. Indeed, in 1947, when he took the floor in the House of Representatives to argue in support of President Truman's proposed bill approving the trusteeship agreement, Representative Mike Mansfield from Montana explained to his colleagues that the very reason the Pacific islands trusteeship was being designated as "strategic" under Article 82 of the U.N. Charter was to prevent the U.N. from having a veto over U.S. actions. In fact, Mansfield cited the U.S. veto power as assurance that the U.S. could prevent the U.N. from, in his words, "* * * asserting effective control * * *" over administration of the islands. It was Mansfield's view that the onus of contending with the Security Council veto threat would be on any member state which might seek to prevent the U.S. from implementing a particular course of action or policy with respect to the trust territory. A member country opposed to U.S. activities would have to raise the issue in the Security Council and propose a resolution of disapproval.

Mansfield's analysis, while never popular at U.N. cocktail parties, was prophetic. Forty years of intervening U.N. practice may make his views unfashionable today, but until very recently it was a virtual certainty that the Soviet Union would have vetoed a resolution approving termination of the trusteeship regardless of the merit of the U.S. position. As to the U.N. itself, only in the last decade has the U.N. bureaucracy realized that it was making itself irrelevant by providing nothing more than a forum for propaganda and verbal violence against the United States. In recent years the members of that body, including the Soviet Union, began to recognize that the U.N. never could realize its potential to promote peace and prosperity in the world if it did not begin to address itself to the substance as well as politics on its agenda. It was only very recently that it became possible for the issue of trusteeship termination to be taken up in a rational and fair environment within the Security Council.

Those special interest groups here in the U.S., and those in our Government, who sought, for their own reasons, to prevent full and final implementation of the CNMI Cov-

enant and the Compact of Free Association, after they exhausted all other means of pursuing their goal, were left with only one hope—that the U.S. could not implement the status agreements because it could not obtain a resolution of approval in the U.N. Security Council. Their principal ally in that hope was the Soviet Union at a time when its representatives gladly would have frustrated the democratically expressed aspirations of the Pacific island peoples in order to challenge U.S. leadership in the cause of self-determination. Everyone from career technocrats in matters Micronesian to special interest groups seeking to exploit problems in the islands to promote their own agendas joined in the chorus of those who urged delay.

It is to the everlasting credit of the Reagan Administration that it determined in 1986 that it would not be morally, politically or legally correct for the U.S. to withhold any longer its full recognition of the self-determination process in the CNMI, RMI and FSM in order merely to appease those critical of imperfections in the process. Overall, the Compact and the Covenant provided a sound framework for the peoples concerned to take control of their own destinies, and to address both those social problems inherent in island culture and those associated with their emergence from a century of foreign rule. The situation in Palau today demonstrates that the RMI, FSM and U.S. were correct in their calculation that the costs of delay were much greater than the benefits.

Thus, President Reagan's 1986 proclamation ending the trusteeship as a matter of U.S. law and policy was a bold stroke of foreign policy leadership. The people of the United States and their government will always be grateful to the other governments around the world which extended early recognition to these emerging democratic governments once both the elected leaders in the islands and the U.S. President took a firm stand in favor of self-government without delay.

It is also to the everlasting credit of the Bush administration that this matter now has been resolved to the satisfaction of at least the responsible stakeholders in the process—including our allies and all of the member nations of the Security Council except Cuba. Given Soviet support for the resolution, one only can wonder who was feeding the Cubans their lines and acting in cahoots with Castro's U.N. team.

With the support of Congress in the form of timely authorizing legislation, the Administration kept faith with our commitment to assist the RMI and FSM in achieving international recognition of their new status by, among other things, exchanging ambassadors and opening embassies. Now our State Department has acted effectively to take advantage of the first real opportunity to achieve closure on the procedural matter of the Security Council's formal acceptance of the fact that the purpose of trusteeship had been fulfilled in 1986 when the new status agreements took effect. This demonstration of the administration's credibility and skill in sensitive diplomatic transactions underscores the importance of continuity and competence in U.S. foreign policy.

The interests of the island peoples and the United States, as well as the cause of self-determination, were significantly advanced because the Bush administration comprehended and acted in a manner consistent with the historical sweep of U.S. policy running all the way back to the Nixon administration when the initiative to conduct political status negotiations began. The principal purposes of the trusteeship were to promote strategic stability and self-government for the peoples of the islands. That duality of purpose is embodied in Articles 82 and 83 of the U.N. Charter and Article 5 of the Trusteeship Agreement. The Ford, Reagan and Bush administrations delivered on both strategic goals and self-government, while their critics apologized for legitimate U.S. strategic policy and sought to delay self-government so that paternalistic welfare programs could be introduced into the island cultures.

It can be acknowledged that some of the arguments in favor of delaying implementation of the new status agreements in 1986 were plausible—if misguided. The U.S. record on administration of the trusteeship was not even close to perfect, the CNMI, RMI, and FSM are not island paradises free of social and economic problems, and the benefits of both the U.S. military presence and social welfare programs must be balanced against the associated social costs. For example, along with our defense activities came both prosperity and overcrowding in areas adjacent to our bases as islanders migrated in search of employment. The development of missile technology in the region was vital to the nuclear deterrence policy that prevented nuclear war for forty years and set the stage for disarmament, but we are still living with the legacy of injuries caused to four island communities by the nuclear testing program. Similarly, along with our educational and health care programs came welfare dependency and disincentives to the private sector economic development which would have given the islanders economic power and autonomy.

