Mr. DASCHLE. Mr. President, I know there are Senators who wish to travel to their States to accommodate the remembrance ceremonies with which many are involved tomorrow. As a result of that understanding and in appreciation of the need for travel, it is my expectation to withhold scheduling any additional votes today and then to announce that there will be no votes tomorrow.

So Senators who have an interest in traveling are welcome to do so. We have had a number of requests from Senators on both sides of the aisle. To accommodate those requests, that will be the decision.

There will be votes early, at least I should say midmorning, on Thursday. Senators should be prepared to come and participate in debate and be prepared to vote as early as 10 or 10:30 on Thursday.

I yield the floor and suggest the adjournment of the Senate until 10:30 on Thursday.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. The clerks will call the roll.

Mr. DURBIN. Mr. President, as we approach the anniversary of the September 11 tragedy, our Nation is in the midst of a national debate about war with Iraq.

I am sure the presiding Senator recalls, as I do, graphically, that day just a year ago, on September 11, when the Capitol was invaded. During the course of that evacuation, it finally hit me, as I stood on the grass outside the Capitol and was looking at this building, I was looking at the last building ever invaded by a foreign army on the territory of the United States, when the British attacked the Capitol during the War of 1812. That struck me as I stood there and reflected that once again an enemy had struck the United States home.

I never would have imagined, when I came to work that week, that by the end of the week I would be voting unanimously with my colleagues in the Senate, Democrats and Republicans, to give to the President of the United States the authority to go to war and that it happened so quickly, but it was the right thing to do. We understood that the United States was in peril, was in danger—and still is—from the forces of terrorism around the world. We stood as one, in a bipartisan fashion, to ask the President to fight this war on terrorism, to go after those who were responsible for September 11 tragedy which struck the United States.

Now, here we are a year later. The war on terrorism continues. Few, if any, would say that it is resolved or that we have won it. And we are debating the possibility of another war against another enemy. Osama bin Laden has not been captured or accounted for. The major leaders in al-Qaida are still on the loose somewhere. We believe al-Qaida still has a network of sleepers in 60 nations around the world. Afghanistan, the first battle-ground in the war against terrorism in the 21st century, is still not a stable and safe country.

Hamid Karzai, the President of Afghanistan, barely survived an assassination attempt last week. We have thousands of American troops still on the ground there. I had the honor to meet with some of them last January; our hearts and prayers are with them every single day. But that war on terrorism still continues.

Yet the administration comes forward and tells us we still have to think about the possibility of another war. In this case a war against Iraq. Indeed, it is possible that within a few days or maybe a few weeks people of the United States of America, through their Members of Congress, will be asked to vote on whether to go to war against Iraq. It is hard to believe that the events are moving so quickly that we would be declaring a second war within little more than a year of the September 11 attack.

Last Sunday on “Meet the Press,” Vice President Cheney indicated that the administration would like the Congress to vote on Iraq prior to adjourning this October. Do you realize that is a matter of weeks—weeks, before we would be called on to make this momentous decision? Because this is not a matter of high-altitude bombing when it comes to Iraq. We wouldn’t have the luxury of that type of warfare. We are dealing with the President’s words, “regime change.” We are talking about removing Saddam Hussein from power, not peacefully but with force. That would involve, I am afraid, land forces invading, the type of war we have not seen in many decades in the United States.

We recall the Persian Gulf war. It was a much different situation, a little over 10 years ago, precipitated by Saddam Hussein’s invasion and occupation of Kuwait. The formation of a coalition led by the United States but also with the United Nations and allies around the world, including many Arab States who joined us.

We fought to remove Saddam Hussein from Kuwait. We were successful in doing that. We had bipartisan support. We positioned our troops in Saudi Arabia and nearby. We had a broad coalition. We were forcing Saddam Hussein out of a territory he had occupied.

This is a far different challenge if we invade Iraq—different type of support. We would be fighting Saddam Hussein on his own territory, which gives him a home field advantage, which most military experts concede. Would we be successful ultimately? Yes—at some cost and at some price over some period of time. I have no doubt the American military—the very best in the world—would be gone. I can’t tell you what it would cost.

