

no longer be ignored, wished away, or trivialized.

In the past, Hussein has used weapons of mass destruction, killing thousands of people, mostly Kurds, in the late 1980s. If not disarmed, pursuant to the terms and conditions that ended the Gulf War and all subsequent U.N. resolutions, he will likely use them again at the place and time of his choosing.

Madam Speaker, the loss of human life as a result of the hideous effects of these weapons cannot even be imagined. In like manner, the environmental and economic consequences would be staggering and possibly earth changing. The agony of death by mustard gas, VX, sarin or radiation sickness is absolutely numbing. The massive release of germs and microbes like anthrax, smallpox, and botulinum toxin would result in massive deaths and casualties and a regional or global epidemic that might not be stoppable.

And now, as we all know, Hussein is on an aggressive quest to develop nuclear warheads and the means of delivering them.

Madam Speaker, according to the U.S. and British intelligence services, Hussein's drive to develop nuclear weapons has been reconstituted, that is, if it ever went out of business in the first place. The British Joint Intelligence Committee assessment noted, and I quote, that Iraq had recalled its nuclear scientists to the program in 1998. Since 1998, Iraq has been trying to procure items that could be for use in the construction of centrifuges for the enrichment of uranium. The report notes that intelligence shows that the present Iraqi program is almost certainly seeking an indigenous ability to enrich uranium to the level needed for nuclear weapons.

Madam Speaker, last night, while brilliantly reiterating U.S. resolve to promote peace by disarming Hussein's brutal dictatorship, President Bush made it clear that war was not the only option, that war can be averted, but the burden rests squarely on the shoulders of Saddam Hussein.

The best outcome, of course, would be a successful redeployment of U.N. inspectors to Iraq, backed to the hilt by the international community, with a clear, nonambiguous mandate to inspect without condition, to have unfettered access to suspicious locations, and to compel Iraqi disarmament.

Madam Speaker, given Hussein's ugly, pathetic record on human rights abuse, widespread torture, systematic rape and mass murder, the only way to ensure that diplomacy and arms inspectors have a chance to succeed is by backing it up with the credible threat of overwhelming force. Standing up to the raving bully, especially when he is armed to the teeth with weapons of mass destruction, is the work of peacemakers.

No one, Madam Speaker, no one wants war. But if we fail to back the diplomacy with the credible threat of

force, it seems probable to me that it is only a matter of time before Hussein and his allies in his network of terror use weapons of mass destruction again.

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The question will not be a matter of if, the question will be when and where and how. Support the resolution.

Mr. PAYNE. Madam Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a leader in environmental affairs and a member of the Committee on International Relations.

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman yielding me this time and the leadership for promoting a full and thoughtful debate on this critical issue for our country. It has truly been a very positive experience on our committee, and I am looking forward to bringing it here to the floor of the House.

As I listened to President Bush attempt to make his case for war last night, what I heard him debate was debating with thousands of Americans who have voiced their concern to us in e-mails and letters and conversations. These are our constituents, ordinary citizens, raising straightforward, commonsense arguments against unilateral preemptive military action. Those voices were unanswered last night.

Unanswered was the learned warning of a respected Portland rabbi recently returning from another month-long stay in Israel who assures me that Israel will, in his judgment, undoubtedly respond with nuclear weapons if Saddam Hussein unleashes Scuds armed with chemical or biological agents against it.

Unanswered was the common knowledge that some allies have already used the rhetoric of this administration to pursue policies against their own terrorists, complicating the lives of our officials who must deal with the results.

Unanswered were the countless questions in our meetings at home who asked why some of the same people who are promoting this action against Iraq are the same who aided Saddam Hussein in getting chemical and biological agents in the 1980s and who did not speak out when he used them against his own people then.

As the President confidently predicts our precise military strikes, I hear the viewers and readers of Black Hawk Down reminding us how things can go horribly wrong, all lessons learned by Presidents Reagan, Bush, and Clinton.

Unanswered are those critics, including my colleagues, who fear not that the United States would ultimately be defeated by Saddam Hussein, but that the young American soldiers lack sufficient preparation and equipment for chemical and biological warfare and could suffer horrible losses.

I was intrigued with the insight of my own son about to return to Southeast Asia calling this a policy of national insecurity, putting him at great-

er risk in the weeks ahead traveling amongst the Muslim populations in Asia, while increasing the likelihood of terrorist violence here at home.