It is fair to say that for both responsible people concerned about the legitimate interests of the United States and the peoples of the islands, and among the "blame America first" malcontents, there were real problems which could be cited in arguing for delay. However, the Compact addresses those problems more effectively than pre-Compact policies and does so in the context of a form of government consented to by the governed.

On the issue of trusteeship termination, it also can be said that the U.N. Charter and Trusteeship Agreement created ambiguity by not precisely prescribing the procedure for termination. The word "termination" is only used once, in Article 15 of the Trusteeship Agreement, which states only that the agreement cannot be terminated without consent of the United States as the administering power. While that provision tends to reinforce the Mansfield theory of U.S. authority, over the years the enablement of the Security Council under Article 83 of the Charter to approve "alteration or amendment" of the agreement has been interpreted in the U.N. subculture to include termination. When weighed against the core objectives of the U.N. Charter and Article 6 of the Trusteeship Agreement relating to self-determination, these matters of procedure and legal interpretation became both quite critical and controversial. Despite recent uncharitable comments of the acting French Counsul General in Hawaii, we are particularly grateful to the governments of France and Great Britain for their patience and understanding as we worked through this difficult process.

Again, it is a tribute to the administration that it did not allow transient issues, including the inability of Palau to implement the will of the voters there, to paralyze our foreign policy. We acted in a manner which was as effective and final as circumstances allowed, but which also was not prejudicial to the position of our allies, and we preserved out ability to augment the process in the Security Council if the opportunity arose. It was masterful diplomacy based on a good faith belief that the U.N. system would ultimately respect the self-determination process.

The United States has not always acted with such clarity of purpose on trust territory political status matters. The Carter administration announced with considerable fanfare that it would seek to terminate the trusteeship by 1981. Unfortunately, that schedule was thrown off for the entire trust territory primarily because Carter's chief negotiator reacted to controversial provisions of Palau's proposed constitution by insisting that the constitution would have to be revised to be compatible with the Compact. Nothing could have done more to lock the Palauans into an inflexible position, and to make matters worse the U.S. position effectively created linkage between Compact approval in Palau and trusteeship termination.

While two-thirds of Palau's people have approved the Compact on several occasions, the constitution has been interpreted by the local courts to require 75 percent approval. The voters then satisfied the constitutional requirement to amend the constitution, but the courts threw that vote out because of defects in the legislature's procedure for calling the election. In my view, without blaming anyone or being angry about it, we need to recognize that the inability of Palau's elected leaders to take the legal and political measures required to approve the Compact or amend the constitution is a sort of negative act of self-determination. The will of the vast majority of the people is clear, but if the elected leaders do not feel compelled by popular sentiment to get the job done and put the Compact into effect, then maybe we need to reconsider our policy.

In both Palau and Washington it is time for some new thinking. The Compact would endow Palau's community of 15,000 people with 450 million dollars, most of the funding to be transferred to Palau's ownership and control in the first five years. But no amount of economic assistance can purchase the basic sense of shared values and common goals that made it possible for the FSM, RMI, CNMI and U.S. to put our differences into a broader perspective and get on with the business of establishing our partnerships.

In Palau, the U.S. responsibility under the Compact to defend the islands, and our contingency base rights, are viewed by some as a prize this nation covets, but which Palau opposes and will tolerate only if we pay more under the Compact for the privilege of protecting the islands. Even though U.S. exercise of military contingency options in Palau has al-

ways been unlikely, the Palauans were convinced by outside special interest groups to squander their bargaining leverage seeking increased payments for hypothetical bases. In reality, the Palauans benefitted from the contingency base rights because the Compact contains more funds for Palau than could be justified without the options. Given the remote chance the U.S. would ever deploy in Palau, the U.S. negotiators were being generous, but the Palauan leaders chose to trust those who told them otherwise.

There also appears to be some sentiment that 450 million dollars is not enough because U.S. military authority, along with defense responsibility, extends for fifty years. Well, we may have a misunderstanding because we never assumed the Palauans would depend exclusively on U.S. assistance, but that this huge grant would be the baseline for private sector economic development, and that foreign assistance from other friendly nations might augment the U.S. grant. I fear we have forgotten that the basic question is whether or not the free association relationship would be a sound framework within which Palau and the United States can make the transition from trusteeship to friendly relations in a post-trusteeship context.

The Bush Administration adopted precisely the correct approach by finally ending the vestiges of linkage between trusteeship termination for the FSM, RMI, CNMI and Palau's status process. That linkage actually was broken in 1986, but the U.N. action of December 22 makes that fact clear for those who did not get the message.

The Administration also kept its eye on the ball when elected leaders in the CNMI voiced opposition to termination. In the U.N. context, such communications properly were respected but understood by most as relating to an internal political and legal issue within a member country. On the issue of trusteeship termination, the controlling consideration was approval of the Commonwealth Covenant by 78 percent of the voters in a U.N. observed plebiscite in 1975. Questions of interpretation of the agreement are now within the cognizance of the CNMI and U.S. legal and political systems, including the courts. I would only add that I look forward to working with the Administration and the Governor of the CNMI to ensure that reasonable understandings are reached on interpretation of the Covenant.

