

## SENATE—Friday, January 11, 1991

(Legislative day of Thursday, January 3, 1991)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable THOMAS A. DASCHLE, a Senator from the State of South Dakota.

## PRAYER

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

Let us pray:

*Except the Lord build the house, they labour in vain that build it: except the Lord keep the city, the watchman waketh but in vain.—Psalm 127:1.*

Father in Heaven, the burden of decision is awesome, the implications are overwhelming. As Congress bears its burden, literally millions of Americans have mobilized for prayer. For this we thank Thee. Save us, Lord, from an attitude so secular that we leave no room for an eternal God to intervene. As the Senators struggle with this awful responsibility, grant them grace to make room in their minds and hearts for a God who understands, who loves, who cares, and who has not uncommonly, in times past, overruled the plans and the schemes of the most powerful leaders. Touch each life in this body with special wisdom and grace for these hours.

We ask this in the name of the Prince of Peace. Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 11, 1991.

To the Senate:

Under the provision of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOMAS A. DASCHLE, a Senator from the State of South Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## ORDER OF PROCEDURE

Mr. MITCHELL. Mr. President, and Members of the Senate, in a moment debate will resume on the Persian Gulf crisis. Under the consent agreement obtained last evening, the resolution which I offered yesterday in behalf of Senators NUNN, BYRD, PELL, BOREN, MITCHELL and LEVIN, later cosponsored by many other Senators, is on the calendar, and I intend to move to proceed to that resolution today, as I notified the distinguished Republican leader last evening.

I also advised the Republican leader again, as I have previously in several discussions and as I have stated publicly, that it is my hope and my intention that the Senate can complete action on this matter tomorrow.

I believe that we ought to have a full and open debate. We had a lengthy day of such debate yesterday. I anticipate another one today, and I hope that we could continue the debate and complete action by voting on tomorrow.

As all Senators know but most Americans do not, under the rules of the Senate I cannot fix a time for voting unilaterally, since under Senate rules each Senator has the right to speak for as long as he or she wishes, and, since under those same rules any Senator may offer any number of amendments that he or she wishes, the only way in which we can fix a time for voting is by unanimous consent, or, should the Senate as a whole decide to invoke cloture and terminate debate, then ultimately, at some point thereafter indeterminate as of now, there could be votes.

I hope that we do not have a filibuster. I hope that no Senator chooses to invoke his or her rights under the rules to delay or prevent voting. That is possible, and of course it is understandable under the rules and has occurred in the past. I do not believe that is the course of action we should take in this instance. I think each Senator has a right to express his or her views both in statements and in votes and the American people have a right to know where each of us stands on this important issue.

So I repeat that it remains my hope and my intention that we can reach an agreement and vote on these matters tomorrow. I will continue to pursue such an agreement with the Republican leader and others of my colleagues and will keep Senators advised throughout the day of our progress in that regard.

Mr. President, I yield the floor.

## ORDER PERMITTING SENATORS TO SPEAK

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period in which Senators are permitted to speak. The Chair recognizes the Senator from New Mexico.

## THE PERSIAN GULF CRISIS

Mr. BINGAMAN. Mr. President, I rise today in strong support of the joint resolution proposed by the majority leader and many of my colleagues. It is a resolution which I certainly add my name to as a cosponsor, which I believe is rooted in strength and in patience and in an awareness of the true costs of war.

On the morning of November 8, before the President announced later that day that he intended to essentially double the size of our forces in the Persian Gulf, I wrote to the President expressing my view that the American people would not support offensive military action until all other efforts had been exhausted. In hearings held by the Armed Services Committee in late November and December, I heard nothing that would change that opinion.

Please understand, Mr. President, that if my view on this issue is rejected and if the Congress and the President decide to proceed with military action beginning on or after January 15, then I will support funding to ensure that we prevail in that military action. As a Member of the Senate I have a responsibility to express my convictions on the question of whether this country should go to war at this time.

However, if the decision is made to go to war, then I also believe strongly that I and all of us must join together to do all in our power to ensure victory.

We all agree that Iraq demonstrated an outrageous and an unacceptable disregard for international law when it invaded Kuwait on the 2d of August. And we also agree that Iraq must withdraw from Kuwait.

But I am not convinced, especially after hearing the expert testimony of a dozen defense and national security specialists who appeared before the Armed Services Committee. I am not convinced that offensive military action is the correct course to accomplish that goal at this time. In fact, I have come to believe the exact opposite. That is, that a rush to action would be imprudent, it would be unwise, and it would involve unnecessary

costs, chief among them the unnecessary loss of human life.

In both the short and the long term, offensive military action soon after January 15 creates some disturbing results for which we as a nation are not yet prepared. Some will portray this as an argument or a debate between using force now and never using force, but that is clearly not the case. I believe the most appropriate action for the United States at this time is to maintain the international sanctions and trade embargo and to pursue a diplomatic solution while maintaining the credible threat of force in the future.

I supported the President's initial deployment of troops to Saudi Arabia. After the August 2 invasion of Kuwait there were very real fears that Saddam Hussein might order his troops to invade Saudi Arabia and other Persian Gulf states. By his own account, the President's objectives at that time were defensive. The troops, he said, were intended to fortify the defense of our Saudi allies and to draw a line across which Saddam Hussein dare not step.

To date that line has not been crossed, and we and our allies have succeeded in that stated objective. So, too, the President has succeeded in building an international coalition against Iraq's seizure of Kuwait and in obtaining release of all foreign hostages. We now have an impressive array of countries, including Arab countries, who are committed to isolating Saddam Hussein and constricting his ability to hold on to Kuwait. The United Nations itself has approved an unprecedented 12 resolutions against Iraq, including only the third international economic embargo in its history.

In these efforts the President has been successful and I have supported him. But I believe the President has erred in recent months as he narrowed his options and imposed an artificial deadline on our own actions. Time is on our side if we have the patience to use it. It is not on Saddam Hussein's side.

It became apparent in November the President had changed his strategy. No longer were our troops in Saudi Arabia for defensive purposes. On November 8 the President ordered our Armed Forces in the Middle East nearly doubled, from 230,000 to 430,000. This was accompanied by talk not only of removing Iraqi forces from Kuwait but also of removing Saddam Hussein from power, removing his current and potential control over weapons of mass destruction and, in late November, in the President's search in the United Nations for an authorization to use force, he joined in creating an artificial deadline, January 15, which now seems to be driving our entire policy in this crisis.

Let me cite four reasons that I oppose the use of force at this time. First

I believe that economic sanctions need more time to work. To expect that they would succeed in only weeks or a few months is nothing less than naive. Former National Security Adviser Brzezinski stated recently before the Senate Foreign Relations Committee, "Sanctions are not a blunt instrument for promptly achieving total surrender." The entire intent of sanctions is to deny Iraq any benefit from its seizure of Kuwait and at the same time to reduce Saddam's ability and his will to continue the lawless occupation of Kuwait. If history is any indication, sanctions can work.

In a recent study by the Institute for International Economics, a study of 115 cases of sanctions being imposed since early in this century, success was achieved 40 times. Iraq is particularly vulnerable, since its economy is dependent on oil exports which have been totally cut off. It has only recently concluded a bloody 10-year war with Iran. Obviously that is no guarantee of success in this case. But I pose this question: What do we have to lose by waiting?

The current U.N. sanctions are easily the most far reaching ever imposed on any single nation by anyone. Even if they do not work in all respects, Saddam Hussein, with his borders sealed off against all but minor smuggling and with a finite reserve of supplies with which to feed his people and his war machine, is likely to be weaker months from now than he will be on January 15.

A second reason that we should not resort to force at this time is that just as we need more time to see if sanctions will work, we also need more time to pursue a diplomatic resolution of the crisis. The failed talks in Geneva Wednesday clearly are not the end of diplomatic efforts. The Secretary General of the United Nations is on his way to Iraq at this very moment.

France and other European allies have indicated the desire to pursue further diplomatic initiatives. Algeria has also been active in facilitating a dialog among Arab nations. These and any other initiatives by the international community must be allowed to run their course. We should not underestimate our ability to accomplish the goal of forcing Saddam Hussein out of Kuwait through peaceful means. We should not prejudice the outcome of sanctions. And we should not prejudice efforts to resolve this crisis peacefully.

A third reason for us to stop short of a declaration of war at this time is the enormous loss of life that may well result if war begins. Secretary Baker has said repeatedly that if we commence a military action it will be "sudden, massive, and decisive."

I would only add that it will also be catastrophic and that we must expect that the loss of human life will be substantial. Many in the administration

and even some in Congress appear to be convinced that if we attack now the ensuing war will be short and will result in minimal U.S. casualties. But others, whose opinions I respect, conclude that while that is a possible outcome, it is equally or more likely that casualties could be significant and that the fighting could drag on.

I do not know how long a war with Iraq would last. I do know that virtually everything in human experience takes longer than it is expected to take. History is replete with wars which proved to be longer and more costly in human life than their instigators expected.

The Germans, the Italians, and the Japanese made that fatal mistake in their planning of the actions which led to the Second World War. We ourselves learned this tragic lesson in the Civil War.

The fourth reason that a declaration of war would be premature at this time is the potential cost of early military action to the stability of that region and to the U.S. role in that region. Former Chairman of the Joint Chiefs of Staff, Admiral Crowe, who has been quoted here many times by many Senators, in his excellent testimony to the Armed Services Committee stated, "Posturing ourselves to promote stability for the long term is our primary national interest in the Middle East \* \* \* the United States initiating hostilities could well exacerbate many of the tensions \* \* \* and further polarize the Arab world."

President Bush himself has stated that one of our main goals in this crisis is restoring stability and security to the region. The obvious question is will early military action promote stability in the region, and I have grave doubts. Can we realistically expect our Arab allies to remain with us, once we begin a mass assault against Iraq? If we succeeded in destroying Iraq's ability to wage war, how likely is it that other regional powers will try to fill that void? How much of a long-term military presence are we committing ourselves to maintain in Iraq, once the war is concluded? And what will be the reaction of other Arab countries to our continued long-term presence there?

At some point offensive action may be necessary, but I believe these and other questions about the costs of early military action on the stability of the Middle East should be addressed before we decide that we have reached that point. Once in the war, these are the questions with which we will be immediately confronted.

Mr. President, I would like to discuss very briefly the New World order that President Bush has referred to in the past few months. In an interview with Newsweek that appeared on November 26, President Bush stated:

We must not reward aggression \* \* \*. The civilized world is now in the process of fash-



ioning the rules that will govern the New World order beginning to emerge in the aftermath of the cold war. \* \* \* If the world looks the other way in this first crisis of the post-cold-war era, other would-be Saddams will conclude correctly that aggression pays. We must either be prepared to respond now or face a much greater set of challenges down the road.

Mr. President, I also hope for a post-cold-war era of sustained peace, but I do not believe that aggression is now or in our lifetime will be a thing of the past. Believing that early offensive military action in this first crisis of the post-cold-war era will end aggression is a basic misreading of human nature. I am not certain of what exactly the President means by a New World order, and I have questions about using this particular crisis as a model for future crises.

While I agree that we must not reward aggression, I do not believe that rushing into war is the only way to keep from rewarding that aggression. I have grave doubts about the wisdom of predicating future world peace on a rush into war at this time.

If a New World order is to prevail in the coming years, I am also concerned about the role the United States is to play in that New World order. Are we, the United States, to ensure that aggression anywhere in the globe is stopped? Will this responsibility fall to us since the United States is the only country in the world which has a military capability to achieve this? Certainly, no other country could undertake and sustain the mobilization of forces that we have accomplished over the last 5 months.

Is our role that of the enforcer of this New World order?

I also have concerns about the roles that our allies should play in this New World order. Clearly, two of our closest allies—Japan and Germany—both stand to lose more from Saddam's action than we do because of their greater dependence on Middle East oil, and clearly they have shown little commitment to involving themselves in military actions to punish his aggression.

I am disappointed, as are many of my colleagues, by the lack of action by our allies in an operation which is clearly at least as much in their interest as it is in ours. I wonder how can the American people be asked to sacrifice for this New World order when two of our closest and strongest allies are off pursuing a world order of their own.

I also have strong doubts that a rush to war against Iraq will get us to that New World order when many of the other members of our coalition are clearly reluctant to begin that war. Yet, uneasiness about war among the members of the United Nations and among our close allies leads me to believe that offensive military action at this time would damage the world's ability to undertake international efforts in the future. I believe that the

New World order, whatever that may prove to be, would be better served by continuing sanctions and diplomatic efforts.

Two days ago, we saw the failure of talks between the United States Secretary of State and the Iraqi Foreign Minister in Geneva. Not only did we see the failure of talks, but the refusal of the Iraqi Foreign Minister to honestly address the issue of Iraq's invasion of Kuwait. The natural response of the American people is one of disappointment but also one of anger and of frustration, and the temptation for all of us is to bring U.S. military force to bear at this time.

In my view, Mr. President, that course is not in the best interest of the American people or of the world community. We should not allow our frustration and the lack of a clear path to prevent us from continuing to search for a peaceful solution.

Many statesmen have been quoted during this debate and I am sure many will be in the next 2 days. One quotation I would like to bring to the attention of the Senate is a statement by Winston Churchill in his extensive writings. He said:

Those who are prone \* \* \* to seek sharp and clear-cut solutions of difficult and obscure problems \* \* \* have not always been right. On the other hand, those whose inclination is to bow their heads, to seek patiently and faithfully for peaceful compromise, are not always wrong. On the contrary, in the majority of instances they may be right not only morally but from a practical standpoint. How many wars have been averted by patience and persisting good will!

If all other means of obtaining Iraqi compliance with United Nations resolutions prove futile and a consensus is reached at home and abroad that military action is the only solution, then at that point, the President should come to Congress. He should request a declaration of war. At that point, I believe the Senate would grant such an authorization. But we are not at that point today. I urge my colleagues to stop short of authorizing war.

Mr. President, I yield the floor.

Mr. SPECTER addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I wonder if the distinguished Senator from New Mexico might be willing to engage in a brief discussion with this Senator.

Mr. BINGAMAN. I will be pleased to.

Mr. SPECTER. I thank my good friend from New Mexico. He and I have worked closely during the course of the past 8 years during our joint tenure and worked very closely on the impeachment case involving Judge Hastings that he chaired and I cochaired. I have a very high regard for Senator BINGAMAN, and I compliment him on a very well-reasoned presentation, not to say that I agree with all aspects of it, but I did with many aspects, especially his comment about the keen interest of

Japan and Germany in Mideast oil and the failure of those 2 countries to assume a fair burden, and the thrust of his contention that others of our allies have not done a fair share.

But the point that I would like to discuss very briefly this morning—and I intend to make a more complete statement later this morning—turns on the consideration that Congress is giving to those important issues at this time, January 11, 4 days from the January 15 cutoff, contrasted with the consideration of these issues at an earlier time.

I was interested to note that the distinguished Senator from New Mexico commented that he had written the President on November 8 objecting to the increased use of force, or the increased allocation of force—strike the use of force, it was not used—but the increase of our force in Saudi Arabia, and that he also was concerned on November 29 when the U.N. resolution was established fixing January 15, 1991, as the day after which force could be used.

I had expressed yesterday on the Senate floor my preference to allow economic sanctions to have lasted longer and not to have had a January 15 cutoff date, but said that it seemed to me that being in the posture we were in as of January 10, January 11, that it was much too late in the day to try to change U.S. foreign policy and representations and commitments which had been made by the President on behalf of the United States. Looking back to November is not useful in the sense of turning back the clock, but I think it does bear on what U.S. policy might be at some time in the future, and I think it also bears on the question as to whether it is appropriate and timely to change that policy today.

When we assembled in mid-November to select our leaders, the distinguished Senator from Indiana [Mr. LUGAR] took the initiative and proposed a special session. Many of us backed him up on that. As I know the Senator from New Mexico will recall, the majority leader and the Speaker of the House retained authority after adjournment to reconvene the Congress on this issue, realizing that that might be necessary.

It seems to this Senator that Congress had the opportunity to reconvene in mid-November and express itself on a resolution objecting to the buildup of forces in Saudi Arabia and the change of posture from defensive to potentially offensive mode. Congress could have reassembled itself in late November when we were on notice, as was the world, when the President was seeking a January 15 date in the United Nations resolution and was negotiating with the Soviets and the Chinese who were hard to deal with at that time, and the French and other members of the Security Council who were also not too easy to deal with at that time. Congress had the opportunity to come

into session in November and say we do not want an arbitrary day, we want to give sanctions an adequate opportunity to work—and there were some projections at that time that they might take a year, as the distinguished Senator from Illinois [Mr. SIMON] said yesterday.

I have two questions to propound to my colleague from New Mexico. The first is: Would it not have been far preferable for the Congress to have been convened shortly after the November 8 deployment of additional forces, or sometime hopefully immediately before the November 29 U.N. resolution, or at least shortly thereafter? And the second part which is related to the first part is: Is there not a prejudice to the President's position and substantial prejudice to the other members of the United Nations who have relied upon the President's position and the congressional silence thereby making it extremely difficult if not impossible to alter that key aspect of U.S. foreign policy today?

Mr. BINGAMAN. In my view, there are several reasons we could go back in the last several months and say "It would be preferable if \* \* \*." If we want to begin, it would have been preferable for the President to have advised the leadership of Congress before deciding to essentially double the troop strength in the Middle East or Saudi Arabia. No such action was taken by the administration. It was not determined that this was something that required consultation with Members of Congress.

I think that would have certainly been preferable. Had that occurred, then I think it is very conceivable that the leadership of Congress would have seen there was a very major shift in U.S. strategy that was manifest in that decision to double our troop strength and that Congress did need to express itself. But the President chose not to do that.