Our constituents describe a much more complicated world, one where the United States has yet to develop a coherent strategy for democracy in the Middle East, a world where other elements are at least as great a threat. Persuasive cases have been made against Iran and North Korea. Remember the axis of evil.

And we are not yet finished in Afghanistan. President Karzai is barely the mayor of Kabul. It is uncertain whether we or the countries who supported us there are ready to do the job.

In addition, it is important to point out that this is not Munich. No one talks of appeasement. If Saddam Hussein takes one step outside his borders, his forces will be annihilated. There is no question about it.

It is interesting how recently the polls are starting to more accurately reflect the mood of the American public that has been expressed to us for months. But regardless of what the polls say, some things are just wrong. Unilateral preemptive action as an operating principle is wrong. Delegating the unfettered authority to this President or any President to wage war is wrong. Missing the chance to build a more secure future with a more coherent foreign policy is also wrong.

This debate does not yet capture the nature of the many challenges we face or the legitimate concerns and observations of the American public. It does not prepare America for the real struggle ahead. I will vote "no," and I urge Members to do likewise.

Mr. GILMAN. Madam Speaker, I yield 5 minutes to the gentleman from Texas (Mr. PAUL), a senior member of the Committee on International Relations.

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I rise in opposition to this resolution. The wisdom of the war is one issue, but the process and the philosophy behind our foreign policy are important issues as well. But I have come to the conclusion that I see no threat to our national security. There is no convincing evidence that Iraq is capable of threatening the security of this country, and, therefore, very little reason, if any, to pursue a war.

But I am very interested also in the process that we are pursuing. This is not a resolution to declare war. We know that. This is a resolution that does something much different. This resolution transfers the responsibility, the authority, and the power of the Congress to the President so he can declare war when and if he wants to. He has not even indicated that he wants to go to war or has to go to war; but he

will make the full decision, not the Congress, not the people through the Congress of this country in that manner.

It does something else, though. One-half of the resolution delivers this power to the President, but it also instructs him to enforce U.N. resolutions. I happen to think I would rather listen to the President when he talks about unilateralism and national security interests, than accept this responsibility to follow all of the rules and the dictates of the United Nations. That is what this resolution does. It instructs him to follow all of the resolutions.

But an important aspect of the philosophy and the policy we are endorsing here is the preemption doctrine. This should not be passed off lightly. It has been done to some degree in the past, but never been put into law that we will preemptively strike another nation that has not attacked us. No matter what the arguments may be, this policy is new; and it will have ramifications for our future, and it will have ramifications for the future of the world because other countries will adopt this same philosophy.

I also want to mention very briefly something that has essentially never been brought up. For more than a thousand years there has been a doctrine and Christian definition of what a just war is all about. I think this effort and this plan to go to war comes up short of that doctrine. First, it says that there has to be an act of aggression; and there has not been an act of aggression against the United States. We are 6,000 miles from their shores.

Also, it says that all efforts at negotiations must be exhausted. I do not believe that is the case. It seems to me like the opposition, the enemy, right now is begging for more negotiations.

Also, the Christian doctrine says that the proper authority must be responsible for initiating the war. I do not believe that proper authority can be transferred to the President nor to the United Nations.

But a very practical reason why I have a great deal of reservations has to do with the issue of no-win wars that we have been involved in for so long. Once we give up our responsibilities from here in the House and the Senate to make these decisions, it seems that we depend on the United Nations for our instructions; and that is why, as a Member earlier indicated, essentially we are already at war. That is correct. We are still in the Persian Gulf War. We have been bombing for 12 years, and the reason President Bush, Sr., did not go all the way? He said the U.N. did not give him permission to.

My argument is when we go to war through the back door, we are more likely to have the wars last longer and not have resolution of the wars, such as we had in Korea and Vietnam. We ought to consider this very seriously.

Also it is said we are wrong about the act of aggression, there has been an act

of aggression against us because Saddam Hussein has shot at our airplanes. The fact that he has missed every single airplane for 12 years, and tens of thousands of sorties have been flown, indicates the strength of our enemy, an impoverished, Third World nation that does not have an air force, anti-aircraft weapons, or a navy.

But the indication is because he shot at us, therefore, it is an act of aggression. However, what is cited as the reason for us flying over the no-fly zone comes from U.N. Resolution 688, which instructs us and all the nations to contribute to humanitarian relief in the Kurdish and the Shiite areas. It says nothing about no-fly zones, and it says nothing about bombing missions over Iraq.