Faced with somewhat vexatious issues such as Palau's status and the CNMI policy debate, the United States could have repeated the errors of those who allowed U.S. policy to become ensnared in the past. Instead, we have achieved an unqualified success for U.S. foreign policy and the sustained vision of those in the Administration and Congress who conceived and carried it out. I understand that the President personally discussed this matter with FSM and RMI leaders at the Pacific Islands Summit last October, and it is no coincidence that the issue was elevated to a priority matter in New York a few weeks later.

We have seen recently that the U.N. can be a powerful force for law and order in the international community. The Security Council's action ending the trusteeship is one more demonstration that respect for self-determination and the peaceful resolution of disputes is the duty, and must be the destiny, of civilized people. As the international community prepares to force one international outlaw to give up the fruits of aggression, with military action if he makes that necessary, we are reminded that the trusteeship system grew out of the concept embodied in the Atlantic Charter that nations should not be allowed to achieve territorial aggrandizement through aggression. Thus, termination of the trusteeship is the realization of the U.N. Charter objective that the status of disputed and non-self-governing areas be determined peacefully. As we ponder the great questions of war and peace in today's world the success of our policy in ending the trusteeship is a timely reminder that competent and sustained foreign policy can and does prevail on its merits.

## A PROPOSAL TO PROVIDE ADDITIONAL LIFE INSURANCE FOR MEMBERS OF THE ARMED FORCES SERVING IN OPERATION DESERT SHIELD

### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. ROYBAL. Mr. Speaker, the practice of insuring the lives of members of the Armed Forces is of relatively recent origin. During the early wars to which the United States was a party, the fact that life insurance was not used to provide financial protection for the families of members of the Armed Forces was not looked upon as unusual. By the time the United States became involved in World War I, however, the situation had changed, and it was generally recognized that some means was needed to provide such protection for the families of members of the Armed Forces fighting for their country. Commercial insurance companies were not used for this purpose. To fill the gap, the War Risk Insurance Act of 1917 created a program of "U.S. Government Life Insurance" [USGLI] that permitted service members to buy yearly renewable term life insurance. In 1940, and again in 1951, this program of insurance coverage was updated and limits were raised in accordance with financial realities of the day. A new insurance program, the "Servicemen's Group Life Insurance" [SGLI], was introduced in 1965. The SGLI Program has been modified several times since its inception, mostly raising coverage limits, while the majority of its fundamentals have remained intact. Reserve members were also included in coverage. Prior to this proposal, the last changes to the program were made by the Veterans' Administration Health-Care Amendments of 1985, with coverage limits set up to $50,000. All premium, enrollment requirements and general guidelines of coverage for this proposal are based on the same criteria as the Veterans' Administration Health-Care Amendments of 1985.

This proposed legislation seeks to amend current law, which presently offers $50,000 in life insurance to qualifying members of the Armed Forces of the United States, to include the ability for an additional $50,000 per person to become available automatically.

Qualified personnel are to include all members of the Armed Forces on active duty in the Persian Gulf region in connection with Operation Desert Shield.

Automatic coverage was chosen to avoid excessive paperwork and procedures in the course of military preparations. It was assumed that a majority of qualifying personnel would opt for this coverage, so if any inconvenience was to occur, it should be for the small number who might want to decline or limit this additional coverage.

Personnel choosing to decline this additional insurance must submit this request in writing, within such a time period as the Secretary of Veterans Affairs may require. They must also submit a request in writing to accept an amount of additional coverage less than the $50,000 offered, the amount being evenly divisible by $10,000.

If death, illness or injury relating to service in Operation Desert Shield does not occur, this policy shall terminate on the date which the member no longer is assigned to duty in the Persian Gulf region in connection with Operation Desert Shield.

If the member is suffering from an illness or injury incurred during the aforementioned duty, this insurance shall continue after that date to insure against death resulting from the same illness or injury until the earlier of the following: First, 1 year after the date on which the member no longer is assigned to duty in the Persian Gulf region in connection with Operation Desert Shield; or second, the date on which the member ceases to suffer from the illness or injury with service in the Persian Gulf region with Operation Desert Shield.

The effective date of this proposal shall occur on the date of enactment.

Application of this additional insurance shall apply to qualifying members with respect to periods of duty served after August 2, 1990, in the Persian Gulf region in connection with Operation Desert Shield.

## IN SUPPORT OF THE PRESIDENT

### HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. BILIRAKIS. Mr. Speaker, Mr. Bob Radcliff, a good friend of mine who lives in Tampa, FL, sent a letter to me yesterday, and I only wish I had received it in time to include it in my floor statement on the Persian Gulf earlier in the day.

His son, Roger, is an Air Force colonel who flies A–10 ground attack planes and is currently in Saudi Arabia with operation Desert Shield. I would like to share with my colleagues Roger's comments that were included in that letter:

> The machine that has been assembled here since August is unbelievable. No other nation in history could have pulled this off. You can't begin to appreciate the size of this effort unless you're here. Having said that, it will be one hell of a mess if this is allowed to drag on. We are not geared to sustain this effort over the long term. Even a draft won't get the people with the right training fast enough.

In the meantime, urge our Congress to support the President. Let's get this over with when the time is right.

Then Roger's father added his own admonition:

Mike, I, too, urge Congress to quit sidestepping, waffling and cowering, and get on with it. Our country, our Armed Forces and our President need the support of the Congress.

Today, Mr. Speaker, we have the opportunity to do just that and we should.

