

military bases in Persian Gulf countries such as Kuwait, Oman, Bahrain and Qatar. In Qatar the United States has been extending a runway to accommodate more combat planes, and some war planners hope to persuade Jordan to let U.S. and British special forces attack suspected missile bases and weapons facilities in western Iraq from its territory.

None of those countries has told Washington it will be forthcoming without U.N. support, the officials said.

One senior military officer called Rumsfeld's comments "misleading."

"'Fine,' 'locked in,' 'positive,' 'concrete'; those words aren't being used over here," another Pentagon officer said.

Some analysts said that if the confrontation with Iraq came to war, most countries would choose to join in rather than risk displeasing the United States or missing out on the spoils.

"You will have regimes which, if we force the issue, will support us," said Anthony Cordesman, a military expert at the Center for Strategic and International Studies, a conservative center for national-security studies. But those countries want diplomatic cover, he said.

Some allies also want assurances on other issues, Cordesman said.

Turkey, for example, wants debt relief for its teetering economy along with promises that there will be no independent Kurdish state in Iraq. Russia wants a free hand to pursue alleged terrorists in neighboring Georgia, Iraq to pay roughly \$8 billion in debt, and Washington to lift Cold War-era trade restrictions.

EXHIBIT 2

[From the Philadelphia Inquirer, Oct. 8, 2002]

OFFICIALS' PRIVATE DOUBTS ON IRAQ WAR

(By Warren P. Strobel, Jonathan S. Landay and John Walcott)

WASHINGTON.—While President Bush marshals congressional and international support for invading Iraq, a growing number of military officers, intelligence professionals and diplomats in his own government privately have deep misgivings about the administration's double-time march toward war.

These officials say administration hawks have exaggerated evidence of the threat that Iraqi leader Saddam Hussein poses—including distorting his links to the al-Qaeda terrorist network; have overstated the amount of international support for attacking Iraq; and have downplayed the potential repercussions of a new war in the Middle East.

They say that the administration squelches dissenting views and that intelligence analysts are under intense pressure to produce reports supporting the White House's argument that Hussein poses such an immediate threat to the United States that preemptive military action is necessary.

"Analysts at the working level in the intelligence community are feeling very strong pressure from the Pentagon to cook the intelligence books," said one official, speaking on condition of anonymity.

A dozen other officials echoed his views in interviews with the Inquirer Washington Bureau. No one who was interviewed disagreed.

They cited recent suggestions by Defense Secretary Donald H. Rumsfeld and National Security Advisory Condoleezza Rich that Hussein and Osama bin Laden's al-Qaeda network were working together.

Rumsfeld said Sept. 26 that the U.S. government had "bulletproof" confirmation of links between Iraq and al-Qaeda members, including "solid evidence" that members of the terrorist network maintained a presence in Iraq.

The facts are much less conclusive. Officials said Rumsfeld's statement was based in part on intercepted telephone calls in which an al-Qaeda member who apparently was passing through Baghdad was overheard calling friends or relatives, intelligence officials said. The intercepts provide no evidence that the suspected terrorist was working with the Iraqi regime or that he was working on a terrorist operation while he was in Iraq, they said.

Rumsfeld also suggested that the Iraqi regime had offered safe haven to bin Laden and Taliban leader Mullah Mohammed Omar.

While technically true, that, too, is misleading. Intelligence reports said the Iraqi ambassador to Turkey, a longtime Iraqi intelligence officer, made the offer during a visit to Afghanistan in late 1998, after the United States attacked al-Qaeda training camps with cruise missiles to retaliate for the bombings of the U.S. embassies in Kenya and Tanzania. But officials said the same intelligence reports said that bin Laden rejected the offer because he did not want Hussein to control his group.

In fact, officials said, there is no ironclad evidence that the Iraqi regime and the terrorist network are working together, or that Hussein has ever contemplated giving chemical or biological weapons to al-Qaeda, with whom he has deep ideological differences.

Non of the dissenting officials, who work in a number of different agencies, would agree to speak publicly, out of fear of retribution. Many of them have long experience in the Middle East and South Asia, and all spoke in similar terms about the unease with the way the U.S. political leaders were dealing with Iraq.

All agreed that Hussein was a threat who eventually must be dealt with, and none flatly opposed military action. But, they say, the U.S. government has no dramatic new knowledge about the Iraqi leader that justifies Bush's urgent call to arms.

Some lawmakers have voiced similar concerns after receiving CIA briefings.

Sen. Richard J. Durbin (D., Ill.) said some information he had seen did not support Bush's portrayal of the Iraqi threat.

"It's troubling to have classified information that contradicts statements by the administration," Durbin said. "There's more they should share with the public."

Several administration and intelligence officials defended CIA Director George Tenet, saying Tenet was not pressuring his analysis but was quietly working to include dissenting opinions in intelligence estimates and congressional briefings.

In one case, a senior administration official said, Tenet made sure that a State Department official told Congress that the Energy and State Departments disagreed with an intelligence assessment that said hundreds of aluminum tubes Iraq tried to purchase were intended for Baghdad's secret nuclear-weapons program. Analysts in both departments concluded that the Iraqis probably wanted the tubes to make conventional artillery pieces.

Other examples of questionable statements include:

Vice President Cheney said in late August that Iraq might have nuclear weapons "fairly soon." A CIA report released Friday said it could take Iraq until the last half of the decade to produce a nuclear weapon, unless it could acquire bomb-grade uranium or plutonium on the black market.

Also in August, Rumsfeld suggested that al-Qaeda operatives fleeing Afghanistan were taking refuge in Iraq with Hussein's assistance. "In a vicious, repressive dictatorship that exercises near-total control over its population, it's very hard to imagine that the government is not aware of what's tak-

ing place in the country," he said. Rumsfeld apparently was referring to about 150 members of the militant Islamic group Ansar al Islam ("Supporters of Islam") who have taken refuge in Kurdish areas of northern Iraq. However, one of America's would-be Kurdish allies controls that part of the country, not Hussein.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, it is in the true spirit of this institution, which Senator BYRD knows so well, that we exchange viewpoints as we have done Friday, yesterday, and again today, and we will continue to do that. Hopefully, these facts which the Senator deems essential—and I also—will be brought to the attention of this body. I thank my colleague.

Mr. BYRD. And I thank my colleague.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. REED).

The PRESIDING OFFICER. Under the previous order, the Senator from Maryland is recognized.

AUTHORIZATION OF THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ—Resumed

Ms. MIKULSKI. Mr. President, I rise to speak in support of the Levin amendment in terms of determining our action in Iraq.

As a graduate of West Point, the Presiding Officer knows how great a decision it is for the U.S. Congress to decide about war. Now this Senate is considering the gravest decision we will ever be called upon to make, which is to give the President unlimited authority to go to war, to make a decision to send American military men and women in harm's way. I say to my constituents, to the people of this country, and to the military, I take this responsibility very seriously.

I have listened to the President and his advisers make their case. I have consulted with experts and wise heads. I have participated in hearings and briefings as a Member of the Senate, and particularly as a member of the Intelligence Committee. I have listened very intently to my own constituents. I know that the decision we are about to make will affect the lives of America's sons and daughters, and the future of the United States of America.

But first, let me say a word about our troops. Each and every member of our military is part of the American family. Their service is a tremendous sacrifice and also a great risk. These are ordinary men and women, often called upon to act in a very extraordinary way, and they have never failed us. Whatever the Nation asks them to do,

I know they will do it with bravery, fortitude, and gallantry.

Therefore we, all Americans, owe them a debt of gratitude. But we owe them even more. The Congress owes it to them to choose the wisest, most prudent course in this matter. As Senators, we must keep in mind the men and women of our military.

That is why I support Senator LEVIN's resolution on Iraq. I support that because it meets my principles. Have all diplomatic and other non-military means been exhausted? The Levin resolution turns to the United Nations and its Security Council to make a decision in terms of the enforcement of its own resolutions. It calls for international legitimacy, international cooperation, international support, and, I might add, international resources. It urges the Security Council to fill President Bush's request to demand Iraqi disarmament and to authorize the use of a multinational military force if Iraq refuses to comply. If the U.N. refuses to act under the Levin amendment, Congress would then promptly consider whether America should act alone.

Senator LEVIN's is not the only resolution before the Senate. As I have looked at all of them, I asked questions. First, what really is Saddam Hussein's intent?

Second, does he have the means to accomplish this intent? Does he have weapons of mass destruction: chemical, biological, and nuclear?

Third, how grave and imminent is the threat? Is the Iraqi threat best met by a unilateral approach or a vigorous international response?

Finally, what are the consequences of our action? What will our military face in Iraq? What will be the impact on Iraq and the Middle East? What does this mean to the war on terrorism?

These are the kinds of questions I am asking myself so I can make a wise decision.

But make no mistake, I firmly believe that Saddam Hussein is duplicitous, deceptive, and dangerous. I despise him. Saddam is a brutal, totalitarian dictator and history shows us how dangerous Iraq is under his rule. He invaded Kuwait and used chemical weapons against his own people. I do believe he has developed chemical and biological weapons, and I also believe he is pursuing nuclear weapons, defying the will of the international community and also denying the agreement that he made at the end of the gulf war.

I also really do not believe Saddam is going to change. The question then is, what does this mean for the future? I think Iraq does have the grim and ghoulish means to carry out its evil plans. I think if we look at declassified CIA reports and the British white paper, we can see that Iraq does continue to develop and produce and stockpile chemical and biological weapons, and is trying to get the technology and materials to produce nu-

clear weapons. So these threats cannot and must not be ignored.

Therefore, what is the best way to proceed? My analysis further indicates that Saddam Hussein just doesn't threaten the United States or our assets or our people abroad. He threatens the entire region. He also threatens treasured allies. And because the threat is greater than ourselves, we must bring the international community with us, to share the responsibility and the burden of stopping these threats.

This is why I support the Levin amendment. It is our best chance to forge a vigorous international response, and to also have the backing of a multinational military response.

The Levin amendment requires four things. It urges the U.N. Security Council to promptly adopt a resolution demanding access to U.N. inspectors to destroy Iraq's missiles and weapons of mass destruction. We know that works. When the inspectors were in Iraq, they destroyed more weapons of mass destruction than we did during the gulf war.

The Levin amendment authorizes member states to use necessary and appropriate force if Iraq refuses to comply. I understand the use of force might be necessary. It also very clearly asserts and affirms the U.S. right to self-defense.

It authorizes the President to use armed force to fulfill the U.N. Security Council resolution, provided the President determines that diplomacy was tried and exhausted first. It also tells us not to adjourn so Congress can further consider action if the U.N. fails.

That is what we are looking at. The consequences of committing American troops to war in Iraq are very serious and they must be carefully reviewed.

The question is, will our American troops be welcomed with flags or will they be welcomed with land mines? Our troops could face an Iraqi military entrenched in cities instead of the open desert warfare of the gulf war. Iraq could use chemical and biological weapons right on our troops as we are engaged in battle. They could also do this against their own Iraqi civilians.

This is why I believe America should not face these threats alone. If we go in, we should not go in by ourselves. If the threat is so real, the world should take it seriously and then vote to be able to come with us.

Mr. ALLARD. Will the Senator yield?

Ms. MIKULSKI. When I finish, yes.

America cannot face this situation alone. The support and cooperation of allies would enable us to share the risks and the cost. We need international legitimacy, international support, and international manpower.

What happens when we win the war? Military victory is only the start of U.S. engagement in Iraq. Fostering a new regime could take decades. Most people don't realize that Iraq is an artificial construct, formed in 1920 by a League of Nations mandate after the

first World War. Iraq has no unifying history or culture or religion or language: Its population is deeply divided on ethnic and religious lines.

The end of Saddam Hussein could mean the start of a civil war. Fostering the creation of new government in Iraq will not be easy. There is no real opposition group ready to take over because Saddam's totalitarian regime does not tolerate opposition.

If Saddam is overthrown—we have to be prepared for what happens next. Will American troops become an army of occupation or will Iraq fall into chaos and civil war?

America cannot face this situation alone. The support and cooperation of allies would enable us to share the risks and the costs.

War on Iraq could also have unintended consequences for the Middle East. Some optimists see war in Iraq leading to democratization and peace in the Middle East. They predict the overthrow of undemocratic regimes in Iran, Saudi Arabia, Syria and other countries. But there is a real risk that attacking Iraq would unify Arab countries and the wider Muslim world against us. We are already seeing signs of cooperation between Sunni and Shi'ite extremists and terrorist groups.

A mandate from the United Nations would mean the international community against Saddam instead of the United States against Iraq. Other countries in the region would join our coalition, rather than obstructing or opposing us.

I also worry that unilateral action could undermine the war on terrorism. Some special forces are already being withdrawn from the efforts to hunt al-Qaida in Afghanistan. Intelligence resources would be re-directed to cover Iraq, reducing our focus on Afghanistan and Pakistan. Arab and Muslim states may reduce their intelligence cooperation against al-Qaida and other terrorist groups. The focus of our top military and civilian leaders could shift away from bin Laden and al-Qaida. There are other issues.

An international coalition helps address the impact of war in Iraq on the war on terrorism. By sharing the burden during and after a war, more of our troops and resources can pursue the war on terrorism by keeping together the global coalition against terrorist groups.

I want to conclude by thanking President Bush for engaging in intensive diplomacy at the U.N. I know the Bush administration is being aggressive at the U.N. and in the key states, including Russia, China, and France. I applaud the President for this.

President Bush also made it clear that the U.N. has a responsibility to address Iraq's threat to international peace and security. I absolutely agree with him on this. But also I agree we have to get the United Nations Security Council authorization to form an international coalition.

We cannot fail to act if action is necessary, but we must take the time to

see if we can minimize the danger and also build a coalition to share the risk. An international coalition would do that.

The Senate faces difficult decisions on how to address the Iraqi threat. I believe the Levin amendment is by far the strongest option. It endorses the President's speech to the United Nations, strengthening the U.S. position in multilateral diplomacy and authorizing the use of force only if authorized by the U.N. Security Council without ruling out the possibility that Congress will authorize the unilateral use of force if that decision becomes necessary. Most importantly, the Levin resolution presents the best hope for the United States to achieve international support and a multinational military coalition to address the Iraqi threat to peace and security.

Therefore, I look forward to voting for the Levin amendment. I urge my colleagues to join me in doing that because I believe the way to deal with this issue is international support and a multinational military coalition, should force be necessary.

Before I yield the floor, I turn to the Senator from Colorado, who had a question.

Mr. ALLARD. I say to the Senator from Maryland, I did have a question. I just finished a bipartisan press conference with the Secretary of State. He said the diplomats, our negotiators at the United Nations, felt they needed the strongest position possible in order to make their negotiations end in a successful way. I was struck by your comments and your support for the Levin amendment. I wonder if you could respond to his comments that we just had, about 12:30 or so.

Ms. MIKULSKI. I say to the Senator, I did not hear his comments at the press conference.

I applaud Secretary Powell. I think his is a vigorous effort to try to resolve the situation through diplomatic means, to send a message to Saddam that he should voluntarily disarm and let the inspectors in.

That might not work. But it is then up to the U.N., as the President said when he spoke to them, to take responsibility; to therefore authorize action to enforce their own resolutions so the United States of America is not doing this all by ourselves. It is not America versus Saddam. It should be the international community against Saddam because, I think you would agree, he is a despicable cad.

Mr. ALLARD. I would agree with that. But I think the point was being made, if we have a strong resolution, it would be less likely we would be out there by ourselves. If we had some weaker position, and we went in—

Ms. MIKULSKI. Going where, sir? Going to the U.N. or going back to Saddam? I am sorry, who is negotiating with whom? Are you talking about the U.N. negotiating with Saddam or Secretary Powell negotiating within the U.N.?

Mr. ALLARD. I am talking about Secretary Powell and our diplomats negotiating within the United Nations, negotiating with members of the Security Council. The feeling is we need to have a strong resolution in order to make those negotiations successful.

Ms. MIKULSKI. I see. I thought you were talking about sending a message to Saddam. No. I understand. I believe the Levin amendment is a pretty muscular amendment, saying back to the U.N., you passed those resolutions, you should really step up to those resolutions, and putting the pressure back on them; and also saying, we are not going to adjourn until we hear what you are going to do. And we will be ready to respond promptly.

So I think the Levin amendment is a fairly muscular amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I will now yield to the Senator from New Hampshire, a good friend, and somebody who does a great job. I yield to him 20 minutes.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I thank the Senator from Colorado. I appreciate his courtesy, and I appreciate his leadership on the most important resolution. His leadership has had an integral impact on how this resolution was designed, and he has been a leader on addressing what is obviously the major national security issue which we confront as a Nation today.

I—like many Americans, hopefully—have followed the debate in this Chamber. I have been interested in the tenor and tempo of the debate. I believe it has obviously been serious and substantive in its approach to how we address the question of this resolution, which will authorize the President to take such action as is necessary in order to protect our Nation relative to Iraq, and to work with the United Nations in that undertaking.

One of the things, however, I have also noted is there is almost a sophistry being presented here. For example, I heard one presentation, talking about whether or not we were pursuing preventive war versus preemptive war, in which there was almost a rather nice dissertation of what I would call political science 101 on the difference between preemptive war and preventive war, and whether or not we, as a Nation, had a right to pursue a preventive war versus a preemptive war.

I would simply point out we are at war. We are not initiating war. We are not in the process of striking an enemy by whom we have not been struck. Two Embassies in Africa were attacked. Hundreds of people died. An American ship in Yemen was attacked. Many sailors died. And, of course, on September 11, thousands of Americans died in America as a result of an attack.

We are at war. We did not ask for it. We did not initiate it, but we have no

choice but to respond to it. In responding to it, we must have our eyes open. We are a Nation which inherently believes in the better nature of people. We inevitably give people the benefit of the doubt. It is our culture, and it is one of our strengths. Regrettably, in this war, giving people the benefit of the doubt—people who have a track record of either hating us, attacking us, or confronting us militarily—may end up costing us even more lives.

I think we need to review the enemy's purpose. Let's begin with al-Qaida and bin Laden, and use his own words.

bin Laden, in an interview that was published in January 1999—it originally appeared in Time—made the following statement:

Hostility toward America is religious duty.

He went on to say, in February 1998:

The ruling to kill the Americans and their allies, civilians and military, is an individual duty of every Moslem, who can do it in any country in which it is possible to do it.

“Civilians and military.”

He went on to say:

We, with Allah's help, call on every Moslem, who believes in Allah and wishes to be rewarded, to comply with Allah's order to kill Americans and plunder their money.

And most recently, in a tape recently released just a week ago:

The youth of Islam are preparing something to strike fear in your hearts—

Referring to America—

and will target the vital sections of your economy until you renounce your injustice and hostility.

This is an enemy who has called to arms the people who believe in him and follow him for the purposes of killing Americans as defined by his own language: “civilian and military.” That is the enemy we confront in al-Qaida.

And what is the relationship to Iraq?

First off, we must look at the history of our relationship and of Iraq's relationship in the area of military activity. Saddam Hussein has attacked his neighbors, neighboring nations twice. He has mercilessly—mercilessly—suppressed his own people, especially the Kurdish minority within Iraq. He has invaded Iran and Kuwait.

He has also developed and used weapons of mass destruction. “Weapons of mass destruction” is a terribly anti-septic term. But what it means is, he is essentially willing to spread disease which will kill thousands—tens of thousands—of people in order to obtain his purpose. And he has done it. He has used biological weapons. He has used chemical weapons against the Iranians and against the Kurdish people in his own country, killing literally thousands of people.

Of course, we went to war with Iraq in the early 1990s. So our history with Iraq is significant, as we recognize they are governed by an outlaw and, as a result, have been a nation functioning outside of the civil discourse of organized nations.

But why is it important we confront them at this time and in this context?

It is important because of the weapons of mass destruction which they have. If this were the world prior to 1980, let us say, when weapons of mass destruction were not so readily available, or nations which had them were governed by governments which had at least some modicum of responsibility, then you might not look at a tyrant such as Hussein and say you needed to do anything: Let him, regrettably, do his harm to his neighbors and his nation. It is not affecting us.

The problem is, after September 11, we, as a country, cannot take such an isolationist view, for we know there is an enemy out there called al-Qaida that has stated, unequivocally, their purpose is to kill Americans and destroy our society and culture. And we have seen them take action to do that on September 11, and in Africa at our Embassies, and at the USS *Cole*.

We also know there is another nation out there, run by a tyrant, who is a murderous individual, who has weapons which are capable of exacting massive—massive—amounts of damage and loss of life, if used.

The threat, obviously, is that the two should be joined or that the tyrant should just unilaterally use these weapons. Why is that threat legitimate? It is legitimate because there is significant common sense which tells us that it may be joined.

There have been reports not by American news media or by American intelligence services but by Arab sources which have made it clear that there is a cross-fertilization between the Hussein government and al-Qaida. Reports appearing in a Karachi newspaper, the *Ummat*, on November 22 carried an article saying that Saddam Hussein has offered asylum to the top Taliban and al-Qaida leadership, including Osama bin Laden and Mullah Omar. In this regard, a delegation led by a senior official in the Iraqi Government, Taha Hussein, met with Mavlana Jalal ud-Din Haqqani—I hope I pronounced that correctly, but considering his purposes, I don't really care—in Qatar and conveyed Saddam Hussein's offer to him.

If the report is true, then it is at least the second time Saddam Hussein has offered bin Laden asylum. A report in the *Christian Science Monitor* cited Arab sources which it considered to be legitimate that, according to Hassan Mohammed, who claims to have worked for two decades for Iraq intelligence services, graduates of an Iraqi school were intimately involved in training both Assad al Hassan and al-Qaida cells, and the quote is:

My information is that the Iraqi Government was directly supporting al-Qaida with weapons and explosives.

There are more and more reports like this. It is also logical, logical because Osama bin Laden and his people have made it clear that those who consider us an enemy are their allies. Therefore, Iraq is a natural ally to them, and vice versa.

So the possibility that a weapon of mass destruction which has been developed—and we know they have been developed within Iraq, biological and chemical weapons—could fall into al-Qaida hands or people representing the same concepts of al-Qaida is distinct.

We also know that Iraq is moving forward with a nuclear program, that they wish to have a nuclear bomb, and that they may well have it, if they are able to get fissile material within a year; if not, within 3 or 4 years. They are much further down the road toward obtaining nuclear weapons than we even anticipated when we had the war with them in the early 1990s. That was terminated then but has been re-started.

So what are we to do about this? The U.N. has passed 16 resolutions, the basic purpose of which is to try to disarm Saddam Hussein and his government, specifically in the area of weapons of mass destruction. There is no civilized nation today that does not understand the threat that is represented by having a government headed by a tyrant such as Saddam Hussein having weapons of mass destruction.

So the U.N. has made a conscientious effort to address this with these 16 resolutions. Of course, Saddam Hussein has ignored those, lied about what he is doing, and he ejected the inspectors, which leads us to the point we are at today.

This resolution has as its fundamental purpose the disarmament of Saddam Hussein, taking away his weapons of mass destruction. If, as a corollary to that, a regime change occurred in Iraq, that would be for the betterment of the world, I suspect. But the vital purpose here is to terminate the capacity to have and to use weapons of mass destruction, either by Iraq or by a client of Iraq or by an ally of Iraq or by al-Qaida specifically.

It is a totally legitimate national security purpose that we should pursue. The President has outlined the need to accomplish this. What he has essentially said, and appropriately so, is that we will support the U.N. effort to accomplish this. But if the U.N. is unable to accomplish it, then our national security is so important, so overriding, that we should take action with our allies to accomplish this. That is the only reasonable approach when you confront a threat of this significance.

There are some in this body who have essentially said we should pursue what I call the good intentions approach. That is an American trait—that we do give people the benefit of the doubt. But the good intentions approach in this area—hoping that things will work out through a policy of containment—has not worked.

We know for a fact that Hussein and his people have ignored the 16 resolutions and that they are developing weapons of mass destruction, and they actually possess them. We know for a fact that they may well use them. To

wait and rely on good intentions would be an error of policy which might lead to the death of many Americans. We can't afford that risk. We must insist, as the President has said, on the disarmament of the Hussein regime; specifically, the disarmament of their weapons of mass destruction, in a manner which is absolutely confirmable, where we know without question that it has occurred and that those weapons have not been moved into other places of hiding or into other hands, which may cause greater harm.

What the resolution before us does is give the President the authority to accomplish those goals. To fail to give the President the authority to accomplish those goals would be, in my opinion, an act of gross negligence, a failure of our responsibility as a government to defend our people.

We are at war. We have been attacked. Americans have been killed. And if Mr. bin Laden and his people have their way, more will be killed.

If we are to defend ourselves, we must be assured that the most threatening weapons they can use will not be used against Americans. Therefore, we must take action relative to Iraq. This resolution empowers the President to accomplish that. That is why I intend to vote for it.