So to declare that we have been attacked, I do not believe for a minute that this fulfills the requirement that we are retaliating against aggression by this country. There is a need for us to assume responsibility for the declaration of war, and also to prepare the American people for the taxes that will be raised and the possibility of a military draft which may well come.

Madam Speaker, I rise in opposition to this resolution, which regardless of what many have tried to claim will lead us into war with Iraq. This resolution is not a declaration of war, however, and that is an important point: this resolution transfers the Constitutionally-mandated Congressional authority to declare wars to the executive branch. This resolution tells the President that he alone has the authority to determine when, where, why, and how war will be declared. It merely asks the President to pay us a courtesy call a couple of days after the bombing starts to let us know what is going on. This is exactly what our Founding Fathers cautioned against when crafting our form of government: most had just left behind a monarchy where the power to declare war rested in one individual. It is this they most wished to avoid.

As James Madison wrote in 1798, "The Constitution supposes what the history of all governments demonstrates, that the executive is the branch of power most interested in war, and most prone to it. It has, accordingly, with studied care, vested the question of war in the legislature."

Some—even some in this body—have claimed that this Constitutional requirement is an anachronism, and that those who insist on following the founding legal document of this country are just being frivolous. I could not disagree more.

Madam Speaker, for the more than one dozen years I have spent as a federal legislator I have taken a particular interest in foreign affairs and especially the politics of the Middle East. From my seat on the international relations committee I have had the opportunity to review dozens of documents and to sit through numerous hearings and mark-up sessions regarding the issues of both Iraq and international terrorism.

Back in 1997 and 1998 I publicly spoke out against the actions of the Clinton Administration, which I believed was moving us once again toward war with Iraq. I believe the genesis of our current policy was unfortunately being set at that time. Indeed, many of the

same voices who then demanded that the Clinton Administration attack Iraq are now demanding that the Bush Administration attack Iraq. It is unfortunate that these individuals are using the tragedy of September 11, 2001 as cover to force their long-standing desire to see an American invasion of Iraq. Despite all of the information to which I have access, I remain very skeptical that the nation of Iraq poses a serious and imminent terrorist threat to the United States. If I were convinced of such a threat I would support going to war, as I did when I supported President Bush by voting to give him both the authority and the necessary funding to fight the war on terror.

FURTHER BACKGROUND/POINTS ON H.J. RES. 114 AND IRAQ, 8 OCTOBER 2002

Claim: Iraq has consistently demonstrated its willingness to use force against the U.S. through its firing on our planes patrolling the UN-established "no-fly zones."

Reality: The "no-fly zones" were never authorized by the United Nations, nor was their 12 year patrol by American and British fighter planes sanctioned by the United Nations. Under UN Security Council Resolution 688 (April, 1991), Iraq's repression of the Kurds and Shi'ites was condemned, but there was no authorization for "no-fly zones," much less airstrikes. The resolution only calls for member states to "contribute to humanitarian relief" in the Kurd and Shi'ite areas. Yet the U.S. and British have been bombing Iraq in the "no-fly zones" for 12 years. While one can only condemn any country firing on our pilots, isn't the real argument whether we should continue to bomb Iraq relentlessly? Just since 1998, some 40,000 sorties have been flown over Iraq.

Claim: Iraq is an international sponsor of terrorism.

Reality: According to the latest edition of the State Department's Patterns of Global Terrorism, Iraq sponsors several minor Palestinian groups, the Mujahedin-e-Khalq (MEK), and the Kurdistan Workers' Party (PKK). None of these carries out attacks against the United States. As a matter of fact, the MEK (an Iranian organization located in Iraq) has enjoyed broad Congressional support over the years. According to last year's Patterns of Global Terrorism, Iraq has not been involved in terrorist activity against the West since 1993—the alleged attempt against former President Bush.

Claim: Iraq tried to assassinate President Bush in 1993.

Reality: It is far from certain that Iraq was behind the attack. News reports at the time were skeptical about Kuwaiti assertions that the attack was planned by Iraq against fmr President Bush. Following is an interesting quote from Seymore Hersh's article from Nov. 1993:

Three years ago, during Iraq's six-month occupation of Kuwait, there had been an outcry when a teen-age Kuwaiti girl testified eloquently and effectively before Congress about Iraqi atrocities involving newborn infants. The girl turned out to be the daughter of the Kuwaiti Ambassador to Washington, Sheikh Saud Nasir al-Sabah, and her account of Iraqi soldiers flinging babies out of incubators was challenged as exaggerated both by journalists and by human-rights groups. (Sheikh Saud was subsequently named Minister of Information in Kuwait, and he was the government official in charge of briefing the international press on the alleged assassination attempt against George Bush.) In a second incident, in August of 1991, Kuwait provoked a special session of the United Nations Security Council by claiming that twelve Iraqi vessels, including a speedboat, had been involved in an attempt to assault