In the midst of the Kuwait situation, Saddam Hussein sent missiles to Iraq—kind of a third party to this conversation—hoping, I am sure, that he would destabilize the Middle East and cause such an uproar and consternation that the United States would withdraw. It didn’t work. Sadly, Israelis died in the process.

This time, we are not talking about flying Iraqi troops out of Kuwait but actually killing and capturing Saddam Hussein. To what lengths would he go in response? What would he seek? He doesn’t have missiles to reach the United States, but he has the capacity to train what missiles he does have on nearby neighbors such as Israel.

Vice President Cheney said that before the October adjournment, Congress would be asked to “take a position and support whatever the President needs to do in order to deal with this very critical problem.” By most definitions, that is article I, section 8, clause 11, of the Constitution.
which gives the Congress, and the Congress alone, the power to declare war. The people who wrote that Constitution—the Founding Fathers—had seen a king in action, a king who had dragged his country into wars, and said that the United States would not follow that path. We will never have a President who can make, and Congress plays an essential role. We and the executive branch need to have all the relevant facts analyzed as thoroughly and objectivity as possible before making the decision to put America’s military men and women in harm’s way.

Senior administration officials publicly identified Iraq’s development of weapons of mass destruction and the potential of Iraq’s transfer of these weapons to terrorist groups as the primary threat to the Nation. Unfortunately, our Government must rely on the intelligence community to make the most thorough and unbiased analytic assessment of the current and projected status of Iraq’s weapons of mass destruction infrastructure, regardless of whether the analytic judgments conform or conflict with stated U.S. policy. In other words, we are saying that the intelligence community should give us the unvarnished truth, tell us what Iraq has and its likely capability.

It is interesting, if you look at the countries that the Bush administration designated as part of the axis of evil—North Korea, Iran, and Iraq—of the three, the military capabilities of North Korea and Iran far surpass that of Iraq’s. We know that in the case with North Korea, and probably Iran as well, they have nuclear weapons today. We also know they are working on developing long-range missiles. We believe North Korea is the closest to developing missiles which could make it to the shores of the United States. But we think Iran is trying to do the same thing.

All that I am telling you is a matter of public information. We know this. We know what their capability is. When you look at the status of the three countries which the President said are the axis of evil, Iraq clearly ranks third. If all three are threats and enemies to the United States, why is it that the administration has focused in on Iraq, which to our knowledge does not have nuclear weapons today nor the ability to deliver any type of long-range weaponry against the United States?

As a member of the Senate Select Committee on Intelligence, I am deeply concerned that the intelligence community has not completed the most basic document which is asked of them before the United States makes such a critical life-or-death decision.

It is within the power of the Director of the CIA, George Tenet, to order a national intelligence estimate, known as an NIE, National Intelligence Estimates bring together all the agencies of the Federal Government involved in intelligence, sit them down, and collect and coordinate all of their information to reach the best possible conclusion he can come up with.

I was surprised last week that we have not produced a national intelligence estimate showing the current state of weapons of mass destruction in Iraq. What is incredible, with all of the statements made by members of this administration about those weapons, is the fact that the intelligence community has not been brought together.

If we learned anything from September 11 of last year, we learned when it came to the intelligence out these agencies—FBI, CIA, other law enforcement, other intelligence agencies, that no one ever brought it together. Had we been able to bring it together by September 10, could we have avoided September 11? I am not sure. I wouldn’t say that. But we certainly would have made the threat a lot better, and perhaps we would have been prepared a lot better.

Maybe—just maybe—we might have avoided some or all of the tragedy. But we didn’t do it.

This is my second NIE, the second NIE again since then as we looked back on last year, we have said we have to be better prepared, with better communications and better coordination of information from outside the country and inside, and bring it all together so we can make the best decision.

When we are talking about a possible invasion of Iraq and a war against Iraq, why haven’t we really created the most basic document that we have the power to create, the National Intelligence Estimate? So that we know exactly what we may be up against in Iraq? It has not been done.