I yield the floor.

Mr. ALLARD. Mr. President, I congratulate the Senator from New Hampshire for a very fine statement. I notice that our colleague from North Carolina has arrived in the Chamber, and we have Senator JEFFORDS scheduled to speak at 3. I ask the Senator from North Carolina, does he need a minute or two to make a comment?

Mr. HELMS. I thank the Chair, but I cannot use the time now.

Mr. ALLARD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I was speaking to the manager of the bill, Senator ALLARD. He is scheduled to speak after Senator JEFFORDS, who is not here. I ask unanimous consent that Senator ALLARD be recognized for 20 minutes and that Senator JEFFORDS follow him.

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

The Senator from Colorado is recognized.

Mr. ALLARD. I thank the Senator from Nevada.

Mr. President, today, I rise in strong support of S.J. Res. 46, the bipartisan joint resolution to authorize the use of the U.S. Armed Forces against Iraq.

First, I want to praise the President for his leadership and for reaching out to all Members of this body. I am proud

to be an original cosponsor of S.J. Res. 46 with Senators LIEBERMAN, MCCAIN, WARNER, BAYH, DOMENICI, HELMS, HUTCHISON, LANDRIEU, and MILLER. These Senators are leaders of the Senate, and I am proud to be associated with them on this important matter.

Also, I want to commend the leadership of the other body for their leadership in brokering this agreement between the administration, the Senate, and the House.

I know this debate will be vigorous in nature and serious in tone, which is exactly how such a debate should take place. One of our most solemn duties as Senators is when we are called upon to cast a vote on whether to send our men and women in uniform into harm's way. Quite simply, this is one of the most serious votes any Member will make.

I remember, as a new Member of Congress in 1991, one of my first votes was whether to go to war in the Persian Gulf. Just like in 1991, voting on this resolution will be a tough vote. But that is why we are here—to take a stand, state what we believe, and make the tough votes. In the end, I hope this debate will show that the Senate, despite any disagreements, is united in its resolve against Saddam Hussein.

Mr. President, the United States has basically been at war with Iraq ever since the Persian Gulf conflict. In April 1991 and August 1992, the northern and the southern no-fly zones were established in order to enforce United Nations Resolution 688. Since then, U.S., British, and coalition aircraft patrolling these no-fly zones have been fired upon by Iraq more than 2,500 times and over 400 times this year alone. However, despite the daily threat in the no-fly zones, our pilots have only fired back in response 44 times.

Saddam Hussein has repeatedly defied sixteen United Nations resolutions which were designed to ensure that Iraq would no longer be a threat to international peace and security. Plus, the United Nations Security Council has issued 30 statements regarding Saddam Hussein's violations of these 16 resolutions. At this time, I ask unanimous consent that a list provided by the White House of the 16 United Nations Security Council Resolutions and a list of Council statements regarding the violations be printed in the RECORD.

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

U.N. SECURITY COUNCIL RESOLUTIONS AND COUNCIL STATEMENTS REGARDING VIOLATIONS DEFIED UN SECURITY COUNCIL RESOLUTIONS BY SADDAM HUSSEIN

UNSCR 678—November 29, 1990

Iraq must comply fully with UNSCR 660 (regarding Iraq's illegal invasion of Kuwait) "and all subsequent relevant resolutions."

Authorizes UN Member States "to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area."

UNSCR 686—March 2, 1991

Iraq must release prisoners detained during the Gulf War.

Iraq must return Kuwaiti property seized during the Gulf War.

Iraq must accept liability under international law for damages from its illegal invasion of Kuwait.

UNSCR 687—April 3, 1991

Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities."

Iraq must "unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material" or any research, development or manufacturing facilities.

Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "ballistic missiles with a range greater than 150 KM and related major parts and repair and production facilities."

Iraq must not "use, develop, construct or acquire" any weapons of mass destruction.

Iraq must reaffirm its obligations under the Nuclear Non-Proliferation Treaty.

Creates the United Nations Special Commission (UNSCOM) to verify the elimination of Iraq's chemical and biological weapons programs and mandated that the International Atomic Energy Agency (IAEA) verify elimination of Iraq's nuclear weapons program.

Iraq must declare fully its weapons of mass destruction programs.

Iraq must not commit or support terrorism, or allow terrorist organizations to operate in Iraq.

Iraq must cooperate in accounting for the missing and dead Kuwaitis and others.

Iraq must return Kuwaiti property seized during the Gulf War.

UNSCR 688—April 5, 1991

"Condemns" repression of Iraqi civilian population, "the consequences of which threaten international peace and security."

Iraq must immediately end repression of its civilian population.

Iraq must allow immediate access to international humanitarian organization to those in need of assistance.

UNSCR 707—August 15, 1991.

"Condemns" Iraq's "serious violation" of UNSCR 687.

"Further condemns" Iraq's noncompliance with IAEA and its obligations under the Nuclear Non-Proliferation Treaty.

Iraq must halt nuclear activities of all kinds until the Security Council deems Iraq in full compliance.

Iraq must make a full, final and complete disclosure of all aspects of its weapons of mass destruction and missile programs.

Iraq must allow UN and IAEA inspectors immediate, unconditional and unrestricted access.

Iraq must cease attempts to conceal or move weapons of mass destruction, and related materials and facilities.

Iraq must allow UN and IAEA inspectors to conduct inspection flights throughout Iraq.

Iraq must provide transportation, medical and logistical support for UN and IAEA inspectors.

UNSCR 715—October 11, 1991

Iraq must cooperate fully with UN and IAEA inspectors.

UNSCR 949—October 15, 1994

"Condemns" Iraq's recent military deployments toward Kuwait.

Iraq must not utilize its military or other forces in a hostile manner to threaten its neighbors or UN operations in Iraq.

Iraq must cooperate fully with UN weapons inspectors.

Iraq must not enhance its military capability in southern Iraq.

UNSCR 1051—March 27, 1996

Iraq must report shipments of dual-use items related to weapons of mass destruction to the UN and IAEA.

Iraq must cooperate fully with UN and IAEA inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1060—June 12, 1996

"Deplores" Iraq's refusal to allow access to UN inspectors and Iraq's "clear violations" of previous UN resolutions.

Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1115—June 21, 1997

"Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "clear and flagrant violation" of UNSCR 687, 707, 715, and 1060.

Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1134—October 23, 1997

"Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "flagrant violation" of UNSCR 687, 707, 715, and 1060.

Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1137—November 12, 1997

"Condemns the continued violations by Iraq" of previous UN resolutions, including its "implicit threat to the safety of" aircraft operated by UN inspectors and its tampering with UN inspector monitoring equipment.

Reaffirms Iraq's responsibility to ensure the safety of UN inspectors.

Iraq must cooperate fully with UN weapons inspectors and allows immediate, unconditional and unrestricted access.

UNSCR 1154—March 2, 1998

Iraq must cooperate fully with UN and IAEA weapons inspectors and allow immediate, unconditional and unrestricted access, and notes that any violation would have the "severest consequences for Iraq."

UNSCR 1194—September 9, 1998

"Condemns the decision by Iraq of 5 August 1998 to suspend cooperation with" UN and IAEA inspectors, which constitutes "a totally unacceptable contravention" of its obligations under UNSCR 687, 707, 715, 1060, 1115, and 1154.

Iraq must cooperate fully with UN and IAEA weapons inspectors, and allow immediate, unconditional and unrestricted access.

UNSCR 1205—November 5, 1998

"Condemns the decision by Iraq of 31 October 1998 to cease cooperation" with UN inspectors as "a flagrant violation" of UNSCR 687 and other resolutions.

Iraq must provide "immediate, complete and unconditional cooperation" with UN and IAEA inspectors.

UNSCR 1284—December 17, 1999

Created the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) to replace previous weapon inspection team (UNSCOM).

Iraq must allow UNMOVIC "immediate, unconditional and unrestricted access" to Iraqi officials and facilities.

Iraq must fulfill its commitment to return Gulf War prisoners.

Calls on Iraq to distribute humanitarian goods and medical supplies to its people and address the needs of vulnerable Iraqis without discrimination.

ADDITIONAL UN SECURITY COUNCIL STATEMENTS

In addition to the legally binding UNSCRs, the UN Security Council has also issued at least 30 statements from the President of the UN Security Council regarding Saddam Hussein's continued violations of UNSCRs. The list of statements includes:

UN Security Council Presidential Statement, June 28, 1991.
 UN Security Council Presidential Statement, February 5, 1992.
 UN Security Council Presidential Statement, February 19, 1992.
 UN Security Council Presidential Statement, February 28, 1992.
 UN Security Council Presidential Statement, March 6, 1992.
 UN Security Council Presidential Statement, March 11, 1992.
 UN Security Council Presidential Statement, March 12, 1992.
 UN Security Council Presidential Statement, April 10, 1992.
 UN Security Council Presidential Statement, June 17, 1992.
 UN Security Council Presidential Statement, July 6, 1992.
 UN Security Council Presidential Statement, September 2, 1992.
 UN Security Council Presidential Statement, November 23, 1992.
 UN Security Council Presidential Statement, November 24, 1992.
 UN Security Council Presidential Statement, January 8, 1993.
 UN Security Council Presidential Statement, January 11, 1993.
 UN Security Council Presidential Statement, June 18, 1993.
 UN Security Council Presidential Statement, June 28, 1993.
 UN Security Council Presidential Statement, November 23, 1993.
 UN Security Council Presidential Statement, October 8, 1994.
 UN Security Council Presidential Statement, March 19, 1996.
 UN Security Council Presidential Statement, June 14, 1996.
 UN Security Council Presidential Statement, August 23, 1996.
 UN Security Council Presidential Statement, December 30, 1996.
 UN Security Council Presidential Statement, June 13, 1997.
 UN Security Council Presidential Statement, October 29, 1997.
 UN Security Council Presidential Statement, November 13, 1997.
 UN Security Council Presidential Statement, December 3, 1997.
 UN Security Council Presidential Statement, December 22, 1997.
 UN Security Council Presidential Statement, January 14, 1998.

Source: White House.

Mr. ALLARD. After the Persian Gulf conflict, the international community levied economic sanctions and established the "Oil for Food" program. However, these sanctions have largely eroded due to the lack of resolve by the international community and the reality of Iraq's substantial illicit trade. Turkey and Jordan import Iraqi oil via truck routes, Iran escorts oil tankers through territorial waters, an Iraq-

Syrian pipeline is the largest export method of Iraqi oil, with an Iraq-Jordan pipeline scheduled to be operational in 2005.

The United States attempted to garner support for "Smart Sanctions" in early 2001, but this attempt met tepid reception by the international community. Russia, China, and France have negotiated substantial contracts with Iraq which would be executable upon lifting of U.N. sanctions. Under the Oil for Food program, food import levels exceed and oil revenue is comparable to pre-Gulf war levels. The program experiences periodic progressive adjustments in its export ceiling in response to growing international concern about the Iraqi humanitarian condition.

However, Saddam Hussein consistently circumvent's the economic sanctions and attempts to thwart the oil for food program. Saddam's regime has exported thousands of barrels of oil each day in violation of UN resolutions and he completely disregards the humanitarian well-being of his own people. By illegally exporting this oil, he has deprived the Iraqi people billions of dollars in food and medicine which would have been allowed under the program.

The living conditions of the Iraqi people are intolerable. Saddam Hussein has expanded his violence against women and children, withheld food and medicine from his own citizens, and violated the basic human rights of the Iraqi people.

Mr. President, some have blamed the oil for food program and the economic sanctions for these conditions. But let us be very clear, the reason for these intolerable conditions and why we are debating this topic today lay at the feet of Saddam Hussein and his regime. To quote Secretary of State Powell from a Foreign Relations Committee hearing on September 26, "Iraq stands guilty. It convicts itself by its actions."

The threat of Saddam Hussein is real and is growing. Iraq enjoys a sizable military advantage over all Gulf States except Iran. Iraq's 424,000 military personnel outnumber the combined personnel total of all U.S. Gulf allies. Iraq continues to pursue weapons of mass destruction, and is attempting to acquire a nuclear capability. According to recent reports, it is estimated that if Iraq were to obtain fissile material then Saddam Hussein could build a nuclear bomb within months. United Nations Special Commission has identified gaps in accounting for Iraq's current chemical stockpiles and capabilities and has not accounted for hundreds of tons of chemical precursors and 1000's of delivery warheads. UNSCOM also reported that Iraq has understated their declarations regarding the extent of its biological agents.

Again, I would like to quote Secretary Powell from the same hearing, when he stated:

We can have debates about the size and nature of the Iraqi stockpile. We can have de-

bates about how long it will take them to reach this level of readiness or that level of readiness with respect to these weapons. But no one can doubt two things: one, they are in violation of these resolutions—there's no debate about that; and secondly, they have not lost the interest to develop these weapons of mass destruction. Whether they are one day, five days, one year or seven years away from any particular weapons, whether their stockpile is small, medium or large, what has not been lost is the interest to have such weapons of mass destruction.

Secretary Powell also made it clear that we aren't alone in our concern regarding the threat of Saddam Hussein. Referencing Arab leaders and their thoughts regarding Saddam, Secretary Powell added, "There is no question in their minds that he's a threat to regional stability and peace. There is no question in their minds that he is a threat to the region and has demonstrated previously his willingness to use weapons of mass destruction. And there is no doubt in their minds that he continues to have the intent to develop these weapons of mass destruction."

So what now—what do we do? Do we hope that Saddam Hussein goes gently into the night or do we finally stand up to this dictator and let the world know that Saddam Hussein can no longer thumb his nose at the international community.

We only need to go back a few weeks to see Saddam's duplicity. On September 16, 4 days after the President's speech at the U.N., the Iraqi government announced it would unconditionally allow the return of U.N. inspectors. However on September 20, Iraq backpeddled on its previous announcement by stating that the definition of "unconditional access" means no "presidential sites" and 24 hours notice before any inspection."

My reaction to this new definition of "unconditional" by Iraq is best summed up in an October 3 Denver Post editorial when it stated, "Saddam, there you go again."

I ask unanimous consent that the entire article entitled "Saddam Must Open Palaces" be printed in the RECORD.

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

[From the Denver Post, Oct. 3, 2002]

SADDAM MUST OPEN PALACES

Saddam, there you go again. Pardon the paraphrasing of Ronald Reagan, but Saddam Hussein's offer to allow weapons inspectors back into his country under current United Nation rules—the same rules he has willfully and flagrantly violated for years—is pure smoke-and-mirrors diplomacy.

Under those rules, Saddam's palaces would be off limits to inspectors.

Any inspection of Iraq must be unfettered. Otherwise, what's the point?

It's simply Saddam trying to stay one step ahead of the United States, with catch-me-if-you-can stall tactics.

The Iraqi dictator has been spending billions since the Persian Gulf War building what the U.S. government believes to be dozens of mammoth desert palaces. Meanwhile, his people starve. (Saddam cleverly blames

U.N. sanctions for keeping food and medicine out of his country, yet somehow finds the marble and gold to build palaces.)

Who's he trying to fool?

Well, France, Russia and China for starters. Those three permanent, voting members of the U.N. Security Council have not yet backed the United States' push to require open weapons inspections, destruction of any weapons of mass destruction and the use of military force if Iraq doesn't comply.

President Bush was right in going to the United Nations to remind its members how Saddam has consistently and brazenly laughed off its rules.

It was a big step toward building a much-needed world consensus for striking Iraq. But if getting U.N. Security Council approval requires us to work under old rules, such as those where palaces are off limits, the world, and those three countries, must know the United States will act without them.

The U.N. can't fall for Saddam's old tricks.

Congress on Wednesday was moving forward with a strongly worded resolution that gives Bush authority to attack Iraq if diplomatic measures fail.

Bush, in turn, must certify to Congress before an attack, or within 48 hours, that diplomatic and other peaceful means alone aren't enough to protect Americans.

"We will not leave the future of peace and the security of America in the hands of this cruel and dangerous man," Bush said Wednesday from the White House Rose Garden.

As he spoke, he was flanked as usual by Republicans, but also by what seems to be a growing number of Democrats.

Perhaps it's the approaching election. Or perhaps, as we hope, it's the morning briefings with congressional leaders where Bush is privately detailing why he considers Iraq an imminent threat.

For whatever reason, one of his potential rivals in 2004 strongly foreshadowed Wednesday that soon both parties will be singing with "one voice," as Bush predicted last week.

Sen. Joe Lieberman, D-Conn., said the administration has exhausted all non-military means to disarm Saddam.

"They've not worked," he said. "The moment of truth has arrived for Saddam Hussein. This is his last chance."

We've heard that before. Let's hope this time it's true.

Mr. ALLARD. Mr. President, I wish to quote a few passages from the editorial:

Any inspection of Iraq must be unfettered. Otherwise, what's the point? It's simply Saddam trying to stay one step ahead of the United States, with catch-me-if-you-can stall tactics.

Later in the editorial it states:

President Bush was right in going to the United Nations to remind its members how Saddam has consistently and brazenly laughed off its rules. It was a big step toward building a much-needed world consensus for striking Iraq. But if getting U.S. Security Council approval requires us to work under old rules, such as those where palaces are off limits, the world, and those three countries (France, China, and Russia), must know the United States will act without them. The U.N. can't fall for Saddam's old tricks.

I hope the United Nations Security Council will devise a new tough resolution which will demand "unconditional and unfettered" access to all sites. I do not want to have to use force to disarm Saddam Hussein. However, I also will

not allow the United Nations or any permanent member of the Security Council with veto power, to control our national security policy. And that is why I support this resolution.

S.J. Res 46 does not advocate force, but it does not preclude it. It uses force as the last resort, the very last. The resolution basically states that the President is granted authority to use force if he determines that:

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq, and

(2) acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorists attacks that occurred on September 11, 2001.

I believe Secretary Powell clarified the administration's position even further regarding the use of force during the September 26 hearing by stating, "Yes, he [the President] wants the authority to carry out those resolutions where he believes force is the appropriate way to get implementation of those resolutions. I think it unlikely the President would use force—if he [Saddam Hussein] complied with the weapons of mass destruction conditions, it seems very unlikely that anybody would be using force to comply with any of the other resolutions."

Much of this debate is about when to pass this resolution. Should we pass a resolution before the United Nations acts or should we wait until after the United Nations acts? I believe this Senate should act prior to the United Nations to show that we speak with one voice in the importance of disarming Saddam Hussein. I agree with Secretary Powell and former Secretary of State Albright when they both stated that the United States would be in a much better position to prevail in the United Nations if the administration had a congressionally approved resolution in their pocket.

Passing this resolution in no way precludes the United Nations from acting, nor should it lessen the resolve of this administration to gain such support, but I believe a vote on this resolution will show our resolve to the world that we want the United Nations to act. However, if the United Nations is determined to follow the same course it has over the last 10 years, then Saddam Hussein must understand that the United States will act alone. On August 20, 1998, President Clinton addressed the Nation and said, "The risks of inaction to America and the world would be far greater than action, for that would embolden our enemies, leaving their ability and their willingness to strike us intact." I do not want us to use force, but I also cannot and

will not sit idly by and hope that Saddam Hussein does nothing while the U.N. talks, and talks, and talks.

I believe President Bush summed up our task at hand during his speech last night in Cincinnati when he stated:

We did not ask for this present challenge, but we accept it. Like other generations of Americans, we will meet the responsibility of defending human liberty against violence and aggression. By our resolve, we will give strength to others. By our courage, we will give hope to others. By our actions, we will secure the peace, and lead the world to a better day.

Mr. President, I end on a personal note about this Senate. As I look across the aisle and see the "Conscience and Historian of the Senate", the wonderful senior Senator from West Virginia—with whom I find it a honor to serve—and as I see Members of this Senate debate and disagree on this resolution, it is during these debates I am in awe of this great country and this great institution. Unlike so many other nations, we can debate war and peace and at the end of the day there is no fracture in the fiber of democracy that makes America great. It is this which we all wish for Iraq and for the Iraqi people. I look forward to the day when real democratic elections occur and when the voices of the Iraqi people, which have been silenced for too long, will be heard.

Mr. President, I yield to the Senator from Vermont who is speaking next.

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

Mr. JEFFORDS. I thank my good friend.

Mr. President, I have come to discuss, not unexpectedly, the situation in Iraq and what our country ought to do in response to that threat.

As has happened many times before when faced with a potential threat to our national security and to the security of our allies, we must carefully evaluate that threat, and decide how best to deal with it.

It is imperative we not make a rash decision that will have lasting consequences for generations to come.

I am very disturbed by President Bush's determination that the threat from Iraq is so severe and so immediate that we must rush to a military solution. I do not see it that way.

I have been briefed several times by Defense Secretary Rumsfeld, CIA Director Tenet, and other top administration officials. I have discussed this issue with the President. I have heard nothing—nothing—that convinces me that an immediate preemptive military strike is necessary or that it would further our interests in the long term.

Saddam Hussein's desire to acquire weapons of mass destruction is of grave concern. Based on the information that has been provided to me by this administration, I believe this threat is best dealt with in the context of the United Nations.

The U.N. must move aggressively to ensure unfettered inspections and bolster its efforts to stop the proliferation

of materials that can be used in the production of weapons of mass destruction.

I urge the U.N. Security Council to take immediate and strong action to deal with Iraq and its infractions. Should Iraq fail to comply with the United Nations resolutions, it is incumbent on the United States to aggressively work with member nations to develop a means to bring Iraq into compliance.

But at this time, I cannot in good conscience authorize any use of military force against Iraq other than in the context of a U.N. Security Council effort.

If we receive information that the threat is more imminent, or if the United Nations' effort fails, then the President should come back to Congress for consideration of the next step.

Providing the President with authorization at this time for unilateral U.S. military action would undercut U.N. Security Council efforts to disarm Iraq.

We must ensure that any action we take against Iraq does not come at the expense of the health and strength of our Nation, or the stability of the international order upon which our economic security depends.

I spoke at length on the Senate floor last week about pressing problems that will determine the future strength of our Nation:

Grossly inadequate funding for education, declining access to affordable health care, degradation of our environment, and erosion of pension security for many hard-working Americans.

Saddam Hussein is as bad a dictator as they come. His past actions speak volumes about his true intentions. But is the only solution to this dilemma a military solution? Experience tells us otherwise. Ten years of containment through enforcement of two no-fly zones and U.N. economic sanctions have prevented Saddam Hussein from rebuilding his military to any significant extent especially with respect to our security. His military strength remains significantly weaker than when he moved against Kuwait more than a decade ago.

There is much speculation about his weapons of mass destruction program, but no evidence that he has developed a nuclear capability, and less that he could deliver it. While there is talk of cooperation between Iraq and al-Qaida, and I don't doubt that there has been some cooperation, I have not seen any hard evidence of close cooperation. There is, however, a great deal of evidence of Saddam's paranoia and his distrust of all but his closest inner circle. He has wiped out any viable political opposition and tightly holds all the reins of control. Even if he were to develop a nuclear capability, which he does not have, I have a hard time believing that Saddam Hussein would turn these weapons over to any organization, particularly a terrorist organization, after he has paid so dearly to acquire them.

Our greatest problem, it seems to me, is that we have very little good intelligence on what is going on inside Iraq. We know that Saddam Hussein's intentions are bad, but we don't have a clear picture of what his capabilities actually are, or if a threat exists. Clearly, we need to get United Nations inspectors on the ground immediately. The inspectors must have unfettered access to all suspected sites in Iraq. This is proving to be a major challenge for the United Nations, but the United Nations is much more likely to succeed if the United States is squarely behind its efforts, and not standing off to the side, secretly hoping that it will fail.

We should give the United Nations the opportunity to step forward and deal with Iraq and its infractions. In my estimation, the United States stands to gain much more if we can work with the United Nations to deliver a multilateral approach to disarming Iraq, even providing military force, if necessary. If the United Nations fails to press for the disarmament of Iraq or is blocked in its efforts, then I would expect the President to come back to Congress for further discussion of the alternatives.

In view of this threat from Saddam Hussein, which I believe is missing, I urge the Congress not to adjourn sine die upon completion of its work this fall, but to be ready to return to session at any time prior to the New Year if further action against Saddam Hussein should become necessary.

We must also work with the United Nations to stop the flow of those materials needed for producing weapons of mass destruction. There is a great deal more that we could do to tighten international nonproliferation regimes. Rather than supporting and empowering international efforts to stop the flow of nuclear materials and force greater transparency in chemical and biological commercial production facilities, the Bush administration has undercut these efforts and refused to participate in attempts to strengthen existing nonproliferation regimes. For example, last fall, at the Biological Weapons Convention review conference, the Bush administration scuttled efforts by our closest allies, most notably Great Britain, to strengthen the international biological weapons inspection regime.