Bubiyan Island, long-disputed territory that was then under Kuwaiti control. The Security Council eventually concluded that, while the Iraqis had been provocative, there had been no Iraqi military raid, and that the Kuwaiti government knew there hadn't. What did take place was nothing more than a smuggler-versus-smuggler dispute over war booty in a nearby demilitarized zone that had emerged, after the Gulf War, as an illegal marketplace for alcohol, ammunition, and livestock.

This establishes that on several occasions Kuwait has lied about the threat from Iraq. Hersh goes on to point out in the article numerous other times the Kuwaitis lied to the US and the UN about Iraq. Her is another good quote from Hersh:

The President was not alone in his caution. Janet Reno, the Attorney General, also had her doubts. "The A.G. remains skeptical of certain aspects of the case," a senior Justice Department official told me in late July, a month after the bombs were dropped on Baghdad. . . . Two weeks later, what amounted to open warfare broke out among various factions in the government on the issue of who had done what in Kuwait. Someone gave a Boston Globe reporter access to a classified C.I.A. study that was highly skeptical of the Kuwaiti claims of an Iraqi assassination attempt. The study, prepared by the C.I.A.'s Counter Terrorism Center, suggested that Kuwait might have "cooked the books" on the alleged plot in an effort to play up the "continuing Iraqi threat" to Western interests in the Persian Gulf. Neither the Times nor the Post made any significant mention of the Globe dispatch, which had been written by a Washington correspondent named Paul Quinn-Judge, although the story cited specific paragraphs from the C.I.A. assessment. The two major American newspapers had been driven by their source to the other side of the debate.

At the very least, the case against Iraq for the alleged bomb threat is not conclusive.

Claim: Saddam Hussein will use weapons of mass destruction against us—he has already used them against his own people (the Kurds in the village of Halabja).

Reality: It is far from certain that Iraq used chemical weapons against the Kurds. It may be accepted as conventional wisdom in these times, but back when it was first claimed there was great skepticism. The evidence is far from conclusive. A 1990 study by the Strategic Studies Institutes of the U.S. Army War College cast great doubts on the claim that Iraq used chemical weapons on the Kurds. Following are the two gassing incidents as described in the report:

In September 1988, however—a month after the war (between Iran and Iraq) had ended—the State Department abruptly, and in what many viewed as a sensational manner, condemned Iraq for allegedly using chemicals against its Kurdish population. The incident cannot be understood without some background of Iraq's relations with the Kurds . . . throughout the war Iraq effectively faced two enemies—Iran and elements of its own Kurdish minority. Significant numbers of the Kurds had launched a revolt against Baghdad and in the process teamed up with Tehran. As soon as the war with Iran ended, Iraq announced its determination to crush the Kurdish insurrection. It sent Republican Guards to the Kurdish area, and in the course of the operation—according to the U.S. State Department—gas was used, with the result that numerous Kurdish civilians were killed. The Iraqi government denied that any such gassing had occurred. Nonetheless, Secretary of State Schultz stood by U.S. accusations, and the U.S. Congress, acting on its own, sought to impose economic sanctions on Baghdad as a violator of the Kurds' human rights.

Having looked at all the evidence that was available to us, we find it impossible to confirm the State Department's claim that gas was used in this instance. To begin with. There were never any victims produced. International relief organizations who examined the Kurds—in Turkey where they had gone for asylum—failed to discover any. Nor were there ever any found inside Iraq. The claim rests solely on testimony of the Kurds who had crossed the border into Turkey, where they were interviewed by staffers of the Senate Foreign Relations Committee. . . .

It appears that in seeking to punish Iraq, the Congress was influenced by another incident that occurred five months earlier in another Iraqi-Kurdish city, Halabjah. In March 1988, the Kurds at Halabjah were bombarded with chemical weapons, producing many deaths. Photographs of the Kurdish victims were widely disseminated in the international media. Iraq was blamed for the Halabjah attack, even though it was subsequently brought out that Iran too had used chemicals in this operation and it seemed likely that it was the Iranian bombardment that had actually killed the Kurds.

Thus, in our view, the Congress acted more on the basis of emotionalism than factual information, and without sufficient thought for the adverse diplomatic effect of its action.