I point out also that as far as whether we should be acting now, the President has made it very clear repeatedly that he has not made a decision to use military force. Accordingly, I believe it is entirely appropriate and responsible for the Congress to be here carrying out its constitutional responsibility and giving its best advice to the President and determining under the Constitution, as it is required to do, whether the use of force is required at this time.

This is not second-guessing the President's decision to use force. The President has said he has not made that decision. He has set an arbitrary deadline. The United Nations has set an arbitrary deadline after which they would like blanket authority to use force as they determine it is appropriate.

I, for one, am not willing to give them that blanket authority. I can un-

derstand why members of the United Nations might, because, quite frankly, they have much less to lose than the United States. Most of the troops engaged in this activity are U.S. troops and U.S. personnel.

But clearly I think that this body, the Senate, is entirely in its rights and acting appropriately in dealing with this issue before a decision to use force is made. It is my clear understanding that that decision has not been made.

Mr. SPECTER. I would disagree respectfully with my distinguished colleague that we are not second-guessing the President, for this reason: It is true that he has not said he will use force, but he wishes to have the option to use force. If the Congress adopts the Mitchell resolution, we will be denying him the option to use force. So that he has proceeded for a long period of time, at least from November 29, 1990, to January 11, 1991, and has represented to the other members of the United Nations that he is in a position to carry out U.N. Resolution 678. He has in fact expressed himself that he does not need congressional authority to use force in the Persian Gulf.

My own reading of the Constitution is that authority from Congress is necessary, but there could be a situation if Congress sat back and did nothing, as it appeared for some time, and the Congress did not express itself, and then, given the subtleties of authority under the Constitution with the President as Commander in Chief and congressional inaction, that would have posed a different issue. But if the Congress adopts the Mitchell resolution and says economic sanctions now, no force now, then it seems to me the Congress really is, to use the Senator's phrase, second-guessing the President.

When the Senator from New Mexico says that it would have been preferable for the President to advise the Congress and consult in advance on the increase in force, I have to disagree sharply with that contention, for this reason: The Congress was on notice that the President intended to sharply increase U.S. forces in the Persian Gulf, on notice well in advance of the time that the first deployments were made, and in fact as of this moment all of the deployments have not yet been made.

It would have been highly desirable had a series of meetings been held in advance. I am not saying that would not have been a good course. I believe that at least one Senator was called in advance.

There is some controversy about having been given only a few hours', perhaps 2 hours' notice, but when we deal with matters of this moment it seems to this Senator that we do not stick to niceties and say well, if the President did not give us formal notice and formal consultation, then we did not have a duty to come forward.

Mr. BINGAMAN. That is certainly not my position, let me make it clear.

Mr. SPECTER. Let me finish the thought and I will yield. It seems to me that once the Congress knows that the President is going to markedly increase forces in the Persian Gulf, to have an offensive posture, and the Congress disagrees with that, then the Congress ought to act immediately. And once the Congress knows the President is seeking a resolution from the United Nations and they were tough negotiations which lasted a long time before the U.N. resolution was adopted, the Congress had a duty to convene if it disagreed with that policy of limiting economic sanctions to January 15 and putting on that date.

So while I do agree with what the distinguished Senator from New Mexico has said about we could have had a lot of different policies in the past, I think this posture and this timing bears very heavily on the judgment we make today.

Mr. BINGAMAN. I would just respond by saying I am not suggesting there is some kind of formality that should have been followed. I am saying when the Congress adjourned there was no understanding on my part, and certainly I do not know of any—I sit on the Armed Services Committee where we were briefed on a regular basis on this matter. I had no understanding that we were going to increase troop strength in the Middle East or in Saudi Arabia from 230,000 to 430,000 personnel. That was not contemplated at the time the Congress adjourned, in my view.

If the President did have that in mind, he should have called in the leadership and said we have a major change in approach, a major change in strategy. Had he done that, then perhaps we would have had a different set of actions that followed. But what has followed has followed, and clearly the Congress is doing what it is required under our Constitution to do today, and that is meeting to debate whether we should go to war, whether we should use military action.

I am persuaded that it is an entirely appropriate role for us. The President needs to listen to these debates, and the President needs to abide by the will of Congress on this. And the Congress needs to be in a position where, if circumstances change—I do not know how this vote will come out; it is possible. Were the President to prevail and get a blanket authority to commence military action anytime after January 15, if that is the case, then a declaration of war will have been made, in effect. And certainly, I will support that decision.

But if that is not the case, then the President, in my view, needs to pursue the course that this resolution sets out; that is, economic sanctions, pursue diplomatic efforts, continue to try to find a peaceful resolution of this matter. And when and if he determines



that is not in any way promising, he can come back to Congress. Again, the Congress can consider the situation.

Mr. SPECTER. I agree totally with the distinguished Senator from New Mexico that the Congress is doing what it should do at this time. Better late than never. But on the merits, I think we would have had a very different picture had we looked at it and were on notice about his intention to increase troop strength in the Mideast, in the Persian Gulf, and if we were on notice of his intention to have a military option after January 15.

I just think on the merits, it weighs very heavily against a peaceful resolution at this time.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. WIRTH). The Senator from Pennsylvania has the floor.

Mr. SPECTER. I yield to the distinguished Senator from Nevada.

Mr. REID. Mr. President, in 1935—

Mr. JOHNSTON. Did the Senator yield for a question?

Mr. SPECTER. I yield for a question.

Mr. REID. If the Senator from Louisiana has any objection whatsoever—I have spoken previously to the Senator from Pennsylvania indicating that I was going to give a statement. If the Senator would rather I not do that—I would be happy to return the floor to the Senator from Pennsylvania and seek recognition on my own.

Mr. SPECTER. I had thought the Senator from Nevada was interrupting for a question. But I did previously advise, although I was on the floor earlier, that I would yield to the Senator from Nevada for remaining statements, if that is his request. In any event, I now yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

#### OUR ROLE IN RELATION TO THE PRESIDENT

Mr. REID. Mr. President, in 1935 Italy invaded Ethiopia. Writing after the World War of which that invasion proved to be the opening shots, Winston Churchill reflected that Mussolini's designs were unsuited to the ethics of the 20th century, that they belonged to the Dark Ages and that such conduct was both obsolete and reprehensible.

Both Italy and Ethiopia were members of the League of Nations. Churchill called it a test case for that "instrument of world government upon which the hopes of all good men were founded." The league failed that test. It imposed sanctions which Churchill noted merely stimulated the Italian war spirit.

Churchill, writing from the wisdom of years of greatness, said that Britain should have interposed her fleet and gone to war, if necessary. If ever, he said, "there was an opportunity of striking a decisive blow in a generous

cause with the minimum of risk, it was here and now."

Mr. President, it is again 1935 and a dictator has invaded Abyssinia. It is 1932 and Japan has slashed into a helpless China. It is 1938 and Germany has goose-stepped into Czechoslovakia.

Once again, Mr. President, a dictator is on the march. But this time the world is different. There is an effective world body, there are powers ready to take action on behalf of that body, and there is no countervailing threat to stay our hand.

If it is necessary we are prepared and capable to act in the cause of prevention of aggression, justice for the weak and defenseless and, dare I say, freedom and democracy.

There are those among us Mr. President, who say that Kuwait is a monarchy, far from home and hardly worth a fight or the expenditure of resources, let alone the blood of one American soldier. The same might have been said, Mr. President, the same was said of China and Ethiopia. By the time the democracies decided to fight it was a very near thing. By the time America, over the vehement opposition of a strong body of isolationism, edged toward supporting the forces of democracy it was almost too late; for millions of innocent men, women, and children it was too late.

Mr. President, I hear whispers of those voices today. I hear in this Chamber the faint echo of men like Senator William Borah who believed that reality and a wide ocean demanded that we look to our own defenses; that we abandon democracy outside this hemisphere as a lost cause.

Mr. President, I remember as a young man, hearing John F. Kennedy tell this body and the Nation in his State of the Union Address that the mere absence of war is not peace. As long, Mr. President, as one nation may subdue another free and independent state by force of arms there is no peace. As long as one nation may at will threaten to strike the cities of another and attack her civilians with poison gas and weapons of mass destruction, there is no peace.

As long, Mr. President, as Iraq continues to occupy, and pillage, and plunder, and lay waste to Kuwait, as long as the Iraqi Army continues to rape, and torture, and brutalize, and murder the people of that tiny land, for that long, Mr. President there is no peace.

The question before this body today is an essential one of constitutional implications. May the President fulfill his role as Commander in Chief, and what is our role in relation to the President?

I would say this to my fellow Senators. Over the years I have served in Washington I have learned that one does not take military action by committee. That is the duty, it was de-

signed by the Founding Fathers to be the job of our Chief Executive.

We have a part as a body, most certainly. If we disapprove of the action taken we may force its cessation by terminating funding. If we wish to halt an action in advance we may order that no funds be spent. We have the power to declare war. What we do not have is the power to make war.

The President must be able to deal with foreign hostilities with a free hand; to use the diplomatic corps and the Marine Corps with equal facility, subject only to our power to force a halt to actions we deem contrary to the national interest.

Mr. President, at this point and based on what we know about Saddam Hussein and the dark forces which rule Iraq, I do not believe that allowing the President to conduct a strong foreign policy is against that interest. Until he shows me otherwise I believe that George Bush, President of the United States, a man who has seen the face of war in person, will act with the utmost concern for protecting the lives of our service men and women.

I urge the President, to spend money rather than lives, equipment rather than humanity, and to follow the tradition we have always had in wartime, to never send a man where we can send a bullet.

Before I close, Mr. President, I would like to address one other point. We have heard much over these past days and weeks about the failure of our allies to come to our support. Since I have quoted so much today from a British statesman, I would like to mention a special relationship, our alliance with Great Britain.

It is an alliance which for 80 years has held firm, and which once again shows the unyielding bonds between our two peoples. There are 35,000 British troops in the gulf; soldiers, sailors, and airmen a significant number of their overall military. They have placed themselves at America's disposal, and under American command, to join us in the fight, and if necessary, to lay down their lives at our side. Mr. President, there can be no stronger or finer expression of brotherhood.

Mr. President, I will close with another thought by Winston Churchill: "There is no merit in putting off a war for a year if when it comes, it is a far worse war and one much harder to win."

Mr. President, all the evidence shows the Iraqis are stalling for time while they improve their defense and attempt to destroy our coalition. Delay will only strengthen their hands and harden their hearts. If sanctions are working, America can stay its hand. If sanctions are not enough, then let us strike while the coalition stands firm and our convictions and our morale are high. Let us achieve a clear-cut victory and get our troops out of the Middle

East before they become bogged down in interminable occupational duties. We cannot wait for the far worse war to come. The President must decide when to act. I believe the authority is his. He must act at a time to avoid that far worse war.

I yield the floor.

PRIVILEGE OF THE FLOOR—SENATE JOINT  
RESOLUTION 1

Mr. WELLSTONE. Mr. President, I ask unanimous consent that during the consideration of Senate Joint Resolution 1, regarding United States policy to reverse Iraq's occupation of Kuwait, Miss Katherine Magraw, a fellow with me, be accorded the privilege of the floor.

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

Mr. JOHNSTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

GIVING A BLANK CHECK

Mr. JOHNSTON. Mr. President, under the Constitution, the Congress has the power to declare war. On January 8, the President of the United States asked for just that authority. What he has asked for has been described by the majority leader, and I think correctly so, as being a blank check, a carte blanche. There is no euphemism. It is, unadulterated, a request to go to war. What this request is is the authority to put in the hands of the President not only the authority to go to war, but to determine the circumstances under which he would exercise that power, as well as the timing as to when we would go to war.

If you think the President ought to be given that authority, I submit that we ought to leave it in the hands of the President as to the circumstances and the timing, because, obviously, if we are going to go to war, we do not want to tell Saddam Hussein that tomorrow morning at 1 a.m. we are going to attack. You want to leave that question open. You also, I think, want to leave it to the President to decide those circumstances, that is to say, if you think the President ought to be given the authority to go to war.

Mr. President, the Nunn resolution asserts that the wisest course is to have the sustained application of sanctions. Much as agreed to by all sides in this debate. Everyone that I have heard speak will publicly and privately say that aggression cannot be rewarded, that Iraq must leave Kuwait. It has been said over and over again by the majority leader, as well as the leaders on the Republican side, that Iraq must leave Kuwait. But on the question of the authority to go to war, U.N. resolution that the President requests is a yes that really means yes. And the Nunn resolution is a no that really means no. It is a question of yes and no on the question of whether we should go to war. So here we are in this very fateful debate determining whether the

President shall really be given the authority to go to war.

Since early November, I have spoken publicly all over my State, any chance I could get to speak in Washington and elsewhere, publicly and privately, the latest time being yesterday, urging that the sustained application of sanctions is the proper way to go. The reason I have said that is because I believe Iraq is uniquely vulnerable to sanctions, uniquely vulnerable to a blockade. The flow of oil, as far as Iraq is concerned, has been hermetically sealed off so that almost no oil, other than a few truckloads here or there, moves in or out of Iraq. Saddam Hussein cannot sell his oil. Not only can he not sell Kuwaitis oil, he cannot sell his own oil. And the ability to sustain that kind of embargo, that kind of blockade, I believe, can be sustained over a long time.

So, Mr. President, I believe that, over time, the economy of Iraq will atrophy, will shrink, and Iraq will go from a Third World country to a fourth world country. And whether or not they agree immediately to withdraw from Kuwait, considering the huge, \$80 billion external debt that Saddam Hussein has, by the time the embargo has a chance to work, then Iraq will no longer be a power.

How long will it take? There is the rub, Mr. President. Because Iraq is agriculturally rich, militarily well supplied, the amount of time it would take, I believe, is a year, 18 months, 2 years. Who knows how long it would take. I believe the sustained application over time will work. But the amount of time is the question.

Are we in a position to wait long enough to find out if it will work? Well, Mr. President, we are not now in a position to do that. In order to have a sustained application of sanctions, then the 400,000 troops that we have now either in Saudi Arabia, or on the way to Saudi Arabia, are too many to sustain an embargo. There is absolutely no way that we can keep a force of that size sweating in the desert, called away from their jobs, and leave them there for a year or 18 months. It cost \$30 billion for last year. For less than half a year, maybe 5 months, it cost \$30 billion. We could not sustain that over a period of a year or two.

We have a policy of no rotation, so all of these troops are there, both our troops and others, without rotation, staying in the desert. So, in order to give sanctions a chance, what we would have to do is bring home, 200,000 or 300,000 troops. We would have to be willing and able to reintroduce those troops at a later stage, because, as the Nunn resolution says, we would be prepared, if the sanctions failed, to reintroduce those troops in order to use force at a later time. So we would have to be willing to do that. And in the

meantime we would have to hold the alliance together.

The question is, Can that be done? Can we actually bring home those 200,000 to 300,000 troops, or whatever that magic number is? Can we hold the alliance together? And can we have that ability to reintroduce the troops at a later date in case they are needed, in case the sanctions do not finally work?

Mr. President, reasonable minds can differ as to whether that could be possible. I believe it could. I know the Secretary of State believes it could not, I know the Secretary of Defense believes that it cannot be done, because I have asked them both and they say no. I know the CIA says that sanctions will not work on the short term. So the question is, Can we do that which is necessary in order to make the sanctions work?

The key fact in this whole debate is that the President of the United States believes sincerely, but strongly, that he cannot bring those troops home in order to let sanctions work. There is no other way to let sanctions work and to bring troops home, massively bring troops home, 200,000, 300,000 troops, because that is what it is going to take to be able to let the sanctions work. How do I know the President believes that? Because he said so yesterday. I asked him directly and unequivocally. "Mr. President, if we convince you that sanctions can work can you bring troops home?" And he says absolutely, unequivocally "No."

The reason he believes that, is that he believes that that decision was really made back in November. You have had lives disrupted. You have had young students taken away 2 weeks before exams. You have had doctors snatched from their practices, and lawyers and people in all walks of life, those in the National Guard, those in the Reserves, taken from their civilian occupations, put into the Army, or Navy, or Air Force, and sent to Saudi Arabia.

That having been done, I believe the President believes that he cannot say: "Well, you know, I made a mistake. I made a decision to be ready to go to war back in November but now I am going to change my mind and send you all home and we are going to try sanctions."

He believes that the alliance will not hold together during all of that time. He believes that the embargo may leak, that the blockade may leak, that they may build a pipeline to Iran in order to get oil out. That may or may not be correct. But he believes it.

So, therefore, Mr. President, I believe the decision on sanctions for right or for wrong was made in November. It was made by the President. It was not made in consultation with the Congress of the United States but nevertheless it was made. I believe the die is



cast. I believe that the question of war or peace lies in the hands of Saddam Hussein. Which leads us inexorably to the question of the day: Yes, or no, on the resolution to give the power to the President to go to war. That is what we are facing here. Do we vote yes or no on that power to go to war?

Mr. President, my answer is yes. If, as I believe, the answer to war or peace lies with Saddam Hussein, if, as I believe, the question of the applications of sanctions, the sustained application of sanctions was made in November, then if that is true, I believe that we must demonstrate the truth of that fact to Saddam Hussein, we must show maximum unity, because if it is in his hands to call off the war at any time, then the stronger the demonstration of force, of unity, of resolve, of power in the hands of the President of the United States to go to war, then the better chance we have to avoid that war.

Mr. President, I believe Saddam Hussein has colder ice water in his veins than most anybody the world knows or has known at any time. He has the power to call off that war. The last card he has to play is the Congress of the United States. I believe he thinks that on January 14, or maybe January 15, he can tell the President that, yes, he will get out of Kuwait and it will not be too late, he will not have lost anything.

Now whether or not he is waiting to find out what the Congress does in order to make that decision is something we do not know and cannot know. But I think there is strong reason to suppose at least that he is waiting with that cold ice water in his veins to the last possible time, hoping that the Congress will say to the President: "You do not have the power to go to war," and that that window of opportunity will close.