The administration has actively undermined efforts to monitor and verify the existing international moratorium on nuclear weapons testing.

Additionally, we should be putting more resources into the Nunn-Lugar program, which has had some success at preventing the export from the former Soviet Union of nuclear weapons materials and scientific know-how. Saddam Hussein is not the only deranged dictator who is willing to deprive his people in order to acquire weapons of mass destruction.

Just think of what progress we could make on nonproliferation if we were to put one fraction of the cost of a war

against Saddam Hussein into efforts to prevent the emergence of the next nuclear, chemical, or biological threat. Strong efforts at strengthening international nonproliferation regimes would truly enhance our Nation's future security.

In our preoccupation with Saddam Hussein, we must not lose sight of potential crises in several other areas of the world. The India-Pakistan nuclear confrontation and the standoff over Kashmir have demanded a great deal of American effort during the past year. We cannot rule out a re-emergence of this nuclear threat. The conflict between Israel and the Palestinians continues to claim lives and threaten the stability of the region. Without U.S. prodding and even direct involvement, there is little chance that a peace process could resume there. War with Iraq could have an inflammatory effect upon that situation, and potentially risk the security of Israel as well. A war with Iraq would diminish our focus on bringing stability to Afghanistan, risking a return of anarchy to an area we have just given American lives to stabilize. While Pakistan has stood with us this year, a lessening of U.S. attention to Afghanistan could significantly undercut our influence in Islamabad. And the larger war on terrorism, our top concern just a few months ago, would take a back seat to a protracted war with Iraq and a major reconstruction effort. Yes, we must worry about Saddam. But we must not do so in a manner that reduces our ability to deal with these other threats.

I fear that this administration is, perhaps unwittingly, heading us into a miserable cycle of waging wars that isolate our Nation internationally and stir up greater hatred of America. This cycle will generate more enemies, while undercutting our support from a broad coalition of allies—coalitions that have proven to be the hallmark of all successful peacemaking efforts in recent years.

We owe it to the American people not to rush into a war, but to work with the institutions that we fought so hard to develop for just this eventuality. If multilateral efforts fail, then the President should come back to Congress for consideration of the next course of action. I cannot support a resolution that puts this Nation on a path to war without first exhausting diplomatic efforts. Now is the time to put the international system to work for us, and consider unilateral military action only as a last resort.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. REID. Mr. President, we are running ahead of time with our scheduled speakers. I have not had an opportunity to speak to the manager of the bill, but I have spoken to the staff. Senator KENNEDY comes to speak automatically at 3:40. I ask unanimous consent that Senator CLELAND be recognized at 3:30 for 10 minutes.

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

The Senator from Colorado.

Mr. ALLARD. Mr. President, the Senator from Connecticut will speak for the next 10 minutes or so, and then we will be on schedule for our 3:30 speaker.

Mr. LIEBERMAN. Mr. President, as one of the four lead sponsors of the amendment in the nature of a substitute resolution, I appreciate very much the thoughtfulness of my colleagues in addressing the resolution we put forward, including those who have expressed reservations or objection to it. I will take a few moments to respond to a few of those, as time allows.

One of the concerns expressed was that our resolution essentially provides the President with a blank check and, at its worst, according to the critics, is in derogation of the Constitution of the United States.

Respectfully, I object to both of those descriptions. Let me take the first, which is the question of the Constitution. The Constitution says in article I, among the powers enumerated in section 8 that the Congress of the United States is to have, is the power to declare war. That is stated. Incidentally, in the same clause there are other powers: To grant letters of marque and reprisal and make rules concerning captures on land and water.

Though the Congress of the United States, for various reasons, has not formally declared war since December of 1941, that is the effect of the resolution before the Senate, to authorize the President to take military action to put American troops into combat, into war. That is the extent of the description in the Constitution.

The authority that would be given to the President under our resolution is entirely within that constitutional grant to the Congress, which is to give the President the authority to defend the national security of the United States—and again, no blank check here—against the continuing threat posed by Iraq. It is targeted to that particular point, based on the conclusions about Iraq's danger to the United States stated in the preamble or the whereas clauses. "And"—not "or"—and this authority is given not only to protect the security of the United States against the threat imposed by Iraq and to enforce all relevant United Nations Security Council resolutions regarding Iraq.

So one may disagree with the conclusions that those who are sponsoring this resolution have reached about the clear and present danger Iraq under Saddam Hussein represents to America's national security, but I respectfully do not think anyone can convincingly claim this resolution is in any sense unconstitutional. It is well within the authority granted to the Congress under article I of the Constitution. Nor is it, in any sense, a blank check. It is circumscribed by the terms I have just described, "and"—not

"or"—two grounds of authority. It is not a blank check. It is a check that can only be spent within the parameters set out in those two clauses.

I might add, the Congress also is given by the Constitution the power to appropriate funds. That is the ultimate power that Congress has, to make sure this is not a blank check either in terms of what the money can be spent for or how much money can be spent.

Questions have been raised about the urgency of this matter and the timing of the request by the President for this authority. I said earlier today and I will say briefly again that in the case of this Senator, I have believed now for more than a decade that we have been much too patient—in fact, have been in error at the end of the Persian Gulf war for not moving to remove Saddam Hussein from power when his military was in disarray. We knew what his goals were, what his record was. We knew by statements he made that he had the ambition to be the leader of the Arab world, the modern-day Saladin, to have Baghdad become the capital of the Arab world, of the Persian Gulf. That, of course, would be terrible for the Arab world, terrible for the world, and terrible particularly for the United States of America.

Over the last decade, for those who believe we are acting precipitously in passing and offering this resolution, we have tried everything else to get Saddam Hussein to keep the promise he made at the end of the gulf war. We have tried sanctions, embargoes, inspections, trade restrictions, the Oil for Food Program, even limited military action. None of them has worked.

I repeat briefly some of the history. In February of 1991 after the Iraqi military was vanquished in the Persian Gulf war, Saddam Hussein, effectively to preserve his leadership of that country, signed an agreement accepting all U.N. Security Council resolutions passed after his invasion of Kuwait as a condition for the termination of hostilities. That included Resolution No. 687 which required that Iraq's weapons of mass destruction be "destroyed, removed or rendered harmless." In that Resolution 687, it goes on to require that inspectors be allowed into Iraq.

Saddam Hussein systematically withheld information, used every available method of deception. I have an article from Time magazine of September, 1995, 7 years ago, which describes how much we knew about the deception that Saddam Hussein—the cheating and retreating, as the article said, that Saddam Hussein had gone through to frustrate the will of the United Nations and how much we have learned in admissions that were made as the United States mobilized forces to invade Kuwait: That the Iraqis had admitted they had begun filling 191 bombs and Scud missile warheads with deadly biological agents such as anthrax and botulism toxin, which were to be mounted on missiles, planes, and drone aircraft and dropped on enemy troops, fewer

than half of whom had received the appropriate germ warfare vaccinations.

One Iraq report, reading from the article in Time magazine 7 years ago, stated that shortly before invading Kuwait in August of 1990, Saddam ordered a crash program to have a nuclear weapon built by April of 1991.

Interestingly, a month before this article was printed in Time magazine, Baghdad rushed to give some documents to the U.N. to jump ahead of Saddam's son-in-law, Hussein Kamel al-Majid, who had defected. He had been a senior general in charge of the nuclear and biological weapons program. Hussein, according to the article, knew he could not keep him quiet, so he decided to try to make points with the U.N. by producing a flood of information. It was devastating in its content in terms of the deadly toxins of which he was developing an enormous inventory.

Of course, we know since the inspectors were ejected in 1998 and Saddam has now had, after his deception of the years that preceded, 4 years to build up his inventory which our intelligence and allied intelligence confirm has grown, remains, and is today more threatening and more powerful in terms of weapons of mass destruction, unconventional, than he had ever been before.

I want to go back to one final quote. On February 15 of 1991, as we had won a victory in the gulf war, Saddam said:

Every Iraqi child, woman, and old man knows how to take revenge. They will avenge the pure blood that has been shed, no matter how long it takes.

That is undoubtedly why Saddam tried to assassinate former President Bush in 1993. That is why our State Department continues to designate Iraq under Saddam as a state sponsor of terrorist groups that have killed Americans. That is why we cannot rest until he is disarmed, which is the purpose of this resolution—disarm or face military action.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized for 10 minutes.

Mr. CLELAND. Mr. President, I find it the height of irony in the midst of our discussion on potential war with Iraq and potential use of force and committing young Americans into harm's way—and I indicated my support yesterday for the bipartisan resolution that would authorize the use of force to go after weapons of mass destruction in Iraq—I find it ironic in the midst of this debate about whether to commit American forces to a national objective somewhere in the world, that in the Washington Post yesterday an article was entitled "New Pension Benefits Imperil Defense Bill. In Cost-Conscious Move, Bush Vows to Veto Entire Budget if Item Isn't Eliminated."

The message in the article is disturbing to me because the item referred to is something called concurrent receipt.

I might say currently under law there is an untenable situation where, if someone has served 20 years in the American military and additionally gets wounded in that service, they cannot draw their retirement which they have earned and their disability compensation which they are entitled to, concurrently. They cannot do that. So I find it ironic in the midst of the time when the President is calling upon us to authorize the use of force somewhere in the world, he is opposing the use of concurrent receipt or the ability of our troops, our servicemen and women who have served 20 years or more and get wounded in that effort, to draw those entitlements concurrently. He opposes that and has threatened to veto the almost \$400 billion defense authorization bill because of that one item. That is unconscionable.

This article says the President has threatened to veto the defense authorization bill for fiscal year 2003 in order to block the Defense Department from paying veterans and military retirees the very compensation they have earned.

I am puzzled. I am flabbergasted by the President's position and the veto threat. He goes on television one night and threatens war to accomplish our national objectives, and the next moment says he is going to veto the entire defense authorization bill which would help pay for that very war because he doesn't agree with the Senate's position here, where we stand foursquare behind those who have gone in the military, served more than 20 years, and gotten wounded.

I can't understand it. Surely, with all the benefits and quality-of-life provisions we have in our laws supporting our military families, and authorizing weapons systems, and passing, as we passed in this body, a defense authorization bill of \$393.4 billion—that the President has threatened to veto this package over a question that ought to be a nonstarter, a no-brainer, is very alarming. The fact is, if somebody serves in the American military 20 years or more and gets wounded in that service, what they are actually entitled to is not authorized.

I challenge anyone who opposes the repeal of the concurrent receipt: Just what are we talking about here? What is the cost to our military personnel who put their lives on the line? And what is the cost to our Nation when nobody else wants to do that because we are not giving them their just due? We have to address this issue and protect our military retirees and veterans. To ignore it is actually the height of hypocrisy, and dishonors the very men and women who serve in uniform.

How can we as a Nation, in good conscience, in a matter of hours, ask our military men and women to put their lives on the line in the future if they know this country will not take care of them?

That is idiotic. The defense authorization bill is in conference between

the House and the Senate. It is my hope we can find the right compromise that will make sure we take care of our veterans and retirees. I urge that the House and Senate adopt legislation that will address this issue, and I ask the President and the Secretary of Defense rethink their position and stand up for our veterans and military retirees who are unfairly affected by the current law. We need to change it.

This body stood foursquare behind them. As a matter of fact, one of my combat veterans in this great body here, fellow Vietnam veteran Senator JOHN KERRY from Massachusetts, he and I and others are sending a letter to the President of the United States, urging him to recant that position on threatening to veto the very defense authorization bill we will need to go to the very war he is trying to crank up.

I see this as the height of irony. At one moment we are threatening to put our young Americans into harm's way. At the other moment the President said he is going to veto the entire defense authorization bill because of one item. What is that one item we are paying at the request of this great body? Those who serve 20 years or more and get wounded, they get their just due.

I appreciate my colleague, Senator REID from Nevada, for pushing this issue and bringing it to national attention as the chairman of the Personnel Subcommittee in the Armed Services Committee. We feel very strongly in our committee and in the Armed Services Committee of this body on this issue.

I yield the floor.

Mr. REID. Will the Senator yield for a question?

Mr. CLELAND. I yield.

Mr. REID. I worked on this situation a long time. I appreciate the Senator from Georgia coming, lending your prestige, I underscore that, on this very important issue. As the Senator said, this is a simple issue, whether someone who has put in his time in the military, whether it is 10 or 20 or whatever years it is—20 or 30—whatever it is, and then, I say to my friend from Georgia, the distinguished Senator, then finds himself, because he has a disability—it could be 100 percent or whatever percent disability—he has to make a choice. He can't get both pensions, both of which are earned.

If there were ever an example of how a country owes this to these people, this is it. I say to my friend from Georgia, thank you very much. The Senator from Georgia, I know, as I do, goes to VFW halls and the other veterans' organizations, and we see there large numbers of World War II veterans. I am not happy to say this, but a thousand are dying every day. These men—and very few women, from World War II; as we went back, there were more women involved—deserve this. As in Korea. I have a friend the Senator from Georgia knows, who was my high school teacher, the Governor of the State of Ne-

vada, who lost a limb in Korea. He had to make a choice. He cannot do both. He spent time in the Air Force, in the Marines, in the Army and, under this goofy law he cannot draw both pensions if, in fact, he was entitled to them.

This is just senseless. So I appreciate very much the Senator from Georgia recognizing the importance of this and lending his prestige.

No one can come and speak on veterans' matters with more authority than the Senator from Georgia. I say to the Senator, not only have you received injuries, but you are also the person who ran the Department of Veterans Affairs. You have seen it from all sides. I appreciate very much your being here, helping on this legislation the conference committee must approve. It is simply just unfair if they do not.

Mr. BIDEN. Will the Senator yield for a question?

Mr. CLELAND. I do.

Mr. BIDEN. I apologize for not hearing the Senator's entire remarks. On what I heard at the end, I fully concur.

Mr. WARNER. Will the Senator use his microphone?

Mr. BIDEN. I beg your pardon.

Does the Senator actually believe the President would veto this? I mean, the President speaks so glowingly and lovingly—and I believe he means it—about our veterans and our responsibilities and our obligations. If you laid out to the American people what we are talking about here, they would understand this just does not make sense.

Most people—who are not veterans, who are not disabled, who do not participate in any way—I think assume the law is as you and Senator REID and myself and others are trying to change it.

I ask the Senator, A, do you really believe the President would veto this? And, B, what is the real reason for the veto? I mean, is there something I am missing here?

Mr. CLELAND. The Senator is right in his sense of being absolutely dumbfounded by this. I am absolutely perplexed. I would certainly hope the President of the United States, the Commander in Chief, would not veto a defense authorization bill worth \$394 billion, that this body passed, on a spurious issue that it costs money to pay those who fight our wars. It sure does, especially those who get wounded in our wars. It sure does. If we can find the money for war, certainly we can find the money to take care of those who fight our wars. It is just as simple as that to me.

So I thank the Senator from Delaware for his question.

Mr. WARNER. Mr. President, if I could, because I have been aligned with the distinguished Senator from Nevada, Senator LEVIN, and others on both sides of the aisle, together with our colleague from Georgia, about this concurrent receipt—this Senator knows of no time the President of the

United States has directly spoken to this issue. Thus far, only the individuals who are working in the budgetary matters at OMB have. As you mentioned yesterday, I say to the Senator from Nevada, Mr. Chu, who is a principal adviser to the Secretary of Defense, had made comments.

At this point in time I find no foundation to associate the President personally with this decision. Furthermore—and then I will yield right away—being an active member of the conference of the four principals between the House and the Senate, the targets are moving back and forth. There is the Senate version, there is the House version, and there is the amended Senate version. There is also one Senator MCCAIN and I have talked about, and that is, should we move forward on concurrent receipts, we would do it in the context of the Purple Heart winners and those who have injuries that are directly associated with having served in combat zones. That may not be to the liking of all of us, but all types of options are being explored.

I know at this time no basis of fact that the President is personally involved.

Mr. REID. Mr. President, I do not know what is the proper procedure at this time. The Senator from Georgia has the floor. But with the permission of the Chair and the Senator from Georgia, I would like to direct a question to my friend, the distinguished ranking member of the Armed Services Committee.

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

The Senator from Nevada.

Mr. REID. The Senator will recall yesterday, on the floor, I said, I do not think the President knows what the people are saying. I think if the President really knew what people were saying—we are robbing Peter to pay Paul on people who have injuries, people who are disabled because of their service in the military—I do not think the President would do that. I hope not. That is what I heard coming from the distinguished Senator from Delaware, that I do not think this is President Bush's personality; at least I hope not.

I say, though, to my friend, as I said yesterday, I really do believe a person who is injured in combat—and I cannot speak from experience, as can my friends, such as Senator KERRY, Senator INOUE, and Senator CLELAND, what combat is like. I do not really know. But I do know people who have disabilities in the military. No matter how they received those disabilities, I believe they are entitled to that disability payment. I think it may be an easy way out for some to just say: Well, if you are injured in combat, you are entitled to your disability pay, but if you are injured on the back lines by a tank running over you, or a truck hitting you, or falling off a truck doing work to take care of those people on the front lines, then you are not. But I say, whether that person is 3,000 miles

away or 30,000 miles away from the front lines, I think they are entitled to that compensation for disability just as well as someone else. That is a comment I make to my friend from Virginia prior to your making a decision in that conference.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I say to my good friend he is very correct and accurate, as always, in what he stated yesterday as not being associated to the President personally.

I say to the Senator, I associate myself with your goal of having broader concurrent receipts. But I am faced, as the ranking member of the committee, with the reality of the situation. We will have to ascertain exactly: Is there a line at which the executive branch will accept some version of concurrent receipts? And we just have to bring that back to our colleagues.

Because if we were to experience a veto—I am not suggesting in any way it has been communicated other than through the staff to this Senator—our bill would go down. Twelve months of work by the Armed Services Committee would go down. Many benefits, pay raises for the men and women of the Armed Forces, new weapons—it all goes down on this one issue.

I say to the Senator, I share with you—I find it very hard to think that could come about. But, nevertheless, all of us having been here many years, under several Presidents, know there are junctures in conferences when this does happen. It is our responsibility—and I assume it—to try and ascertain, is there some form? And then we bring it back to our colleagues. If there isn't, then I think we should all recognize the situation.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I could respond very quickly.

Senator BYRD has been here—and I say this with dignity and respect—and he has given us so many lectures on the Constitution. I have listened. I believe in the Constitution. We are a separate and equal branch of Government. The President cannot tell us what happens in conference. He can offer his opinion.

I say this, as I said yesterday, the President cannot sustain a veto on this matter. He cannot sustain a veto. I would put up before this body, any time, my veterans compared to the people who surround the President.

So I say to my friend from Virginia, a man of courage, integrity, and, as I said yesterday, a gentleman, hang in there. We are the third branch of Government. We deserve to be able to do what we have passed in this body. We cannot let the administration cow us on this because we are right. If he vetoes it, we will override the President.

Mr. BIDEN. Mr. President, I ask unanimous consent to speak 2 minutes on this point—just 2 minutes.

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

The Senator from Delaware.

Mr. BIDEN. Mr. President, I have been here 30 years. This is the most ridiculous thing I have ever heard. This is absolutely mind-boggling. This is brain dead. We have a roughly \$400 billion defense bill. We may be asked to go to war. And some bureaucratic functionary, somewhere in the bowels of OMB—if that is what is to be believed—is suggesting that we hold up this bill because they do not want to allow disabled veterans to have concurrent receipt of their disability and their military pension. That is brain dead.

And, Mr. President—you are not listening; but I hope your staff is listening—stop this. Stop this. Stop this. It makes no sense, Mr. Chairman, to yield to blackmail that they'll veto this bill when the Senate has overwhelmingly voted for concurrent receipt. If you yield to this, Mr. Chairman, I will be dumbfounded—dumbfounded. I know you've worked a whole year. I have worked a whole year, and up to 8 years, on legislation.

But I can't believe you'd even listen to somebody who would say this. Why wouldn't you pick up the phone and call up the President and say: Mr. President, is this the deal? Is this the deal? Tell me straight up, boss. What is the deal? Because if it is, it is outrageous.

So I suggest we just pick up the phone and call the President. You have a close relationship with him. Call him. Ask him. Ask him. I pray to God he would not even think of saying to you: No. I will veto a \$400 billion bill at the same time while nailing the veterans. Call him. Phone home.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, point of parliamentary inquiry: What is the business currently pending?

The PRESIDING OFFICER. The Lieberman amendment.

Mr. REID. Parliamentary inquiry, under the order now before the Senate, we are on the Lieberman amendment. It is my understanding the Senator from Massachusetts is entitled to the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is entitled to the floor.

Mr. KENNEDY. I am glad to yield to the Senator from Florida.

AMENDMENT NO. 4857 TO AMENDMENT NO. 4856

Mr. GRAHAM. Mr. President, I thank the Senator.

My purpose is to offer an amendment to the Lieberman amendment which is in the nature of a substitute. I send the amendment to the desk.

Mr. WARNER. Could I inquire of the leader, before he departs the floor, regarding the order that is in now, we are dealing with matters relating to debate on Iraq; the nature of this substitute amendment is what?

Mr. GRAHAM. It will add an additional authority to the President relative to the use of force.

Mr. WARNER. This is an amendment to the matter that is pending before the Senate?

Mr. GRAHAM. It is an amendment to the matter pending before the Senate, yes.

Mr. WARNER. I see. Could I ask my colleague: We have been trying to work in a very cooperative way, Senator LOTT and Senator DASCHLE, Senator REID and myself, on the timing of these things. Has this matter been taken to the leadership?

Mr. GRAHAM. I have discussed it with Senator DASCHLE.

Mr. WARNER. And his views on it are?

Mr. GRAHAM. I do not know what his views are.

Mr. WARNER. I see. Could I ask the distinguished majority whip about the procedure at this point in time? I know on this side we have tried very hard to stay within the framework, although it is not clearly established, but the framework as to how this Iraq debate would go on and the timing of the introduction.

Mr. REID. I would say to my friend from Virginia, the Senator from Florida wants to offer the amendment and then leave the floor.

Mr. GRAHAM. I will not debate the amendment.

Mr. REID. He has a right sometime today to offer the amendment. The Senator from Connecticut is aware of his wishing to offer this. He has a right to offer it, but it is just a question of when he would do it.

Mr. WARNER. I don't dispute the rights. I am just trying to stay within the framework of the guidance being given by our respective leadership on the management of this matter.

Mr. REID. The reason he did it this way is so we would not interrupt the order in effect.

Mr. WARNER. Then the amendment would become the pending business, would it not?

The PRESIDING OFFICER. The clerk will report the amendment.

Mr. WARNER. I asked the question as to whether or not it would become the pending business.

The PRESIDING OFFICER. The amendment will be reported, and it will become the pending business.

Mr. WARNER. I thank the Chair.

The PRESIDING OFFICER. The clerk will report.

Mr. WARNER. Is that the desire then?

Mr. REID. I guess we should have mentioned it to you. I apologize we didn't do that. I think there was wide knowledge he was going to do this sometime today.

Mr. WARNER. I am asking then if I might just have time to consult with our leadership, recognizing the Senator has a right, so I could get such instructions as my leader may wish to contribute.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, it is my understanding the clerk is going to report the amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 4857 to amendment No. 4856.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide substitute language that includes an authorization for the use of the United States Armed Forces to defend the national security of the United States against the threat posed by certain foreign terrorist organizations)

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Authorization for the Use of Military Force Against Iraq and International Terrorists Resolution".

SEC. 2. SUPPORT FOR UNITED STATES DIPLOMATIC EFFORTS.

The Congress of the United States supports the efforts by the President to—

(1) strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and

(2) obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion, and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—

(1) defend the national security of the United States against the continuing threat posed by Iraq;

(2) enforce all relevant United Nations Security Council Resolutions regarding Iraq; and

(3) defend the national security of the United States against the threat posed by the following terrorist organizations:

- (A) The Abu Nidal Organization.
- (B) HAMAS.
- (C) Hizballah.
- (D) Palestine Islamic Jihad.
- (E) Palestine Liberation Front.

(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in paragraph (1) or (2) of subsection (a) to use force, the President shall, prior to such exercise or as soon thereafter as may be feasible, but not later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq, or (B) is not likely to lead to enforcement of all rel-

evant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorists attacks that occurred on September 11, 2001.

(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. 4. REPORTS TO CONGRESS.

(a) The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 3 and the status of planning for efforts that are expected to be required after such actions are completed, including those actions described in section 7 of Public Law 105-338 (the Iraq Liberation Act of 1998).

(b) To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of Public Law 93-148 (the War Powers Resolution), all such reports may be submitted as a single consolidated report to the Congress.

(c) To the extent that this information required by section 3 of Public Law 102-1 is included in the report required by this section, such report shall be considered as meeting the requirements of section 3 of Public Law 102-1.