## THE FUTURE OF THE COMMON PEOPLE

### HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. DORGAN of North Dakota. Mr. Speaker, a cowboy poet from North Dakota named Rodney Nelson captured in poetry the struggle of the family farmers and livestock producers in the Northern Great Plains.

Rodney Nelson, in addition to being a wonderful poet, is a farmer near Almont, ND. I want to share with my colleagues his work entitled, "The Future of the Common People." It is reprinted below:

THE FUTURE OF THE COMMON PEOPLE

We often sit complaining that ranching's such a bitch
Money's often short out here and few folks made it rich.
Cattle markets often low, there's years it seldom rained . . .
Seems like there's always some catastrophe, that wipes out what we've gained!
But there is hope out on the prairie, the future's looking bright—
Those eastern dudes have made some plans that might just turn out right!
See, we've often been exploited, or abused to say the least . . .
And the profit from our labor has been siphoned by the East!
But now the tide is turning, the money will flow West—
The Great Wild Buffalo Commons will make our lives the best!
See, they're gonna take our land away and restore it like it was
I, for one—a native son—think it's a worthy cause.
We'll no longer have to struggle with the cattle and the wheat . . .
'Cause change brings opportunity and we'll be in the driver's seat!
There will be no angry exodus folks will laugh and jest—
It will be just milk and honey for the folks who live out West!
The compensations they'll allow us will lighten up our hearts . . .
'Cause we know what they pay for toilet seats and all those airplane parts!
Yes, the government will buy us out for lots and lots of dollars
They'll educate the ignorant and make them Eastern scholars.
Now, it won't happen overnight there's lots of work to do—
Unemployment won't be heard of as we start our lives anew.
We'll tear down all the fences and seed the farms to grass . . .
We'll have to seal up all those wells that produce the oil and gas!
Power plants will have to go, Pocketbooks will soon be fat from the wages we'll be earning as we bulldoze cities flat!
Bridges, dams, and highways will crumble from our hands
'Cause we must remove these blemishes as we restore the lands.
And when the project is complete that's when I'll make my mark.
As a GS5 or maybe higher in the greatest national park.
The government will employ me, and I will be among the rangers or technicians who maybe sample buffalo dung!
There will be no complaints of winter or blizzards from my mouth . . .
Cause I'll migrate with the buffalo, and spend my winters South!
Yes, I'll be living mighty high or good to say the least—
But my heart will sure be heavy for the folks who live out East.
The Poppers will be "eating crow", for they will have deduced, that a hungry nation sure has missed the products we produced!
They just might have to swallow hard and admit it would be great, to turn up their thermostat, or have protein on their plate!
Then they will admit their errors, and they'll concede defeat—
The Buffalo Common will be no treasure for folks who cannot eat!
And someday some great scholar will be acclaimed in modern theses that they need the Western produce, or they'll be an endangered species!
I think I'll still be young enough to see the nation's pains and I'll be among the settlers who re-populate the plains!
Yes, the future does look bright for us, for we will stand the test . . . and Eastern dudes will finally see the value of the West!!!

## WAR WOULD CARRY HIGH PRICE

### HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. JACOBS. Mr. Speaker, as can be seen in the following, Kevin Drawbaugh, the business editor of the Indianapolis News does what all business people should do: He thinks things through:

WAR WOULD CARRY HIGH PRICE—NO ONE WINS IF UNITED STATES TAKES ON IRAQ TO KEEP OIL FLOWING

If bombs and bullets start to fly next week in Kuwait, the price of oil soon will seem insignificant next to the price of American blood.

Unless we're ready to concede that the former is more important to us than the latter, we should stay out of war with Iraq.

If that means backing down and leaving the Middle East to its own violent devices, so be it.

If Saddam Hussein ran roughshod over the Middle East, oil prices would skyrocket and the economies of the industrialized world would suffer. But in the end, we'd be better off if it weaned us from oil dependency.

Let the Arabs tear themselves apart. They were at each other's throats centuries before anyone ever heard of the United States, and they'll still be at it when we're just a memory.

The bottom line is this: oil and temporary Arab stability are not worth the price of thousands of American lives.

Besides that, it's far from certain that U.S. and allied forces could defeat Iraq on the battlefield. It's an unpleasant thought. But what if we lost?

There's a lot of confusion about the situation in Iraq. War and edging toward it are always complicated. Abstractions become involved: national pride, combating aggression, protecting allies, upholding principles, setting an example.

In the case of Iraq, these are all sideshows that only distract from the main event. George Bush and Saddam Hussein are faced off across the line in the sand for one reason above all others: oil.

Almost 50 percent of the world's known oil reserves are in Saudi Arabia, Kuwait and Iraq. In the Age of Oil, that's a remarkably tight geographic concentration of economic power.

Saddam is a petty dictator. Like most of his kind, he is interested mightily in power and money. For this reason, he'd like to control Iraq, Kuwait, and probably Saudi Arabia, too.

Saddam's amibitions conflict with those of the industrialized world, whose self-appointed enforcer is the United States. The rich nations depend on the oil of the Arab states and would like to continue acquiring it on more or less favorable terms.

The flow of relatively cheap Mideast oil would be disrupted if Saddam were to gain control over enough reserves to manipulate the world market. The United States is in Saudi Arabia to try to prevent that.

Is this a cause worth fighting for? The answer is no.