What do I mean by the window of opportunity? I mean the weather window, sometime between January 15 and the end of March, as Ramadan begins and the hot weather comes on; this attack must be made during that window. If he can get past that then he is home free for the rest of the year. His hope is, so says the President and so says the Secretary of State, that by waiting the Congress, and more to the point, the American people will flag in their desire to maintain the discipline that the international consortium behind the U.N. resolution, behind this effort, will dissipate, that we will accept the fact of his conquering of Kuwait.

Mr. JOHNSTON. So, Mr. President, it is a paradox that by voting to authorize war we make, I believe, peace more possible, if only marginally so. I was very hopeful a few weeks ago of being able to avoid war. I am not so hopeful today because I believe the die is cast.

If Saddam Hussein is listening, then I would tell him I spoke to the President yesterday as did some other colleagues,

and I believe this die is cast. I believe, Saddam Hussein, if you do not leave Kuwait we are going to attack and we are going to attack in January. I believe that is going to happen, and whether the Congress votes for it or not, I believe it is going to happen. I believe that decision was made in November, without this Congress to be sure, but I believe that decision was made.

So our last best chance, I believe, to avoid that is to convince Saddam Hussein that that is so, and that you better get out of Kuwait while there is still time. That is why I am going to vote yes, not because I disagree with sanctions. To the contrary, I think the Nunn approach of a sustained use of sanctions is the way to go. But the President rejected that decision back in November and the question is now up to Saddam Hussein.

I am glad to yield.

Mr. HARKIN. I thank the Senator. Mr. President, I just wanted to make a comment and observation on what the Senator was speaking about.

The rotation policy: We have heard it said many times that if we draw down some of our troops, go to a rotation policy, that might be seen as a sign of weakness. I am going to just quote for Senators and others a question and answer from the hearings before Senator NUNN's committee in December. It was a series of questions about the policy by Senator THURMOND and Senator NUNN. But here is the last question by Senator KENNEDY. The question is for General Jones, former Chairman of the Joint Chiefs of Staff. I read the question in its entirety.

Senator KENNEDY. What is your own sense of whether that kind of policy would be perceived as the Americans backing down? We are over there now, and now we are going to have a large force over there. If we move toward a position of rotation and it looks like we are going to stay in there for whatever period, the year or the 18 months, while the sanctions would work, do you have any feel, as individuals—Admiral Crowe has lived over there—who have spent a good time in the area? Would that be damaging?

That was Senator KENNEDY's question.

General JONES. I believe with many people it would be seen as a strength that we could stay, we could persevere, we could be patient, we could keep isolating Saddam Hussein. He is suffering every day. We would have some problems, but they would be minor compared to the ones of Saddam Hussein, so I would see it as a strength, rather than a weakness.

There would be some that would call it a weakness that we deployed the force and we received the authority under the United Nations that on January 15 we could go ahead with combat. Therefore some would say we were not resolute. But I believe most of the world would look at it as a strength of America to be able to stay some place and be able to look at the long-term interests rather than the immediate crisis.

Mr. JOHNSTON. I would observe I agree with General Jones, but I can tell

you the President of the United States does not.

Mr. HARKIN. I tend to associate myself with the Senator's remarks. Thank you.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Georgia, the chairman of the Armed Services Committee.

#### WHEN THE DIE WAS CAST

Mr. NUNN. Let me say I enjoyed everything about those remarks by my friend from Louisiana except the conclusion. But I would say when the vote is taken and the roll is called and the vote is tallied, if the Nunn-Mitchell-Boren-Byrd resolution gets 20 votes, we are going to add one vote from the Senator from Louisiana who is with us in spirit.

We appreciate his remarks, and his analysis is sound, I think, in almost every respect, in that when the President made the decision to build up the forces, double the forces in November, and couple that with an announcement there would be no rotation, at that time the die was cast.

I am not certain that the President intended that the die be cast then, and that was the reason I raised the question immediately about the lack of rotation and about the size of the force not being sustainable and about the sanctions policy being discarded.

As the Senator will recall at that time the administration vigorously denied that the die had been cast, and that the sanctions policy had been discarded. But in practical terms, when you cannot rotate forces and you do not have enough troops left back home and around the world to rotate, and your forces certainly cannot stay out there in the desert for a year to 18 months at a time without degrading their military capability, then the die in effect was cast.

I guess history will record whether that was an intentional policy on the part of the President or whether it was a policy that had not been thought through.

Mr. President, I thank the Senator from Pennsylvania for yielding. Again I repeat to him I am not in any way trying to get in front of him on the floor. I know there is no list but he was here first. If I am going to go ahead, I do thank him very much for that privilege.

Mr. President, I want my colleagues and the Chair to understand before I begin my presentation that I have had a very bad cold that has gone into laryngitis. By about 12 noon every day I am whispering. I am having a difficult time in making any kind of presentation, and I will be going slow and interrupting my remarks with a little water, here, from time to time. So I will be taking a little more time than I would like because of a voice problem.

It is regrettable that because of Iraqi intransigence, the meeting in Geneva this week with Secretary Baker produced no diplomatic breakthrough and very little that was encouraging. I noted with interest—and I must say with almost complete amazement—that the Iraqi Foreign Minister refused to accept President Bush's letter to Saddam Hussein because the letter, according to the foreign minister, was supposedly not polite. I have not seen President Bush's letter. But I find that Iraqi protest both ironic and, indeed, repulsive.

Was it polite when Saddam Hussein used chemical weapons against his own people? And then, again, against Iran? Was it polite when Iraqi forces launched a brutal, unprovoked invasion of Kuwait? Was it polite when Iraqi forces used savage violence against innocent Kuwaiti civilians and took hostage innocent foreigners residing in that country?

Saddam Hussein and his top spokesmen do not have the standing in the court of world opinion to raise the issue of politeness.

Mr. President, I still believe there is room for some hope that diplomacy can succeed in avoiding war. But as January 15th approaches, as so many of my colleagues have already observed, Congress must act. Article I, section 8 of the Constitution provides that the Congress clearly has the authority and the duty to decide whether the Nation should go to war. In many past instances it is true that military actions have occurred without congressional authorization. Pursuant to the authority assumed by the President in his constitutional capacity as Commander in Chief in today's fast-moving, interconnected world with instant communications, a world plagued with nuclear weapons and international terrorism, there are certainly instances when U.S. military force must be used without congressional authorization.

There are many gray areas where the Congress, by necessity, has permitted and even encouraged and supported military action by the Commander in Chief without specific authorization and without a declaration of war. I do not deem every military action taken as war. I think there is always room for debate on definitions. But a war against Iraq to liberate Kuwait initiated by the United States and involving over 400,000 American forces is not a gray area.

In this case, I believe the Constitution of the United States is absolutely clear. It is essential to comply with the Constitution and to commit the Nation that Congress give its consent before the President initiates a large-scale military offensive against Iraq. I think the Founding Fathers had a great deal of wisdom when they put this provision in the Constitution. One of the main reasons, of course, was to prevent one

person from being king. They did not want that. But I also believe that there was another purpose, and that is to make sure that when this Nation goes to war and asks its young men and, increasingly, young women also to put their lives on the line, the Nation must commit itself before we ask them to lay down their lives.

The President's January 8th request that Congress approve the use of military force presents Congress with an issue, simply stated but profound in its consequences; not simply short term but also long term. Many of us strongly believe a war to liberate Kuwait should be the last resort and that sanctions and diplomacy combined with a threat, a continuing threat of force, should be given more time.

Should we give the President, after all of these debates when the die is cast, should we give him blanket authority to go to war against Iraq to liberate Kuwait? This is the question we face. There are numerous questions that will have to be answered in the minds of each of us before casting our vote.

The first question I try to ask when it comes to matters of war and peace is the question of whether a particular situation is vital to our Nation's security. In this case, is the liberation of Kuwait vital to our Nation's security?

We all agree with the goal of restoring Kuwaiti sovereignty; no doubt about that. But have we concluded here that the liberation of Kuwait in the next few weeks is so vital to our Nation's security that we must take military action now instead of waiting a few months, waiting a period of time to allow the economic embargo and the blockage to take its toll?

Back in August and September when the embargo was successfully and, I would say very skillfully brought about by President Bush, through what I think was his superb leadership, no one thought or predicted the embargo was going to be over by January. No one predicted we were going to be able to bring about the termination of Iraqi presence in Kuwait by January. None of the intelligence experts or other experts who testified felt the embargo was really going to have much effect before April or May of 1991 and almost all of them said it would take at least a year.

There was no surprise about that. I am absolutely amazed when people say, well, we have waited 4 months and 5 months and the embargo is not working. They must not have been there at the beginning or they must not have talked to anybody at the beginning about how long it was going to take. It is very puzzling to me how someone could give up on the embargo after 5 months when nobody that I know of predicted that it was going to last less than 9 months to a year, and most people said a year to 18 months from the

time of inception, which was August of last year.

When we talk about the question of "vital"—a lot of times we in Washington throw that word around as if it is just another word. Sometimes we use so many words in the course of debate that we do not think carefully about what we mean. I recall very clearly President Reagan's 1982 declaration that Lebanon was vital to the security of the United States—Lebanon.

Shortly thereafter, following the tragic death of more than 200 marines, we pulled out of Lebanon, we pulled out of a country that only a few weeks before had been declared "vital." Today, we debate this 8 years later while pursuing our newly proclaimed vital interest in Kuwait. It was not vital before August 2. Nobody said it was vital then. There was no treaty. In fact, when we were protecting Kuwaiti vessels coming out of the gulf for several years in the Iran-Iraq war, the Kuwaitis did not even let us refuel, as I recall. I would have to be checked on that one but that is my recollection.

All of a sudden it is vital—vital. And, while this embargo has been undertaken since August 2, and while we have all seemed to take for granted now that the liberation of Kuwait is vital, not just in general but in the next 2 or 3 or 4 weeks—while that has been going on our Government has watched passively and said very little, if anything, while our former enemy, a nation on the terrorist list for years and years and I believe it still is—Syria—used its military power to consolidate its control over Lebanon, the same country that was our vital interest in 1982. So one of our so-called vital interests, Lebanon, 8 years ago, is now under the control of Syria, while we have pursued another vital interest.

The point is, not all these things are simple. The point is we ought to be careful about defining "vital." A lot of things are important, very important, that are not vital, vital in the sense of young men and young women being called to put their lives on the line.

In more recent history, we defined Panama and Nicaragua as vital, and we used force in the case of Panama directly. In the case of Nicaragua, we supported force. I supported both of those decisions. But after achieving our short-term goal in both of these countries—we arrested Noriega, and we cheered the election of President Chamorro—we seem to have forgotten their ongoing economic and political agony. These were countries in which we used or supported force for one reason or the other. Again, I supported it in both cases. And now while we are pursuing another vital interest, they are going through economic and political wrenching experiences with the outcome being very uncertain. Both the Bush administration and the Con-



gress have unfulfilled responsibilities regarding those two countries.

My point is, Mr. President, we throw around the word "vital" very carelessly. When politicians declare an interest to be vital, our men and women in uniform are expected to put their lives at risk to defend that interest. They train for years to be able to go out and, if necessary, give their lives to protect what we declare to be vital. Sometimes when you see how quickly we come to use that term, it makes you wonder whether we are fulfilling our responsibility to those men and women in uniform.

We have an obligation as leaders to distinguish between important interests which are worthy of economic, political, and interests that are vital, that are worth the calling by the leaders of this Nation on our young men and women in uniform to sacrifice, if necessary, their lives.

Former Secretary of Defense and former CIA Director James Schlesinger spoke to this very point when he testified before our committee. He testified that he did not think liberation of Kuwait "was a vital interest on the second day of August 1990." Dr. Schlesinger, however, went on to say, quoting him again:

\*\*\* the investment of the prestige of the President of the United States now makes it vital—he does not use that word "vital" lightly. Continuing his quote: "for Iraq to withdraw from Kuwait. I do not think that it is necessary, to achieve that objective, for us to turn to war. I think we can avoid war and still achieve the objective of Iraqi withdrawal from Kuwait."

This brings up the next question. Are there reasonable alternatives to war? What is the likelihood that sanctions will work?

In testimony before the Congress and in public and private statements as recently as January 3, the Bush administration stopped short of saying that sanctions cannot get Iraq out of Kuwait. The administration acknowledges the significant economic impact sanctions have had on Iraq, but now says there is no guarantee whether or not they will bring about an Iraqi decision to withdraw from Kuwait.

Last August, President Bush asserted himself, saying, "Economic sanctions in this instance, if fully enforced, can be very, very effective. \*\*\* nobody can stand by forever to total economic deprivation." That is from President Bush.

The international sanctions are, indeed, having a devastating effect on Iraq's economy, for two basic reasons. The Iraqi economy is based on oil, which accounts for 50 percent of the country's gross national product and almost 100 percent of the country's hard currency earnings. Iraq is essentially landlocked, dependent upon oil pipelines, foreign ports, and international highways for its imports and exports.

As Georgetown University specialist on economic sanctions, Dr. Gary Hufbauer, testified before the Senate:

On no previous occasion have sanctions attracted the degree of support they have in the Iraqi case. Never have they been so comprehensive in their coverage. Never have they imposed such enormous costs on the target country. Moreover, Iraq's economy, geographically isolated and skewed as it is toward oil, is far more vulnerable to economic coercion than other economies have been the targets of sanctions.

Mr. President, the net result to date is that the international sanctions have cut off more than 90 percent of Iraq's imports, almost 100 percent of Iraq's exports, including virtually all Iraq's oil exports.

Iraqi industrial and military plants are receiving from abroad virtually no raw materials, no spare parts, no new equipment, no munitions, and no lubricants. Moreover, Iraq now has no way to earn hard currency to purchase desperately needed imports even if they can be smuggled in spite of the embargo. Amstel light beer may be available in Baghdad, but it is a very poor substitute for such essentials as motor oil and transmission fluid.

The key to a meaningful embargo is oil. So long as Iraq's oil exports are shut down—and no one disputes that they are shut down, no one; that is not in dispute—Saddam Hussein will be deprived of at least half of his country's gross national product and essentially all of his hard currency income. So long as oil exports are shut down, he will become progressively weaker. There is no doubt about that.

We worry about a recession in the United States. We worry right now about a recession. We are talking about whether the economy of the United States is declining by 3 to 5 percent of our gross national product, and it is a great and legitimate concern. Saddam Hussein has to worry about a devastating reduction of approximately 70 percent of his gross national product by the summer of this year. By the end of this summer, the country will be an economic basket case, and I mean Iraq, and Saddam Hussein may be in jeopardy with his own people.

The question is: Can anyone guarantee that Iraq will abandon Kuwait when their gross national product goes down 70 percent? Can anybody guarantee that? The answer is no. We cannot guarantee that. But the other options we have also must be held to the same standard. A sanctions policy is not perfect. There are no guarantees here. But it has to be weighed against the alternatives.

The Bush administration is correct when they point out that sanctions do not guarantee that Iraq will leave Kuwait. But the story does not end there. What guarantees do we have that war will be brief, American casualties will be light? No one can say whether war will last 5 days, 5 weeks, or 5 months.

We know we can win, and we will win. There is no doubt about that. There is no doubt about who wins this war. Our policy and our military planning, however, cannot be based on an expectation that the war will be concluded quickly and easily. In large measure, the scope and scale of the hostilities, once begun, will be determined by Iraq's willingness to absorb massive punishment and to fight on. A quick Iraqi military collapse is possible in days. We hope it will happen if war comes. But it cannot be assured.

The administration argues that the coalition may crumble before Iraq withdraws from Kuwait. The Senator from Louisiana, my good friend, referred to that.

Adm. William Crowe, former Chairman of the Joint Chiefs of Staff, took this issue head-on during his testimony before the Armed Services Committee last November. Quoting Admiral Crowe, the immediate past Chairman of the Joint Chiefs, "It is hard to understand," he said, "why some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution."

(Disturbance in the galleries.)

The PRESIDING OFFICER (Mr. BINGAMAN). The Sergeant at Arms is directed to maintain order in the galleries.

Mr. NUNN. 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. NUNN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. NUNN. Mr. President, I think it ought to be said at this point that the President of the United States has gone to the United Nations—

Mr. WARNER. Mr. President, will the Senator yield? Is there some point in the Senator's delivery at which time the Senator will be willing to take a question? I want to accord the Senator the full opportunity to complete his statement.

Mr. NUNN. I will be glad to. My voice is very weak at this point. I want to make sure I complete my remarks and get through with that, and then I will be glad to take the question.

Mr. WARNER. If the Senator will indicate his willingness to take a question from the Senator from Virginia, I will rise to seek recognition.

Mr. NUNN. Mr. President, I think the kind of outburst we have seen here has no place in our democracy. The President of the United States has gone to the United Nations in accordance with the charter of the United Nations. He has come to the Congress of the United States in accordance with the Con-

stitution of the United States and asked for the authority of the Senate and House in his actions.

We may disagree in this Chamber, but when this vote is over—and I expect I will not be on the prevailing side—when the vote is over, we are going to stand united. We are going to stand united, and that word should go out. Debate in our society is absolutely essential. The Congress has a role, as I have said. We have, though, the absolute obligation of debate, and for debate to be interrupted with that kind of outburst simply has no place in the Senate, nor in our democracy, as I understand it.

Mr. President, the administration's position is that if we wait for sanctions to work, Kuwait and its citizens will be further victimized. Tragically, this is no doubt true. But to quote Admiral Crowe again:

War is not neat. It is not tidy. Once you resort to it, war is uncertain, and a mess.

The additional cost to Kuwait of letting sanctions work must be weighed against the cost to Kuwait in terms of human lives, human suffering, as well as national resources, if the United States-led coalition launches a military offensive to liberate the country, which is heavily fortified.