Mr. REID. Senator GRAHAM will speak on this at a later time. The Senator from Virginia, the manager of the bill, will ask for 2 minutes now. Regarding the order in effect that was gotten earlier today, I ask unanimous consent that we eliminate the times when the Senators are to appear. It just hasn't worked. Somebody finishes 10 minutes early, or 5 minutes late, and it throws everything off kilter.

So I ask unanimous consent that following the statement of the Senator from Virginia, Senator WELLSTONE be recognized for 5 minutes, and Senator KENNEDY for 15 minutes; that we then have a Republican Senator for 20 minutes; Senator CARPER for 20 minutes; a Republican for 30 minutes; and then that we have Senator DODD for 30 minutes and a Republican for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Mr. President, I have just been handed the amendment of the distinguished Senator from Florida. I have looked it through. We will have a debate on it in due course. I must bring to the attention of the Senate that in the course of the drafting of the resolution by my good friend from Connecticut, myself, Senator MCCAIN, and

Senator BAYH, we took into consideration a lot of things and counseled with the administration.

The point I wish to make is that, at first glance, this amendment seems to restore, in some sense, the original words of S.J. Res. 45, which I read:

The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council resolution referenced above, to defend the national security interests of the United States against a threat posed by Iraq . . .

This is the key part:

. . . and restore international peace and security in the region.

My recollection is that, in the negotiation, the Democrat side of the aisle was strongly in opposition to that last phrase in S.J. Res. 45 and, therefore, Senator LIEBERMAN and I and others took it out when we drafted ours, S.J. Res. 46. I just make that observation, and I find it a bit perplexing. Nevertheless, I have had the opportunity to state my point.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Will the Senator yield for a moment?

Mr. WARNER. I yield the floor on this. Under the time agreement, our two colleagues are to speak. I suggest the Senator address the Chair as to his desire.

Mr. GRAHAM. Mr. President, it was our intention to maintain the amendment in all respects, other than adding the language that begins on page 2 at line 23 and runs through page 3 at line 4. That was our sole intent in offering the amendment in the form that we have done so. If there had been negotiations of which we were unaware that altered the underlying amendment, at the appropriate time it would be my intention to offer an amendment to make it conform to the proposal that adds what yourself and others have currently agreed to.

Mr. WARNER. At the appropriate time, we will address that. I thank my colleagues.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I rise to speak for a short time today about the Iraq resolution, and tomorrow I will have a chance to speak at greater length. I thank Senator KENNEDY for allowing me to precede him. I also tell my colleague from Georgia that his speech on the concurrent receipt was powerful and, having spent the whole day with veterans yesterday, is absolutely right. It is critically important that this defense appropriations bill go through with that provision.

Mr. President, I did not have a chance to hear the President speak last night, but I read the transcript. I think it is important that the President focus on obtaining international support. The military option should only be considered as the last option. I believe that people were glad to hear that

last night in Minnesota and in the country.

The problem is that the actual resolution before us goes in a different direction. What this resolution does is give the President the authority for a possible go-it-alone, unilateral military strike and ground war. I think this would be a mistake. We should not go it alone.

There is a critical distinction between going it alone and taking action in conjunction with our allies. Our focus should be going to the United Nations Security Council and asking for a resolution that makes it clear to Saddam Hussein that he must disarm. Saddam must give arms inspectors unfettered access. And, if he does not comply with this new UN resolution there will be consequences, including the use of appropriate military force. But we must do this together with our allies. We must bring the international community on board. This resolution allows for a preemptive, unilateral strike, which I believe would be a huge mistake.

When Secretaries Kissinger and Albright testified before the Foreign Relations Committee, I asked both of them about the consequences of going alone versus working with the international community. First I asked: Shouldn't the goal be disarmament, and shouldn't we make every effort to try to make disarmament happen before taking military action?

They both were in agreement. Secretary Kissinger said: Yes, we need to play this out.

No one trusts Saddam Hussein. Everybody knows he is a brutal dictator. That is not the point. The point is how to proceed; how to do this the right way. The focus should be on disarmament and getting the support of our allies in the international community.

I do not think we should be approving a preemptive, unilateral strike by the United States, going it alone, or only with Great Britain.

I asked the former secretaries what the differences would be. They spelled out hugely different consequences between our going it alone, if, in fact, military action was necessary, versus taking action with our allies.

The former secretaries made the following points. If we take unilateral military action Saddam Hussein will have a better chance of uniting the world community against us, rather than vice versa. Moreover, there could be grave consequences in the Near East and South Asia that could include energizing other radical elements and increasing support for al-Qaida. Would this not play into the hands of the radicals? This is a big question if we go it alone.

What about our men and women, our sons and daughters who would be put in harm's way? What would the consequences be on the ground for them if we go it alone versus with our allies?

What about this war against terror? As a father and grandfather of six chil-

dren I take al-Qaida very seriously. Unfortunately international terror is a part of the world in which we now live. Will we have the same international cooperation to fight international terror if we go it alone? In many parts of the world we need the cooperation, assets, and on-the-ground intelligence of our allies for the continued war on terror. I think going it alone, a preemptive military strike, perhaps a ground war, could very well undercut that effort.

Mr. President, I have one more point. I am not going to talk at length about my interaction with people in Minnesota over the last several days since I announced my opposition to the first resolution, but I will tell my colleagues this: Many people have come up to me, and I had great discussions with people in Minnesota. I cannot thank them enough.

I do not really know what the breakdown is in terms of X percentage this way or that way, but I will say that the people in Minnesota and our country are worried about this issue. They are worried about us going it alone. They are worried about what might happen to our sons and daughters in Iraq. They far prefer we work together with our allies. They far prefer we have international support and that the focus be on disarmament.

I believe that is the direction in which we should go. That is not what this resolution before us asks us to do. Therefore, I will vote no on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I commend President Bush for taking his case against Iraq to the American people last evening, and I agree with the President that Saddam is a despicable tyrant who must be disarmed. As many of us had hoped, the President has now clearly given the Iraqi regime an opportunity to avoid war. The President himself says he has not yet decided war will be necessary. In this situation, it would be wrong for Congress to act now to authorize the President to go to war before the steps the President has outlined are exhausted.

The most solemn responsibility any Congress has is the responsibility given the Congress by the Constitution to declare war. We would violate that responsibility if we delegate that responsibility to the President in advance before the President himself has decided the time has come for war.

The President acknowledged last night there are major risks in going to war. I do not believe these risks have been adequately described to the American people.

General Wesley Clark, the former Supreme Allied Commander in Europe, told the Armed Services Committee on September 23 if you are talking to the mothers and the loved ones of those who die in that operation in Iraq, you

want to be sure using force and expending American blood and lives and treasure is the ultimate last resort, not because of the sense of impatience with the arcane ways of international institutions or frustrations from the domestic political process of allies.

As the Senate continues to debate the use of military force against Iraq, we must do all we can to assess the potential costs of such a war in blood and treasure. The American people deserve to know what a conflict in Iraq might be like. They deserve to know how many casualties there might be. They deserve to know the true preparedness of our troops to fight in a chemical or biological environment. If they are in the National Guard or Reserves, they deserve to know how a conflict in Iraq will affect them and whether they are likely to be called up for duty.

Many Reservists who were initially recalled for the war in Afghanistan have been either demobilized or extended for a second year. They are concerned about what the impact of war against Iraq will have on their families and on their jobs. Many employers, who are struggling in the current sagging economy, are also deeply concerned about the stability of their workforce. These patriotic Americans are willing to sacrifice, but they deserve to know all reasonable alternatives to war have been exhausted.

None of us can foresee the course of events that will unfold if we go to war. Before Congress acts, the administration has an obligation to explain to the Congress and the American people the potential consequences of war. As of now, it has not.

The President is asking Congress to delegate its constitutional power to declare war before he has decided we need to go to war, but he has not adequately explained what this war will look like. How many ground troops will be required? How many casualties can we expect to suffer? How well can we respond to the use of chemical or biological weapons against our troops? How will postwar occupation and reconstruction in Iraq be conducted? How will our ongoing military operation in Afghanistan be affected, and what will the impact be on the overall war against terrorism?

Today, our service men and women are helping to combat terrorism in Afghanistan, the Philippines, the Nation of Georgia, and elsewhere around the world.

Our purpose is clear; defend our country against the clear and compelling threat to our security posed by al-Qaida. I strongly support the President in the war against al-Qaida and the al-Qaida terrorists. I am proud of the achievement of our Armed Forces in the war against terrorism.

Some argue that America's vastly superior military force can easily defeat the Iraqi army, but many of us are concerned that the very strength and success of our Armed Forces in the gulf war and in Afghanistan will lull Amer-

ica into thinking if war with Iraq becomes necessary, it will be a bloodless war with few casualties.

The gulf war was fought in the desert a decade ago with an overwhelming superiority of forces in a strong coalition of the United States and other nations. They achieved one of the most decisive victories in the history of warfare. The experts I have consulted believe that a new war with Iraq will not be as easy, especially if we do not have the support of a coalition of nations.

Some defense analysts contend the Iraqi regular army is plagued with low morale and poor equipment and may well surrender at the first sight of American might. Other experts believe, however, that unlike the regular Iraqi army, up to 100,000 Republican Guard and special Republican Guard troops of Iraq will defend Baghdad and remain fiercely loyal to Saddam Hussein.

Michael O'Hanlon of the Brookings Institution believes the Iraqi Republican Guard forces could make a U.S. military attack very difficult. He estimates that our military casualties could be as high as 5,000. By comparison, in the gulf war, just under 400 U.S. service members lost their lives.

Many believe our Armed Forces may need to occupy Baghdad, which has over 5 million residents. Testifying before the Armed Services Committee on September 23, GEN Joseph Hoar, former commander in chief of the U.S. Central Command, discussed the potential horrors of urban warfare. He said in urban warfare you could run through battalions a day at a time. All of our advantages of command and control, technology and mobility are, in part, given up and you are working with corporals, sergeants, and young men fighting street to street. It looks like the last 15 minutes of the movie "Saving Private Ryan."

Despite the risks of urban warfare, the administration has avoided questions about how a military operation in Iraq may unfold. We have not been told how many ground troops we will need or, again, how many casualties we can expect. The Joint Chiefs should provide Congress with casualty estimates for a war in Iraq as they have done in advance of every past conflict. These estimates should consider Saddam's possible use of chemical or biological weapons against our troops.

Unlike the gulf war, many experts believe Saddam would resort to chemical and biological weapons against our troops in a desperate attempt to save his regime if he believes he and his regime are ultimately threatened.

In the September 19 hearing before the Senate Armed Services Committee, General Myers, the Chairman of the Joint Chiefs of Staff, cited a long list of improvements that have dramatically increased the combat effectiveness of our forces since the gulf war. He said our troops now have improved ability to protect themselves against chemical or biological attacks.

However, the General Accounting Office published a report on October 1

which clearly suggests that our forces are not adequately prepared for a chemical or biological attack. The report concluded that although the Defense Department has taken significant actions to provide such protection, serious problems persist. This is what the GAO report found: Chemical and biological defense training continues to be a problem; medical readiness of some units to conduct operations in a contaminated environment remains questionable; some units are critically short of required protective gear.

One Air Force wing has only 25 percent of the protective masks required and only 48 percent of required patient decontamination kits.

If Prime Minister Blair is correct in saying that Iraq has the capability to launch chemical or biological warheads in 45 minutes, what sense does it make to put our soldiers in the path of that danger without exhausting every reasonable means to disarm Iraq short of war?

We do not know whether the military will be able to adequately protect our service men and women from a chemical or biological attack, and this issue should be explained to the American people.

The Wall Street Journal reported last week that in addition to chemical and biological chemical deficiencies, there are other notable gaps in the Pentagon's planning. Civilians working at port facilities in the Persian Gulf region, where our forces will be unloading warfighting equipment, have not all received the proper protective gear or training for a chemical and biological attack.

The Secretary of Defense and the Chairman of the Joint Chiefs have not adequately answered such questions about the military operation in Iraq. They both say there will be risks to a conflict, but they have not adequately and fully discussed those risks with Congress and the American people.

The Bush administration has also repeatedly claimed that we can fight a war in Iraq without undermining the war against terrorism, but last year, on June 21, 2001, testifying before the Senate Armed Services Committee, Secretary Rumsfeld cited significant problems in military readiness. He said we have underfunded and overused our forces, and we are steadily falling below acceptable readiness standards. Yet last month, on September 19, when asked about military readiness in the Armed Services Committee hearing, Secretary Rumsfeld said recent defense budget increases, coupled with the recall of reservists and shifts in the assignment of existing personnel, have reduced the stress on our forces.

He did not explain how the budget increases, which only recently took effect, could have reversed the starkest estimate of readiness he provided to the Armed Services Committee last year. In fact, experts say that most of the growth in operations and maintenance spending over the past decade

have been for infrastructure-related programs, not military readiness.

General Myers, in his September 19 testimony, agreed that the U.S. military was stretched in some key areas. He said if our operations on the war on terror are expanded, we will be required to prioritize the deployment of unique units in high demand such as special operation forces and combat rescue forces. He also said our coalition partners may facilitate our combined operations by having similar units of forces. That, of course, assumes we will have a coalition in terms of a potential conflict.

Before the Senate Armed Services Committee 2 weeks ago, the Chairman of the Joint Chiefs admitted that because of the high demand placed on some of our forces that coalition partners are necessary to mitigate the risk of war in Iraq.

Two weeks ago, the Chairman of the Joint Chiefs admitted that because of the high demand on some of our forces that coalition partners are necessary. The way we are going to get the coalition forces is by going to the United Nations and gaining their support for the disarming of Saddam, and if action is necessary in the future.

War against Iraq may well undermine the ongoing war against al-Qaida and our continuing operation in Afghanistan by draining resources from our Armed Forces that are already stretched thin. In Afghanistan, U.S. forces continue to search villages, caves, and potential hideouts. The searches are now being conducted by the 82nd Airborne, not the elite special operation forces which are being recalled in preparation for a potential invasion of Iraq.

Many of us in the Senate are aware of these concerns with the Reserves and National Guard. We have heard them firsthand. Already, the Nation has mobilized and demobilized thousands of reservists and National Guardsmen to support the current war on terrorism. Massachusetts reservists and reservists from across the country are providing training, intelligence, and security support around the world.

Almost 1,500 National Guardsmen from Massachusetts alone are deployed to support the war on terror. Citizen soldiers are now serving in critical security positions throughout the United States and in Afghanistan. They have distinguished themselves for their patriotism and superior service. They have proven ready to meet the challenge of fighting the war on terrorism, despite outdated equipment and funding shortfalls.

The phenomenal performance of our forces in the war on terrorism attest to their resolve. But how long can we sustain this high level of operation? Approximately 11,000 of our reservists from across the Nation have been recalled for a second year to support the war on terror. This is the first time in decades that we have needed to take this measure to enhance our military

strength. Not even in the gulf war did we recall reservists for over a year. If we open a second front in Iraq, we may be forced to recall even more.

Additionally, due to critical shortages of special operations personnel, pilots, intelligence specialists, and security personnel, another 22,000 service members, a number about as high as the entire gulf war, have been involuntarily retained on active duty as part of the current war on terrorism. If we embark upon a premature or unilateral military campaign against Iraq or a campaign with only Great Britain as our ally, our forces will have to serve in even greater numbers for longer periods of time with graver risks.

There is no doubt that Saddam Hussein is a despicable tyrant. The international community must work together to disarm him. But the war against terrorism and our wider interests in the region and the world demand a course that relies on war only as a last resort after all reasonable alternatives have been fairly tried.

I have no doubt our forces will prevail in any conflict with Iraq. But Congress and the American people deserve to know the true risk of war with Iraq. The administration has the responsibility to state what the real costs of such a war may be. We need that information now, before—not after—Congress exercises its constitutional responsibility to declare war.

I yield the floor.

Mr. WARNER. If I could ask my colleague a question. It seems to me the risk is only magnified by the passage of time—whether it is weeks, months, or years—if we do not act.

I draw to my colleagues' attention what the President said in addressing the Nation last night:

Approving this resolution does not mean that military action is imminent or unavoidable.

I paraphrase that he has not sought by this a declaration of war. War is the last option. The decision has not been made.

Continuing, the President said:

The resolution will tell the United Nations and all nations that America speaks with one voice and is determined to make the demands of the civilized world mean something.

Congress will also be sending a message to the dictator of Iraq that his only choice is full compliance and the time remaining for that choice is limited.

I draw the Senator's attention to a document entitled "Joint Resolution" distributed by the chairman of the Senate Armed Services Committee and the chairman of the committee on which my distinguished colleague and I serve. While this document is not at the desk, it purports to be in the form of an amendment and is under some consideration. I presume that because that is what was distributed by my good friend and colleague, Senator LEVIN.

From page 4, I read the following:

Authorization for use of United States Armed Forces pursuant to a new United Nations Security Council resolution.

The question I ask for my colleague is in regard to section A:

Pursuant to a resolution of the United Nations Security Council described in section 22, after the enactment of this Joint Resolution and subject to subsection B, the President is authorized to use the Armed Forces of the United States in destroying and rendering harmless weapons of mass destruction, [et cetera.]

I read that as putting in the hands of the United Nations a veto on the actions taken by this body, a veto on the President's ability to use, as he has been given by the Constitution, the Armed Forces of the United States to protect at any time he deems necessary the security of America.

Does the Senator support such a concept that the United Nations would have a veto at any time in this situation? The President has gone to the U.N. asking that they take action to enforce the 16 resolutions that have been ignored by Saddam Hussein, defied by Saddam Hussein, and they are now looking at a 17th, a framework for perhaps a new inspection regime, but this current draft of a proposed amendment implies that the U.N. has to act before our President can utilize the forces given to him by the Constitution of our country.

Mr. KENNEDY. The Senator has asked a number of questions in his comments. I will do my best to respond.

As the Senator has rightfully pointed out, the President has not decided on the course of war. If the President has not decided that we have an imminent threat from Saddam Hussein, we have a serious threat. It is a very important threat. For all the reasons that have been outlined on the floor during the course of this debate about Saddam Hussein, we understand that. But the President of the United States has not made a judgment that it is an imminent threat to the United States.

He has not made a judgment that he is prepared to go to war today. If that is so, which is what he stated last night, why in the world are we saying, in the Senate of the United States, we will give him this power when he has not made up his mind he wants to use it, without any limitation on time—no sunset of this? That is No. 1. So I am opposed.

Second, on the question of the Senator from Virginia, in referring to the Levin amendment, that conforms with the constitutional authorities I have discussed, that we have done in other periods. That does not happen to be my position. I believe in a two-step approach. I believe the Security Council should have a tough resolution with unfettered inspections and we ought to galvanize the international community. I personally believe the way we galvanize the international community is by demonstrating we believe the international community has the responsibility and obligation to take action.

I believe if we go ahead and take action as being proposed by the Senator

from Virginia, that will be unilateral, where the President says: I have not made up my mind whether there is a necessity for war. I am not even prepared to say we are in an imminent threat. If we had an imminent threat from Saddam Hussein, he obviously would have a responsibility to take action in order to protect the American people.

What we are saying to the Security Council is: We are just going to have something over here on the side in case you people up there are not going to be serious.

I would like to challenge the Security Council the way the President of the United States did. I commend President Bush for finally going to the Security Council, challenging the Security Council. That is the way to go. The Security Council takes every step, uses every opportunity, and finally comes back and says: There is no alternative, there is an imminent threat.

We should be at our desks at that time in making the judgment we will have to make about committing American forces—a two-step approach for those reasons.

I have difficulty in accepting the concept that we are going to effectively give to the President of the United States the authority when he has stated, as the good Senator stated, he has not made up his own mind.

Lastly, part of the trouble we have been in over the period—and I have great respect for my colleague, and he knows he is my friend and colleague—the debate has been about the resolutions, but not about the war. We are debating the resolutions. My good friend from Florida is talking about changing the resolutions. We ought to be talking about what the implication is going to be in terms of the conflict and the war. The American people ought to understand that more clearly. That is an issue where the administration has failed the American people.

What are the best estimates?

What should we expect are going to be needed in terms of the forces?

What is the best judgment in terms of how Saddam Hussein will react?

What will be the enormous impact it will have in our battle against terror around the world?

What will it do in terms of inflaming the Muslim world if the United States has a go-alone policy, which this resolution will permit?

Will it be effectively a breeding area for al-Qaida terrorists?

We ought to be debating those issues. We do not do that. We have been debating the technicalities of these resolutions.

I know the Senator has—as I have—listened to many debates, not only on the technicalities but the broad issues of war and peace as well. But it is my regret that we are going to be faced with a cloture motion here to try to insist on a vote on this in another 2 days when we have just barely talked about the issues of war and peace and haven't

had that kind of informed debate and haven't had that kind of information that is available to us. That is part of my deep concern about where we are on the floor of the Senate now.

Mr. WARNER. Mr. President, I thank my colleague for his kind remarks. Indeed, we have worked together many times. We work together.

I strongly differ. I think our President has clearly said—first before the United Nations and as late as last night—that there is imminent danger to our Nation from Saddam Hussein and his possession of weapons of mass destruction. We clearly have a difference on that.

I strongly believe that this resolution, if it is to be brought before the Senate, will place a veto power in the hands of the United Nations. I cannot be a part of that. I will certainly oppose it as strongly as I know how.

Mr. KENNEDY. Would the Senator be willing to change the words? I don't have it here. Would he be willing to change the words to include "an imminent threat" from the language that is included in the resolution which talks about a grave threat or continuing threat?

Mr. WARNER. Mr. President, I will say at this point in time, Senator LIEBERMAN and I, and Senators MCCAIN and BAYH drafted this resolution after listening to the suggestions of many Senators on both sides of the aisle. At this point in time, if any Senator has talked about changes, then the format by the Senator from Florida I expect should be followed by way of a formalization of the amendment. But at this point in time, we have other colleagues who are anxious to speak.

I will give three quotes from President Bush's speech to the Nation last night about the imminent threat posed by these weapons of mass destruction:

In 1995, after several years of deceit by the Iraqi regime, the head of Iraq's military industries defected. It was then that the regime was forced to admit that it had produced more than 30,000 liters of anthrax and other deadly biological agents. The inspectors, however, concluded that Iraq had likely produced two to four times that amount. This is a massive stockpile of biological weapons that has never been accounted for, and is capable of killing millions . . .

Alliances with terrorists could allow the Iraqi regime to attack America without leaving any fingerprints . . .

We've also discovered through intelligence that Iraq has a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical and biological weapons across broad areas. We are concerned that Iraq is exploring ways of using UAVs for missions targeting the United States.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I have listened with a great deal of interest to this presentation. I think there are a couple of clear points one can make in response, and then I will comment.

We have been dealing with Saddam Hussein with our men and women in

uniform for 12 years. We have been occupying positions in the Middle East. We have been flying over the regions that Saddam has. We are flying the no-fly zones in the north and south of Iraq. We had weapons inspectors in there for the 12 years, until they were kicked out 4 or 5 years ago. After Saddam was kicked out of Kuwait, after there was a United Nations agreement, and after basically he agreed to an armistice, and after inspectors, he said: I will take out all weapons of mass destruction, and I will turn them over to the international community. And he has not done that. We know that. He has failed to do that.

We have had economic sanctions against Iraq for a period of years now. They have not worked. There is such a sieve in the region that he is able to get oil out and goods in without any problem.

We have worked with the United Nations. We had some 16 resolutions that passed through the United Nations. It is as if some of the debate on the floor is that we are just now starting to try to deal with Saddam Hussein, when I think you have to look back over the past 12 years. We have been dealing with this dictator and this despot for 12 years in every way conceivable.

I think the conclusion most people have is that 12 years ago we should have gone into Baghdad and removed him at that time. That is the real conclusion people come to. Yet, for reasons of the Congress or the international community—whoever you want to say in that point of time—there was no agreement to kick him out.

Since that time, it has not changed. He is the same guy who has these weapons of mass destruction. It has just gotten worse in that period of 12 years.

I would analogize it to having cancer. If you have cancer, you have a couple of options: You can deal with it. You can go in and have surgery to remove the big areas that are spreading. You can try to contain it for a period of time through different therapies. Or you can ignore it and just say: It does not affect me today. I am fine today.

Saddam Hussein has chemical weapons. He has biological weapons. He is working on nuclear weapons. He has missile capacity to deliver all of these.

That is the cancer that exists. We can say we feel fine today; we are fine. What if he decides to launch any one of those? What if he does it not at military targets but at civilian targets, at one of our allies, or even at us? Are we fine then? I can just see us having a commission after that period of time asking: Why didn't we catch these terrorists? We were working on Iraqi soil before they attacked the United States. We should have gone in there. Did we not know enough? Were we not sufficiently concerned about it in a similar way that we are having hearings now about why we didn't do things prior to September 11? Did we see the

clues and the situation building up prior to the Twin Towers and the Pentagon being hit? Did we not see this coming?