This morning, I handed a letter to the deputy to Director Tenet asking that he give it to the Director personally, asking that they move as quickly as possible to establish and create this national intelligence estimate. Once it is established, I think we should meet on Capitol Hill—the Senate and the House—oversight hearings for a 2- or 3-day period of time. The House met continuously. In that period of time, each of us stood in the well of the House of Representatives—as we did in the Senate Chamber here—and spoke our hearts about the challenge we faced and the vote we faced. We knew that if a vote were cast to go to war, innocent people would die and that American soldiers and American sailors and marines and airmen would have their lives on the line.

It meant a lot to me personally because of a friend of mine, who was a Marine at the time—I knew his parents well. They were from Springfield, IL. I
that decision. We have to exhaust every other opportunity before we reach it.

On Thursday, the President will be at the United Nations in New York. I am certain he is going to remind them that Saddam Hussein is a thug, that he has been a threat to his own people, to the people in that region, and that he has become a threat around the world with his weapons of mass destruction. He will, undoubtedly, remind them of his cruel invasion of Kuwait, which mobilized the United Nations to defeat him and to displace his troops from Kuwait. We then, finally, remind them of what has happened since; when the United Nations resolution, which condemns and prohibits Iraq from ever having weapons of mass destruction, has been ignored by Saddam Hussein; how the inspectors, some 4 years ago, were pushed out of his country; and how this man has literally, as a thug, ruled this nation in a manner and form that most civilized countries in the world find reprehensible.

All of those things, I will concede, are true. But the next question facing the United Nations and facing the United States and its people, through its elected representatives in Congress, is: Is it the right thing for us to do? We cannot make the right decision without the best information. And the production of the National Intelligence Estimate will give us that information. I yield the floor and suggest the absence of a quorum.

STAYING IN TOUCH WITH THE AMERICAN PEOPLE

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The President and his administration are coming under great pressure, as has been asked for and been produced so many times in the past when America’s national security was at risk. We cannot accept anything less than that before any Member of the House or the Senate is asked to vote on this critical question of going to war.

We have to say to the administration: Bring forward your best evidence and your best arguments so that, ultimately, when we make this momentous and historic decision, we can go back to the States and people who we represent and say that we have dispatched our responsibility in a credible, good-faith manner, that we have done everything possible to understand the nature of the threat, and the best response of the United States.

War is the last option. We have to know every element before we make that decision. We have to exhaust President’s ability to take the pulse of America. After looking at some of the administration’s actions over the past few weeks, I am almost certain of it.

At almost every turn, the President seems to be a day late and a dollar short. Let me just give a few examples. On July 16, the House added $700 million of supplemental funding to the Interior bill to fight fires that are raging across this Nation. The administration, through the Office of Management and Budget, wrote to the Congress and strongly objected to that funding. Yet on August 28—just 6 weeks later—the President requested $325 million for emergency firefighting funding. It is a complete about-face.

In mid-July, the White House, through the Office of Management and Budget, again pressed Congress to reduce the size of the supplemental that President requested $219 million. The Congress acceded to the administration’s request. Yet, just 3—6 weeks later—the President requested $219 million and an additional $327 million for the Transportation Security Administration. That is $546 million that, 6 weeks earlier, the administration did not think was necessary.

In late July, Congress approved $200 million for economic assistance to Israel and $50 million of disaster assistance to the Palestinians not requested by the President. The President had until September 1 to designate the funds as emergency and, thus, the funds available to spend. The President rejected the funding on September 1. He could have had it then. All he needed to do was sign his name. No, he rejected it on September 1. But 2 days later, on September 3, the President requested—you guessed it—$250 million for the very same purpose. And pattern here? It is as plain as the noonday Sun on a cloudless sky. On September 4, the administration wrote Congress to stress its desire for Congress to restrain spending by keeping spending for the fiscal year that begins October 1 to a level of $759 billion, and yet on August 2 and September 3 the President requested $1.3 billion of additional funding and proposed no offsets for that spending.

The Congressional Budget Office now estimates that the President has requested $760.5 billion for the fiscal year that begins October 1, and yet the President insists we spend only $759 billion—that far and no farther, $759 billion. This President seems to rely on the same types of accounting techniques with regard to homeland security that are causing such problems in corporate America.

The President and his administration keep telling Americans that we are constantly at risk of new terrorist attacks. The President’s Cabinet members have been out in great force time