Mr. President, those who support prompt military action argue that delay will allow Iraq to strengthen its defensive positions in Kuwait, thereby adding to the eventual cost of forcing Iraq out of Kuwait.

A couple of observations on this point. This would have been a better argument in September and October of last year than it is today. Iraq already has had 5 months to dig in and to fortify, and they have done so in a major way. Kuwait has fortifications reminiscent of World War I.

This argument also overlooks the costs to the Iraqi military of sitting in Kuwait with a 500,000-man force while logistical support degrades because of the sanctions.

Mr. President, I am aware that Director Webster sent Congressman LES ASPIN a letter on January 10 that addressed this issue.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senator is correct. If the Sergeant at Arms will keep the doors to the gallery closed so that Senators may be heard. The Senator may proceed.

Mr. NUNN. Mr. President, I was referring to the letter that Director Webster sent yesterday to Congressman ASPIN. One can read that letter in a lot of different directions. It depends on how you want to read it.

I read the Webster letter as confirming that the sanctions, if kept in place for 6 to 12 months, will severely degrade Iraq's armored forces, air force, and air defenses. I consider that good news. For some unexplained reason—and I am sure people have a reason, but

I find it puzzling now because I do not understand what it is—Judge Webster implies that Iraq's tanks, its air defenses, and its over 700 combat aircraft will not play an important role in Iraq's defense of Kuwait.

I would certainly hate to try to explain this to several hundred American pilots that are out there, Air Force and Navy pilots, who have the job of putting their lives and their aircraft at risk to knock out these very targets at the beginning stage of any conflict.

I do not understand the Webster letter, frankly. Perhaps we will get more from that later. But it is incredible to me that he seems to write off the importance of the tanks, the aircraft, and the air defenses. Everything I have heard is that we are going to have to make those the priority targets, among others, and to write those off and say that degrading them is really not going to play a big role to me is bewildering. But we will wait to hear from Director Webster at a later point.

Supporters of prompt military actions argue that our offensive military capability will degrade if our huge force sits for months in the Saudi desert. This also is true, and for several months I have suggested that we should institute a policy of unit rotation, commencing with quick reaction forces, such as the 82d Airborne, that might be needed on short notice elsewhere in the world.

We should take full advantage of the coalition's of superiority in air and sea power while establishing the capability of deploying additional ground forces to the region quickly if needed.

I find it puzzling, however, Mr. President, that proponents of our early military option voiced concern about the degradation of our 400,000-strong force, fully backed by the United States and supported by numerous allies, yet at the same time those favoring authorization of an early military offensive minimize the degradation of Iraq's 500,000-man force in the Kuwaiti theater, a force essentially supported only by Iraq, totally lacking significant allies, and subjected to a remarkably effective international embargo.

Mr. President, weighing the cost of the military option, one must also consider our long-term interests in the region. Has there been any in-depth analysis in the administration about what happens in the Middle East after we win? And we will win. The President's declared goals include establishing stability in the Persian Gulf and protecting United States citizens abroad.

Considering the wave of Islamic reaction, anti-Americanism, and terrorism that is likely to be unleashed by a highly disruptive war with many Arab casualties, it is difficult to conceive of a Middle East as a more stable region where Americans will be safe.

Finally, the administration has argued there is no guarantee that eco-

nomie hardships will in the end compel Saddam Hussein to withdraw from Kuwait. Mr. President, I have attended intelligence community as well as Defense and State Department briefings for 18 years. I have been thinking back. I cannot recall one instance where I ever came out of those briefings with any guarantee of anything. For the intelligence community to say they cannot guarantee that Iraq is going to get out of Kuwait because of the sanctions, which is going to reduce its gross national product by 70 percent and cut off all the hard currency, for them to say that is true, nobody can guarantee it.

But what else are they guaranteeing? I have not seen any guarantees on any subject from the intelligence community. It is not their fault. They are not in the business of guaranteeing. The CIA is not the FDIC. They give you the facts, and then you use common sense to come to the conclusions.

In summary, Mr. President, I believe that on balance there is a reasonable expectation that continued economic sanctions, backed up by the threat of military force and international isolation, can bring about Iraq's withdrawal from Kuwait. I believe that the risks associated with the continued emphasis on sanctions are considerably less than the very real risk associated with war and, most importantly, the aftermath of war in a very volatile region of the world.

Many of my constituents in Georgia have written and called and asked me whether this is another Vietnam. Are we about to get into another Vietnam? No. I do not believe so. I agree with President Bush and other administration spokesmen who assure us that a burgeoning Persian Gulf conflict will not be another Vietnam. I think they are right on that.

The territory of Iraq and Kuwait, is different in most respects from that of Vietnam, particularly in terms of geography and vulnerability to air attack and economic embargo. Iraq is very vulnerable to air attack. The conditions of warfare will be vastly different from those in Vietnam.

Of course, there are military lessons we should remember from Vietnam. We should hit military targets at the outset with overwhelming and awesome power, at the beginning of any conflict, as well as knocking out power and communications, nuclear, biological, and chemical facilities. At the same time, Mr. President, we should not overlearn the Vietnam lesson. We in America like instant results. We want fast food and we want fast military victories. However, our Nation places a much higher value on human life, especially on the lives of our men and women in uniform.

Depending upon developments after the first wave of air attacks, a short war may be possible and may save lives, but we must avoid an instant vic-



tory kind of psychology with demands and expectations in this country that could cause a premature and high-casualty assault on heavily fortified Kuwait by American ground forces. We do not want to create a psychology that puts pressure on our military commanders in the field to do things that are foolish because we think they should get it over with quickly. We hope they will be able to do it with a minimum loss of life.

But if war becomes necessary, we should not tell our military commanders to get it over with quickly, no matter what. No. Orders should be to accomplish the mission with whatever force is required but do so in a way that minimizes American casualties even if it takes more time.

Making continued Iraqi occupation of Kuwait untenable with air and naval bombardment plays to our strengths. Rooting out the Iraqi army with ground forces going against heavy fortifications plays right into Iraq's hands.

Mr. President, in conclusion, a message to Saddam Hussein: You are hearing an impassioned debate emanating from the U.S. Capitol, both the House and the Senate. These are the voices of democracy. Do not misread the debate. If war occurs, the constitutional and policy debates will be suspended and Congress will provide the American troops in the field whatever they need to prevail. There will be no cutoff of funds for our troops while they engage Iraq in battle.

President Bush, the Congress, and the American people are united that you must leave Kuwait. We differ on whether these goals can best be accomplished by administering pain slowly with an economic blockade or by dishing it out in large doses with military power. Either way, Saddam Hussein, you lose.

Mr. President, in concluding and in closing, I can think of no better person to quote than Gen. Norman Schwarzkopf, commander of U.S. forces in the gulf, who will bear the heavy responsibility of leading American forces into combat, if war should occur. On the question of patience, General Schwarzkopf said in mid-November in an interview, quoting him, "If the alternative to dying is sitting out in the Sun for another summer, then that is not a bad alternative."

On the question of cost, of waiting for sanctions to work, General Schwarzkopf also said in an interview in November, "I really don't think there is ever going to come a time when time is on the side of Iraq, as long as the sanctions are in effect, and so long as the U.N. coalition is in effect."

On the question of the effect of sanctions, General Schwarzkopf said in October—and this is immediately prior to a major switch in the administration's

policy "Right now, we have people saying, 'OK, enough of this business; let's get on with it'. Golly, sanctions have only been in effect a couple of months \* \* \* And we are now starting to see evidence that the sanctions are pinching. So why should we say, 'OK, we gave him 2 months and they didn't work. Let's get on with it and kill a whole bunch of people'. That's crazy. That's crazy." That is a quote from the commander in the field.

Mr. President, in closing, I believe that before this Nation is committed to what may be a large-scale war, each of us in the Senate of the United States, in reaching a decision which will be very personal and very difficult for all of us, should ask ourselves a fundamental question: Will I be able to look the parents, the wives, husbands, and children in the eye and say that their loved ones sacrificed their lives for a cause vital to the United States and that there was no other reasonable alternative?

Mr. President, at this time I cannot. Thank you.

Several Senators addressed the chair. The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I would like to engage my colleague in a brief series of questions here. Senator NUNN and I have worked together for 12 years, and throughout that period, I think we have been together many times. But on this issue we seem to be thoroughly entrenched on opposite sides for the moment. Perhaps we can bridge the gap as time goes on.

My first question to my distinguished colleague and chairman is, what would be the implication of the adoption of the resolution, as proposed by the majority leader and Mr. NUNN, on the allies that have joined in response to a request by our President and the United Nations and have sent their troops to this region? What does the British commander say to his forces, and what does the Egyptian commander say to his forces, if the Congress of the United States suddenly withheld from our Commander in Chief the power of the decision to employ those forces when, in his judgment, and presumably in the collective judgment of other leaders, that time had arrived? What, I ask my chairman, is the implication on the other forces that have traveled long distances, endured great hardships, and are now standing shoulder-to-shoulder with the Americans in the desert?

Mr. NUNN. Mr. President, I say to my friend from Virginia—and we have worked together on many, many things over the years, we have agreed on most of the debates, and we have been on the same side of most of them; I have great respect for him—that the reaction would be mixed. Some of our allies would breathe a sigh of relief. Others would say, you led us right up to the

brink of war and now you are going to give sanctions the time to work.

It would depend on how the President handled it, whether he was willing to go to a rotation policy, which I hope he would. It would not be an easy adjustment.

When you consider the alternative, I say to my friend from Virginia, you have to look at the other side. The other side is where we know we are headed—to war. You have to weigh these measures carefully.

There is a down side to our resolution. There is a down side; there is no doubt about that. There is also a down side to the other resolution, which is probably going to pass, and I say to my friend that this is a very difficult issue for all of us.

I doubt very seriously that if the forces in the field were told that we were now going to give sanctions more time, that we felt they were working and would work, we were going to begin a rotation policy, that very many would say: We are disappointed because you did not let us go to war. I think most of them have been over there long enough to understand that while we will win, and must win, there are going to be some sacrifices made. I think the reaction would be mixed.

The Senator makes a valid point. There are down sides to this resolution and there are down sides to the other.

Mr. WARNER. If I may propound a second and third question, and then I will yield the floor. My colleague from Pennsylvania and others are anxious to get into this colloquy.

I draw the Senator's attention to that period during Vietnam. I, at that time, was in the Department of Defense and remember firsthand the attitudes at home, the reception that we failed to give those men and women who went into that conflict and returned home, and we all know full well the cold shoulder that America greeted them with.

In this particular instance, there is a very high state of morale of our troops in the gulf today. That has been engendered by, first and foremost, united support here at home. We have seen a mail campaign flowing across the ocean unlike anything since World War II, in terms of volume. We have seen the media, the television, daily exchanging the emotions of loved ones on both sides of the ocean. All of this at home has given a tremendous sense of security to these men and women and instilled in them a fighting spirit.

These are young people. They tend to believe what they hear and what they are told. From General Schwarzkopf on down, the officers, from four star to gold bar lieutenant, have instilled in them a fighting spirit. And, suddenly, here on the eve of this date of the 15th, across the ocean comes a message that the Congress of the United States is not with them.

I ask my friend, what is his assessment of the impact on the fighting spirit of the men and women in the gulf upon learning that the Congress does not give full support to their Commander in Chief and, in effect, to them?

Mr. NUNN. I say to the Senator, I just read a quotation from General Schwarzkopf and he ended up saying that time was on our side—I am paraphrasing him now—and it was crazy to give up on the embargo. This was in October.

So I say to the Senator, I do not think the man in the field, based on everything he said, would say to the Congress of the United States and the American people we surely are disappointed that we came over here to go to war and now you are not going to let us.

I do not think the Senator is implying that. I think the men and women believe their role is not simply to go to war but to deter war. They were sent to Saudi Arabia to defend that country.

I talked to General Schwarzkopf, and the Senator and I were together in August of last year. His mission at that time was clear: To defend Saudi Arabia, to deter attack on Saudi Arabia, and to enforce the embargo. They were not given an offensive application. They went over there. Everybody who got there before November went over there with a mission of defending. It is only those who have gone recently who have gone with a mission of taking offensive action against Kuwait.

So if the Senator is asking me whether I believe the American forces in the field will be disappointed if we tell them we are going to give this more time and give the embargo more time; they have played a key role and they have succeeded in their mission. They have defended Saudi Arabia. They have deterred an attack. They have enforced the embargo. We applaud them. I think they would not in any sense be disappointed. All you have to do is read the quotations.

I would say to the Senator another thing: When this vote is over—this debate may last another day; I hope we will vote on it tomorrow—as the Senator probably already knows I am going to be with our forces in the field. Whatever happens, the President will have come before the Congress under the Constitution as he should. He will have the backing of the United Nations. And I have said from day 1 of this debate that I think a war is justified; what Saddam Hussein has done justifies war. I do not think a war at this time is wise, and I think there are other alternatives. So that will be my answer.

But I will say we are very proud of those forces in the field, and in just a moment, if I could take this time, I would like to propose some nomina-

tions. But I will do that after the Senator gets through.

Mr. WARNER. Mr. President, I have a third and last question and then I will yield to my colleagues.

Reading from the resolution of which my distinguished friend and colleague is a principal author—and this was a subject that was broached in the Chamber last night by our distinguished colleague from Maine, Mr. COHEN—I likewise did research on this issue.

So I pose my question, and later today I think Mr. COHEN will continue to address the issue. The last paragraph of the resolution says:

The Constitution of the United States vests all power to declare war in the Congress of the United States. Congress will expeditiously consider any future President's request for a declaration of war, or for authority to use military force against Iraq in accordance with the foregoing procedures.

There is no mention in this resolution, as proposed, of the principal authority and power that this body—together with the House—has; namely, the power of the purse.

I draw the Senator's attention to an op-ed piece entitled "War Powers" written Monday, March 7, 1988, and the author is one SAM NUNN, the distinguished Senator from Georgia, in which he concludes:

Third, eliminating the requirement for automatic withdrawal. When U.S. forces are introduced into a loss till environment we could provide for an accelerated procedure for a congressional vote on funding if Congress disapproves. It would cut off funds for the operation. In the final analysis, I have concluded that Congress can only enforce its constitutional responsibility to declare war through the power of the purse.

The PRESIDING OFFICER. Will the Senator suspend a moment?

The Chair has advised the Sergeant at Arms to admit spectators to the Gallery again.

The Senator may proceed.

Mr. WARNER. I thank the Chair.

Mr. President, I find the omission of any reference to the power of the purse inconsistent with, presumably, the Senator's viewpoint with regard to this authority. I ask the Senator was it purposely omitted? And, if so, for what reason?

Mr. NUNN. In this resolution? In this resolution, the President has come forward and asked for our authority under the Constitution and recognized our authority under the Constitution and that is why we are debating this.

In the reference to the article the Senator read—I have not seen that lately—but I believe the Senator and I both cosponsored an amendment to the War Powers Act because we do not think the War Powers Act will ever work and that article was written in reference to the automatic withdrawal, and as the Senator knows, if the President declares hostilities are imminent under current law—I am not talking about the Constitution—but under the

law, there is a period of 60 days and if Congress fails to act, our troops have to be withdrawn. If we really wanted to apply that war powers law literally when the President of the United States on the 14th of this month, if there has been no breakthrough in diplomacy, says war may be imminent or if he sends a report up here to comply with the act, the clock will start ticking. In the absence of specific approval by the Congress, the War Powers Act will call for all of our troops to be withdrawn within 60 days. That is what that article was written about.

I think that part of the War Powers Act is not even going to work, would never have worked, and should be amended or ought to be removed from the books. My reference was to the final power the Senate has if the President ignores the Constitution and does not come to the Congress for permission before announcing the war. The final power is the power of the purse.

If the President wins this vote—and there are all indications that he will win the vote then he will have the backing of the House and the Senate. I believe in majority rule. I may be on the losing side of this vote but I am going to back the President. The theoretical power to cut off funding, in my view, is inapplicable here. As I have said, I think war against Iraq would be justified. I happen to be one of those who think we have other alternatives at this time. But I do not believe anyone out there in the field in the military needs to worry at least from this confrontation to a conclusion—successful conclusion—if the President gets the authorization, and if he decides to use force.

Mr. WARNER. I have no more questions. Perhaps later on today we can engage in another colloquy.

I thank my colleagues for their indulgence.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

Mr. RIEGLE. Will the Senator from Pennsylvania yield 30 seconds before the Senator from Georgia leaves the floor? I am also waiting to speak, and I follow the Senator from Pennsylvania. Would the Senator indulge me to ask one question that will take only a half minute to answer?

Mr. SPECTER. It is my hope I can ask the Senator from Georgia two questions myself.

Mr. RIEGLE. I will follow the Senator from Pennsylvania.

Mr. SPECTER. I will adopt the 30-second time period.

I will yield at this point, Mr. President. I ask unanimous consent for the arrangement that I will retain the floor and have a chance to ask the Senator from Georgia a couple questions.

The PRESIDING OFFICER. The Senator from Pennsylvania retains the floor.



Mr. RIEGLE. I thank the Senator from Pennsylvania for his courtesy.

I wonder if I could inquire of the chairman of the Armed Services Committee—and I am only asking for a general percentage estimate here. I do not know if he would have the precise number. But the best estimate as to what percent of the combat forces on our side are, allied combat forces, in the field now that will be fighting this war on the ground, that if it takes place, roughly, what percentage of that force would be made up of Americans?

Mr. NUNN. I would have to defer to someone who had the exact number because they vary. But there is a distinction between the number of forces on the ground and the number that are capable or willing to go into combat.

Mr. RIEGLE. Yes.

Mr. NUNN. It is my judgment that of those forces willing to go into combat, America composes about 90 percent of them.

Mr. RIEGLE. About 90 percent.