Claim: Iraq must be attacked because it has ignored UN Security Council resolutions—these resolutions must be backed up by the use of force.

Reality: Iraq is but one of the many countries that have not complied with UN Security Council resolutions. In addition to the dozen or so resolutions currently being violated by Iraq, a conservative estimate reveals that there are an additional 91 Security Council resolutions by countries other than Iraq that are also currently being violated. Adding in older resolutions that were violated would mean easily more than 200 UN Security Council resolutions have been violated with total impunity. Countries currently in violation include: Israel, Turkey, Morocco, Croatia, Armenia, Russia, Sudan, Turkey-controlled Cyprus, India, Pakistan, Indonesia. None of these countries have been threatened with force over their violations.

Claim: Iraq has anthrax and other chemical and biological agents.

Reality: That may be true. However, according to UNSCOM's chief weapons inspector 90-95 percent of Iraq's chemical and biological weapons and capabilities were destroyed by 1998; those that remained have likely degraded in the intervening four year and are likely useless. A 1994 Senate Banking Committee hearing revealed some 74 shipments of deadly chemical and biological agents from the U.S. to Iraq in the 1980s. As one recent press report stated:

One 1986 shipment from the Virginia-based American Type Culture Collection included three strains of anthrax, six strains of the bacteria that make botulinum toxin and three strains of bacteria that cause gas gangrene. Iraq later admitted to the United Nations that it had made weapons out of all three. . . .

The CDC, meanwhile, sent shipments of germs to the Iraqi Atomic Energy Commission and other agencies involved in Iraq's weapons of mass destruction programs. It sent samples in 1986 of botulinum toxin and botulinum toxoid—used to make vaccines against botulinum toxin—directly to the Iraqi chemical and biological weapons complex at al-Muthanna, the records show.

These were sent while the United States was supporting Iraq covertly in its war against Iran. U.S. assistance to Iraq in that war also included covertly-delivered intel-

ligence on Iranian troop movements and other assistance. This is just another example of our policy of interventionism in affairs that do not concern us—and how this interventionism nearly always ends up causing harm to the United States.

Claim: The president claimed last night that: "Iraq possesses ballistic missiles with a likely range of hundreds of miles; far enough to strike Saudi Arabia, Israel, Turkey and other nations in a region where more than 135,000 American civilians and service members live and work."

Reality: Then why is only Israel talking about the need for the U.S. to attack Iraq? None of the other countries seem concerned at all. Also, the fact that some 135,000 Americans in the area are under threat from these alleged missiles is just makes the point that it is time to bring our troops home to defend our own country.

Claim: Iraq harbors al-Qaeda and other terrorists.

Reality: The administration has claimed that some Al-Qaeda elements have been present in Northern Iraq. This is territory controlled by the Kurds—who are our allies—and is patrolled by U.S. and British fighter aircraft. Moreover, dozens of countries—including Iran and the United States—are said to have al-Qaeda members on their territory. Other terrorists allegedly harbored by Iraq, all are affiliated with Palestinian causes and do not attack the United States.

Claim: President Bush said in his speech on 7 October 2002: "Many people have asked how close Saddam Hussein is to developing a nuclear weapon. Well, we don't know exactly, and that's the problem. . . ."

Reality: An admission of a lack of information is justification for an attack?

Also worth mention:

President Bush claimed that our deposing Saddam Hussein. . . .

Mr. LANTOS. Madam Speaker, I yield 6 minutes to the gentleman from New York (Mr. ACKERMAN), a member of the Committee on International Relations.

(Mr. ACKERMAN asked and was given permission to revise and extend his remarks.)

Mr. ACKERMAN. Madam Speaker, the President continues to make his case before the Congress, before the American people, and before the United Nations to garner support and legitimacy in the case against Saddam Hussein. There is no question about any of the facts the President has cited in making the case for urgent action against the threat posed by the Iraqi current regime.

Only the deliberately obtuse can doubt that Saddam Hussein is a murderous, rapacious dictator with an addiction to aggression, and a long record of gross miscalculations.

Since seizing power and killing all of his domestic rivals, Saddam spent the entirety of his rule either committing acts of gross unprovoked aggression, preparing for war, conducting war, brutalizing his own countrymen, or committing crimes against humanity.

Madam Speaker, if we believe there is good in the world, surely we must recognize that there is also evil. Saddam Hussein is pure evil. The litany of Iraq's bad behavior is very familiar, and there is no real question about Iraq's appetite for weapons of mass destruction and his thirst for nuclear