First, the United States should not depend on Arab oil. The Middle East is a historically unstable region. We learned that in the 1970s, after the OPEC oil embargo. Why go to war to perpetuate a situation we know will only blow up again?

Second, we learned in the 1970s that we can easily reduce our dependence on Arab oil Engergy policies adopted after the OPEC oil shock decreased our annual Arab oil needs from 15 percent of total consumption in 1980 to only 3 percent in 1985. That figure today, thanks to the abandonment of national energy policy, is up to 14 percent. But with determination, it could be lowered. Why not declare war on Arab oil dependency, instead of on Iraq?

Third, Saddam Hussein is neither immortal nor invulnerable. Left to pursue his megalomaniacal course, he would inevitably self-destruct. Why not wait him out?

Finally, even if we did go to war, even if we did crush Saddam, what would come next?

Which nation would fill the resulting Mideast power vacuum? Syria? Iran? Saudi Arabia? Enlightened societies these are not in time, each could produce another Saddam, another crisis, another line in the sand.

## IRAQ WAR POWERS RESOLUTION

### HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. SPRATT. Mr. Speaker, when I learned that we were to debate and decide the President's war powers in the Persian Gulf, I drafted a resolution I could support, and I want to submit it for the RECORD.

This resolution would have affirmed our support for Resolution 678, but it would have urged the President to keep applying sanctions and to use the power given him to back up our threats while we step up our diplomatic efforts.

Although this resolution would have given the President the power to use "all necessary means," including military force, it would have urged him to wage war only as our final resort, and if he came to that resort, it would have enjoined him to come back to Congress for a resolution of war powers:

H.J. RES. ——

(To demonstrate the resolve of the United States to free Kuwait from occupation by Iraq, to authorize the deployment of the Armed Forces of the United States in a theater where hostilities may be imminent, to approve actions of the President and of the United Nations Security Council, and for other related purposes.)

Whereas, on August 2, 1990, the Government of Iraq invaded the State of Kuwait in flagrant violation of the United Nations Charter and fundamental principles of international law;

Whereas the President and Congress have condemned Iraq's aggression and brutality, and the United Nations Security Council has imposed upon Iraq an air and maritime embargo and other economic sanctions to compel Iraq to withdraw from Kuwait;

Whereas, the President, in response to requests from governments in the region and in accordance with the rights of individual and collective self-defense as specified in the Charter of the United Nations, has deployed the Armed Forces of the United States within and around the Arabian Peninsula as part of a multinational force;

Whereas such action has deterred Iraq from initiating hostilities against other states in the region, but thus far has not caused Iraq to withdraw from Kuwait;

Whereas the Security Council of the United Nations has authorized the use of military force against Iraq if Iraq does not withdraw from Kuwait on or before January 15, 1991, and hostilities may be imminent should Iraq fail to withdraw: Now, therefore, be it

*Resolved by the Senate and the House of Representatives of the United States of America in the Congress assembled,*

**SECTION 1. SHORT TITLE.**

This resolution may be referred to as the "Iraq War Powers Resolution."

**SEC. 2. DECLARATION OF OBJECTIVES.**

The objectives of the United States in the Persian Gulf, as stated by the President, are hereby affirmed by the Congress as follows—

(a) the immediate, complete, and unconditional withdrawal of all Iraqi forces from Kuwait;

(b) the restoration of the government of Kuwait;

(c) the promotion of a new order in the Persian Gulf region and the world in general, in which nations are secure from the threat of aggression.

**SEC. 3. WAR POWERS FINDINGS.**

The Congress finds that—

(a) the Security Council of the United Nations on November 29, 1990, adopted Resolution 678, which authorized member states cooperating with the Government of Kuwait to use all necessary means to achieve Iraqi withdrawal from Kuwait unless Iraq, on or before January 15, 1991, withdraws from Kuwait;

(b) Iraqi forces have not withdrawn from Kuwait;

(c) If Iraqi forces have not withdrawn from Kuwait by January 15, 1991, then as of January 16, 1991, the United States forces deployed in the theatre will be in a situation where imminent involvement in hostilities is clearly indicated by the circumstances, as defined in section 4(a)1 of the War Powers Resolution of 1973;

**SEC. 4. AUTHORIZATION OF MILITARY ACTION.**

The Congress hereby approves and affirms its support for—

(a) Resolution 678 as adopted by the Security Council of the United Nations.

(b) Deployment of the armed forces of the United States to the Persian Gulf theater under section 5(b)(1) of the War Powers Resolution of 1973, for such time as is necessary to achieve their mission, which is to compel withdrawal of all Iraqi forces from Kuwait.

(c) Use of the armed forces of the United States to enforce the resolutions of the Security Council; to repel attack, to counter-attack, and to defend other nations in the region against aggression by Iraq; and to preempt imminent acts of aggression against the armed forces of the United States, allied forces, and other nations in the region.

**SEC. 5. USE OF SANCTIONS AND DIPLOMACY TO ACHIEVE WITHDRAWAL OF IRAQ FROM KUWAIT.**

The Congress commends the President for his diplomacy in developing international consensus and cooperation in response to Iraq's invasion of Kuwait. The Congress urges the President to continue his diplomatic efforts and the application of sanctions to achieve the objectives of the United States, and to make war upon Iraq as a final resort only if other means fail.