Mr. NUNN. About 90 percent. The British have been very forthcoming and have been, of course, as they usually are among our strongest allies; they have a substantial number of forces there, excellent forces. The Egyptians have two excellent divisions there, but there has been no clarity from the Egyptians about whether they would be used on offense, and if so, where they would be used on offense, including whether they would be willing to actually go into Iraq. The Syrians, I understand, have taken the position they are not going to go on the offense.

It is my judgment—and this is a matter of judgment, it is not a matter of definite numbers—that we would be supplying about 90 percent or more of the combat power on the offensive. If this were a defensive operation, if the Iraqis decided to launch an attack into Saudi Arabia, then the ratios would change. America would still be supplying an overwhelming amount of power but the allies would come into play much more on defense than offense.

Mr. RIEGLE. That is very disturbing. I thank the Senator for the answer.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have some questions for the distinguished Senator from Georgia. But first let me note my hope that he is correct that there will be about 20 votes in support of a Nunn-Mitchell resolution and that he can count.

Mr. NUNN. That is hypothetical. I hope more than that. I am speaking hypothetically.

Mr. SPECTER. The comment was made. There were 20 votes before you count the Senator from Louisiana [Mr. JOHNSTON] in support of it.

I might observe three comments by the Senator from Georgia. I think his resolution would fail. I hope he is cor-

rect in that. But on the two questions, if I may, and the first one concerns the timing of our debate today because I believe that had this debate been held in November, there would be a very different posture, very different consideration of the merits and perhaps a different conclusion.

The Senator from Georgia commented immediately after the increase after the announcement of the President he intends to increase the deployment of forces, there was a major change and that the posture was being shifted from defense to offensive and Congress knew it was a different world when the President made that announcement far in advance of the actual deployment which has not even been completed at the present time.

The second event of overwhelming importance was the enactment of U.N. Resolution 678 on November 29 and again the Congress had ample notice that the President and his administration were working fervently to persuade everyone of the difficulties with the Soviets then the Chinese, so that Congress was on notice that the President was seeking authority for the use of force after January 15 and in November there were those of us who were calling for a special session.

The majority leader of the Senate and Speaker of the House had the authority to reconvene the Congress, under the usual reservation of power on the adjournment. My question to the Senator turns not only on looking backward as it may provide a precedent for the future, but also turns on the merits now.

Is it not really too late, 4 days in advance of January 15, to pull the rug out from the expectations of our U.N. partners and the expectations of the President?

I quite agree with the distinguished Senator from Georgia that it is the congressional authority to declare war and the corollary to authorize the use of force. But should that debate not have occurred in November? And is it not so late now as to materially prejudice U.S. interests?

Mr. NUNN. I would say my friend from Pennsylvania makes a good point. There was clearly a point in November, right after the election, when the President announced the two things he was going to do—double the number of forces and also prevent rotation—that was the point of departure. There is no doubt about that. Not simply because we were building offensively. A lot of people missed this point. A lot of the media missed this point.

We have had an offensive power over there since October. We have had awesome Air Force and Navypower over there since early October. So it is not a matter of offensive power. It is a matter of building forces so large that the clock starts ticking away on us,

rather than Saddam Hussein, because we cannot maintain those forces.

But the Senator makes a valid point. If the leadership had agreed then that everybody come back and we had focused on that, we might have had a meaningful debate.

I note I saw Congressman BOB MICHEL on television last night, the Republican leader on the House side. And he said he was opposed to coming back then, too. And the reason, he said, was because he did not think he had the votes then to support any kind of blanket authority as the United Nations had given.

So it was a matter of judgment at that stage. We could have debated it. It could have been meaningful. We might have come to a conclusion. We might have given the President an earlier signal. But also we could have had a filibuster. We could have come back here and the side that thought they were going to lose might have started a filibuster; we might have had 3 or 4 weeks of filibuster and at that stage it might have been viewed by the administration as even more negative than that.

I would say also, to my friend from Pennsylvania, that the original U.N. deadline was explained, as I recall it, by the Bush administration, by the United Nations and others, as a deadline on Saddam Hussein, saying to him: "You have to get out by January 15 or we are authorizing the use of force."

Until recent weeks it was not deemed to be a deadline on us. We have created that psychology, that there is a world expectation now that after January 15 we indeed are going to use force. Maybe we will. Maybe we will not. That is for Saddam to figure out.

But I do not believe in limiting one's own options. I think that we would have been better off to keep the psychology of the U.N. resolution as a deadline on Saddam Hussein and not convert it into somewhat of a mutual deadline, which it appears to me to be. It is not too late to alter that. But those would be my observations.

Mr. SPECTER. Before propounding the next and final question, let me just observe that I disagree with what the distinguished Senator from Georgia has said about the psychology being different now as opposed to then.

When U.N. Resolution 678 was approved it was with the clear authorization to use force. And that was an option at that time. Even as we stand here today, we do not know what the President will do. There are reports that Saddam Hussein may change his attitude a day or two after January 15. The President is not committed.

While there might have been a filibuster or there might have been other postures taken, while Congressman MICHEL, the Republican leader in the House, might have thought he did not have the votes to get the Presidential authorization, if that was the will of

the Congress reflecting the sense of the people then it seems to this Senator that would have been a much better time to have had that expression.

My own personal view would have been not to have had a deadline date and not to have abandoned the sanctions. But my view changes completely when we are on the brink of January 15. Which brings me to the second and final question. That is, with respect to what the distinguished Senator from Georgia has identified as vital national interests—and I agree totally that is a loosely used phrase, to the detriment of the United States, and when we talk about vital national interests we have to be very, very careful. And I do not disagree with Senator NUNN's conclusions that we do not have a vital interest in liberating Kuwait this week.

But I believe we do have a very vital interest in preserving the credibility of the President of the United States and in preserving the credibility of the United Nations. And that requires an authorization by the Congress to permit the President to enforce, as far as U.S. participation is concerned, U.N. Resolution 678.

My question to the Senator from Georgia is: Would the Senator not consider that a vital national interest?

Mr. NUNN. Many times during the cold war when we had so many danger spots around the world, we felt a great deal of legitimacy, for a lot of good reasons, that if we ever backed down or changed policy in one place it could affect us elsewhere. I think at that stage there was a strong feeling—and every time we ever had a question, I believe in my 18 years here, I went along with that feeling—that once the President's prestige was committed personally the Congress of the United States under most circumstances should go along with that.

I think that is still a good rule of thumb. But I would have to say to my friend, we, in another era where we do not have the same threats around the world and where the adjustment and change of policy would avert a war and may very well be a key part of our long-term interests, I think we have a separate responsibility.

I do not think our main duty here in the Senate is to preserve President Bush's prestige, or any other President's prestige. I think we are sworn to preserve the Constitution of the United States and to represent our constituents and this country and to give them our best judgment.

I never want to see a President's prestige in any way diminished. But if we take the position that any time the President commits his prestige we have to salute and line up and go along, then we have basically said that our role under the Constitution is not important; that once the President commits his prestige we are going to go along no matter what.

I normally do. But in this case I see the downside, the very, very steep downside, and I see the reasonable alternative which I think we should explore and we should pursue.

I thank my friend from Pennsylvania.

Mr. SPECTER. I thank my distinguished friend from Georgia for those comments. Before making a few supplementary remarks, I would say that I agree that the Congress has to use its independent judgment.

In my 10 years, here, no one can say that I have been less than independent when it comes to disagreeing with the President of my own party.

Mr. NUNN. I agree with that. The Senator is very independent. He is one of the independent minds in the Senate. I know what the Senator is going to decide today will be his own position. I understand that completely, because I know him.

Mr. SPECTER. I thank the Senator for those comments. I was making that reference because we have put President Bush out on a long limb. He has climbed that limb himself. The Congress could have put him on notice or sawed off the limb much earlier in this process to have avoided the precarious position that not only the President is in, but our Nation is in, and that the United Nations is in. Had we said to him unequivocally at an early date: "We oppose putting the extra forces in Saudi Arabia; we oppose a deadline which implies limiting sanctions for a period of a year to 18 months," then he would have been squarely on notice.

I do not believe that we should defer our separate but equal authority. It is a vital strength of the United States of America to have an independent Congress and an independent court system. But we are so late in the day that we simply have not done our job in a timely manner.

As the Senator from Georgia knows, how full the law is, as a matter of practical human experience of sleeping on your rights, waiver, estoppel, laches are all filled with our legal precedents in this country, that you must assert a position in a timely manner if you expect to exercise your power and your congressional authority. That is what is so troubling to this Senator.

Mr. NUNN. Will the Senator yield for a brief observation?

Mr. SPECTER. I do.

Mr. NUNN. The Senator makes a valid point. I certainly do not attempt to rebut that point, but I offer this observation: I myself told the President personally exactly that on several occasions. I have heard the leadership of the Congress, including the Speaker and including our majority leader, tell the President exactly that warning on several occasions.

We have not done that formally. The Congress has not spoken formally, but as the Senator knows, Congress speaks

without formal declarations through its own leadership on many occasions. We did not take any kind of united action in November and December. Perhaps history will record that we should have. But I do not think there was any lack of communication.

To the President's credit, he consulted often. He talked to the leadership often. We have been down at least five times, maybe six or seven times, to confer with him. On every one of those occasions, I told him my views, and those views were: Do not stop your rotation policy; do not build up the forces so large that we have no other alternative but a successful diplomacy or war. Keep the options open. We can always use the war option. Why do we reduce our options to one and burn our bridges? I have said that.

I heard the majority leader say similar things. I have heard the Speaker say similar things. I have heard the minority leader, Senator DOLE, express his reservations on several occasions in meetings at the White House, and he has done so publicly, or else I would not say anything about it here today.

So there has been no lack of the President understanding that there were a number of people, including a number of the leaders, who had serious reservations about the direction the President was going.

The Senator is correct; there has been no formal resolution to that effect.

Mr. SPECTER. Mr. President, the supplementary remarks I have are on this line, that the formal consultation is not like a Senate vote. The comments on "Meet the Press," "Face the Nation," "The Brinkley Show," press conferences outside the Oval Office, and all of the interviews, are nothing like a rollcall, and that is the way the Congress expresses itself under the Constitution. That is what this Congress should have done in November had we sought to differ with what the President has promoted and what the United Nations has adopted.

Mr. President, I sought the floor to make a few brief comments. They tie in with what I have already discussed. As I heard the debate yesterday, I felt that there were three very dangerous factors emerging from that debate.

The first was that acceptance of the Nunn-Mitchell resolution would incapacitate this President in this situation. If we rebuke the President, if we rebuke the U.N. Resolution 678, the credibility of the United States will be diminished, and it is this Senator's view that the sanctions will fall apart.

How can we expect Turkey to keep that pipeline shut off with the millions of dollars that it costs the Turkish Government? How can we expect Jordan to stop the flow of goods, and how difficult it is to get our allies not to send nuclear equipment to hostile powers at any time.



There are already leaks in the embargo. It will become a flood, so that there will be a total incapacitation of this President in this situation.

Second, I believe that we will be incapacitating the Presidency as an institution in the future, which will be very, very important. What will happen the next time a Secretary of State goes to talk to the Soviet Union Minister? How effective will the Secretary of State be in dealing with the Chinese, who really were very reluctant to see U.N. Resolution 678 passed? How uncertain will it be for the President, who has the authority under the Constitution to conduct foreign relations, to make representations, when the ultimate authority lies in the Congress?

I think that it is very, very important that the Congress express itself on this issue. But what now will be indelibly implanted in a solid precedent in the United States is that we simply cannot accept what the President says as to United States policy, that at the 11th hour, at the last minute, the Congress may come in and repudiate the President and repudiate the reliance of the United Nations on the President's representations. That is disastrous, not only for this President in this vital situation, but it will be disastrous for the Presidency in the future.

The third concern which I have arising from yesterday's debate is what may be the appearance of partisan politics. I say the appearance of partisan politics because I believe that every Senator who has spoken has articulated his sincere views, aside from party label, and without a partisan motivation.

But there is the appearance, with 17 speakers yesterday in favor of the resolution, all Democrats; and 11 speakers yesterday in opposition to the resolution, all Republicans; that others, including President Saddam Hussein may say it is a party matter and that is going to determine the outcome.

I am delighted today to see that there have been two Senators, the distinguished Senator from Nevada, [Mr. REID] and the distinguished Senator from Louisiana [Mr. JOHNSTON], who have spoken in favor of the President. I am not as optimistic, frankly, as the distinguished Senator from Georgia was about the President prevailing here. It looks to me as if it is very, very close.

But it is, I think, important that we put the world on notice, including the Iraqi President, that we are not engaging in partisan politics here. And that those who have seen the Senate debate and the eruption in the galleries, "No blood for oil," know that that is part of American democracy. Anyone who wishes to come to see the Senate debate these issues is permitted to come here.

We do not permit the Galleries to interfere with the speech and presen-

tation here. The right of freedom of speech does not include the right to stop others from speaking. If you cannot cry "fire" in a crowded theater, then you cannot speak in Senate Galleries to drown out the Senators.

It is obvious it was orchestrated, because as soon as two people were permitted to leave, then others spoke up. The Chair appropriately cleared the Galleries for a very short time, for just a few minutes, and now the Galleries are back.

I think this is a very important point, and my final point, Mr. President, that when Iraq and its President, Saddam Hussein, are trying to evaluate the state of mind of the U.S. Congress, and we are trying to evaluate his state of mind, that he should be on notice that if and when, as this Senator hopes, there will be a forceful vote from a Congress supporting the President and U.N. Resolution 678, that that is the time for him to leave Kuwait.

The best chance we have to avoid a war is to solidly back the President and U.N. Resolution 678 so that Saddam Hussein and Iraq understand what the consequences will be. That is the best chance of having them withdraw from Kuwait and avoid a war.

Mr. RIEGLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

#### A LIFE AND DEATH ISSUE

Mr. RIEGLE. Mr. President, I just want to acknowledge, in passing, the comments of the Senator from Pennsylvania and his courtesy before. I want to say to him, because he and I know each other well—in fact, we both have gone through a change of party affiliation during our political lives, and so we have thought a lot about the question of politics and partisanship and independence.

I came to the Congress 24 years ago and, by coincidence, was in a class of new Members of Congress, young Republicans at that time, that included George Bush. I ran for Congress at that time essentially to come to try to do something about stopping a war that we had going on at that time. It took a long time to get it stopped.

But I want to just make the point in passing, and the Senator from Pennsylvania would know this because he knows me. My opposition then, 24 years ago as a Republican House Member, with a Democratic President, continued when we had a Republican President. And, like the Senator from Pennsylvania, I make my remarks, and I make my judgment on this issue without any regard to party whatsoever. I know he would know that but I think that is true really of every Senator. On an issue as solemn as this, a life-and-death issue, and that is what it is, I do not think people are going to make that decision on a partisan basis. In fact, I know that.

Mr. SPECTER. I thank the distinguished Senator from Michigan, my colleague, for those very generous remarks.

Mr. President, if I may, will the Senator yield for a unanimous-consent request.

The PRESIDING OFFICER. Does the Senator from Michigan yield for this unanimous-consent request?

Mr. RIEGLE. Yes; I yield only for that purpose, without losing my right to the floor.

Mr. SPECTER. On the issue of human rights, there is a very important document which I ask unanimous consent to have printed in the RECORD—I regret that it is so long, but it is so important and worth printing—showing the violations of human rights by Iraq in occupied Kuwait, which bears on our debate today.

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

[Amnesty International, International Secretariat, London, Dec. 19, 1990]

#### IRAQ/OCCUPIED KUWAIT HUMAN RIGHTS VIOLATIONS SINCE AUGUST 2

##### NOTE ON SOURCES AND METHODOLOGY

This document has been compiled principally on the basis of interviews conducted by Amnesty International with scores of people who fled Kuwait between August and November 1990. Most of these interviews were carried out in Saudi Arabia, Bahrain and the United Kingdom, with a smaller number of people in the United Arab Emirates, Egypt and Iran also being interviewed. Most of the interviewees are Kuwaiti nationals, but they also include Bahrainis, Saudis, Lebanese, Egyptians, Palestinians, Indians, Filipinos, Britons and Americans. Among them are former detainees, the families of victims of extrajudicial executions and of those who have "disappeared", eyewitnesses and medical personnel. Amnesty International has also relied on information emanating from persons who have remained in Kuwait, and who include both Kuwaiti and foreign nationals. In respect of some of the torture allegations made, the organization has sought the medical opinion of forensic pathologists and doctors in the United Kingdom with experience in the examination of torture victims.

All Kuwaiti nationals interviewed requested that their identities not be revealed for fear of reprisals by Iraqi forces against members of their families still in Kuwait. Some Western and Arab nationals have made the same request, also fearing for the safety of their relatives or friends in hiding in Kuwait or in detention in Iraq. Hence their names have either been omitted altogether or, in some cases, changed in order to prevent identification. The exceptions to this are: 1) several former detainees whose names are mentioned in Section 3 of this document, and 2) the ten victims of extrajudicial executions (and in some cases torture) whose names are cited in Section 6. These cases have either already been submitted to the United Nations, or authorization to reveal their names has been obtained by Amnesty International. The names of over 1,027 other detainees and "disappeared" persons received by Amnesty International are not being made public at this stage.

## 1. INTRODUCTION

Widespread abuses of human rights have been perpetrated by Iraqi forces following the invasion of Kuwait on 2 August. These include the arbitrary arrest and detention without trial of thousands of civilians and military personnel; the widespread torture of such persons in custody; the imposition of the death penalty and the extrajudicial execution of hundreds of unarmed civilians, including children. In addition, hundreds of people in Kuwait remain unaccounted for, having effectively "disappeared" in detention, and many of them are feared dead. To date, an estimated 300,000 Kuwaitis have fled their country, as well as several hundred thousand foreign nationals working in Kuwait. Their accounts of the abuses they have either witnessed or experienced have received worldwide media coverage. This document details some of these abuses, confining itself to those violations which fall within Amnesty International's mandate.