Let us apply that same standard to Saddam Hussein and the nexus he provides between the weapons of mass destruction and terrorists. They are clearly there. I just articulated the weapons of mass destruction that he has. He is also working on such things as smallpox. We think he may be trying to do something with that. He is working on all sorts of things. Yes. Weapons of mass destruction.

What about the terrorist connection that is there? Abu Nidal's organization was headquartered there for a period of time. He just died, or he was killed recently, for whatever reason. Al-Qaida leadership is in Iraq. Hussein has worked closely with a number of terrorist organizations in and on his soil. They are there. You have the mix of these two sitting side by side—a toxic mix that the United States cannot countenance.

I respect a number of people who think this isn't the way we do things. Democracies have real difficulty declaring war. That is a very good thing. This is just something we don't like. We want somebody to come and hit at us first, before we go on to war. You can look through the history of the United States and the acts where we were hit and then we responded. That is the way we are most comfortable in dealing with these tough, difficult issues about whether you go to war with a foreign nation. It is good that we wrestle with that and with this situation.

It is like in the old television show "Gunsmoke." At the end of the "Gunsmoke" episode every week, it ended the same way: Matt Dillon walks out on the main street of Dodge City. The bad guy walks out on the street on the other end. They stare at each other for a little while. The bad guy has a chance to walk off, if he wants to. He also gets to draw first. He draws first. Then Matt Dillon draws. The bad guy goes down. There is a sense of fair play and honor about that. There is a set of rules. The bad guy gets to shoot first, but you are going down in the process. If you are going to do that; you have a chance to walk away. If you decide not to, that is your choice.

That is the way we like to do things, because there is a sense of, Do we really want to bother somebody else to this degree? Is this the right thing to do?

Saddam Hussein doesn't operate that way. The terrorists today don't operate with those same sorts of rules of decorum in operation, and the rules of boxing, if you will.

These are people who don't go out on Main Street with Matt Dillon. They sneak around behind buildings and try to get at innocent people and women and children. They don't go straight at our military. They attack people in civilian positions. Their object is to disrupt. It is not to protect a nation state.

It is not to confront the military. It is to kill as many civilians as they can.

Can we afford, in that type of atmosphere and that new way of operating, to have terrorists force us to sit back and say: OK? Are we going to wait until somehow they attack us, or try to get botulism in our food supply, or try to get anthrax into a broad area of the United States, or one of our allies, or try to make a weapon with smallpox, and then we will go at them?

The cost of doing that is to spread a cancer; the deaths of many people. This is not something we can countenance. It is not something—when my primary duty and the primary duty of the elected Members of this body is to provide for the national defense—that we can countenance. It is not something we can do.

I want to read from some testimony Henry Kissinger gave 2 weeks ago before the Senate Foreign Relations Committee.

I ask unanimous consent that his entire testimony be printed in the RECORD after my comments.

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

(See exhibit 1.)

Mr. BROWNBACK. Mr. President, former Secretary Kissinger is probably one of the best minds, if not the best mind, in foreign policy in the world. He dealt with the cold war. He was directly involved in that, and he has been a very astute student. And now he is a student of what takes place today in the war on terrorism that we have. Listen to just a couple paragraphs of what he says about these weapons of mass destruction in the hands of a country that also works with and provides support and housing for terrorists. He says this:

If these capabilities remain intact—

That is, weapons of mass destruction—

they will become an instrument—actual and symbolic—for the destabilization of a volatile region.

There he is speaking of the entire Middle East.

And if Saddam Hussein's regime survives both the Gulf War and the anti-terrorism campaign, this fact alone will compound the existing terrorist menace.

He points out in this statement that he thinks going at Iraq will have a very positive impact on terrorism, and if we do not go at Iraq, our war against terrorism will just devolve into an intelligence operation, and that would be the likely continued status of it.

He handles another argument. I will read another quote from Secretary Kissinger:

It is argued that dealing with weapons of mass destruction in Iraq weakens the war against terrorism. The opposite is more likely to be true. Eliminating such weapons in Iraq is an important aspect of the second phase of the anti-terrorism campaign. It demonstrates American determination to get at the root causes and some of the ultimate capabilities of what is, in essence, a crusade against free values.

That is what Secretary Kissinger goes on to say in this presentation. He argues that this is an essential part of the war against terrorism, if we are to effectively deal with this terrorist threat and the problem that we have. And not to overrepeat this, but I do not think one can overrepeat it. It is a little bit like a doctor's prescription dealing with your health where you are, and here are the possible problems you have.

Here is what we know that Saddam Hussein has.

Gaps identified by UNSCOM in Iraqi accounting and current production capabilities strongly suggest that Iraq maintains stockpiles of chemical agents, probably VX, sarin, cyclosarin, and mustard.

UNSCOM reported to the U.N. Security Council in April 1995 that Iraq had concealed its biological weapons program and had failed to account for 3 tons of growth material for biological agents.

In 2001, an Iraqi defector reported visiting some 20 secret facilities in Iraq for chemical, biological, and nuclear weapons.

Saddam continues to pursue nuclear weapons, and has used chemical weapons against his own people, as well as his neighbors.

I do not think I need to remind people about what he has done in his region. He has attacked Iran, invaded Kuwait, and he has launched missiles at Saudi Arabia and Israel. That is why we will have had, and have today, strong allies in the region opposed to Saddam Hussein continuing.

I want to look at the positive, the upside of dealing with Saddam Hussein. We have a lot of difficulty, a lot of potential problems to deal with, but what happens if you get Saddam Hussein out of power?

I think there are significant, positive steps moving forward in that region.

It is interesting to note that from 1920 until the late 1950s, Iraq had a constitutional monarchy, a bihouse parliament that had authority over budgets and ministers. They have a history of some democracy. It was not the level of democracy we have, but they have that in their historical background.

Ten percent of the world's oil supplies are located in Iraq. They have an educated urban population. They will embrace and encourage and move forward with democracy on a rapid basis. Now, it is not going to be completely free of any hitches, but I think the potential in developing an active, vibrant, working democracy in Iraq is significantly greater and higher than what we are seeing in the situation in Afghanistan, which is moving forward but with a lot of difficulty. They do not have the natural resources to build. They do not have a historical basis of democracy with which to work. They have a number of warlords in the area, which does not exist in Iraq.

There is reason to believe that the upside potential with Iraq, and the

spread of democracy and human rights and religious freedoms and pluralism will be significant in Iraq. And that will spread throughout that region. These are a set of values, of human values, for which the United States stands and has stood for years, and we have been very positive in this. Yet we have not pushed this set of values generally in that region of the world, in the Islamic region of the world.

There is something like 49 countries and 2 democracies in that region of the world. And a number of people wonder why there is the push for human rights, democracy, and religious freedom everywhere else and not there. And we have kind of hemmed and hawed and “well, I don’t know,” and we have allies there, and we are dependent on the oil, and we don’t want to upset things in the region.

The truth is, we need to stand for the things there that we stand for everywhere else. And if we do that, and push that in Iraq, it is going to be a flower that will bloom there in the desert. It is going to show the way to a number of countries. It is going to involve the people. And the people are going to be able to grow and possess that beauty of liberty that they seek and know and want. We will be able to help put it forward and move it into action in that region.

These are very difficult times for us. There are difficult times in the region. But I think the question clearly before us is whether we should move forward. I think the answer is definitely yes, that we should move forward.

This is a time for us to be very humble and wise about what we need to do and definite about how we move forward. We do not make this choice lightly, nor without the understanding that with this action comes difficult consequences to some of our finest citizens in the Armed Forces and potentially of terrorist attacks to our allies and to us.

We would do well to remember the words of Psalm 140:

Grant not, God, the desires of the wicked one; do not grant his conspiracy fruition. . . . As for the head of my besiegers, let the mischief of their own lips bury them.

Once again, we have come to deal with a very difficult situation where we are called upon to stand up to the threats of evil and tyranny—something we have had to do many times in the history of this wonderful Nation. As daunting as this is, it is not a responsibility we can shirk. Saddam has made the case against himself. He has buried himself with his own lips and his own actions. We cannot ignore this. And we should not put off for another year, or a few, a difficult matter that will only get worse. If we do not take this action now, we are unlikely to any time in the near future. Now is the time for us to act.

I support the bipartisan resolution authorizing the President to use force in Iraq. I hope all the American public is praying for us, and praying about

this for wisdom, for protection, for limited loss of life, and for the right thing to be done.

This is a tough moment. It is a different stage for us. It is a ways and means of handling something we have not done in the past where we go in and try to take care of a situation before it kills many people. We need those prayers for wisdom and wise action.

I urge my colleagues to support this resolution, this bipartisan resolution authorizing the President to use force in Iraq.

I yield the floor.

EXHIBIT 1

STATEMENT OF THE HONORABLE HENRY A. KISSINGER BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, SEPTEMBER 26, 2002

Mr. Chairman, Congress is considering one of the most consequential expressions of its views since the end of the Cold War: what action the United States should take to deal with the threat posed by illegal stockpiles of weapons of mass destruction in Iraq and their potential growth. President Bush has reaffirmed America’s commitment to a cooperative world order by asking the United Nations to rectify Iraq’s defiance of a large number of U.N. resolutions mandating the destruction of these stockpiles as well as Iraq’s flagrant breach of its pledge to do so as a condition for the suspension of the Gulf War in 1991. But were the world community, by fudging its response, to opt for the risk of a greater threat in the future, can American and a coalition of the like-minded acquiesce in stockpiles of weapons of mass destruction in Iraq? Thus the Committee will need to consider not only the risk of action but also the consequences of inaction.

The Iraqi stockpiles of weapons of mass destruction will be growing in an international environment in which their danger merges with the threat of terrorism. For on September 11, 2001, the world entered a new period in which private, non-state organizations undertook to threaten national and international security by stealth attacks. The controversy about preemption is a symptom of the impact of this transformation. At bottom, it is a debate between the traditional notion of sovereignty of the nation-state prevalent since the Treaty of Westphalia in 1648 and the adaptation required by both modern technology and the nature of the terrorist threat.

Osama bin Laden’s base was on the territory of a national state, though his was not a national cause. Highly disciplined operatives are scattered around the globe, some on the soil of America’s closest allies and even within America itself. They enjoy financial and organizational support from a number of states—most frequently from private individuals ostensibly not under the control of their governments. Bases for terrorists have been established in several countries, usually in areas where the governments can plausibly deny controls are actually not in control, such as in Yemen, Somalia, or perhaps Indonesia and Iran.

Having no territory to defend, the terrorists are not subject to the deterrent threats of the Cold War; having as their aim the destruction of social cohesion, they are not interested in the conciliating procedures and compromises of traditional diplomacy.

Unlike the previous centuries, when the movement of armies foreshadowed threat, modern technology in the service of terror gives no warning, and its perpetrators vanish with the act of commission. And since these attacks are capable of inflicting catastrophic damage, traditional notions of sovereignty

have to be modified with respect to countries that harbor terrorist headquarters or terrorist training centers. The problem of preemption is inherent in the nature of the terrorist challenge.

The accumulation of weapons of mass destruction in Iraq in violation of U.N. resolutions cannot be separated from the post-Afghanistan phase of the war against terrorism. Iraq is located in the midst of a region that has been the hotbed of the special type of global terrorist activity from which the attack on the United States was organized. And the consequences of weapons of mass destruction have many similarities to those of terrorism. They can be used without warning; their impact is catastrophic. In some circumstances, their origin can be uncertain. If the world is not to turn into a doomsday machine, a way must be found to prevent proliferation—especially to rogue states whose governments have no restraint on the exercise of their power.

Cold War principles of deterrence are almost impossible to implement when there is a multiplicity of states, some of them harboring terrorists in position to wreak havoc. The Cold War world reflected a certain uniformity in the assessment of risk between the nuclear sides. But when many states threaten each other for incongruent purposes, who is to do the deterring, and in the face of what provocation? This is especially true when that which must be deterred is not simply the use of weapons of mass destruction but the threat of them.

Suicide bombing has shown that the calculations of jihad fighters are not those of the Cold War leaders. The concern that war with Iraq could unleash Iraqi weapons of mass destruction on Israel and Saudi Arabia is a demonstration of how even existing stockpiles of weapons turn into instruments of blackmail and self-deterrence. Procrastination is bound to magnify such possibilities.

The existence and, even more, the growth of stockpiles of weapons of mass destruction in Iraq poses a threat to international peace and stability. The issue is not primarily whether Iraq was involved in the terrorist attack on the United States. The challenge of Iraq is essentially geopolitical and psychological. Its policy is implacably hostile to the United States, to neighboring countries, and to established rules that govern relations among nations. It possesses growing stockpiles of biological and chemical weapons, which Saddam Hussein has used in the war against Iran and on his own population. Iraq is working again to develop a nuclear capability. Saddam Hussein breached his commitment to the United Nations by preventing the operation of the international inspection system he had accepted on his territory as part of the armistice agreement ending the Gulf War. There is no possibility of a direct negotiation between Washington and Baghdad and no basis for trusting Iraq’s promises to the international community. By what reasoning can the world community—or America—acquiesce in this state of affairs?

If these capabilities remain intact, they will become an instrument—actual and symbolic—for the destabilization of a volatile region. And if Saddam Hussein’s regime survives both the Gulf War and the anti-terrorism campaign, this fact alone will compound the existing terrorist menace.

By its defiance of the U.N. Security Council resolutions requiring it to give up weapons of mass destruction, Iraq has in effect asserted the determination to possess weapons whose very existence compounds the terrorist threat immeasurably. Global terrorism cannot flourish except with the support of states that either sympathize or acquiesce in its actions. To the extent that

these countries observe the flouting of U.N. resolutions, the weakening of international norms, and the defiance of America, they feel less restrained in acquiescing in or ignoring terrorist activities. For the nations of the world to accept the existence of growing stockpiles of weapons of mass destruction where the new form of terrorism has been spawned is to undermine restraint with respect not only to weapons proliferation but to the psychological impulse toward terrorism altogether.

The campaign in Afghanistan was an important first step. But if it remains the principal move in the war against terrorism, it runs the risk of petering out into an intelligence operation while the rest of the region gradually slides back to the pre-9/11 pattern, with radicals encouraged by the demonstration of the world's hesitation and moderates demoralized by the continuation of an unimpaired Iraq as an aggressive regional power. In short, the continuation of illegal proliferation, the global dangers which it involves, the rejection or infeasibility of a viable inspection system, and the growth of terrorism require action, preferably global, but as an ultimate resort of America's, together with those countries prepared to support it.

It is argued that dealing with weapons of mass destruction in Iraq weakens the war against terrorism. The opposite is more likely to be true. Eliminating such weapons in Iraq is an important aspect of the second phase of the anti-terrorism campaign. It demonstrates American determination to get at the root causes and some of the ultimate capabilities of what is, in essence, a crusade against free values. Enforcing U.N. resolutions in Iraq does not compete with the capabilities needed to pursue the second phase of the anti-terrorism campaign. In all likelihood, such action will strengthen it by additional deployments to the region.

Nor should it weaken the cooperation of other countries in the anti-terror campaign. Assisting in this effort is not a favor other countries do for the United States but ultimately for themselves. And what exactly will they decline to support without risking their entire relationship to the United States? The fight against terrorism will take many years. To wait for its end before acting is to guarantee that stockpiles of weapons of mass destruction multiply.

At the same time, while reserving the option to act in concert with only the nations it can convince, the United States is wise to appeal to cooperative action of the world community. As the most powerful nation in the world, the United States has a special unilateral capacity and, indeed, obligation to lead in implementing its convictions. But it also has a special obligation to justify its actions by principles that transcend the assertions of preponderant power. It cannot be in either the American national interest or the world's interest to develop principles that grant every nation an unfettered right of preemption against its own definition of threats to its security. The case for enforcement of established resolutions should be the opening move in a serious effort of consultation to develop fundamental principles that other nations can consider in the general interest.

The United Nations is therefore challenged to come with a control system that eliminates existing weapons of mass destruction in Iraq—together with procedures to prevent their being rebuilt. The control system must go far beyond the inspection system negated by Saddam Hussein's evasions and violations. It must prevent any possibility for local authorities to harass informants or to impede free access to the inspectors. It should be backed by standby authority and perhaps a standby force to remove any obsta-

cle to transparency. Moreover, any system of inspection must be measured against the decline in vigilance that accompanied the previously flawed system's operation. Nor can it be achieved at the price of lifting sanctions while Sad Dam Hussein stays in office. For that would provide the Iraqi regime with the means of rearmament as a reward for ending its violations. Indeed, the rigorous measures required to implement the U.N.'s own resolutions are almost surely incompatible with Hussein's continuation in power.

In the end, enforcement of U.N. resolutions should be coupled with a program of reconstruction for Iraq. Because of the precedent-setting nature of this war, its outcome will determine the way U.S. actions will ultimately be viewed. And we may find more nations willing to cooperate in reconstruction than in enforcement, if only because no country wants to see an exclusive position for America in a region so central to international political and economic stability.

Reconstruction will require dealing with how to preserve the unity and ensure the territorial integrity of a country that is an essential component of any Gulf equilibrium. A federal system to enable the Shiite, Sunni, and Kurdish ethnic groups of Iraq to live together without domination by one of them is surely appropriate. But any serious planning would have to consider the means to prevent autonomy from turning to independence, which, in the case of the Kurds, would put Turkish support for the military phase at risk. And all this would have to take place in the context of a government capable of resisting pressures from the remnants of the old regime or from neighboring countries determined to destabilize the emerging system.

The United States has put forward a reasoned definition of the dangers: the possession of weapons of mass destruction by governments that have demonstrated their willingness to use them, have professed hostility toward America or its allies, and are not restrained by domestic institutions. Can the world community reject that definition of the danger?

However the issue of weapons of mass destruction in Iraq is resolved, the longer-range goal must be to devise a system for dealing with new attempts by additional countries to acquire weapons of mass destruction or biological and chemical weapons. We are only at the beginning of the threat of global proliferation. The nations of the world must face the impossibility of letting such a process run unchecked. The United States would contribute much to a new international order if it invited the rest of world, and especially the major nuclear powers, to cooperate in creating a system to deal with this challenge to humanity on a more institutional basis.

Congress has an opportunity to vindicate a system of international order. I urge you to give the President the authority to enforce the appropriate U.N. resolutions together with the world community if at all possible, in concert with like-minded nations if necessary.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. We have had excellent cooperation in the management of this very important matter. Senators have been forthcoming. I note that the Presiding Officer is now scheduled to speak. Is there a means by which we could accommodate him? I would be happy to sit in the Chair. But I also observe the presence of another Senator who immediately follows the distinguished Senator. We could perhaps flip.

If I might suggest that.

The PRESIDING OFFICER. The Chair is prepared to recognize the Senator from Montana.

Mr. WARNER. We will recognize the Senator from Montana then.

Mr. President, while we are waiting for the Senator from Montana to address the Senate, I want to thank our colleague, Senator BROWNBACK, for an excellent statement. I was privileged to follow it, and it is an important contribution to this debate.

I thank my colleague.

Mr. BROWNBACK. Thank you.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my good friend from Virginia.

I thank my good friend from Delaware, whose kindness and generosity is as good as the size of his State is small, in allowing me to speak now. And I understand the Presiding Officer may get some relief in a little bit and will be able to make his statement.

As we get into a debate such as this, every time we spend a lot of time going over and saying about the same thing. We know who Mr. Hussein is.

I congratulate the President for an excellent speech on Monday night. Not only did it complement his words before the United Nations, some would construe the speech as a statement of war. I think that is not the case. I had an opportunity to hear our Secretary of State, General Powell, put it very well when he said it was "a statement of what we intend to do."

We know and we have seen this man operate who claims the Presidency of Iraq, going way back to the time he attacked Iran, then his actions against a neighbor, Kuwait. And since then, Saddam Hussein has deceived the world for over a decade.

He has violated 16 U.N. resolutions without consequence. He has stockpiled weapons of mass destruction and has a clear intention of obtaining nuclear weapons. His brutal regime has used these weapons on his own people. On one occasion this dictator used sarin, VX, and mustard gas agents to kill 5,000 innocent civilians in a single day.

He has abused the U.N.-established Oil-for-Food Program, weaponizing his oil to finance his fanaticism. All this time he has bankrupted his own country. Saddam has amassed black market revenues of \$6.6 billion since 1996. I tell the American people this is not an Oil-for-Food Program. It is oil for terror.

Peace in our time, how long have we been kicking that phrase around? And it is still with us. It is in peril again and will be so long as Saddam Hussein is in power with the most destructive weapons in history in his hands.

Evidence of Saddam Hussein's complicity in and sponsorship of international terrorism is ample. He praised the September 11 attacks, calling them "God's punishment" in his government-controlled press. Al-Qaida terrorists are known to be hiding and harbored in Iraq. He continues to play

host to networks and has ordered acts of terror on foreign soil. And the worst of all worlds, though, is that he paid Palestinian families of Palestinian suicide bombers \$25,000 as a reward for mass murder.

We know he violated U.N. sanctions and resolutions for inspections in that country, and now we are going back to the U.N. again for another resolution. There is one pitfall that we do not want to fall in again. By allowing new weapons inspections with conditions makes a mockery of our capacity for trust. He will exploit every opportunity to conceal and lie about what he has and where he has it—not only from us here in this country, but from the rest of the world. And the rest of the world should be outraged. What else is new?

He has a known record. Rather than playing the role of appeasers with a terrorist regime, the world community must vigorously pursue enforcement and compliance of those United Nations resolutions. If the United Nations Security Council cannot enforce its own authority and prove itself relevant and effective, then President Bush has no choice but to take whatever action he deems necessary to protect America from avowed enemies.

I understand fully the seriousness of committing our military, our men and women, in harm's way. I also understand the seriousness of the situation, not only just for Americans but for those freedom-loving and those freedom-desiring nations and societies around the world. I see a threat that overrides my fears and most of my concerns. We must act to depose a brutal regime and religious extremist who hates our freedoms and would do us harm.

I know America's intent is never to dominate other nations but to liberate them. We have a strong historical track record there. Our intent today with Iraq should be no different—to bring liberty and democracy to the Iraqi people who suffer arbitrary imprisonment, execution, torture, starvation, gang rape, and mutilation at the hands of this tyrant.

It is a changed world. It is a different time. Let me tell you that September 11 did not make it this way. September 11 gave us a horrible and graphic picture of the dangers of a changed and smaller world. No longer can we look the other way when the bully on the other side of the world pushes us and others around.

By today's standards, Saddam Hussein has been the bully on the block, right here at home. No longer can the international community simply do nothing.

How can we idly stand by and allow this monster to hide behind the veil of sovereign nation status? My conscience cannot allow it. There are no national boundaries when it comes to ferreting out and ending human injustice and suffering. We do have a responsibility to our fellow man. We always have. We

also have an absolute right to defend ourselves.

Monsters are not going to be given a free hand to inflict unending suffering and death upon their own people and others, nor shall they be allowed to export terrorism or provide solace for terrorists. As Americans, we have a moral and ethical obligation to assure that each global member conducts themselves in an acceptable manner. Depending upon the magnitude of the offense, the remedy is different.

Saddam Hussein's oppressive regime has committed such severe atrocities that the world community can no longer stand idly by and do nothing. We cannot turn a blind eye.

A new world requires a new philosophy regarding defense. This new philosophy has been evolving for over a decade, ever since the end of the cold war. Deterrence and containment no longer suffice.

In this new age, this smaller world, we can no longer look the other way because a conflict is on the other side of the world. It is just like a conflict in our own neighborhood. There is no other side of the world anymore. It is just down the street.

So not only do we have a right, but a duty to protect ourselves and freedom-loving people around the world. The world community needs to be involved in making sure our partners in the world community treat their citizens and other nations fairly and with respect. If nations fail to do this and rise to a certain level of threat, just like kids at home, these nations must be dealt with. This is an evolving sense of conscience, and mine cannot sit back and wait until there is another strike.

Three-thousand people died on September 11, 2001. I do not want to see the tragic loss of American life again because of our inaction. It cannot happen to me, my children, or their children, or any innocent life.

So what do we do with a leader who has so blatantly violated 16 U.N. resolutions over the last decade, has invaded neighboring countries, and has tortured and killed his own people? Do we sit idly by and watch? That has never been the American way. America has never stood paralyzed by inaction when its citizens are threatened. Does Saddam pose a threat to this country's livelihood and to the American people? I believe he does.