**SEC. 6. CONSULTATION WITH CONGRESS.**

To ensure the support of the Congress and of the people of the United States, the Congress calls upon the President before making war upon Iraq—

(a) to consult with and seek consensus among the leadership of Congress, including the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Majority and Minority leaders of the Senate and House of Representatives, and

(b) to request the adoption by Congress of a resolution approving a military offensive or declaration of war against Iraq.

**SEC. 7. EXPEDITED CONSIDERATION.**

The Congress shall vote on the President's request for approval of a military offensive or for a declaration of war against Iraq within three days after the President submits his request.

## TRIBUTE TO BECKY L. ROBERTS

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to an exceptional individual. Becky Roberts, who has served as a dynamic force in the development of the San Fernando Valley, was honored by her peers recently as she completed her term as president of the San Fernando Valley Board of Realtors. During Becky's presidency, the board, one of the largest in the Nation, took major steps in expanding its commitment to the community. She was instrumental in the formation of a charitable foundation and a driving force in raising more than $30,000 for the valley's homeless. Becky's initiative and leadership as well as her never ending quest for excellence introduced new levels of professionalism to the real estate industry in southern California.

It was through Becky's encouragement and participation that more than 200 colleagues serving on 16 standing committees and several ad hoc committees researched, developed and implemented scores of programs and activities benefiting board members and the communities they serve. Becky instituted unique monthly training sessions for her executive committee, reviving skills long ignored. She upgraded the board's computerized MLS system to ensure that the highest level of service is available to the people of the San Fernando Valley. All of these innovations and improvements were made in the spirit of cooperation and goodwill, thanks to Becky's abilities to effectively work with and for people. Becky has been a popular and effective spokesperson for the board through its weekly president's columns in the local print and electronic media.

It is my distinct honor and pleasure to ask my colleagues to join me in saluting Becky L. Roberts, an invaluable member of my community.

## END REPRESSION IN LITHUANIA

### HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. PORTER. Mr. Speaker, the grave matter before us, the crisis in the Persian Gulf, has understandably commanded the attention of the Members of the House since the beginning of the 102d Congress. As this matter has dominated our energies, however, another crisis—less reported, but no less important—has developed in the tiny Republic of Lithuania.

Through timing too convenient to be an accident, the Soviet Union has stepped up its military domination of the Baltic States by sending paratroopers and tanks to repress the people of Lithuania while the eyes of the world are focused elsewhere.

Yesterday, Soviet troops using live ammunition stormed the Lithuanian Press Center and other official buildings. This oppressive action comes less than a day after Mikhail Gorba-

chev warned the Lithuanian Parliament that it must reaffirm the primacy of the Soviet constitution or accept the consequences.

So far seven Lithuanians have been injured in the crackdown, including a man who was crushed by a tank and a member of Lithuania's fledgling national guard named Tomas Luksis who was shot in the face while defending the Lithuanian Publishing House from being taken by Soviet troops.

In an effort to protect public buildings, especially the Lithuanian Parliament, a force of 2,500 Lithuanians have banded together to form a Lithuanian national guard to face the 95,000 Soviet troops currently stationed in Lithuania. "We have enough ammunition to make a symbolic resistance" said one man. "The point is not to defend the building against—Soviet—paratroopers. We know we can not do that. The point is to make some token resistance in order to show the world that we are not surrendering voluntarily."

As the violence escalated yesterday, Lithuanian President Vytautas Landsbergis placed an urgent call to President Gorbachev to ask him to issue a Presidential order to "stop the bloodshed." Landsbergis was told that President Gorbachev was busy having lunch and could not speak with him. Clearly, the military actions and violence are condoned and directed by Mr. Gorbachev, a man who only last year was awarded the Nobel Prize for peace.

The Soviet claim of sovereignty over Lithuania has always been without foundation. The freedom of the Lithuanian people was taken from them in 1940 when Lithuania was annexed into the Soviet Union as part of a secret deal between Hitler and Stalin. A puppet government in Vilnius, the Lithuanian capital, rendered up the country to the Soviets without a shred of popular support from the people of Lithuania.

The United States has never recognized this illegal annexation and has stood by the fiercely proud Lithuanian people through the more than 50 years of repression at the hands of the Soviets. In March 1990 Lithuania took responsibility for its own destiny and declared independence from the Soviet Union. Moscow responded aggressively by implementng economic sanctions on Lithuania last summer and threatening the use of force, a threat which it is apparently prepared to carry out.

Mr. Speaker, it is unconscionable that, while democracy and freedom make dramatic strides in Eastern and Central Europe, the Soviet Unon should regress and use military force to impose an unpopular regime on a peaceful people. This is the action of another time—a time when a cold war raged and an Iron Curtain snuffed out the light of freedom and self-determination in much of the world. This is not the action of a man or a nation dedicated to freedom and it draws into question the sincerity of Mr. Gorbachev's human rights reforms.

Members of Congress must make their voices heard on this issue and send a strong message to Mr. Gorbachev and the Soviet Union that military repression of the Baltics will not go unnoticed regardless of when it occurs and that actions like those in Lithuania will not be tolerated. The people of Lithuania, like those of the rest of the world, should and must have the right of self-determination and freedom from fear and domination. Mr. Gorbachev, pull out your troops, end the repression and let the Lithuanian people follow their consciences to a new era of freedom in the Baltics.