Amnesty International takes no position on the conflict in the Gulf, and does not condone killings and other acts of violence perpetrated by the parties to the conflict. What concerns the organization are human rights violations taking place in that context. Those violations which have been reported since 2 August are entirely consistent with abuses known to have been committed in Iraq over many years, and which have been documented by Amnesty International in its numerous reports. Iraq's policy of the brutal suppression of all forms of internal dissent continues to be implemented, and the people of Iraq remain its victims. Amnesty International has repeatedly placed such information on the public record, and regrets that until the invasion of Kuwait, the international community did not see fit to apply serious pressure in an attempt to put an end to these abuses.

## 2. DEVELOPMENTS SINCE 2 AUGUST

Iraqi forces invaded Kuwait on 2 August. In his 17 July speech, sixteen days before the invasion, President Saddam Hussein attacked Kuwait's royal family for damaging the Iraqi economy through forcing down the price of oil by exceeding its OPEC production quota. He also accused Kuwait of taking Iraqi crude worth U.S. \$2.4bn from the Rumaila oil field and demanded the writing-off of U.S. \$12bn in war loans owed to Kuwait.

Immediately after the invasion, Iraq announced that nine-man 'Provisional Free Kuwait Government' had been set up. It was headed by Colonel 'Ala' Hussain 'Ali, said to be Kuwaiti national. However, less than a week later, on 8 August, the transitional government was dismissed and Iraq announced the annexation of Kuwait. By 28 August, Kuwait was declared to be Iraq's 19th province, while the border area with Iraq was incorporated as an extension of the province of Basra. 'Ali Hassan al-Majid, Iraq's Minister of Local Government and a cousin of President Saddam Hussein, was appointed as its governor. In 1987-1988, he had held responsibility for law and order in the northern Kurdish provinces of Iraq.

On 2 August, the United Nations (UN) Security Council adopted Resolution 660, which condemned the invasion of Kuwait and called for Iraq's immediate and unconditional withdrawal. On 6 August, economic sanctions were imposed on Iraq in accordance with Security Council Resolution 661. Between 9 August and 29 November, nine other resolutions were passed, the most recent of which, Resolution 678 passed on 29 November, authorizes the use of force to secure Iraq's withdrawal

from Kuwait and sets 15 January 1991 as the date by which this should occur. Resolution 670 of 25 September condemned "... the treatment by Iraqi forces of Kuwaiti nationals, including measures to force them to leave their own country and mistreatment of persons and property in violation of international law." Resolution 674 of 29 October urged Iraq to refrain from violating the Charter of the United Nations and the provisions of the Fourth Geneva Convention, and to "immediately cease and desist from taking Third-State nationals hostage [and] mistreating and oppressing Kuwaiti and Third-State nationals. . . ."

To date, Iraq has not implemented any of the Security Council resolutions, although it announced on December that all detained Western nationals would be released. Aside from the perpetration of those human rights violations documented in this report, widespread destruction and looting of public and private property was carried out. Most critical of these has been the looting of medicines, medical equipment and food supplies. The massive scale of destruction and looting which has been reported suggests that such incidents were neither arbitrary nor isolated, but rather reflected a policy adopted by the government of Iraq. According to information received, this policy caused embarrassment on the part of some Iraqi soldiers who were called upon to implement it. A number of people who had fled Kuwait told Amnesty International that Iraqi soldiers had apologized to them for the destruction of their country, stating that they were led to believe that they had been deployed in order to thwart an external attack on Kuwait. A Kuwaiti doctor specialising in occupational medicine described to Amnesty International the looting and destruction of al-Shu'aib Industrial Centre where he had worked. On the fourth day after the invasion, members of Iraq's Republican Guards had apparently destroyed medical equipment, thrown files on the floor and torn down photographs of the Amir of Kuwait. The doctor said: "I went into the dental clinic, which was also completely destroyed. I noticed that on one of the walls of the clinic the following words were written in large letters: 'Dear Kuwaiti doctors—we are sorry but we are under orders.'"

Since occupying Kuwait, Iraqi forces are reported to have meted out collective punishments against the local population in retaliation for armed attacks against them. Several incidents were reported involving the burning or blowing up of homes in districts where Iraqi soldiers had been killed. A night curfew was imposed in Kuwait City at the start of the invasion remained in force until 23 November. Filming and photography are prohibited, and the offices of all newspapers and magazines have been closed down. The Iraqi authorities took over the printing presses of al-Qabas, one of Kuwait's daily newspapers, to issue their own newspaper, al-Nida'. At least three al-Qabas employees, two Lebanese nationals and one Egyptian, were arrested on 25 August reportedly for refusing to cooperate with the Iraqi authorities. In September and October the Iraqi Government issued a series of regulations aimed at completing the 'Iraqization' of Kuwait. These regulations required Kuwaitis to take up Iraqi identity papers in lieu of existing Kuwaiti documents; to replace Kuwaiti car number plates with Iraqi ones; to change the clock to correspond to Iraqi time (previously there was an hour's difference between the two countries); and to use Iraqi rather than Kuwaiti currency (initially parity of the

Iraqi dinar with Kuwaiti dinar was enforced, the harder Kuwaiti currency being worth 20 Iraqi dinars before the invasion. Subsequently, Iraq declared that only its own currency was legal tender). A number of districts, streets and public buildings were renamed, particularly those which carried the names of members of Kuwait's Al-Sabah family.

Since 2 August, Iraq has denied the media access to Kuwait. More importantly, it has denied access to the International Committee of the Red Cross (ICRC). In the first week of September, ICRC President Cornelio Sommaruga visited Baghdad and held three meetings with Iraqi Foreign Minister Tariq 'Aziz. The terms of a possible agreement defining the ICRC's operating procedures were discussed. In keeping with the ICRC's mandate to act in the event of international armed conflict on the basis of the 1949 Geneva Conventions, one of the organization's main objectives was to provide protection and assistance, in both Iraq and Kuwait, to the various categories of civilians affected by the events. The ICRC did not succeed in obtaining the Iraqi Government's authorization to launch an operation in Iraq and Kuwait for the victims of the crisis. The government has given no reason for its refusal to grant ICRC access.

Similarly, Iraq has failed to respond to appeals on behalf of victims of human rights violations in both Iraq and Kuwait launched by various non-governmental organizations, including Amnesty International. On 3 August, the organization appealed publicly to the Iraqi Government on behalf of Iraqi exiles living in Kuwait who were reported to have been arrested immediately following the invasion. There are grave fears for their lives as they risk torture and execution in Iraq. On 23 August, Amnesty International expressed its concerns to the Iraqi Government about a wide range of human rights violations, including continuing arbitrary arrests, rape, summary executions and extrajudicial killings. The organization stressed that the arrest and continued detention of Western nationals was contrary to fundamental internationally recognized standards of human rights, and urged the immediate and unconditional release of all such detainees. It requested that their names and whereabouts be made known, and that they be granted immediate and regular access to consular officials. Amnesty International called upon the Iraqi Government to take immediate steps to prevent incidents of rape by Iraqi forces, to investigate such incidents and to bring those responsible to justice. The organization also expressed its concern about the extension of the scope of the death penalty to include looting and the hoarding of food. In response to the execution of the third week of August of several people said to have been found guilty of looting, Amnesty International urged the government to refrain from carrying out any further executions. It also asked under what laws the executions had been carried out and for details of any legal proceedings followed in their cases. Finally, the organizations expressed grave concerns about the extrajudicial killings of unarmed civilians, including children, by Iraqi forces. It urged the Iraqi Government to take urgent steps to prevent further such killings, to investigate those incidents which had occurred and to bring those responsible to justice.

On 29 August, Amnesty International sent urgent appeals to the government on behalf of six Kuwaiti men, all Shi'a Muslims aged between 18 and 26. They had been arrested on



3 August after taking part in a demonstration in the al-Sulaibikhat district of Kuwait City. Reports received by Amnesty International indicated that the six detainees had been transferred to Baghdad for detention. On 3 October, Amnesty International once more expressed its concerns in a public statement about the widespread abuses being perpetrated by Iraqi forces in Kuwait, including mass arrests, torture under interrogation, summary executions and mass extrajudicial killings.

The Iraqi Government failed to respond to any of Amnesty International's appeals. However, on 3 October Iraq's embassy in London issued a public statement commenting on Amnesty International's own statement issued the same day. The embassy did not deny that human rights abuses had taken place, but dismissed Amnesty International's statement as "an embarrassment to the practice of reporting" (see Appendix E for text of the Iraqi Embassy statement). Further comment on the human rights situation in Kuwait since 2 August came from President Saddam Hussein during an interview broadcast on British television on 12 November. The following is an extract from that interview [other extracts from which are quoted in sections 3 and 5]:

INTERVIEWER: How can you justify the atrocities committed by Iraqi troops in your name?

PRESIDENT HUSSEIN: Have you seen these atrocities yourself?

INTERVIEWER: I have not seen them, but let me quote you some reports, Mr. President. One report speaks of scores of people being tortured and hanged at Kuwait University for opposing the annexation of their country. Another report speaks of 15-year-old boys being shot. An American woman married to a Kuwaiti talks about a pregnant woman being disembowelled. These reports have been coming out of Kuwait for some time. Do you know about these reports? Do they worry you? Have you heard about them?

PRESIDENT HUSSEIN: What is certain is that I have not heard of any such acts. It is possible that, in the same way that the Western media is trying to fill the minds of people everywhere, every day, with lies about the situation . . . it is also possible that some false reports may come out of Kuwait, claiming the sorts of things you have described. But let me say something to you. There is now, in the province of Kuwait, an instruction which is valid: whoever opens fire at our soldiers, they will open fire in return. They will shoot to kill . . .

INTERVIEWER: Mr. President, these reports of atrocities, you see, are encouraged by the fact that you have sealed off Kuwait from the rest of the world. Why don't you let us go in and see for ourselves whether these reports are true?

PRESIDENT HUSSEIN: You are partly right in what you have said. But you must undoubtedly remember that now the province of Kuwait is a military target for the American forces there and the forces allied to them. . . . So [the province of Kuwait] and its approaches in the province of Basra are now being prepared as a fully-fledged battlefield for the confrontation of a possible invasion. And you know that, under such circumstances, countries usually take measures preventing journalists from approaching military zones. And the British public, for example, knows these facts because it has lived through that during the Second World War."

In this document, Amnesty International once again calls upon the Iraqi Government

to implement the following recommendations as a matter of urgency:

1. Grant immediate access to the International Committee of the Red Cross to enable it to provide protection and assistance to civilians in Kuwait and Iraq under the terms of the 1949 Geneva Conventions.

2. Release immediately and unconditionally all detainees held solely on account of the non-violent expression of their conscientiously held beliefs or on account of their nationality.

3. Ensure that all detainees are granted their internationally-recognized rights to challenge the legality of their detention before a court, and to receive a trial which meets the requirements of fairness set forth in international human rights and humanitarian law.

4. Make known the whereabouts of all detainees and grant them immediate access to their families, legal counsel, medical doctors and consular officials.

5. Initiate prompt and impartial investigations into reports of torture and extrajudicial killings (including the ten cases referred to in this document), the results of which should be made public. Military and security personnel and other public officials found responsible should be brought to justice.

6. Conduct a prompt, thorough and impartial investigation into all reports of "disappearances" and bring to justice those responsible. Inform the families immediately of the arrest and keep them informed of the whereabouts of detainees at all times. Detainees should only be held in official known detention centres, a list of which should be widely publicised.

7. Refrain from extending the scope of the death penalty and taking immediate steps to ensure no further executions are carried out; provide information of the legal basis for those executions already carried out and details of any trial proceedings followed in those cases.

### 3. ARBITRARY ARRESTS, DETENTION WITHOUT TRIAL AND "DISAPPEARANCES"

Under the circumstances prevailing in Kuwait since 2 August, it has been virtually impossible to estimate the number of people arrested by Iraqi forces after the invasion. In the absence of any official figures from the Iraqi Government, and its denial of access to detainees by any international humanitarian organization, Amnesty International is not in a position to give any precise figures. The organization has attempted to build up a general picture of the situation through information provided by former detainees and eyewitnesses, as well as through statistics provided by governments whose nationals were transferred from Kuwait and held in Iraq. A number of Kuwaiti sources estimate the number of detainees to be over 10,000, a figure which cannot be substantiated in the absence of further information. By November 1990, Amnesty International had received the names of over 875 Kuwaiti nationals said to be in Iraqi custody, both civilians and military personnel. The majority are believed to be held in prisons and detention centres in Iraq—notably at Basra, Baghdad and Mosul, and a smaller number in Kuwait City. Among them are eleven Kuwaiti diplomats who were stationed at Kuwait's embassy in Baghdad and its consulate in Basra at the time of the invasion. Amnesty International has also received the names of 152 others, all Kuwaiti men between the ages of 19 and 50 whose fate and whereabouts are unknown. They include both civilians and military personnel who are presumed to be in detention,

although there are fears that some may have been killed or executed by Iraqi forces. In addition there are hundreds of Western nationals apprehended in Kuwait and who, as at 6 December, remained in detention in Baghdad and in other undisclosed locations in Iraq and Kuwait.

In the first days of the invasion, Amnesty International received reports that hundreds of Kuwaiti military personnel were rounded up and held in makeshift detention centres in Kuwait City. The detainees included members of the armed forces, the navy, the police force and security forces. Those who were not seized immediately after the invasion continued to be sought by Iraqi troops, and in some instances were arrested from their homes. Numerous eyewitnesses stated to Amnesty International that Iraqi army vehicles patrolled residential areas, looking for the homes of military personnel. The relatives of military personnel being sought were sometimes themselves arrested and tortured during interrogation in order to reveal their whereabouts. The majority of detained military personnel are reported to have been subsequently transferred to Iraq. Official Kuwait, sources estimate their number to be between 6,000-7,000.

Although the majority of those arrested were Kuwaitis, among the detainees were also stateless persons living in Kuwait known as the 'bidun' [literally 'without', i.e. without nationality. They include Arabs from neighbouring countries, some of whom have lived in Kuwait for over 25 years, but neither they nor their children born in Kuwait had the right of permanent residence and were denied basic political and civil rights]. Apart from Western nationals who were rounded up and taken to Iraq [see below], the detainees included Syrians, Lebanese, Egyptians, Bahrainis, Saudi Arabians, Indians and Pakistanis. Arab nationals who were detained were largely from those countries whose governments had adopted a position on the invasion of Kuwait considered 'hostile' by Iraq. However, Amnesty International is aware of several cases involving the detention of Jordanians (largely Palestinians) who had refused to cooperate with Iraqi forces in Kuwait or who had been suspected of opposition activities. In two cases brought to the organization's attention, the detainees were reported to have been subjected to torture [see Section 4 below].

Also reported to have been arrested in the first days after the invasion were scores of Iraqi exiles who had been living in Kuwait for a number of years. According to Amnesty International's information, many of those arrested are said to be Shi'a Muslims with suspected links to the opposition group *al-Da'wa al-Islamiyya* (Islamic Call), membership of which has been a capital offence in Iraq since 1980. The organization has received the names of several of them, who were said to have been arrested in the Bnaid al-Gar district of Kuwait City. Their fate and current whereabouts are unknown. They are believed to have been taken to Iraq where they face continued detention and risk torture and execution.

The widespread arrest of civilians began to be reported in the second and third weeks of August following, on the one hand, the emergence of an opposition movement in Kuwait and, on the other, the adoption by Iraq of the so-called 'human shield' policy involving the detention of Western nationals. According to reports emanating from people fleeing the country, groups of Kuwaitis and other nationals seized weapons and ammunition stored in police stations in several districts

of the city, leading to sporadic armed clashes with Iraqi troops which lasted several weeks. Among those who participated in the armed resistance against Iraqi troops were said to be Egyptians, Palestinians and other Arab nationals, as well as a number of Kuwaiti Shi'a Muslims who had previously formed part of Kuwait's internal opposition. They are said to include former political prisoners who, prior to the invasion, had been serving terms of imprisonment in Kuwait Central Prison. The number of civilian and military casualties on both sides resulting from these clashes is unknown.

However, opposition to the Iraqi invasion of Kuwait also took other forms. For example, in the second week after the invasion, leaflets calling for continued opposition to the occupation began to appear in the streets of Kuwait. These leaflets included *al-Sumud al-Sha'bi* (Popular Resistance) and *Sarkha* (The Cry). Other forms of non-violent opposition to the Iraqi occupation included the raising of the Kuwaiti flag; putting up photographs of the Amir of Kuwait, Shaikh Jaber al-Ahmad al-Sabah and the Crown Prince, Shaikh Sa'ad al-'Abdallah; writing anti-Iraq slogans on the walls; shouting "Allahu Akbar" (God is Greater) from the rooftops; going out onto the streets after curfew and, where possible, non-compliance with the various orders issued by Iraqi forces. Among those arrested in August and September, apparently for non-cooperation with the Iraqi Government, were former members of Kuwait's National Assembly (parliament): Mubarak al-Duwaila; Khaled Sultan al-'Issa (also a member of the Islamic Heritage Society); Khaled al-Wasmi; and 'Abd al-Karim al-Juhaidi (also a member of the recently formed National Council). One of them, Khaled Sultan al-'Issa, was held for 29 days, principally in Basra. According to information received by Amnesty International, his beard was shaved off and he was subjected to beatings and electric shocks.