September 11 also taught us another lesson—how fragile our freedoms are, especially when you inject fear. Also, we found out how fragile our economy was. He clearly has growing and increasingly sophisticated biological and chemical weapons capabilities, which strikes fear into the heart of every citizen on this planet. He has used them in the past and has the intent to use them again. He also actively continues his efforts to acquire nuclear weapons.

To those who still do not see the link between Iraq and the terrorist attacks on America and American interests, I say look again. The absence of an obvi-

ous link does not mean that one link does not exist. To those of us who study and learn from history, there should be no question what we need and should do. Hussein is a monster and a threat to the United States as we know it. Congress must speak with one united voice. The Nation must speak with a united voice. The world community must speak with one united voice. Those who resist speaking with a strong, united voice have a very short memory. The security of this country is the responsibility of each and every one of us who live here. If this great Nation wants to stand by and pacify, I tell you we will get hit again.

We have heard lots of speeches and seemingly a lot of logic that would say this is a wrong thing to do. I can remember when another President by the name of Theodore Roosevelt said, "Speak softly, but carry a big stick." With Saddam Hussein, we have tried to speak softly and, so far, it has not worked. He has not responded to any U.N. resolution, sanctions, or even oil for food. So people like Saddam Hussein and Osama bin Laden, who hate Americans, hate our system, hate what free people have built here, will find a soft spot somewhere else at a later time—another vulnerability—and they will seize upon this opportunity to attack us once again.

That is what a blind eye creates. So I will vote for this resolution. I would even like to see it stronger because I think it strengthens the hands of our Secretary of State as he maneuvers his way through developing a new resolution in the world community called the United Nations. It also sends a very strong message to the rest of the world that all of us have a responsibility when a cancer falls upon the face of our planet. I will vote for this one and even a stronger one if I could get it.

Once again, speak softly, but carry a big stick.

I yield the floor.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Oregon is recognized.

Mr. WYDEN. Madam President, I hold the Senate seat of the late Wayne Morse. Senator Morse lost his job in 1968, and many have attributed his loss to his outspoken opposition to the Vietnam war. Wayne Morse's election loss makes his words from that era no less true today.

In a 1966 debate on the role of the Senate with respect to the great issues of war and peace, Senator Wayne Morse said:

This is what the United States Senate is for. It is what the Founding Fathers created the Senate to do—take the long-range view of actions prompted in national councils that may be warped by some strong passion or momentary interest.

It is the long-term interest of our country, Madam President, that Wayne Morse so presciently focused on in 1966 that leads me to outline the following conclusion that I have made with respect to the Iraq resolution.

Saddam Hussein is the bad actor here and the United States of America is the good actor. I believe the authorization of a unilateral preemptive military attack based on the information now available will cause much of the world, unfortunately, to lose sight of this reality. This perception in a region racked by poverty and already marked by a deep mistrust in American foreign policy could foster decades, possibly even centuries of undeserved hatred of our great Nation that will threaten our children and our grandchildren.

Protecting our children and grandchildren after a unilateral preemptive attack on Iraq will require a staggering financial commitment from our National Government. Given the pressing financial needs here at home for public safety, for education, for health, where are the funds going to come from after our Nation wins such an engagement with Iraq?

Protecting our children and grandchildren after a unilateral preemptive attack on Iraq will require an American policy of energy independence—especially independence from Middle East oil. We are a long way from there, and on some issues, such as saving energy and the crucial transportation sector, it seems that now we have been going backward.

Protecting our children and grandchildren after a unilateral preemptive attack on Iraq will require a plan for rebuilding confidence among many of the countries that stood with us during the gulf war conflict, but do not stand with us today. Many of those countries do not believe diplomatic and other steps have been fully exhausted. If our Government cannot convince them of that, it is certainly going to be tough to restore faith after a unilateral, preemptive attack.

For many weeks now, I have waited and listened patiently, I feel, for the administration to make its case for the resolution. I serve on the Senate Intelligence Committee. I followed this issue very closely, and I believe neither partisan politics nor the pressures of an anxious public should be factored into a decision of this magnitude.

Instead, I see my duty as an elected representative of the great State of Oregon to listen, to inquire dispassionately, and make the decision I believe to be in the best interest of Oregon and this great country, and leave the judgment to history and the voters as to whether I made that judgment in the right way.

In approaching the decision about whether to vote to authorize the military option this measure calls for, I laid out some criteria on which to base my decision.

My criteria were: If our security agencies were to provide me with compelling evidence of a significant threat to our domestic security if Hussein's Iraq is not defeated militarily, I would be willing to grant authority for the use of force. But I am unwilling to give my approval for a first-strike, unilat-

eral attack until and unless there is assurance under the resolution that before such an attack, the administration exhausted all other reasonable means to accomplish our goals.

Second, I am convinced it is essential to have a workable plan to contain the situation if Iraq attacks Israel and Israel enters the conflict.

And third, I am concerned there has to be a showing such an attack will not make our Nation less safe by setting us back in the war on terrorism.

The President has made a compelling case—I believe a sincere one—regarding the danger posed by Iraq under the rule of Saddam Hussein, but his argument—and I say respectfully—does not meet the criteria I have laid out.

First, I am not convinced, regarding a clear and present threat, Saddam Hussein currently imposes a clear and present threat to the domestic security of the Nation. While my service on the Senate Intelligence Committee has left me convinced of Iraq's support of terrorism, suspicious of its ties to al-Qaida, I have seen no evidence, acts, or involvement in the planning or execution of the vicious attacks of 9/11.

While Iraq has aided terrorism for many years, there are any number of regimes who have aided terrorism, including some with far more direct links to Osama bin Laden's network of terror. In this regard, I note the first conclusion in the Central Intelligence Agency's declassified letter to Chairman Bob Graham of Florida dated October 7 of this year which states that at present, Iraq does not appear to be planning or sponsoring terrorism aimed at the United States.

Yet, had the administration met this threshold test, in my view, it has still not met the rest of what I consider to be prudent criteria. While the President has stated his desire to seek alternative means to accomplish his goals before beginning a military strike, to grant the President the authority to conduct a first-strike war before first witnessing the exhaustion of those efforts is to abdicate the obligations of this body in its most sacred role. The Founding Fathers surely envisaged a more challenging inquiry when granting the Congress the responsibility of authorizing armed conflict.

On my second point, while I am not privy to the administration's war plans, I am of the belief the administration is satisfactorily preparing for a potential enlargement of the conflict with Israel or other allies. I am concerned this issue has not been adequately addressed.

I do believe the administration needs to outline in further detail how they would address issues with respect to the enlargement of the conflict, and I want to make clear I do not believe that point has been addressed clearly and fully to date. The possibility this conflict would be enlarged with an attack on Iraq to one that involves Israel is one I think needs to be laid out and laid out clearly.

Finally, and perhaps most importantly for my purposes, I reached the conclusion that pursuit of a first-strike war, absent any credible sign Saddam Hussein is preparing to wage war against our Nation or other nations, will leave this Nation less secure than before. I believe we have to look at greater length at these key questions, and I do not believe that has been done to date.

It is the sacred duty of the Senate to focus and act upon the long-term interests of our beloved Nation. Saddam Hussein is an extremely dangerous and extremely despicable man. Time and again, he has demonstrated that to his enemies, as well as his own people. He lives in a part of the world where there is no shortage of dangerous and despicable men who pose a threat to the security of the United States. In my service on the Senate Intelligence Committee, I have not seen satisfactory evidence he is any more despicable than the threat presented by Hamas, Hezbollah, and Iran.

In summary, those are the central questions. Making sure we have exhausted all of the diplomatic opportunities before one considers a first strike, making sure we are ready to deal with the region after a first strike and one that, in my judgment, we are clearly going to win, the unanswered questions of what happens when there is an attack on Iraq and the possibility of enlarging the conflict to Israel—these questions have not been addressed, and they have not been addressed fully.

There is no question in my mind Saddam Hussein represents a very real threat to this country and to the world, but I do not want to, in the days ahead, compound the problems we already face with Hussein in the region by authorizing a unilateral, preemptive military strike at this time, and that is why I will oppose the resolution.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, while I disagree with the thesis of our distinguished colleague, the Senator from Oregon, I do respect his views on it. I wonder if I might engage him in a brief colloquy.

This doctrine of preemptive attack unilaterally, clearly the Senator knows the President is diligently working with the United Nations, with the Secretary of State—the Secretary of State visited here with a group of us at midday today and held a press conference, and he indicated progress is being made. For the moment, we have to accord the administration at least clear support for trying hard to gain a coalition of nations and a new resolution in the Security Council which hopefully will be much stronger than anything we have seen before, and could act as a deterrent to the use of hostilities for a period of time, and hopefully, who knows, the regime may have a change of heart and cooperate.

Cooperation is a keystone to any successful inspection regime. But back to the preemptive—and I have shared this with others—in my research, the United States, under a number of Presidents, has directed military action in the following: Panama in 1901; Dominican Republic in 1904, 1914, 1965; Honduras, 1912; Nicaragua, 1926; Lebanon, 1958; Cuba, the naval quarantine, 1962, President Kennedy—clearly that was a preemptive threat and action by our President—Grenada, 1983; Libya, 1986; Panama, that was just cause in 1989; Somalia in 1992; Sudan, Afghanistan, August of 1998. You recall the bombing raids we did at that time. Iraq, that was Desert Fox in December of 1998, and I remember well as ranking member going over and talking with then-Secretary of Defense Cohen, a valued friend and colleague in the Senate of many years. And Kosovo in March of 1999.

Now, they fit the description of the preemptive type strikes my esteemed colleague from the great State of Oregon has enumerated. They were done under the concept, which is tried and true in international law, recognizing “the anticipatory self-defense if a country is imminently threatened.”

I think the Senator pointed out he feels President Bush has indicated this country is imminently threatened. So there are some examples. I do not think this contemplated action by the President—he says he has made no decision to use force, but then again I point out we have been in a state of hostility with Iraq for some time. I point out our airplanes, our brave pilots, together with Great Britain, have been engaged in enforcing a resolution of the United Nations.

Here are two nations flying missions, clearly trying to enforce the resolutions. We are fortunate even though they have been shot upon many times by ground fire directed at the aircraft, some 60 times in September of this year alone—our military has been engaged in this conflict with Iraq for 12 years. So I think it is a continuation of the conflict to which we refer in this resolution.

I ask my good friend if he has any views with regard to my points.

Mr. WYDEN. I thank my distinguished colleague for the chance to further discuss this. My colleague makes a good point that clearly last night in the President’s speech, and further today, he made it clear he was interested in trying to mobilize world opinion, and I think all of that is extremely constructive.

At the same time, the letter to Senator GRAHAM that now has been declassified—I sit on the Senate Intelligence Committee—makes it clear the CIA does not believe, as of October 7 of this year, the threat is imminent. That is why I think we have now reached the point where we are debating whether there is a continuing threat, which clearly Saddam Hussein is, or whether there is an imminent threat. It was the

imminent threat I really set out as one of the thresholds I thought was relevant for supporting this resolution.

As the Senator could hear from my speech, A, I do not doubt the President’s sincerity; B, I thought what he said last night was clearly a step in the right direction, and he elaborated on that further today.

On this matter with respect to the nature of the threat, for me what has been dispositive has been the now-declassified letter from the CIA where the CIA did not believe, as of October 7, the threat was imminent. I thank my distinguished colleague because he makes a number of good points, and always does.

Mr. WARNER. Could the Senator direct himself to the point made by the Senator from Virginia, that our aircraft have been fired upon in enforcing resolutions 60 times in the month of September of this year alone? The total firings by ground-to-air missiles on our aircraft—fortunately, they have not hit or brought down an airplane as yet—is that not engaging in combat, in war?

Mr. WYDEN. Will the Senator yield further?

Mr. WARNER. Yes.

Mr. WYDEN. The Senator again makes a legitimate point, but what we are talking about now, it seems to me—and this is what the CIA is talking about in their letter of October 7—is an imminent threat to the American people. It is very clear that conflict is a hostile one. It is one that must be countered. It is being countered today. I do not take a backseat to any Member of the Senate in terms of supporting our troops, our military, in terms of countering that conflict. But the question for the Senate then becomes whether a conflict like that should translate into support in this body for a resolution that would authorize a unilateral preemptive strike.

In spite of all of the attacks which the distinguished Senator from Virginia has mentioned—and they are very serious ones—as of October 7 of this year, the CIA did not believe there was an imminent threat to our country. I assume in making that judgment before the Intelligence Committee, if they had felt the attacks the Senator was talking about are dispositive, they would not have written that letter.

Mr. WARNER. Madam President, I guess I am missing something, but drawing on my own modest experience in the military, where I for a period was communications officer in the 1st Marine Airwing, living with aviators who were being shot at every day, to me they are American citizens. I think Americans are being shot at as that fire is trying to interdict their aircraft. They may not be home in the United States—perhaps they would like to be—but they are out there pursuant to orders of the Commander in Chief. It is not just President Bush. It was President Clinton. To me, that is hostility. To me, Americans are involved. Great

Britain likewise is flying with their brave pilots. Somehow I am missing it.

Mr. WYDEN. Will the Senator yield?

Mr. WARNER. Yes.

Mr. WYDEN. Again, I want our people who are in harm’s way, as the Senator has outlined, to be able to counter that very hostile attack. They are doing so today under existing law and it is an effort I support. In spite of those attacks, the Central Intelligence Agency stated at present Iraq does not appear to be planning or sponsoring terrorism aimed at the United States which, after 9/11, was the stated concern that was vital to our national security.

Mr. WARNER. Madam President, was the Senator among the group that was being briefed in S-407 this afternoon from 2:00 to 3:00?

Mr. WYDEN. I was not, but I will tell the Senator I have probably sat in more briefings, as a Member of the Senate Intelligence Committee, on this point than just about any Member of this body. I have kept fully abreast of this issue.

Mr. WARNER. I would ask unanimous consent that the letter to which Senator WYDEN referred be printed in the RECORD. Is that possible?

Mr. WYDEN. It is declassified.

Mr. WARNER. I beg your pardon?

Mr. WYDEN. It is declassified.

Mr. WARNER. The Senator has been speaking to it and reading excerpts from it. I am unfamiliar with the letter.

I am not familiar—I heard the Senator addressing a letter from the CIA. I was under the assumption it was a declassified document. Is it a classified document?

Mr. WYDEN. It is a declassified document.

Mr. WARNER. The Senator has been referring to a classified document, is that it?

Mr. WYDEN. Throughout this afternoon, I have been speaking from a declassified document.

Mr. WARNER. I apologize to the Senator.

Mr. WYDEN. I have mentioned on several occasions it was declassified. I take my responsibilities as a Member of this committee very seriously.

Mr. WARNER. I am not challenging the Senator. I was not able to hear him as he spoke. I tender an apology. Since the Senator referred to the letter, and if it is declassified, perhaps it should be a part of the RECORD so those who are following this debate can read the letter in its entirety.

Mr. WYDEN. It would be possible to do that and have that made a part of the RECORD. I appreciate the Senator’s thoughtfulness. We all have strong views on this. The Senator from Virginia is an expert on national security and military affairs. That happens to be an area where I believe reasonable people may differ. I look forward to working closely with my colleague.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I compliment the Senator from Virginia.

While I was in Florida this weekend, I had a number of people say they had been listening to the debate in which the Senator from Virginia and the Senator from West Virginia had both engaged. They found the quality of the debate to be excellent, and they were looking forward to the continuation of the debate.

On grave matters of war and peace, as the Senate is considering this resolution, I add my comments. They are addressed to perhaps one of the gravest things we discuss in a constitutional body such as this. That is, authorizing the sending of Americans into harm's way—moms and dads, sons and daughters, brothers and sisters—into combat. We must determine whether the situation in Iraq threatens the United States sufficiently enough to send Americans into harm's way, and put American lives at risk.

I have spoken with many citizens across Florida. I understand the concerns and the reservations many of them have.

We must use force only as a last resort. That is what this resolution is about; it is authorizing the use of force.

I remain convinced that the Saddam Hussein regime in Iraq poses a clear and increasing danger to the national security interests of the United States. We must disarm its arsenal of chemical and biological weapons. We must halt the development of nuclear weapons. Ultimately, one way or another, those weapons of mass destruction have to be taken out. If it means taking out Saddam Hussein along with them, then so be it. Our hope is that this threat can be dismantled by means less than the use of force, and discussions in the United Nations toward that goal are underway now. But if those efforts in the U.N. are not successful, we cannot sit and do nothing as the danger grows.

On a regular basis, Saddam's troops fire on the United States and British aircraft seeking to enforce the no-fly zones created to protect the Kurds in the north and the Shi'ites in the south. These no-fly zones exist to keep Saddam contained and to prevent him from acquiring technologies aimed at further enhancing his military capability.

At the conclusion of the Persian Gulf war in 1991, U.N. Security Council Resolution 687 set forth the conditions for peace. The cease-fire conditions required Iraq to disarm all weapons of mass destruction, fully declare and disclose all weapons of mass destruction, and not seek to further acquire weapons of mass destruction. That was in 1991—11 years ago.

Those terms have been clearly violated by Saddam Hussein. When a country willfully violates cease-fire terms which end war, a state of conflict continues to exist. The regular hostilities endured by coalition pilots

in the no-fly zones make that state of conflict even more acute.

Saddam Hussein seeks regional hegemony. He seeks control of the oil supply of the Middle East. That is his end game. He wants to control all of those vast reserves so that he can have his fingers in a stranglehold around the industrialized world of planet Earth. He associates with known enemies of the United States. He has paid compensation to suicide bombers aimed at undermining the peace process in the Middle East. And Saddam seeks at every turn to flout international law and the will of the United Nations. His aggressiveness and thirst for war and blood are evident by his own actions and brutality, past and present, against his own people and against his neighbors.

It is time now to complete the job that was left undone in 1991 when we failed to completely disarm and remove Saddam. The longer he remains in power, the longer he delays, obfuscates, and lies—all the while he strengthens his arsenal. Weapons of mass destruction must be removed from Saddam Hussein, and the Iraqi people need to be liberated from his brutal grip. This is not a fight we can enter alone. We must pursue this cause with as much international support as is possible. The revised resolution makes this clear.

Yesterday, I had the privilege of speaking to several hundred at Central Command Headquarters at MacDill Air Force Base along with the Commander in Chief, GEN Tommy Franks. I brought words of a grateful nation to those men and women in uniform, and to all of our coalition partners who are part of this effort in going after the terrorists. That international support is critical to our successful prosecution of the war against terrorism, and that international cooperation is critical as we now approach military hostilities in Iraq.

Our European allies are starting to come around. It is very important that our Arab friends in the region do come around. The United States needs the world community to support us in eliminating these threats of weapons of mass destruction. As we consider engaging in a military conflict, we need this international support so as not to hurt our efforts in the war against terrorists in 30-some countries, nor hinder our efforts to try to strike a peace accord in the Middle East.

Madam President, the President has asked the Congress to authorize the use of American troops in Iraq for these purposes. He presented his case to the American people last night.

As it exists now, the Lieberman resolution clearly has been improved enormously from the draft resolution sent to us several weeks ago by the White House which, in essence, was nothing more than a blank check. Now it requires that the President must certify that diplomatic and other peaceful means will not adequately protect the

national security interests of the United States, or that diplomatic and other peaceful means will not lead to the enforcement of the United Nations Security Council resolutions on Iraq. The President must certify those conditions.

It also has language regarding the United States' responsibility in planning for a post-Saddam Hussein Iraq—an Iraq that the United States, after Saddam Hussein, had best not abandon, as we did after the Soviets got licked in Afghanistan and tucked their tail between their legs and left—and we left also. That created a vacuum in Afghanistan and allowed the terrorists to fill that vacuum. In the post-Saddam Hussein Iraq, we don't want that same thing to occur. The United States must be there for the long run to give military, diplomatic, and economic security assistance to ensure that the Free World's interests are clearly protected in an Iraq after Saddam Hussein.

It was good that President Bush addressed the United Nations on September 12, and sought broad-based support from the international community. Secretary Powell will and must continue efforts at getting strong language—strong language—in a United Nations Security Council resolution that clearly spells out the actions Iraq is required to take and the consequences if it fails to do so. Such a resolution would strengthen the U.S. position and help us gain support from our Arab friends in the region. We must keep the focus on Saddam Hussein and the resolutions regarding weapons of mass destruction that he has ignored.

The Lieberman resolution also requires the President to report regularly to the Congress on ongoing operations in Iraq and the administration's plans, specifically, as I mentioned, for the post-Saddam Hussein Iraq and ensuing reconstruction. All of the additions that have been included in the Lieberman resolution have clearly improved upon the blank check that was sent here early on as a draft from the White House.

Having detailed plans in place will be crucial to ensuring that after Saddam Hussein, Iraq does not disintegrate into a permanent source of instability in the Middle East which would pose a serious threat to U.S. national security interests.

The current resolution also is improved from earlier drafts because it also makes reference to Navy CAPT Scott Speicher of Jacksonville, FL, the American pilot still missing since the first night of the gulf war when he was shot down over Iraq. Through a series of mistakes, the United States walked away from a downed pilot.

We have kept at this, over and over, in the Armed Services Committee and the Foreign Relations Committee, and have been talking to world leaders asking them to task their intelligence apparatus for word on Captain Speicher.

He is still considered Missing In Action. He was first declared Killed In Action. The Department of Defense changed that to Missing In Action. The Department of Defense is reportedly considering a change in status even from Missing In Action.

He is the only American among the thousands who are still unaccounted for at the hands of Saddam Hussein—thousands, I might say, going back to the Iran-Iraq war.

I appreciate the fact that the majority leader worked to ensure that the request of Senator PAT ROBERTS and myself to make reference to Captain Speicher was honored. It is honored in this resolution. It is my hope that our upcoming efforts and actions in Iraq will make progress towards resolving the fate of Captain Speicher.

You can just imagine what it is like for that family back in Jacksonville—a family with children that has not heard the fate of their father for the last 11 years.

This resolution, in my view, asserts the role of Congress granted by the Constitution and the War Powers Act. We have heard hours of testimony from senior administration officials and outside experts representing many different views on the subject. I have sat through hours of testimony in the two committees I have the privilege of serving on—the Foreign Relations Committee and the Armed Services Committee—that have delved in detail into this subject in preparation for our coming to this floor in this debate.

We have heard those hours of testimony in both classified and unclassified form. My office, as well as all of our offices, has received thousands of calls, letters, and e-mails. I have heard those voices. I share those concerns.

The threat posed by Iraq grows with each passing day. Since September 11 of a year ago, we can't wait to protect ourselves against the threats of weapons of mass destruction and regimes hostile to the United States with their links to terrorism. We must not leave ourselves exposed to an attack, which, after it comes, we will wish we had acted to prevent.

That is why I come to this floor to announce my support of the Lieberman-Warner-McCain-Bayh resolution authorizing the President to use force in Iraq. It is the right thing to do, and it is in the vital national security interests of the United States.

I thank the Chair for allowing me this time. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, I wish to speak on this resolution.

First, I compliment my friend and colleague, the Senator from Florida, Mr. NELSON, for his speech and for his tenacity in trying to remind everyone about the condition of Naval Aviator Speicher. I think that keeps pressure on our Government, other governments, and the Iraqi Government to disclose his whereabouts and his sta-

tus. Whether he is alive remains to be seen.

I appreciate my colleague from Florida for continuing to press that issue. I join with him. I know the President of the United States is also pushing that issue. I appreciate his effort as well.

Mr. WARNER. Madam President, will the Senator yield? I just wish to express my profound appreciation for the support of the Senator from Florida for the Lieberman-Warner-McCain-Bayh resolution. He is a valued member of the committees here in the Senate. Certainly he has worked hard on our committee. I listened carefully as he stated the case. He stated it clearly. I join with my colleague from Oklahoma in commending him for the fight on behalf of that brave airman, Captain Speicher.

Mr. NELSON of Florida. Will the Senator from Oklahoma yield for one comment so I can respond to the distinguished Senator from Virginia?

Mr. NICKLES. Certainly.

Mr. NELSON of Florida. I thank the Senator from Virginia, Mr. WARNER. He told us how he and Senator Nunn were leading our Armed Services Committee 11 years ago as the Nation was preparing for the gulf war and how important it was in Senator WARNER's mind that the RECORD be laid out so a record would be there as to why the Congress should vote to give the President the authority to unleash the military might in Kuwait and going after Iraq.

I thank Senator WARNER and Senator LEVIN, the chairman, for how they have laid that predicate, and Senator BIDEN and Senator HELMS, and, in his absence, Senator LUGAR, in the Foreign Relations Committee. They laid that predicate with lengthy hearings, and provided access to classified information we have had in those two committees, which helped me to draw the conclusions I have drawn in support of this resolution.

So I particularly thank the great Senator from the Commonwealth of Virginia for his leadership.

Mr. WARNER. Madam President, I thank my colleague. I share the same sentiments towards the distinguished Senator from Florida.