## COST OF ENVIRONMENTAL REGULATION MAKES THE UNITED STATES MORE DEPENDENT ON FOREIGN ENERGY SOURCES

### HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. DANNEMEYER. Mr. Speaker, I have attached a short news story from the January 7, 1991 issue of the Oil Daily, which describes an upcoming study from the Department of Energy on the relationship between environmental regulation and domestic energy production. The authors of the study estimate that four environmental statutes—the Clean Air Act, the Resource Conservation and Recovery Act, the Clean Water Act, and the Safe Drinking Water Act—will cost the domestic oil industry between $2 and $7 billion annually and reduce the amount of recoverable oil by up to 43 percent.

This study represents the first time the Department of Energy has examined the cumulative impact of environmental laws on domestic production and goes a long way toward explaining why this Nation is so dependent on foreign sources of oil and natural gas. As we prepare to sacrifice the lives of our young men and women in the Persian Gulf to guarantee the unimpeded flow of oil to growing Western economies, we should consider the relationship between Operation Desert Shield and our energy policy here in America. An aggressive and coordinated policy to explore and develop domestic sources of oil and natural gas, coupled with nuclear licensing reform, would enable the United States to tolerate future instability in the Middle East without resorting to the use of force.

I commend the following article to my colleagues' attention:

ENVIRONMENTAL LAWS COULD COST OIL INDUSTRY $79 BILLION

(By Lynn Garner)

WASHINGTON.—Compliance with new and revised environmental statutes will cost the oil industry anywhere from $15 billion to $79 billion—depending on the price of oil—in additional exploration and production costs, a new Department of Energy study concludes.

The study also predicts that environmental legislation under consideration by Congress could accelerate the abandonment of the nation's remaining domestic oil reservoirs by as much as 10 years.

The DOE study has just been completed and is being distributed to Congress, state officials and the industry.

CUMULATIVE IMPACT

The two-volume report is unique in that it is the first time that DOE has looked at the cumulative effect of environmental legislation on future domestic oil production, rather than the effect of individual laws.

DOE studied the impact of four major environmental statutes that it says will cost the industry from $2 billion to $7 billion per year just to stay in compliance, after the initial compliance costs.

"These costs could reduce the amount of oil that can be recovered using advanced recovery technologies by 3 to 43 percent (at $20 per barrel)," said Robert H. Gentile, DOE assistant secretary for fossil energy.

The cost estimates vary so widely because DOE studied the impact at different oil price scenarios, from $16 per barrel to $34 per barrel.

"These and other estimates presented in the report are conservative," he added.

The four environmental statutes analyzed in the report include the Clean Air Act, the Resource Conservation and Recovery Act that governs hazardous waste, the Clean Water Act and the Safe Drinking Water Act.

SIGNIFICANT EFFECTS

"This report demonstrates the need to consider the cumulative impacts of new regulatory requirements in conjunction with other existing, proposed or contemplated regulatory requirements affecting oil supply," Gentile said.

"The environmental decisions we make in the coming months will have very significant impacts on this nation's domestic oil production," added Michael R. McElwrath, principal deputy assistant secretary for fossil energy.

Proposed changes in RCRA, the hazardous waste law, could cut Lower 48 oil production by nearly 20 precent by the year 2000, he said.

The addition of just $500 per well of new compliance costs, from whichever environmental law, could shut down virtually all oil production coming from Appalachia, McElwrath said.

The DOE study, "Potential Cumulative Impacts of Environmental Regulatory Initiatives," was prepared under contract by ICF Resources Inc. of Fairfax, Va., for DOE's Office of Fossil Energy.

The DOE study looks at future production from conventional production in the Lower 48 states; future infill drilling and waterflood projects in the Lower 48; future enhanced oil recovery projects in the Lower 48; and onshore and offshore crude oil fields remaining to be discovered in the Lower 48 and Alaska.

DOE estimates that after currently proved reserves are produced by conventional recovery methods, nearly two-thirds of the known U.S. oil resource (more than 300 million barrels) will remain untouched.

But the department has concluded that the United States will continue to face a rapid pace of abandonment of oil reservoirs.

## SALUTING ENVIRONMENTAL REPORTER HAROLD SCARLETT

### HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. FIELDS. Mr. Speaker, Houstonians long ago became accustomed to living and working in close proximity to the world's largest petrochemical industrial complex. We recognize the advantages of the many refineries and petrochemical plants along, or near, the Houston Ship Channel. Those advantages include good, high-paying jobs and financially significant additions to our local tax base.

But we also recognize that those industrial facilities are not without their risks. They pose potential threats to our local environment and to the communities in which we live and work.

For the last 20 years, Houstonians have benefited for the solid journalistic efforts of Harold Scarlett, the Houston Post's veteran environmental reporter who made it his business to keep Houstonians informed of issues affecting their environment. Harold Scarlett retired on January 1 after a long and distinguished career at the Post, and his dedication to providing Houstonians with understandable analyses of environmental issues will be sorely missed.

Harold Scarlett began his work at the Houston Post in 1952, but left 3 years later to join the editorial staff of the European edition of Stars and Stripes. He returned to the Houston Post in 1958, where he remained until his retirement. It was in 1970 that Texas Lieutenant Governor Bill Hobby, then the editor of the Post, assigned Harold to the newly formed environmental beat.