Opposition to the occupation developed into a form of 'civil disobedience' from mid-September, following the issuing of a series of regulations by the Iraqi Government aimed at completing the 'Iraqization' of Kuwait (see Section 2 above). The refusal to comply with such orders led to the arrest of civilians who had not participated in any armed resistance against Iraqi forces. Civilians were also arrested for non-compliance with other types of regulations introduced in Kuwait, such as the ban on growing beards which came into effect in the first week of September. Several men interviewed by Amnesty International said they had been stopped at checkpoints solely because they had beards, though none of them could offer a logical explanation as to why that should constitute an offence. One 30-year-old Kuwaiti entrepreneur who left his country on 16 September said:

"\* \* \* those who had beards were ordered to shave them off. Punishment for non-compliance consists of plucking the beard with pliers or some other unspecified punishment. Several arbitrary regulations of this kind have been introduced, but they did not take the form of official decrees. The problem for us was that we did not learn of these regulations until we encountered troops at the checkpoints. They would inform us what the latest regulation was, but by that time, it would be too late because we may have unwittingly committed the 'offence' in question. I know of cases of people who have had their beards plucked, including elderly religious men who traditionally wear a beard."

Amnesty International has received the details of several such cases, involving the pub-

lic humiliation of both young and elderly men and their subsequent detention for refusing to shave. The Iraqi authorities in Kuwait have themselves failed to explain why the growing of beards has been made illegal.

The following is a description of the general pattern of arrests as described in a memorandum prepared by officials of the Kuwaiti Red Crescent, dated 23 October:

"The daily arrests and the attacks on citizens became [widespread]. People could not move about freely, even to carry out essential tasks, for fear of being arrested or killed (or of disappearing). Raids on homes became a daily occurrence, which people could expect at any time. The arrest and torture of people was something which threatened every individual. Young men were shot near their homes and in front of their families, and this method was used by the occupiers to terrorize the people and to eliminate the young men on the pretext that they worked in the resistance . . . there were no fair trials for these people. On the contrary, the arrests, interrogation, torture, punishments and killings were carried out in an arbitrary and whimsical manner, decided upon by intelligence agents and others in the occupying forces. . . ."

According to reports received, in the first two weeks of the invasion most arrests were carried out in the streets. In the third week, Iraqi forces began entering peoples' homes more frequently. In some cases the intention was not to carry out an arrest but to force individuals to return to work. A lecturer in political science at Kuwait University, in her mid-50s, told Amnesty International that Iraqi soldiers came to her home in the Sabah al-Salem district on 25 August and insisted that she return to work. She argued, pointing out that there were no students to teach. Here she continues her story:

"A few days later, on 28 or 29 August, they came back. This time they searched the entire house. There were eight of them, carrying weapons, and they arrived at eight in the morning. The children were still having breakfast. They asked, 'Do you have weapons? Do you have foreigners here?' We said no. Before leaving, they threatened that if a single shot was fired from our house they would blow it up. They were registering the names of all foreigners in peoples' homes, including Indians and other Asians. They said that if any of these foreigners escaped, they would arrest us and take us to Baghdad."

Kuwaiti nationals arrested from their homes were invariably taken to the police station in the district where they lived. Some remained there throughout their period of detention, while others were moved to different places of detention in Kuwait City. Those detainees who were neither released nor executed at that stage were subsequently transferred to Iraq. The vast majority of police stations in Kuwait City have been used to hold detainees, as have the Juveniles Prison (Sijn al-Ahdath) in the district of al-Firdos and the Deportations Centre (Markaz al-Ib'ad) in the district of al-Shuwaikh. No information has been received which indicates that Kuwait Central Prison (al-Sijn al-Markazi) in the district of al-Sulaibiyya has been used since the invasion to hold detainees. The prison is believed to have remained empty since 3 August, when an estimated 1,500 common law prisoners and some 50 sentenced political prisoners fled. One of these former political prisoners who subsequently fled to Iran told Amnesty International that much of the prison had been destroyed through fire in the first two weeks of August.

Public buildings as well as private homes have also been used to hold detainees. They include the Muhafazat al-'Asima [City Governorate] building on al-Hilali Street; the faculties of Law and Literature of Kuwait University; government ministry buildings; Dasman Palace and Nayef palace; sports clubs (such as the Olympic Club in al-Nugra and al-Kadhima Sports Club in al-'Udailiyya; the building housing the Economic Development Fund (Sanduq al-Tanmiya al-Iqtisadi) in the district of al-Mirgab; and schools (such as 'Abdallah al-Salem Secondary School). The Iraqi Embassy building on al-Istiqlal Street has also been used as a place of detention. Private homes used for the same purpose have included those previously owned by members of the ruling al-Sabah family. Military buildings used to hold detainees include the Police Academy, al-Liwa' al-Sades military base on the al-Jahra' road and the 'Ali al-Salem base near the border with Saudi Arabia. Most former detainees interviewed by Amnesty International who were transferred to Iraq reported that they were taken to Basra. Although in many cases they were not in a position to specify the prison or detention center, some said they were held in the Deportations Prison (Sijn al-Tasfira) and the State Security Prison (Sijn al-Amn al-Siyyasi). Others said they were also held briefly in police stations in other nearby towns, including al-Zubair and Safwan. Several thousand detainees are currently reported to be held in prisons in Baghdad and Mosul, but Amnesty International has been unable to verify their numbers or obtain information on their places of detention. Most are said to be military personnel.

A 27-year-old Kuwaiti office employee who fled his country in mid-September told Amnesty International of a former detainee whom he spoke to following his release:

"As you know there is a shortage of food in peoples' homes. The resistance would sometimes take food to the mosques, where people could go to eat. A young man was arrested by the Iraqis in al-Shamiyyeh district. He was carrying a leaflet distributed by the resistance, which said that 'supplies' were to be taken to the mosques and gave details of the plan. The Iraqis probably thought that this meant military supplies rather than food. They arrested the man and tortured him by breaking his ribs. He was 26 years old and was arrested on Tuesday 11 September."

A Kuwaiti journalist who fled his country on 20 August told Amnesty International of an incident which took place in mid-August:

"I know of the case of Khaled . . . [surname withheld by Amnesty International], who worked as a telephone operator in the Kuwaiti army. He lived in al-Sulaibiyya. He was arrested by the Iraqis with two others. He was a 'bidun' and the other two were Kuwaitis. They were taken to Bayan police station. They were arrested because they had raised the Kuwaiti flag on their car. When we asked about them at the police station, the Iraqis told us that Khaled was going to be transferred to Baghdad. But I saw him the following day when he was released. He had marks all over his body from having been beaten. He could not walk normally as he had been subjected to falaqa for a prolonged period \* \* \*."

A former detainee, a 31-year-old Kuwaiti, said that he was stopped at a checkpoint on 23 September and accused of stealing his own car. He was held for five days, initially in a school in the district of Salwa and later at al-Shuwaikh Security Directorate (Mudiriyyat Amn al-Shuwaikh). According to



his testimony, he was slapped, punched and beaten with a hosepipe for one hour, and threatened with the rape of his mother. He said he was interrogated eleven times about opposition activities. Upon being released his car was returned to him, stripped of everything inside it. Another former detainee, a 23-year-old labourer, told Amnesty International that he was arrested on 8 October:

"The day before there had been an attack on Iraqi soldiers. The Iraqis were stopping all cars and taking people away. I was told to board a bus near the checkpoint, together with 12 or 13 others. The bus took us to Bayan police station. I was held there for three days and interrogated about the resistance. Then they took me to a school, where I was interrogated by two officers and two soldiers. They applied electricity to my chest, head and arms. I felt paralysed for nearly three days. They also poured an acid-like liquid on my back and used a pincer-like device which they placed around my fingers and tightened. I was released one week later after my friends paid a bribe."

Among the children interviewed by Amnesty International was a 16-year-old Kuwaiti boy, a student at al-Farwaniyya Secondary School. He was arrested on 1 October after violating the night curfew:

"I was taken to al-Rabia police station and put in a cell with four others. I was held for five days, and interrogated daily usually at about 3 pm. I was asked about my father, brothers and friends. During interrogation, a second person would come in and punch me or beat me with a belt. Each session usually lasted about half an hour. After five days my left arm was marked with the letter H using a hot skewer. I was told that if I got into any more trouble it would mean certain death. Then I was released and told to go home."

Incidents such as these, as well as the prevailing climate of fear, also took their toll on the younger children. Here, a Kuwaiti housewife in her late thirties who left the country at the end of August described to Amnesty International one aspect of this:

"As a result of these tactics, the children were in a permanent state of fright. Many of them developed a stutter and could not talk normally. Others began suffering from uncontrolled urination. We tried to cure their stutter by taking them up on the rooftops with us where we shouted *Allahu Akbar* in protest at the Iraqi invasion. At first the children had difficulty in getting the words out, but we urged them to shout at the top of their voices. After several attempts, some of them regained normal speech."

The vast majority of former detainees interviewed by Amnesty International stated that they were not brought before any judicial authority throughout their detention period, and had remained in the sole custody of arresting and interrogating officials. Almost all were held incommunicado and were routinely denied visits from family, friends, lawyers or doctors. Although some detainees were accused of specific offences, no 'official' charges as such were brought against them, even though in some cases the interrogating officials informed them of the punishment 'by law' for the offences they had committed. For example, several of those interviewed had been accused of 'illegal entry' into Kuwait (this pertained largely to Kuwaitis who entered the country after the invasion, either to assist their families in fleeing or to participate in the opposition against Iraqi forces). In some of those cases, the detainees were informed that the punishment for 'illegal entry' was five to eight years' imprisonment. As far as Amnesty International is

aware, however, such punishments have not been codified in law. At the same time, detainees accused of offences said to be punishable by long term imprisonment have often been released within days or weeks. The decision to release appears to be as arbitrary as the decision to arrest. Amnesty International received details of the following incident from a group of Kuwaitis reporting directly from Kuwait on 10 November:

"In the district of al-Faiha' an [Iraqi] officer asked to enter the cooperative society without standing in the queue. The young men from the society told him to wait for his turn. In the evening the same officer returned, accompanied by a number of soldiers. They took five of the young men who worked at the cooperative society to the police station and charged them with stealing cars belonging to the municipality. An order was issued to detain them for 15 days in order to bring them to trial in Basra. But after an offer of 'presents' (a video and television) of the issuing of a letter from the municipality confirming that the cars had been given to the cooperative society, the young men were released."

Of the scores of people interviewed, only for former detainees stated that they had been brought before a judge, three of them in Iraq and the fourth in Kuwait. A 23-year-old Kuwaiti student [name withheld by Amnesty International] arrested in the third week of September in al-Salmiyya, stated that he was held for eighteen days, first in Kuwait City and then in Iraq. He had not been in Kuwait when the invasion took place, but had returned to help his family leave. He stated that he was tortured throughout his detention period, including with electric shocks. After two days' detention in Kuwait City, he was taken to Basra and held for one week in a place he described as the 'offices of Iraqi intelligence'. Here he continues his story:

"After that I was transferred by bus to an ordinary prison. The drive was about 15 minutes. I was told I had to pay for the bus fare, which I did with the little money I had on me. In the prison I was held in a large hall, where there were hundreds of detainees. I remained in the prison for eight days, and then 32 of the detainees were summoned for trial. I was one of them. We were taken to another building which had a sign on the outside saying 'Basra Court'. We sat in a waiting room, and then each of us was brought before a judge individually. I didn't know whether he was really a judge, but the sign on the door of his office said 'The Judge'. He wore civilian clothes. There was also an officer in the room, taking notes. I was before the judge for three minutes altogether. He asked me for my name and why I had returned to Kuwait. The charge against me was entering the country illegally (when I was first arrested I was accused of espionage). Then the judge asked me to sign a statement, the contents of which I was given no opportunity to read. He warned me that if I was caught again I would be executed. I was taken back to the waiting room while the other detainees went through the same process. When it was over, we were taken back to the prison where they gave us back our identity documents and released us. A few of us took a taxi as far as Safwan, and from there entered Kuwait."

Another 23-year-old Kuwaiti [name withheld by Amnesty International], formerly in the armed forces, was arrested at a checkpoint in al-Ardiyya on 12 August. He stated that one of his neighbours had informed Iraqi soldiers at al-Firdos police station that he had hidden weapons in the basement of

his home. He was held in Kuwait City for ten days until his interrogators, a captain and a first lieutenant, "said they would release me in exchange for a television, a video machine and video cassettes. Another Iraqi soldier at the station also told me to bring perfumes, a suitcase and car tyre." Following his release he left Kuwait for Saudi Arabia and then returned on around 4 September when he was arrested again with five other Kuwaitis who had entered Kuwait with him. They were all held for six days in al-Jahra' police station and then transferred to Basra, where they were taken to the Deportations Prison (*Sijn al-Tasfirat*). The following is his account of what happened later:

"We were put in a cell measuring 4 x 3 metres where there were already other detainees: nine Iraqis, two Syrians and four Jordanians. The Iraqi detainees were wearing army uniforms. They had been accused of looting. The two Syrians had been accused of carrying false car documents. We stayed there for three days without being interrogated, but occasionally the guards would show us other detainees who had been tortured, just to frighten us. On the third day they took the six of us, together with the Syrian and Jordanian detainees, to police headquarters in Safwan. We travelled by car, and they asked us to pay the fare for the journey. We were told we were going to be executed. [In Safwan] we were put in a cell where about sixty people of various nationalities were held. A while later an Iraqi man appeared. He said he was a lawyer and identified himself as . . . [name withheld by Amnesty International]. He said to us he could secure our release in return for 4,000 Iraqi dinars per person. None of us had asked for a lawyer. He had come of his own accord, looking for cases. We said we had Saudi rivals, which the lawyer said he would accept. He then advised us that when we were brought before the judge, we should say that we had returned to Kuwait in order to look for our sheep. At 6 pm that evening an Iraqi officer, known as Ra'ed, interrogated the six of us. He asked us what we had to say to explain our situation. The lawyer was present during the session. We repeated what he had instructed us to say. At 7 am the following morning we were taken on foot to the court in Safwan. The judge did not speak to us, but wrote something down and then informed us that we were being released. The whole process barely lasted one minute. I don't know what happened to the Jordanian and Syrian detainees. They were still being held when we left."

As mentioned earlier, it was not possible to determine in many cases the reasons behind the release of detainees. However, three essential preconditions appear to apply in most cases. Firstly, detainees are required to sign statements declaring their allegiance to President Saddam Hussein and the Iraqi Government. And their agreement to cooperate with the Iraqi authorities (principally by acting as informers). Secondly, release was invariably accompanied by the payment of bribes. Many former detainees and relatives of detainees told Amnesty International that they had to pay sums of money and provide certain goods requested by the interrogating officials. In this regard, the goods most in demand have been television sets and video machines, although, as the case mentioned above demonstrates, other requests may be made. One 17-year-old former detainee said that his interrogators offered him his release in exchange for an Indian or Filipino woman [see Appendix A2]. Thirdly, detainees are required to provide detailed information on

themselves and their relatives, such as that described below by a Red Crescent doctor released from detention on 11 October:

"Upon release, the Iraqis asked us to provide detailed information about our families. They wanted the names, addresses and professions of my own immediate family, my brothers and sisters, my brothers-in-law and my paternal uncles and their families. When all this information was written down, we were made to sign an undertaking that if we talked about what happened to us, members of our families would be harmed, and that the penalty was death. They also asked us for information about any past political activity and any period spent in detention. They even took down information on our educational qualifications. The statement we were made to sign also said that all the information we had provided was correct, and that if any of it proved false, the penalty was death. We also had to undertake to inform the Iraqis of any political crimes we heard about."

A number of people interviewed by Amnesty International also stated that detainees who had been badly mutilated as a result of torture were either kept in detention, prevented from leaving Kuwait or executed. This appears to be a more recent development, prompted in all likelihood by widespread media coverage of human rights abuses being perpetrated by Iraqi forces in Kuwait. The 17-year-old former detainee mentioned above, who was released in early October, stated that just prior to release:

"\*\*\* they transferred us to Muhafazat al'Asima where we were examined. I hid the traces of torture on my body in order to avoid being executed, because anyone who has clear traces of torture on his body or is suffering from permanent damage is executed."

Families were given no official notification of the arrest, place of detention and subsequent movement of detainees, and had to obtain such information through their own efforts. During the first two weeks of the invasion, relatives of detainees routinely enquired about them with Iraqi military personnel who had taken charge of the local police stations. In some instances, the families were told that the detainees had been transferred to Iraq, and that all further enquiries should be made to the authorities there. However, in the vast majority of cases, Iraqi forces denied having the detainees in their custody. Those arrested had therefore effectively "disappeared" in detention, and their families remained ignorant of their false fate and whereabouts until they had either been released or executed. In the latter case, the bodies of the victims would either be found in the streets of Kuwait City, or else dumped outside their homes [see section 6].

As incidents of arrests and killings multiplied from mid-August, the families of those who had "disappeared" became increasingly reluctant to make enquiries about them for fear of being arrested themselves. A 31-year-old Kuwaiti doctor told Amnesty International of one such case:

"The young man [a Kuwaiti, name withheld by Amnesty International] went to enquire about his cousin who was held in al-Rigga police station. When he kept insisting he was taken inside the police station. He was stripped of his clothes and told to pray. When he knelt down they started kicking and beating him. He was suspended from a fan for several hours and was told to sit on a bottle. He was released several days later with a message to everyone, that this is the punishment for those who ask about any de-

tainees. He was in a very bad psychological state. This happened in the first week of September."

Instead, the families of detainees turned for help to the Red Crescent, to whom many of the bodies found in the streets were being referred. A member of the Red Crescent's administrative council described the situation to Amnesty International:

"In the early days of the invasion, we tried to raise with the Iraqis the cases of detainees as well as those who had disappeared. There were many such cases in Kuwait. When a young man steps out of his house, there is a likelihood that he will not return. The families of the disappeared tried to enquire about them with the Iraqis in all possible places, but to no avail. So they used to come to the Red Crescent in the hope that we had some information. Prior to the invasion, the Kuwaiti Red Crescent had professional links with the Iraqi Red Crescent, and we tried to use those connections in order to obtain information about the detainees. We were not successful in this. All we could do was to ask the families to write down for us the names and details of those missing, in case we should come across them in the future. . . ."