Madam President, in 1990–1991, Chairman Sam Nunn and I, as ranking member, had nine hearings. It is interesting, in the first hearing we had Secretary of Defense Cheney and Chairman of the Joint Chiefs of Staff Colin Powell. Isn't that interesting? And then in the ninth hearing were the same two witnesses, Cheney and Powell. And today, of course, I shared briefly a press conference with now-Secretary of State Powell and had lunch with now-Vice President CHENEY. So that same team is together that was together under the first George Bush, "Old 41," as we say.

So I thank the Senator for that.

We did lay before the Senate a record. We have put a record before the Senate of hearings in the two committees to which you have referred. I had

hoped we would have had more hearings in our committee, but for reasons best known to our chairman, apparently, that was not possible. I very much wanted to have all four of the military chiefs. They don't want to sit this thing out. They are heavily involved. I was hopeful we could have had them, and then also the CINC, General Franks, who has the leading responsibility in the area of operation. But, unfortunately, no matter how hard we tried, it did not come to pass. My chairman, I respect whatever his views are on that.

Senator KENNEDY raised the question, why we did not have more facts. I just say that there were some of us who wanted to go on and have some additional hearings, but it was not possible.

I thank the Senator.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I appreciate the colloquy.

Just for the information of my friend from Florida, I was also here in 1991, and, unfortunately, Senator Nunn did not support the resolution in 1991. There was a partisan divide, for whatever reason. One, the resolution passed with bipartisan support. I tell my friend and colleague that. But at that point in time, the Democrat leader at the time, Senator Mitchell, was opposed to the resolution. Many Democrats opposed it, although several Democrats did support it.

It passed, if my memory serves me correctly, 52 to 47. It was one of the first votes we had in early January of 1991. And it was one of the most important votes that this Senator has cast. I believe, probably this Thursday, the Senate likewise will be casting one of the most important votes we will cast.

I appreciate the support of my friend and colleague from Florida for this resolution.

Mr. President, I ask unanimous consent to be added as a cosponsor of the joint resolution.

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

Mr. NICKLES. Mr. President, I likewise would like to compliment my colleague, Senator WARNER, because he has been leading the debate, certainly on this side of the aisle, but, frankly, on both sides of the aisle. Senator WARNER has carried the debate on this side almost all of Friday, almost all of Monday, a great deal of today, and I am sure tomorrow and Thursday.

He has also been joined by Senator LIEBERMAN as a principal sponsor, as well as Senator MCCAIN, Senator BAYH, and others. I compliment them.

I heard some people debating this resolution as if they had not read it. Senate Joint Resolution 46 is well written. It is supported by the administration. There was a lot of time spent in putting this resolution together. Sometimes we legislate without reading. Sometimes we talk to people without listening.

I encourage my colleagues to read the resolution. I hope it will get a unanimous vote.

I looked at the resolutions we have passed in the last many years dealing with Iraq. Going back to the resolution we passed in 1991, I remember that resolution very plainly. A few days before that resolution passed, I was in Israel. Saddam Hussein was making statements like: If war broke out, Israel would burn. It would be consumed with fire. He was making all kinds of statements against the United States, against Israel, against any potential ally.

As the previous administration, President Bush 1, was putting together an international coalition, Saddam Hussein was threatening anybody in that coalition. Congress debated, for months. You might remember that Kuwait was invaded in August of 1990. President Bush made a very strong statement. He said: This invasion will not stand. And he made that statement: You are going to be removed from Kuwait, one way or another. Frankly, he made that strong statement, and he backed it up. He sent 550,000 United States troops to Saudi Arabia and Kuwait to build the military force and, in the next 6 months, built an international coalition that was unprecedented, unbelievably strong and powerful, with a number of countries, Arab and other countries, neighbors and from across the world, to stand up to Saddam Hussein's invasion of Kuwait and to kick him out of Kuwait.

That war was fought. It was very successful. And then President Bush stopped the war at that point because we achieved the U.N. resolution objectives, kicking Saddam Hussein out of Kuwait.

Then there were several resolutions that were passed, to which Saddam Hussein and the Iraqi Government agreed, that called for their disarmament and inspections. They agreed to these resolutions. We also passed resolutions that said we would use military force, if necessary, to compel compliance. And the United Nations, subsequent to that, beginning in 1991, all the way through 1998, passed 16 resolutions telling Saddam Hussein and the Iraqi Government: You must comply with these resolutions.

We went to war, developed an international coalition to force him out of Kuwait and to force him to disarm, and he agreed. Unfortunately, he did not live up to his agreement. He lied. He did not comply. He was defiant in his noncompliance.

As a result, he continued to build weapons of mass destruction. And the United Nations passed resolutions saying: You must comply, and, if necessary, we will use force. I could put in all these resolutions.

Mr. President, I ask unanimous consent to have printed in the RECORD the resolution that passed Congress, the Iraqi Breach Of International Obliga-

tions, because it is about a four-page summary, a short summary, but it is a resolution we passed on July 31, 1998, Public Law 105-235, and talks about the Iraqi breach of international obligations.

I will not read it all, but basically the Iraqi Government totally failed to comply with the U.N. resolutions. The essence of the resolve—and I will read it—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Government of Iraq is in material and unacceptable breach of its international obligations, and therefore the President is urged to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations.

That is the key phrase. This is what passed Congress in 1998. That was our unified statement that we made in 1998, that resolved we will "bring Iraq into compliance with its international obligations," and we will use "appropriate action," i.e., military action, if necessary, to get him to comply.

That resolution passed the Senate unanimously—unanimously—with no opposition.

It had very strong support. I am looking at some of the statements made. I will just read part of one made by President Clinton on February 17, 1998 regarding Iraqi noncompliance. He made this speech to the Joint Chiefs of Staff and the Pentagon dealing with Iraq. It is very relevant today, as it was in 1998. This is President Clinton:

Now, let's imagine the future. What if he fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction and continue to press for the release of the sanctions and continue to ignore the solemn commitments that he made?

Well, he will conclude that the international community has lost its will. He will then conclude that he can go right on and do more and rebuild an arsenal of devastating destruction.

And some day, some way, I guarantee you, he'll use the arsenal. And I think every one of you who's really worked on this for any length of time believes that, too.

President Clinton continued:

If we fail to respond today, Saddam and all those who would follow in his footsteps will be emboldened tomorrow by the knowledge that they can act with impunity, even in the face of a clear message from the United Nations Security Council and clear evidence of a weapons of mass destruction program.

I mention this. This was from President Bill Clinton, a very strong statement. I read that statement. I am kind of proud of him and I think he was exactly right. Though his rhetoric was pretty strong, his actions, unfortunately, were not. He said, we are going to compel compliance. The Congress passed a resolution saying, we will do what is necessary to compel compliance. But we didn't follow up.

I will read to you a statement made by Senator DASCHLE on the floor, the Democrat leader at the time. This was made on February 12, 1998:

... Iraq shall not be permitted to develop and deploy an arsenal of frightening chemical and biological weapons under any circumstances.

Skipping a couple paragraphs:

The United States continues to exhaust all diplomatic efforts to reverse the Iraqi threat. But absent immediate Iraqi compliance with Resolution 687, the security threat doesn't simply persist—it worsens. Saddam Hussein must understand the United States has the resolve to reverse that threat by force, if force is required. And, I must say, it has the will.

I think Senator DASCHLE was right. I could go on. I have quotes from Vice President Gore, other prominent leaders in Congress at the time. We passed a strong resolution.

I ask unanimous consent that the 1998 resolution be printed in the RECORD.

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

PUBLIC LAW 105-235

A joint resolution of the 105th Congress finding the Government of Iraq in unacceptable and material breach of its international obligations.

"Whereas hostilities in Operation Desert Storm ended on February 28, 1991, and the conditions governing the cease-fire were specified in United Nations Security Council Resolutions 686 (March 2, 1991) and 687 (April 3, 1991);

"Whereas United Nations Security Council Resolution 687 requires that international economic sanctions remain in place until Iraq discloses and destroys its weapons of mass destruction programs and capabilities and undertakes unconditionally never to resume such activities;

"Whereas Resolution 687 established the United Nations Special Commission on Iraq (UNSCOM) to uncover all aspects of Iraq's weapons of mass destruction programs and tasked the Director-General of the International Atomic Energy Agency to locate and remove or destroy all nuclear weapons systems, subsystems or material from Iraq;

"Whereas United Nations Security Council Resolution 715, adopted on October 11, 1991, empowered UNSCOM to maintain a long-term monitoring program to ensure Iraq's weapons of mass destruction programs are dismantled and not restarted;

"Whereas Iraq has consistently fought to hide the full extent of its weapons programs, and has systematically made false declarations to the Security Council and to UNSCOM regarding those programs, and has systematically obstructed weapons inspections for seven years;

"Whereas in June 1991, Iraqi forces fired on International Atomic Energy Agency inspectors and otherwise obstructed and misled UNSCOM inspectors, resulting in United Nations Security Council Resolution 707 which found Iraq to be in "material breach" of its obligations under United Nations Security Council Resolution 687 for failing to allow UNSCOM inspectors access to a site storing nuclear equipment;

"Whereas in January and February of 1992, Iraq rejected plans to install long-term monitoring equipment and cameras called for in United Nations resolutions, resulting in a Security Council Presidential Statement of February 19, 1992 which declared that Iraq was in "continuing material breach" of its obligations;

"Whereas in February of 1992, Iraq continued to obstruct the installation of monitoring equipment, and failed to comply with

UNSCOM orders to allow destruction of missiles and other proscribed weapons, resulting in the Security Council Presidential Statement of February 28, 1992, which reiterated that Iraq was in "continuing material breach" and noted a "further material breach" on account of Iraq's failure to allow destruction of ballistic missile equipment;

"Whereas on July 5, 1992, Iraq denied UNSCOM inspectors access to the Iraqi Ministry of Agriculture, resulting in a Security Council Presidential Statement of July 6, 1992, which declared that Iraq was in "material and unacceptable breach" of its obligations under United Nations resolutions;

"Whereas in December of 1992 and January of 1993, Iraq violated the southern no-fly zone, moved surface-to-air missiles into the no-fly zone, raided a weapons depot in internationally recognized Kuwaiti territory and denied landing rights to a plane carrying United Nations weapons inspectors, resulting in a Security Council Presidential Statement of January 8, 1993, which declared that Iraq was in an "unacceptable and material breach" of its obligations under United Nations resolutions;

"Whereas in response to continued Iraqi defiance, a Security Council Presidential Statement of January 11, 1993, reaffirmed the previous finding of material breach, followed on January 13 and 18 by allied air raids, and on January 17, with an allied missile attack on Iraqi targets;

"Whereas on June 10, 1993, Iraq prevented UNSCOM's installation of cameras and monitoring equipment, resulting in a Security Council Presidential Statement of June 18, 1993, declaring Iraq's refusal to comply to be a "material and unacceptable breach";

"Whereas on October 6, 1994, Iraq threatened to end cooperation with weapons inspectors if sanctions were not ended, and one day later, massed 10,000 troops within 30 miles of the Kuwaiti border, resulting in United Nations Security Council Resolution 949 demanding Iraq's withdrawal from the Kuwaiti border area and renewal of compliance with UNSCOM;

"Whereas on April 10, 1995, UNSCOM reported to the Security Council that Iraq had concealed its biological weapons program, and had failed to account for 17 tons of biological weapons material resulting in the Security Council's renewal of sanctions against Iraq;

"Whereas on July 1, 1995, Iraq admitted to a full scale biological weapons program, but denied weaponization of biological agents, and subsequently threatened to end cooperation with UNSCOM resulting in the Security Council's renewal of sanctions against Iraq;

"Whereas on March 8, 11, 14, and 15, 1996, Iraq again barred UNSCOM inspectors from sites containing documents and weapons, in response to which the Security Council issued a Presidential Statement condemning "clear violations by Iraq of previous Resolutions 687, 707, and 715";

"Whereas from June 11-15, 1996, Iraq repeatedly barred weapons inspectors from military sites, in response to which the Security Council adopted United Nations Security Council Resolution 1060, noting the "clear violation on United Nations Security Council Resolutions 687, 707, and 715" and in response to Iraq's continued violations, issued a Presidential Statement detailing Iraq's "gross violation of obligations";

"Whereas in August 1996, Iraqi troops overran Irbil, in Iraqi Kurdistan, employing more than 30,000 troops and Republican Guards, in response to which the Security Council briefly suspended implementation on United Nations Security Council Resolution 986, the United Nations oil for food plan;

"Whereas in December 1996, Iraq prevented UNSCOM from removing 130 Scud missile en-

gines from Iraq for analysis, resulting in a Security Council Presidential statement which "deplore[d]" Iraq's refusal to cooperate with UNSCOM;

"Whereas on April 9, 1997, Iraq violated the no-fly zone in southern Iraq and United Nations Security Council Resolution 670, banning international flights, resulting in a Security Council statement regretting Iraq's lack of "special consultation" with the Council;

"Whereas on June 4 and 5, 1997 Iraqi officials on board UNSCOM aircraft interfered with the controls and inspections, endangering inspectors and obstructing the UNSCOM mission, resulting in a United Nations Security Council Presidential Statement demanding Iraq end its interference and on June 21, 1997, United Nations Security Council Resolution 1115 threatened sanctions on Iraqi officials responsible for these interferences;

"Whereas on September 13, 1997, during an inspection mission, an Iraqi official attacked UNSCOM officials engaged in photographing illegal Iraqi activities, resulting in the October 23, 1997, adoption of United Nations Security Council Resolution 1134 which threatened a travel ban on Iraqi officials responsible for noncompliance with United Nations resolutions;

"Whereas on October 29, 1997, Iraq announced that it would no longer allow American inspectors working with UNSCOM to conduct inspections in Iraq, blocking UNSCOM teams containing Americans to conduct inspections and threatening to shoot down United States U-2 surveillance flights in support of UNSCOM, resulting in a United Nations Security Council Resolution 1137 on November 12, 1997, which imposed the travel ban on Iraqi officials and threatened unspecified "further measures";

"Whereas on November 13, 1997, Iraq expelled United States inspectors from Iraq, leading to UNSCOM's decision to pull out its remaining inspectors and resulting in a United Nations Security Council Presidential Statement demanding Iraq revoke the expulsion;

"Whereas on January 16, 1998, an UNSCOM team led by American Scott Ritter was withdrawn from Iraq after being barred for three days by Iraq from conducting inspections, resulting in the adoption of a United Nations Security Council Presidential Statement deploring Iraq's decision to bar the team as a clear violation of all applicable resolutions;

"Whereas despite clear agreement on the part of Iraqi President Saddam Hussein with United Nations General Kofi Annan to grant access to all sites, and fully cooperate with UNSCOM, and the adoption on March 2, 1998, of United Nations Security Council Resolution 1154, warning that any violation of the agreement with Annan would have the "severest consequences" for Iraq, Iraq has continued to actively conceal weapons and weapons programs, provide misinformation and otherwise deny UNSCOM inspectors access;

"Whereas on June 24, 1998, UNSCOM Director Richard Butler presented information to the United Nations Security Council indicating clearly that Iraq, in direct contradiction to information provided to UNSCOM, weaponized the nerve agent VX; and

"Whereas Iraq's continuing weapons of mass destruction programs threaten vital United States interests and international peace and security; NOW, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of Iraq is in material and unacceptable breach of its international obligations, and therefore the President is urged to take appropriate action, in accordance with the Con-

stitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations."

Approved August 14, 1998.

Mr. NICKLES. Later in 1998, the U.N. weapons inspectors were kicked out of Iraq. We bombed them. Then nothing happened. Since 1998, for the last 4 years, we haven't had any weapons inspectors in Iraq. They have done exactly as President Clinton forecasted they would do. They have continued to build their weapons of mass destruction, and they have been emboldened by our lack of action, by the lack of will.

As a matter of fact, in all those years, the Oil-for-Food program grew. At that point he was exporting a little bit of oil for food. That figure has quadrupled in the last few years. Every 6 months it was renegotiated. And due to pressure from a lot of countries it was renegotiated; yes, we don't want the Iraqi people to suffer so we will allow them to sell more oil. Saddam Hussein has abused that program and exported a lot more oil. He has basically been producing almost all he can.

He has taken that money and put it back into his weapons of mass destruction. He is not taking care of his people. We have Congressmen who were in Iraq last week talking about how pitiful it is that some of the kids are living in the hospitals and so on. Saddam Hussein has made billions off of oil, most of it illegally, but instead of using that money for the health and well-being of the Iraqi people, he has used it to build weapons of mass destruction.

President Clinton was pretty insightful of what would happen. Unfortunately, during his term, things got worse. The inspectors were basically kicked out of Iraq. They were denied access. There is a long litany. I will insert in the RECORD a list of Iraqi non-compliance with the arms control inspectors, how they basically stopped them from doing their job. They did a decent job on occasion because they would get some insights from a defector, but Saddam Hussein's mistress was laughing about the fact Saddam Hussein would laugh that he would continue to conceal these weapons and basically defy the United Nations and the United States.

We have had a change in the United States. Now we have President Bush, who said we should enforce the U.N. resolutions. We should stand up to Saddam Hussein. Things have changed. September 11 of last year did change things. It made us aware we are vulnerable to terrorists. Saddam Hussein has coalesced, has financed, has trained terrorists. The idea he is building these weapons of mass destruction and they might be distributed to potential terrorists is just not acceptable.

What needs to be done? Frankly, what needs to be done is to enforce the existing U.N. resolutions and to reaffirm them. Some people have said: We don't think President Bush should just

move unilaterally. The world community signed off on those U.N. resolutions, and at the time we gave those U.N. resolutions the use of force, if necessary, to compel compliance. What has changed?

In 1998, we reaffirmed the use of force, if necessary, to compel compliance. Are things better now than they were in 1998? He kicked the arms control inspectors out, and they are building all kinds of weapons. I don't see how anything is better. Things are worse, just as President Clinton predicted they would be.

We have rewarded his noncompliance. The international community has rewarded his noncompliance, and the United Nations has basically fallen into a group that lost its prestige and the status of being able to say: The world community is making a statement. This will not stand.

They have allowed it to stand. They have allowed it to be neutered, to be ineffective. Now we have a President Bush who went to the United Nations and said: These resolutions are still in effect. We need to enforce them. There is a real danger out there. It is a danger not to us, the United States, but to the world.

Many people in this body have said: I don't want him to move unilaterally, but let's do it in conjunction with the United Nations. President Bush didn't have to do that, but he did. He went to the United Nations and made a very strong speech. He is working to rebuild the international coalition that dissipated, if not disappeared, during the Clinton administration. The Clinton administration inherited the strongest, largest international coalition maybe ever assembled against a tyrant in Saddam Hussein in 1990 and 1991. By the year 2000, that international coalition was totally gone.

Saddam Hussein was producing all the weapons he wanted. There were no arms control inspectors. It really deteriorated over those 8 or 9 years.

President Bush is trying to rebuild it. He made the speech to the United Nations. He has contacted Members of Congress. He has brought many of us into the White House. He made a speech last night to the American people as well as to Congress.

People said: We want Congress to speak on this so we will be united. He came to Congress. He asked for a resolution. We are going to give him a resolution. We are going to show the Congress is behind the President, I hope with an overwhelming vote, an overwhelming vote.

What have we learned since 1991? Many people who voted no on the resolution in 1991 said: Let's give the sanctions a chance. I think we have had a little period of understanding now that Saddam Hussein doesn't care about sanctions and he doesn't care about U.N. resolutions. He doesn't care about pieces of paper. He does care about force. He respects force.

He misjudged the will of President Bush 1. He misjudged the will of the

United States, earlier in his invasion and also in events that led up to the war in 1991.

I think he understands, too, that President Bush is very forceful. He means exactly what he says. If there is any chance to have a peaceful resolution in Iraq, it will only be after we pass this resolution, and he understands quite well that we will use force, if necessary, to compel compliance. Maybe then he will have a change of behavior. If not, he will pull the U.N. around and play them like a fiddle and try to do some type of diplomatic dance, never to do anything. He did that quite successfully for years.

He will not be successful with President Bush and this team. President Bush has assembled a team—I respect President Bush greatly for the speeches he has made and for his courageous positions but also for the team he has put together. His Vice President, DICK CHENEY, is former Secretary of Defense, and he has dealt with Saddam Hussein. His Secretary of State, Colin Powell, was the Chairman of the Joint Chiefs in the war in 1991. Secretary Rumsfeld is well respected by our military leaders and around the world. President Bush has put together a great team—one that probably wasn't designed for this problem, but it could not be more experienced and ready to take on this enormous challenge. I have great confidence in their ability to be able to do the job.

Is it without risk? No. Sure, there is risk involved. There is a lot that is involved. But doing nothing is a greater risk. Doing nothing is a much greater risk. If we want to have any hope of a peaceful resolution or to have this happen successfully without military conflict, it will only be after Saddam Hussein realizes the United States is behind our President, our Commander in Chief, and that we will enforce these resolutions. These resolutions don't have to be pieces of paper that are going to be ignored; they are the rule and effect of law. I hope the international community comes together.

The U.N. passing a strong resolution is much greater after they see the Congress speak with one voice and pass overwhelmingly a resolution stating we believe the existing resolutions should be enforced. We do not think it is satisfactory to have Saddam Hussein—a person who used chemical weapons against his own people, who fought wars with Iran, who has invaded Kuwait, and who lobbed missiles against Saudi Arabia and the Israeli people, we don't think it is satisfactory for that person, that regime, to be able to develop and continue to manufacture tons and tons and tons of chemical and biological weapons, and work on nuclear weapons that could threaten millions of people—millions of people.

That is not satisfactory. It needs to be stopped. I believe this President will do it. I think this resolution will be a big step in the right direction.

I want to make one final comment, and this is to the Iraqi people. They

have suffered enough under Saddam Hussein. This is really for the liberation of the Iraqi people, just like getting rid of the Taliban in Afghanistan was liberation for the Afghan people. They have been suppressed for too long. This tyrant, this dictator who executed people himself and had relatives executed, and countless people who might be his political opponents have been executed—he needs to go.

In 1998, this Congress said we are for a regime change in Iraq. We were for it in 1998. We are for it now. In my opinion, we will not really have a return to a peaceful, growing, prosperous Iraq until there is a regime change. We will not have any confidence that there is any peaceful outlook for Iraq as long as Saddam Hussein is in the area. This Congress spoke in 1998 strongly and unanimously for regime change. I still think that is needed. The point I want to make is that if military conflict breaks out, it will not be a war with the Iraqi people. The war is with the leadership of Iraq, the unelected leader, Saddam Hussein, the tyrant who continues to oppress his people, basically stealing their money and using it to build weapons of mass destruction for his purposes, which is not for the well-being of the Iraqi people, but, frankly, for his desire to build a military machine that can threaten us. That is not acceptable.

I believe this resolution, when it passes—and I hope it does overwhelmingly—will send a strong signal to the world and to Saddam Hussein that these resolutions can, should, and will be enforced.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank the Senator from Oklahoma for his very strong statement on behalf of the resolution Senators WARNER, BAYH, MCCAIN, I, and others have put before the Senate. I also thank my friend and colleague from Florida, Senator NELSON, for his strong statement on behalf of the amendment we have offered. I think together they form bookends that are bipartisan and quite strong in endorsing our resolution, and also in responding to some of the complaints, or questions, or criticisms about it that have been made in this first day of direct debate on it, which I do want to do a little bit more of myself.

Mr. NICKLES. Will the Senator yield for a moment?

Mr. LIEBERMAN. Yes.

Mr. NICKLES. I compliment the Senator for his leadership on this. I have actually read the resolution. I think it is a very good product, bipartisan, due in large part to the Senator's leadership. I remember working with him on the 1991 resolution, as well as Senator WARNER and many others who were on the floor 11 years ago. So I thank my friend and colleague from Connecticut. We have had the pleasure of working together on many issues, and this is

one of the most important. The Senator's leadership is very notable and commendable, and I thank him for it.

Mr. LIEBERMAN. Mr. President, I thank the Senator for his kind words. I remember our work together in 1991. We are older and maybe wiser. In any case, I am proud to be working with the Senator and others on both sides of the aisle in a good cause.

I want to say, as he talked about reading the resolution—and I think that is important and I hope all our colleagues will read it—not just the “resolved” part, but the “whereas,” the preamble.

There have been suggestions here and there that either this resolution we have adopted was sort of patched together in a hurry, or that the White House just dictated it. The good news is this resolution is the result of a bipartisan, bicameral, House-Senate negotiation with the White House in a spirit of accommodation and compromise as part of a desire to go forward together. Some significant changes were made in the resolution from the original draft sent by the White House that were requested by Members of Congress, including particularly Members on the Democratic side of the aisle.