In my 10 years in Congress, I have had many opportunities to talk with Harold on a wide variety of environmental matters. During those conversations, it was evident that for him, the environment was more than just a beat to be covered. For Harold, the environment was more than just an issue. It was a passion about which he was personally concerned and about which he was extraordinarily well informed.

The rise of the environmental movement in the 1970's, congressional passage of the landmark 1970 Clean Air Act, enactment of the historic Clean Water Act in 1972, and subsequent Federal environmental laws provided Harold with the opportunity to explain the Nation's deepening environmental crisis to men and women in the Houston area. Similarly, several local issues—including a clean lakes demonstration program in Lake Houston, the proposed Wallisville Reservoir, the water quality of Galveston Bay, the widening and deepening of the Houston Ship Channel—provided Harold with ample opportunities to better educate Houstonians about the environment. While we have not always seen eye to eye on every story he covered, Harold's fairness and integrity was evident in every story for which he interviewed me.

In a news article announcing Harold's retirement, the journalist advised men and women concerned about the quality of the air we breathe, the water we drink, and the land on which we walk to "keep informed, keep alert. Don't get hysterical and don't ever feel one person can't make a difference."

Houstonians have taken that advice to heart. We have become far more knowledgeable about threats to our environment, and we have grown less tolerant of those who spoil our environment. Much of the credit for expanding our knowledge and deepening our concern can be traced to one man in the newsroom of the Houston Post: Harold Scarlett. His knowledge and expertise, his dedication and commitment, motivated thousands of Houstonians to consider more seriously what too many of us had taken for granted.

Mr. Speaker, I know you join with me in saluting the many accomplishments of this outstanding journalist, and wishing him well in all his future endeavors.

## THE CHANCE FOR PEACE NOW UP TO SADDAM HUSSEIN

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. BEREUTER. Mr. Speaker, as we prepare for bilateral votes on the Persian Gulf crisis today I urge my colleagues to consider the following very cogent editorial of January 9, 1991 in the Tremont, NE, Tribune:

HUSSEIN BLINDLY IGNORES INEVITABLE

It is painfully clear that changes of a peaceful end to the Persian Gulf crisis rest heavily on Saddam Hussein's shoulders.

Americans praying for a non-violent end to the standoff must consider with cautious optimism developments that indicate the United States' hard-line stance is working. Hussein has at no time shown himself to be any more than a ruthless dictator without sense to know when the world is against him and his defeat is inevitable.

A week before the United Nation's Jan. 15 deadline for Iraqi withdrawal from Kuwait, the United States, Britain and NATO are rightfully focused in demanding without compromise that Hussein withdraw completely from Kuwait or be driven out.

Clearly, Hussein has lost control of his sinister and criminal plan of conquest. Iraqis' support for this tyranny obviously is not as strong as he would have the United States and the rest of the world believe.

Much can happen during the next seven days, but one thing seems clear—the United States, with U.N. support, will hold true to its threat of force if necessary.

As Secretary of State James Baker III admitted Monday, the only chance for a peaceful conclusion to the Gulf crisis is if Hussein realizes—although belately—that the U.N. deadline is real and unchangeable.

Hussein reacts to the U.N. stance by calling the U.S.-led multinational force opposing him the aggressors and by claiming his goal is to liberate Palestine.

It's difficult to understand how an invasion of Kuwait brings Palestine any closer to liberation. Surely, if Hussein had his plans in order, he could have found a better way to achieve this only recently stated goal, seen by many as no more than a negotiation tool.

The United Nation's and Bush administration should be applauded for their no-deals approach to a situation in which bargaining only increases the chances that more, less desireable concessions will be sought by Hussein later.

Hussein, with his people starting to fall in behind the rest of the world, is in no position for compromise. He must realize one country cannot "trample and wipe out" another, then use the acquired nation-state as a bargaining chip.

## IN SUPPORT OF THE PRESIDENT

### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Saturday, January 12, 1991*

Mr. DUNCAN. Mr. Speaker, I am not enthusiastic about this predicament which our Nation finds itself today in the Middle East. I do not want war. My constituents in east Tennessee do not want war. No American wants war in the Persian Gulf.

However, we as a nation, have the awesome responsibility to help ensure stability in far-off regions of the world. Worldwide steadiness is vital to U.S. interests. This is why we are in the Middle East. If we do not stand up to Hussein's brutal and unprovoked aggression then what will be our response to other aggressors in the future.

History has proven that aggression unchecked inevitably expands. Like it or not, the United States is the only superpower in the world, and with this status comes responsibilities.

I believe that the bipartisan Michel-Solarz amendment is our last best hope for a peaceful resolution to the crisis in the gulf. The President has made repeated attempts at negotiation with Iraq. He has the unprecedented backing of the United Nations, as well as the majority of the American people. We must stand behind him. We must give creditbility to the President's policies if we are to exercise any control over future world events. A serious threat to Hussein could certainly lead him to consider a peaceful and positive resolution to the crisis in the gulf.

The President does not want war. He wants to negotiate peace through a position of strength. And it is our duty and responsibility, from a moral standpoint, to give President Bush the support needed to stop the tyranny and oppression that Hussein has forced upon not only Kuwait, but his own people as well.

The question of war lies in the hands of Saddam Hussein. I can only hope and pray that he will choose a peaceful settlement. Let us not repeat our mistakes of the past. Let us stand united, shoulder to shoulder with the President, so that we can signal Hussein that his immorality will not go unchecked.