I just want to mention very briefly those changes. They include, first, support for and prioritization of American diplomatic efforts at the U.N. Just so there would be no doubt that what we were authorizing or intending to authorize was a unilateral, go-it-alone, “don't care what anybody else says in the world” military strike at Saddam Hussein, it is not that. In fact, at the heart of this resolution is the authority given to the President to enforce United Nations resolutions in great number, which have been consistently ignored, violated, denied, and deceived by Saddam Hussein over the decade.

While Congress is only able to authorize the President, as Commander in Chief, to take military action, the clear implication that I read into our resolution—but more than that, the clear statement of intention of the President should we face the moment we hope we do not face, when either Saddam does not respond to the U.N. or the U.N. itself refuses to authorize action to enforce its resolutions, then I think the President has made clear, and those of us who are sponsoring the resolution have made clear, that the United States will not go it alone and we will not have to, as a result of the decision to go to the U.N., as a result of the consultation with allies in Europe and Asia, in the Middle East and elsewhere in the world, as a result of the discussion and debate here and what I hope will be strong bipartisan support of this underlying resolution.

If we come to that moment where we have no other choice but war, then it is clear that we will have allies in good number at our side. That was one of the items we added to the resolution.

We also limited the scope of the authorization to Iraq and resolutions of

the United Nations related to Iraq. The initial language submitted by the White House had a third clause which would justify military action, and that was to give the President authority to take military action to restore international peace and security to the region. That was a good step forward to grant the President authority but to limit the authority.

I take it also to be a limitation on duration, although some have spoken today and in previous days about the fact that this is unlimited. This is limited to the duration of authority necessary to address the current and ongoing threats posed by Iraq. When those threats are over, the authority is gone. Because the connection between sections 1 and 2 of the material parts of the resolve clause, which is the conditions that would justify military action, are joined by the word “and” and not by the word “or,” I think it is meant to clarify that this authority applies only to the relevant United Nations resolutions regarding Iraq.

There was another significant change. We also asked the White House and they agreed to put in language that requires the President to submit to Congress a determination, prior to using force, that further diplomatic means will not protect the national security of the American people or lead to enforcement of U.N. resolutions—another way, consistent incidentally with the gulf war resolution of 1991, to make it clear in this resolution that the policy of the United States is not to go to war first but to go to war last, after all other means of achieving Saddam's disarmament have failed.

We also require the President to submit to Congress a determination, prior to using force, that taking military action against Iraq is consistent with continuing efforts by the United States and other nations to take the necessary actions against international terrorists or terrorist organizations.

Justifiable concern was expressed that somehow a potential war against Iraq would interrupt, disrupt, deter the ongoing war on terrorism.

As I said, I think the two are connected because Saddam is a terrorist and supports terrorism and has had contacts with al-Qaida, but this makes clear the President has to make a determination publicly to Congress that these two are not in conflict and then requiring the President to comply with the War Powers Act which mandates regular consulting and reporting procedures.

I spoke earlier this afternoon and said to my colleagues I did not understand why there were some who said this resolution was somehow in contravention of the Constitution. One might disagree with the evaluation we sponsors of the resolution have made about the danger of Iraq under Saddam or of the imminence of the threat, but clearly the language of this resolution is not only within the power that Congress is given by the Constitution to

declare war, to authorize military action, but also, by complying with the War Powers Act, embraces the later section of article I that says Congress is empowered to adopt legislation to implement the powers the Constitution gives.

Finally, there is a requirement that the President report every 60 days to Congress on military operations and on the planning for close of conflict activities, such as reconstruction and peacekeeping. It is not too soon to begin to plan for that now. I had occasion to speak on this subject last night at the Wilson Center here in Washington.

The bottom line is the ultimate measurement of the success of war is the quality of peace that follows. We have an obligation not just to, if necessary, tear down the dictatorship that Saddam has built in Iraq, but to help the Iraqi people build up a government that will follow in a better life, better economy, and more freedom for themselves, and this reporting requirement will be an incentive for that to happen.

Obviously, I hope and trust our colleagues will read the resolution in full. I want my colleagues to understand a significant process of negotiation went on between Democrats and Republicans in the House and the Senate and the White House before this resolution, which the President does support, was introduced into the Senate.

I see my friend from Colorado.

Mr. ALLARD. Will my friend yield?

Mr. LIEBERMAN. Madam President, I will be happy to yield to the Senator.

Mr. ALLARD. I thank the Senator from Connecticut for yielding.

Madam President, I wish to express again my appreciation for his leadership on this very important subject. He is recognized in the Senate as somebody who is an expert on Middle East affairs, and a lot of us lean on his opinion as we go through these debates.

I am sure the President appreciates the Senator from Connecticut sitting down and working with him in a bipartisan manner.

I compliment the Senator publicly for his fine work on this resolution.

Mr. LIEBERMAN. Madam President, I say to my friend and colleague from Colorado, he is very gracious. I appreciate it. It is an honor to have this opportunity to be involved in this very important debate and to do so across party lines. I thank him for his thoughtful advocacy of this resolution and of a strong U.S. presence in this region generally. I appreciate it.

Madam President, not seeing anyone else who wishes to speak at this time, I want to begin to respond to some of the thoughtful questions that were raised by the Senator from Oregon, and to some extent by the Senator from Massachusetts, about the imminence of the threat that Iraq represents and the basic question of, why now? what is the rush?

For my own part, as I said earlier today, the question for me is, why not

earlier? In other words, not, why now? but, why not earlier? We have gone through almost 11 years since the gulf war, since the armistice, the cease-fire agreement by which Saddam committed himself to adhere to the various U.N. resolutions and then proceeded rapidly to violate almost all of them, to play a cat-and-mouse game with the U.N. inspectors, testified to by so many of them, including the most memorable to me, Richard Butler, the Australian who headed the UNSCOM inspectors during the nineties, saying—and he used the word “lies.” He said the Iraqis under Saddam kept telling lies about what they had and did not have.

The record sadly shows—and there is now an indisputable record in this regard—that they have a growing inventory of very deadly toxins, biological, and chemical weapons.

We say with some glibness, because we say it so much, that Saddam is probably the only leader of a country in the world today who has used chemical weapons. He has, and used them not just once but several times against the Kurdish people, citizens of Iraq, and on some occasions actually having medical personnel nearby to follow up, not to help those who were attacked, but to use them as if they were test objects, to see to what extent they were hurt or how they were killed. That is how brutal and inhumane this regime is.

All the time this deceit and deception was going on, we tried everything over and over to stop the violations of the U.N. agreements. Nothing worked—inspections, sanctions, Food for Oil, trade restrictions, and even limited military action.

That is why we come to this point where we have said enough is enough. There is no question, in terms of is this imminent, that the events of September 11, 2001, have affected our judgment. I say for myself they have affected my judgment. I have said now that I have felt this way about Saddam for a long time.

In 1998, former Senator Bob Kerrey, Senator MCCAIN, Senator LOTT, and I cosponsored the Iraq Liberation Act based on the constant deception and violation of the U.N. inspection team, kicking them out of Iraq. That act declared it American policy to no longer just contain Saddam, but because of the danger that he was brewing within his borders with chemical and biological weapons, ballistic missiles and unmanned aerial vehicles which he could deliver on targets near and far, that we had to adopt a new policy to change the regime. That was adopted into law in 1998.

So as for myself, I have had this feeling about Saddam and his potential to use these weapons to expand his control of the Arab world. This is what I referred to earlier in the day in the incredibly timely book that has just come out by Kenneth Pollack, an expert on Iraq, called “A Threatening Storm.” In that book, Mr. Pollack tells

the life story of Saddam through the Baath Party, so-called pan-Arabic views, and the extent to which his dream and his ambition is to be the new Saladin of the Arab world and control the entire Arab world.

So that is what these weapons are for, and his Arab neighbors are the nearest and most immediate targets of that, many of whom are very good allies of ours and from whose countries we receive much of the oil that fuels our economy, as well as the economy of the rest of the world.

So this has been building. Yet September 11, 2001, has had a profound effect on all of us. Speaking for myself, it has had a profound effect on me.

We look back and we say we knew what Osama bin Laden was saying; we knew his hatred for the United States; we knew he had struck at the two American embassies in Africa; we knew he had attacked the USS Cole.

We made some attempt to strike back at him, but now having experienced the horror of September 11, 2001, don't we wish we had invaded Afghanistan, overthrown the Taliban, and disrupted al-Qaida before September 11, 2001? Of course, we all do. The will was not there, notwithstanding the warnings.

So in terms of imminence, this resolution uses the phrase “continuing threat,” that we authorize the President to use the Armed Forces of the United States to defend the national security of the United States against the continuing threat posed by Iraq.

When we put together Saddam's hatred for the United States—I quoted earlier today, February 15, 1991, in defeat, after the gulf war, Saddam said:

Every Iraqi child, woman, and old man knows how to take revenge. They will avenge the pure blood that has been shed, no matter how long it takes.

Surely, that was one of the reasons he attempted to assassinate former President Bush on a visit to Kuwait; why he, according not to this Senator or any other Senator but according to our own State Department, is one of seven nations on the State Department list of state sponsors of terrorism who has supported terrorist groups that have killed Americans.

So I read the word “continuing threat” as contained in our resolution to hold within it implicitly the words “grave and imminent” that some of our colleagues have said they wish were there.

The record shows that. The experience of September 11, 2001, shows that. I do not want to look back on some dark day in the near or not so near future, after some terrorist group supported by Saddam, or Iraq itself, has struck at allies of ours in the region or at American forces there or at Americans in the United States itself, which he is capable of doing, and say I wish we had taken action against him before he acted against us. We do not ever want to face a moment like that again.

So I believe the record before us, cited in some detail in the preamble,

the whereas clauses of our resolution, argues loudly that the continuing threat referred to in the literal wording of the authorization clause is both grave and imminent and calls out for the action and the strength that this resolution requires.

The best way to achieve peace is to prepare for war. That is what has been said so many times in the past, particularly when dealing with a dangerous dictator like Saddam Hussein—and through his agents—an aggressor, a brutal killer himself.

There is no substitute for strength. We are a strong Nation and we are marshaling that strength before the United Nations, before the world community and directly to Saddam Hussein, hoping the message will get through and he will disarm without requiring the U.N., or an international coalition led by the United States, to disarm him. That is our hope. That is our prayer. But we will not achieve it unless our intentions are clear and strong.

There is a wonderful sentiment, an insight that I read a while ago from GEN Douglas MacArthur, obviously a great soldier but also a great student of warfare. MacArthur once said, and I quote: The history of failure in war can be summed up in two words, “too late”—too late in comprehending the deadly purpose of a potential enemy; too late in realizing the mortal danger; too late in preparedness; too late in uniting all possible forces for resistance; too late in standing with one's friends.

It is a brilliantly insightful and moving quote, and remarkably relevant to the challenge that our resolution puts before our colleagues—too late in comprehending the deadly purpose of a potential enemy, that is the case we are making, the continuing threat of Saddam Hussein, grave and imminent; too late in realizing the mortal danger—that is the point that he continues to build an inventory of chemical and biological weapons that pose literally a mortal danger, the danger of killing Americans in great number if we do not stop him.

In the colloquy I had earlier today with the Senator from Virginia, Mr. WARNER, I expressed that there has been a lot of debate leading up to this resolution about whether Saddam has nuclear capacity and when he will achieve it. Is it going to be a year, 6 years, 10 years? I do not know, but I do know he possesses biological weapons today, deadly biological weapons, with the capacity to deliver them with ballistic missiles, and now increasingly sophisticated and small unmanned aerial vehicles, which when taken together could, in the worst nightmare scenario, create as much or more devastation and death than the kind of primitive nuclear weapon he will sooner or later possess. So that is the mortal danger in MacArthur's warning.

Too late in preparedness, well, that is what we are authorizing the President,

as Commander in Chief, and our military to do. Too late in uniting all possible forces for resistance. We are working now with our allies, with the Iraqi opposition, finally, 4 years after the Iraq Liberation Act authorized our government to begin working with the broad-based Iraqi opposition to Saddam Hussein.

Finally, too late in standing with one's friends. Here we are talking about our friends in the Middle East and the Persian Gulf. Good friends. Arabs, mostly, but also obviously Israelis. I say "Arabs mostly" because if you follow the line of Saddam's ambitions, they are to control the Arab world. That is what the invasion of Iran was about, that is what the invasion of Kuwait was about.

If we give him the opportunity, that is what future invasions, using chemical, biological, and potentially nuclear weapons, will be about.

It is time to stand with our friends in that region. I repeat, the history of failure in war can be summed up in two words: Too late. Too late in comprehending the deadly purpose of a potential enemy. Too late in realizing the mortal danger. Too late in preparedness. Too late in uniting all possible forces for resistance. Too late in standing with one's friends. This resolution is our way of saying to the American people, to the United Nations, to our allies in the Middle East and to Saddam Hussein, this time we cannot, we must not, and we will not wait until it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I will make a few brief comments. I associate myself completely with the statement made by the Senator from Connecticut. I thought they were thoughtful comments. I also think Senator NICKLES from Oklahoma, who spoke prior to him, did a nice job of laying out for the Senate this issue, whether we should move forward with the resolution the President has requested.

I believe the President seeks to avoid conflict. I don't think there is anyone in this Chamber who wants to see us go into a conflict as a first option. We are very much concerned about the lives of our men and women who serve in the military. We certainly do not want to put them at risk unnecessarily.

The question occurs, if Saddam Hussein fails to comply, are we prepared to use force? I look at it this way. Historically, if we look at Iraq and what has been happening, I don't think anyone can deny there is a buildup. We either address it now or we address it later. I am of the view the sooner we address this problem, the less the risk will be. If we continue to let the problem grow, it increases the risks to our men and women in the military who may be called into battle as a result of non-compliance with Iraq. Hopefully we do not reach that point.

I compliment the President on his leadership. It is the kind of leadership

we need at this time. It is a judgment call. It is what every Senator has to make a decision about in his own mind, whether this is the right thing to do. The longer we hold this up, the risk is magnified. That puts the neighbors of Iraq at risk, it puts countries all around the world at risk.

There is no doubt in my mind Saddam Hussein has the capability of using weapons of mass destruction. He is capable mentally of doing that. He has done it before. He has used it on his own. If he can use it on his own, he would certainly be willing to use it any place else. If we look at biological weapons, there is not much doubt he has the capability to use biological weapons. Their threat is extremely serious. That is another threat that will continue to grow. We know he is out there trying to develop nuclear capability. That expands even more my concerns about an expanding risk as we continue to delay action.

We need to move forward. We need to move forward quickly. The sooner we get this resolved, the sooner we get the support from the United Nations, we can move forward, give the President that option, a final option, that, if necessary, he will go in, even unilaterally, to protect the interests of the United States, to protect the Americans, and, if necessary, protect our friends and allies in the Middle East.

There is a quote in the President's speech last night I will restate. He says approving this resolution does not mean military action is imminent or unavoidable. The resolution will tell the United Nations and all nations that America speaks with one voice and is determined to make the demands of the civilized world mean something. Congress will also be sending a message to the dictator in Iraq that his only choice is full compliance. That is key.

The time remaining for that choice is limited. We need to act quickly. I am glad we have this before the Senate. We should have had it earlier than this week, but hopefully we will get it out this week and move forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Connecticut.

AMENDMENT NO. 4856, AS MODIFIED

Mr. LIEBERMAN. Mr. President, I have a technical modification of the amendment that we offered earlier, and it is at the desk.

The ACTING PRESIDENT pro tempore. The amendment is so modified.

The amendment (No. 4856), as modified, is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Authorization for the Use of Military Force Against Iraq".

SEC. 2. FINDINGS.

Since in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq:

Since after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

Since the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;

Since Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;

Since in 1998 Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in "material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations" (Public Law 105-235);

Since Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;

Since Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;

Since the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Since the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Since members of Al Qaida, an organization bearing responsibility for attacks on the

United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Since Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;

Since the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;

Since Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;

Since United Nations Security Council Resolution 678 authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687, repression of its civilian population in violation of United Nations Security Council Resolution 688, and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949;

Since Congress in the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President "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";

Since in December 1991, Congress expressed its sense that it "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102-1)," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress, "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688";

Since the Iraq Liberation Act (Public Law 105-338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

Since on September 12, 2002, President Bush committed the United States to "work with the United Nations Security Council to meet our common challenge" posed by Iraq and to "work for the necessary resolutions," while also making clear that "the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable";

Since the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-

fire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary;

Since Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

Since the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

Since the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution an Authorization for Use of Military Force (Public Law 107-40); and

Since it is in the national security of the United States to restore international peace and security to the Persian Gulf region.

SEC. 3. SUPPORT FOR UNITED STATES DIPLOMATIC EFFORTS.

The Congress of the United States supports the efforts by the President to—

(1) strictly enforce through the United Nations Security Council all relevant Security Council resolutions applicable to Iraq and encourages him in those efforts; and

(2) obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions.

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—

(1) defend the national security of the United States against the continuing threat posed by Iraq; and

(2) enforce all relevant United Nations Security Council Resolutions regarding Iraq.

(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but not later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to this resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.

(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 supercedes any requirement of the War Powers Resolution.

SEC. 5. REPORTS TO CONGRESS.

(a) The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 4 and the status of planning for efforts that are expected to be required after such actions are completed, including those actions described in section 7 of Public Law 105-338 (the Iraq Liberation Act of 1998).

(b) To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of Public Law 93-148 (the War Powers Resolution), all such reports may be submitted as a single consolidated report to the Congress.

(c) To the extent that this information required by section 3 of Public Law 102-1 is included in the report required by this section, such report shall be considered as meeting the requirements of section 3 of Public Law 102-1.

Mr. LIEBERMAN. I thank the Chair and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Lieberman-Warner amendment to S.J. Res. 45:

Thomas Daschle, Bill Nelson, Joseph Lieberman, Evan Bayh, Harry Reid, Pete Domenici, Joseph Biden, Patty Murray, Jay Rockefeller, Larry E. Craig, Trent Lott, John Warner, John McCain, Jesse Helms, Craig Thomas, Don Nickles, Frank H. Murkowski.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close the debate on S.J. Res. 45, a joint resolution to authorize the use of United States Armed Forces against Iraq:

Thomas Daschle, Bill Nelson, Joseph Lieberman, Evan Bayh, Harry Reid, Pete Domenici, Joseph Biden, Patty Murray, Jay Rockefeller, Larry E. Craig, Trent Lott, John Warner, John McCain, Jesse Helms, Craig Thomas, Don Nickles, Frank H. Murkowski.

Mr. REID. Mr. President, we have been able to accomplish a great deal today on this most important resolution. I think the debate has been pertinent. I think people have had a chance to express themselves without hindrance. We would hope that Senators would continue in the same vein. With these two cloture motions that have been filed, we are hopeful and confident that the debate on this will be brought to a close on Thursday morning and that following that we can complete work on the resolution. We certainly hope so.

In the meantime, we would hope people who have amendments to offer would do that and, if possible, we would like to have those amendments resolved prior to Thursday. If not, of course, if some of them are germane, they will be carried over until after our cloture votes.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators allowed to speak therein for not to exceed 5 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXTENDING THANKS TO CAPITAL-AREA LAW ENFORCEMENT

Ms. MIKULSKI. Mr. President, on behalf of the people of America, I thank President Bush and all Federal law enforcement agencies for the help, response, and support they have given to those who live in the Capital region as we face the threat of a predatory serial killer. The entire Nation knows six people have died. Some have been shot but are in recovery, like the 13-year-old boy who was so critically wounded yesterday. There is a serial killer out there. The President yesterday issued a statement extending his sympathies to those family members who have lost loved ones. He also directed law enforcement to be as responsive as possible.

As soon as the first dastardly and despicable deed occurred, Federal law enforcement, in terms of FBI and ATF, were there offering voluntary and informal assistance. Last night I spoke to FBI Director Mueller. Through a request from the Montgomery County police chief, they are formalizing and coordinating this effort. So we in Maryland really want to extend our gratitude to the President, to Federal law enforcement, and to all of America

that is sending their love and prayers to our region.

Mr. WARNER. Will the Senator yield?

Ms. MIKULSKI. I am happy to yield.

Mr. WARNER. We talked together about the efforts your office, my office, Senator ALLEN, and Senator SARBANES, working as a team, in fielding calls. We urge people to come to us. I also speak for the Mayor of the District of Columbia. The District of Columbia is grateful for the quick response led by our President, led by the Attorney General and others, to this crisis.

I have been privileged to live in this area throughout my entire life. I was an assistant U.S. attorney one time. Never have I seen a crime situation such as this. It has brought about the unity between the regions to work to solve this problem. I join with my friend and thank her for bringing this matter to the attention of the Senate.

TRIBUTE TO MAJOR GENERAL STROM THURMOND

Mr. HELMS. Mr. President, throughout America's history, our Nation has been blessed with leaders of rare courage, character, and conviction. The Senate for almost half a century has been fortunate to count among its members an especially remarkable individual, Senator STROM THURMOND.

Earlier, I joined in paying tribute to Senator THURMOND's unparalleled record of public service both to his country and to his beloved citizens of South Carolina. His extraordinary record of service spans almost 80 years.

We should also recall another aspect of service to his country—Senator THURMOND's heroic and selfless record of military service.

His distinguished military career spanned more than three decades, commencing shortly after his 21st birthday when he was commissioned a Second Lieutenant in the U.S. Army Reserve. When he retired in 1965, Senator THURMOND had risen to the rank of Major General, the highest rank then available to a Reserve Officer.

Inasmuch as he was serving as a South Carolina circuit judge at the outset of World War II, Mr. THURMOND was exempt from military service. But, then First Lieutenant THURMOND did not hesitate: he volunteered for duty the day the U.S. declared war against Germany, receiving a commission in the Active Army and becoming a member of the First U.S. Army.

While serving in the European theater, STROM served in all battles of the First Army, fighting through France, Belgium, Holland, Luxembourg, Czechoslovakia, and Germany. A lieutenant colonel at the time of the Normandy invasion—known forever as D-day—STROM volunteered for temporary duty with The All-American Division, North Carolina's 82nd Airborne, with whom he would land on the first day of the invasion.

Senator THURMOND once recounted this experience with the 82nd:

On May 23, they informed us that they needed Civil Affairs officers for temporary duty with the 82nd Airborne. Three of us volunteered. . . . On May 29, our units headed for an airfield near Newbury, where the three of us were briefed, given final instructions, and assigned to various gliders. We were to arrive with the 82nd in France on D-Day, June 6. The primary mission of the 82nd and the 101st Airborne Divisions was to keep enemy reinforcements from the invasion beaches. One fifth of the American airborne soldiers were killed or wounded that day, but we succeeded in accomplishing our mission.

After we crossed the coast line of France we were subjected to heavy anti-aircraft fire, soon thereafter the tow plane cut us loose. Well, after that, we lost altitude fast. All I could see rushing toward us were fields full of fences and trees and crooked up gliders. As we came in to land, we hit a tree and tore off one of our wings. The crash threw us into another tree, and that clipped off our other wing. What was left of us kept going until it plowed into a fence. We had crash landed into an apple orchard.

We had landed within the German lines and as soon as we touched the ground we were hit with enemy fire. I headed a reconnaissance party with personnel from my glider to locate a command post. I borrowed a jeep from an officer of the 4th Infantry Division and made a reconnaissance of other nearby gliders, trying to assist injured personnel in getting to the rendezvous. As soon as we had consolidated the group and set up a temporary camp, we started to dig foxholes. We were still being shelled, but not as heavily, along with [receiving] small arms fire. I had busted up my left knee when the glider had landed, so once we had taken care of more urgent matters, I had the medics patch me up.

With typical humility, Senator THURMOND failed to note that he was awarded a Purple Heart for his injuries that day. In addition, he has been the recipient of numerous other decorations for heroism and valor, including 5 battle stars and 18 decorations, the Legion of Merit with Oak Leaf Cluster, the Bronze Star Medal with V device, the Belgian Order of the Crown, and the French Croix de Guerre.

In an effort to honor all soldiers of the 82nd Airborne and to acknowledge the spirit and actions of Major General STROM THURMOND during his military career, I wrote to the Secretary of the Army this past April. My request was that Fort Bragg's new 82nd Airborne Division Strategic Deployment Facility—a key complex ensuring that Fort Bragg will serve as the Army's principal power projection platform for years to come—be named in honor of Major General STROM THURMOND.

Mr. President, I ask unanimous consent that the text of my letter of April 19, 2002, and the Department of the Army's response of June 4, 2002, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. HELMS. Mr. President, needless to say, I am grateful to have received the Army's positive response and in September a ceremony was held at the green ramp at Pope Air Force Base, adjacent to Fort Bragg. More than 200 gathered to dedicate a premier facility,