On 16 September, six Red Crescent workers were arrested by Iraqi soldiers. They were taken away from their premises on the pretext that they were to attend a meeting with the Iraqi Minister of Health who was visiting Kuwait. Instead, they were taken to Nayef Palace, which is being used as a detention centre. They were held there for 26 days. Following their release, the Red Crescent headquarters were closed down, and Iraq subsequently announced that the Iraqi and Kuwait Red Crescent societies had been merged.

The following is a father's account of his attempts to find one of his sons, Hassan, a 24-year-old teacher. He was arrested from his home on 16 September, together with his younger brother, 'Abdallah, a student aged 18. 'Abdallah was brought back nine days later and shot dead in front of his parent's home [see Section 6 below], while Hassan remained in detention. The father, a Kuwaiti aged 53, told Amnesty International how he tried to find him [the names of both sons have been changed to prevent identification]:

"When I returned to my house after the burial [of 'Abdallah], a Palestinian whom I did not know came up to me and asked if I was the father of . . . (mentioning the names of my other sons who were in the armed forces). When I replied yes, he warned me: "Your sons were in the armed forces. You had better escape or they will come after you." So I spent the next week in hiding, moving from house to house and sleeping in different places. Then I felt I must look for my son, Hassan. I enquired about him everywhere. I went to the police stations in al-Rigga, al-Ahmadi, al-Sabahiyya, Khaitan, but did not find him. At one of these police stations the Iraqis asked me if I was a Kuwaiti. I said yes, and they mocked me: "Your sons are the sons of Jaber and Sa'ad" [referring to the Amir of Kuwait and the Crown Prince]. Finally, I was told he was at Markaz al-Ib'ad [the Deportation Centre]. When I went there, the soldiers told me that they would release Hassan in exchange for a television, a video and 500 dinars. So I went home and returned with these items. I was kept waiting for several hours. At 3.15 in the afternoon Hassan was brought out. He could not walk, the soldiers were carrying him. I put him in the car and took him to the home of my brother-in-law in al-Rumaithiyya. Hassan had been badly tortured and his face

was swollen from having been beaten. I did not dare to take him to any of the hospitals. So we waited, and at the first opportunity we left Kuwait. . . ."

A 24-year-old Kuwaiti, formerly a lieutenant in the National Guard, describes below how he learned of the fate of his father who, according to a former detainee held with him at al-Firdos police station, had been transferred to a hospital. The father had been arrested in the district of al-Sabahiyya in later August on suspicion of taking part in opposition activities:

"When [the former detainee] told me that my father was in hospital, I went looking for him in the hospital, I went looking for him in the hospitals but I couldn't find him. I looked in the cemeteries but I couldn't find him. Then I was advised to go to al-Amiri Hospital where . . . photographs of the dead [had been taken]. There, I saw a photograph of my father. There were traces of beatings on his head, an open wound in his stomach and the skin on his face was flayed. I left the hospital with my cousin, and we came across a checkpoint near al-Hamra Cinema. [The soldier] told us to produce identification and asked me why I was crying. My cousin replied that my father had died. The soldier said that it was no problem that my father had died. My cousin told him that my father was more honourable than any Iraqi. . . ."

Both the former lieutenant and his cousin were arrested at this point and held for five days.

#### *The detention of Western and other foreign nationals*

The information in this section relates to the period up to 6 December, when President Saddam Hussein announced that all detained Western and other nationals were to be released and allowed to leave Iraq. Developments after 6 December are not referred to in this document.

On 19 August, seventeen days after the invasion, the Iraqi authorities ordered all Western foreign nationals in Kuwait to assemble in three hotels in Kuwait City—the Regency Palace, the Meridien and the International Hotel. They announced that these nationals may be transferred for detention at key military and industrial sites in order to deter military attacks against Iraq. Although none were actually detained on that day, the announcement marked the beginning of what is now commonly referred to as Iraq's 'human shield' policy. On 20 August, British and French government sources confirmed that 82 Britons and six French nationals were moved from hotels in Kuwait and taken to unknown destinations. In addition, some 200 British and American nationals who had also been transferred from Kuwait to Iraq were detained in several hotels in Baghdad. On 21 August, the Iraqi authorities confirmed that some foreign nationals had been transferred to military sites in Iraq.

Subsequently, hundreds of foreign nationals were rounded up in Kuwait City and taken to Iraq. They included French, British, American, Australian, German, Dutch, Belgian, Scandinavian and Italian nationals, as well as Japanese nationals. Hundreds of others of these and other western nationalities who were either working in or visiting Iraq at the time were also detained in hotels in Baghdad or transferred to undisclosed locations. In the third week of August, the Iraqi authorities announced that some 13,000 Western, Soviet and Japanese nationals would not be permitted to leave Iraq or Kuwait until United States troops withdrew from Saudi Arabia and the sanctions against Iraq



were lifted. Nevertheless, up until 6 December, several hundred of these foreign nationals were allowed to leave Iraq, largely following visits by former heads of state and political leaders from countries including Britain, France, the United States, Austria, Germany, Japan and the Soviet Union. The majority remained in Iraq, however, and were dubbed 'guests' by the host country. The precise numbers of those among them who, at the time of writing, were detained in strategic military and industrial installations, were not known. According to one estimate, some 600 British, Japanese and American nationals were being held at an estimated thirty sites in both Iraq and Kuwait, while up to 2,000 Western nationals remained in hiding in Kuwait [figures compiled by the Associated Press news agency].

The Iraqi authorities have said nothing to suggest that these foreign nationals are being held on grounds other than their nationality. President Saddam Hussein recently reaffirmed that they have not been charged with any offence. In an interview broadcast on British television on 12 November, he said the following:

"If you ask these guests, whom you call hostages, who have returned to Britain: did Iraq ask anything of you in return for lifting the restrictions on travel . . . they will reply that nothing [was asked]. Therefore . . . they are not hostages. And if you ask them: did Iraq charge you with anything or interrogate you, they will reply no. Therefore they are not imprisoned, and the description of detention and imprisonment does not apply to them . . ."

Semantics aside, however, it is beyond doubt that these detentions are arbitrary and violate international human rights norms. Furthermore, all foreign nationals detained since 2 August have been denied consular access. Foreign diplomats in Kuwait were themselves stripped of diplomatic immunity when the Iraqi authorities announced that all embassies in the country should cease to operate by 24 August.

Scores of Western nationals took refuge in their embassies in Kuwait City in the third week of August when the 'human shield' policy began to be implemented, but most remained in hiding elsewhere. A group of British and American nationals who, at the time of writing, were in hiding in Kuwait described their situation thus in a report they had compiled dated 6 November.

"We have been in hiding at various locations for over three months. We never go outside and the only daylight we see is by peeping round a curtain. As for escape, that is totally impossible. We would have to get through as many as six checkpoints manned by armed Iraqi soldiers to reach the desert. Even if we got that far, which is very unlikely, we face the prospect of being shot without warning by soldiers in and around Kuwait."

One British national was in fact shot dead on 11 August as he tried to cross the Kuwait-Saudi Arabian border [see Section 6 below]. The situation became more precarious with the introduction of the death penalty for harbouring Western nationals on 25 August. Several Kuwaiti former detainees interviewed by Amnesty International stated that during interrogation, they were questioned on the whereabouts of foreigners. Many others reported that Iraqi soldiers conducted house-to-house searches looking for foreigners, and that in some cases violence was used to detain them. On 5 September an American national, Miles Hoffman, was reported to have been shot in the arm while trying to

evade capture from his home. Also in early September, a British man and his Filipino wife were allegedly beaten prior to their arrest. An account of that incident, as well as a general description of the situation, is provided by a British woman who had been living in Kuwait and whose husband remained in hiding there. She told Amnesty International in October:

"Our home was in al-Fahahl . . . we heard lots of stories. I knew a British guy with a Filipino wife, he's about 35 or 40 years old. The Iraqis broke into their flat while they were in hiding in the back room. It was between 1 and 3 September. They kicked the wife in the chest and her husband was badly beaten around the head. I think she's here now [in the United Kingdom], but he's a hostage . . . My husband and I were in hiding almost from the beginning. We went out only if it was absolutely necessary. Eight days after the invasion we moved from our flat because it became unbearable. We were afraid the Iraqis would come, so we moved southwards. Someone told us they were picking up Brits in house-to-house searches . . . Now the situation is much worse. I got a letter from my husband on Friday, it was dated 25 September and was smuggled out of Kuwait. He says there's an atmosphere of despair. He seems to think the soldiers are getting ready to move in, and it's a lot more tense than when I was there. He says they're picking up more Brits, and mentioned that at least twenty more were picked up last week. He's back to hiding in the attic now . . . The Palestinians were helping with food, but they can't help any more because they don't have money . . ."

The 6 November report quoted earlier, which had been sent to Amnesty International (among others), gives further details about the situation of some of the Western nationals:

"We have to report that the American Embassy is now totally out of touch with the situation in Kuwait and the conditions under which its people and ourselves are surviving. They are virtually powerless to help us in any way. For us in hiding, it means that for our daily needs we have to rely totally on the goodwill and capabilities of the Kuwaiti people, whose patience is wearing very thin . . . An additional problem in respect of our security is now getting close. All Kuwaitis will become non-persons in their own country on November 25 . . . unless they register themselves for Iraqi citizenship. Those not complying will become fugitives from Iraqi justice in their own country and, like us, will have to go into hiding. Many others will take the opportunity to leave the country if possible before November 25th . . . This will leave many of us in hiding without protection. It will assuredly force large numbers of us to give ourselves up, as there will be no body to supply us with food."

The 25 November deadline for the taking up of Iraqi identity documents has since been extended by one month. An earlier report sent in mid-October by the same group of British and American nationals gave details of the case below, which highlighted the predicament of Western nationals in hiding who required medical attention:

"A Scotsman in hiding in Kuwait City was rushed to a hospital with a perforated ulcer. He had been reluctant to expose himself for fear of capture, despite his condition. Unfortunately the man died in the hospital. His body has still not been released by the Iraqis for burial."

#### 4. TORTURE AND ILL-TREATMENT OF DETAINEES

In the period August to November, Amnesty International interviewed scores of detainees who stated that they had been tortured while in the custody of Iraqi forces. The majority of the victims were Kuwaiti males between the ages of 16 and 35, some of whom still bore marks of torture on their bodies when interviewed. Amnesty International has also received numerous other testimonies from the families of torture victims, the doctors who examined them and, in the cases of those who died, the people who buried them. Some have also given accounts of the torture and ill-treatment of women generally, who are said to have been subjected to beatings and rape. The methods of torture and ill-treatment said to have been used by the Iraqi forces since 2 August are listed in detail at the end of this section.

Iraqi forces at all levels appear to have been involved in the infliction of torture on detainees. They include ordinary soldiers from Iraq's regular army, senior military personnel, and agents of Iraqi intelligence and the security forces. Based on the information it has received and the interviews it has conducted, Amnesty International believes that torture is being systematically used during interrogation, both in order to extract information and as punishment. It is during this period that torture is described at its most brutal, when the interrogation methods used by Iraqi forces have frequently resulted in permanent physical or mental damage. The condition of detainees under such circumstances is compounded by their deprivation of medical treatment while in custody and, following their release, by the almost total absence of medical facilities.

Two categories of detainees appear to have been targeted for particularly severe torture: actual or suspected members of the Kuwaiti armed forces, National Guard, police and security forces, and individuals suspected of having participated in armed resistance against Iraqi forces. However, others have been tortured for involvement in non-violent activities such as peaceful demonstrations (in the early days of the invasion), writing anti-Iraq slogans on walls, possessing opposition leaflets and raising the Kuwaiti flag. In large measure, torture in these cases was aimed at punishing such acts of defiance. It was also aimed at extracting information about the identity of persons involved in opposition activities, the locations of such activities, and the whereabouts of individuals or families being sought by the Iraqi authorities. In other cases, the objective was to force detainees to cooperate with Iraqis after release by acting as informers. Coupled with that was forcing them to make statements against the Kuwaiti ruling family and government and making declarations of allegiance to Iraq's President Saddam Hussein. Finally, the sheer brutality of the torture inflicted on detainees was designed to terrorize the population at large and to discourage others from expressing in whatever form their opposition to the Iraqi presence in Kuwait.

Appendix A of this document contains the testimonies of eight Kuwaiti men and youths who stated to Amnesty International that they had been tortured at the hands of Iraqi forces [their names have been withheld at their own request]:

A1. A former interrogator in his early 30s, arrested on 22 September after being found in possession of a leaflet giving information on chemical weapons. He was detained for one week, principally at al-Farwaniyya po-

lice station, and subjected to beatings, kicking, burning of the skin and sexual torture.

A2. A 17-year-old student arrested in early September after being found in possession of a gun and leaflets containing information on weaponry. He was detained for 36 days in several detention centres in Kuwait City and later in Basra and subjected to beatings, mock execution, falaqa [beatings on the soles of the feet], electric shocks and threatened with sexual torture.

A3. A 32-year-old office clerk arrested on 3 August as he returned home after buying foodstuffs from the local cooperative society. He was detained for five days at al-Sulabiyya police station and subjected to beatings and electric shocks, and was shot in the leg at point blank range.

A4. A 22-year-old student arrested on 24 August following house-to-house searches in the district of al-Rawda. He was detained for eight days in al-Rawda and al-Farwaniyya police stations, and subjected to beatings, kicking, and falaqa. Cigarettes were extinguished on his body and his leg was slashed with a knife.

A5. A 38-year-old man arrested on 5 September after another detainee allegedly revealed that he was active in the armed opposition. He was detained for one week at the Kuwait General Staff headquarters in the district of al-Shuwaikh and later in Basra. He was subjected to beatings, mock execution, exposure to hot and cold temperatures, electric shocks and suspension from a rotating fan.

A6. A man in his 30s arrested twice, in the third week of August and later on 20 September and accused of being member of the Kuwaiti armed forces and of having participated in opposition activities. He was held for four days in a school and at al-Jahra' police station and subjected to beatings, kicking, electric shocks and the placing of heavy weights on his body.

A7. A 23-year-old student arrested around 22 September after returning to Kuwait to assist his family in fleeing the country. He was detained for eighteen days in several detention centers in Kuwait City and later in Basra. He was subjected to beatings, whipping, exposure to cold air and to the sun for prolonged periods, as well as electric shocks.

A8. A 31-year-old man arrested on 14 September at his home during a diwaniyya [a traditional male gathering where social and political issues are discussed]. He was detained for three weeks at al-Farwaniyya and al-Jahra' police stations as well as a private home in Kuwait City, and later in Basra. He was subjected to beatings, electric shocks, mock execution, was forced to watch his relatives being tortured and was himself tortured in front of them.

Numerous other testimonies have reached Amnesty International, from which only a selected few are published in this document. The following is an extract from the testimony of a Kuwaiti former detainee held in al-Kadhima Sports Club. Here he describes the condition of other detainees held with him, including that of a 13-year-old boy:

"One of the soldiers led us into the squash court, and we saw many Kuwaitis of different ages, ranging between 13 and 45. Some of them had fainted from torture. I sat next to a 13-year-old boy whose body looked blue. I asked him, 'What have you confessed to?' He said: 'My crime was to shout *Allahu Akbar* and every oppressor, and I was tortured with electricity for four days. The skin on my back was peeling and I can only sleep while sitting.' There was another young man who was unable to stand or hold any-

thing because the skin on his hands and feet had split and peeled from being tortured with flames. Worse than that, I saw one of the young men from the resistance whose finger and toenails had been extracted, and whose body was blue from [the application of] electricity. He had become blind because they had used a kind of caustic substance to torture him. He was barely alive, unaware of what was happening around him. [Then he told me who he was and said], 'Take care of my parents because I am their only son and they have no one in the world except me'. I asked him, 'Why have you done this?' So he said, 'There is nothing more precious to me than my father and mother, except my country. . . . If Kuwait is thirsty I will water it with my blood'. He started singing, 'I am a Kuwaiti', and I started crying, not from fear but because of the situation we were in. . . ."

A 38-year-old Kuwaiti housewife told Amnesty International of the case of her neighbour's son, an 18-year-old Kuwaiti boy accused of distributing leaflets:

My neighbour's son . . . [name withheld by Amnesty International] was arrested at the end of August in the district of al-Surra where he lived. It was Friday night, after the evening prayers. He was detained for about ten days. His mother went to al-Surra police station to look for him, but the Iraqis told her he was not there. Ten days later he was released. He had been held at al-Farwaniyya police station. I went to my neighbour's house to see them. Her son could not speak or walk normally. He had been sexually assaulted and electricity had been applied to his penis. They also applied electricity to his ears and lips, and suspended him from his feet."

One of six Red Crescent workers held in Nefey Palace for 26 days in September and October described to Amnesty International what he had witnessed:

"During our stay there, we used to see other detainees when we left our cell to go to the toilet. I saw about 30 or 40 people every day. Most of them appeared to have been beaten or otherwise tortured. The soldiers routinely kicked the detainees in the stomach, causing maximum damage with their heavy army boots. On one occasion I saw a man who was urinating blood, presumably due to the hemorrhage of the kidney. His facial hair had been plucked out and his fingernails pulled out. I saw an old man aged about 60, and a young boy aged about nine. Another detainee I saw was being forced to walk after having been subjected to falaqa. He was limping and screaming from the pain. His face and clothes were covered with blood. . . ." [None of the Red Crescent workers were subjected to physical torture while in detention, having been told by their guards that they were being held in a "five-star-jail"].

A 24-year-old former detainee [name withheld by Amnesty International] who suffers from a physical handicap told of how he and others with similar disabilities had also been tortured:

"I was with the resistance working in one of the districts of Kuwait. A detainee had given my name to the Iraqis. The soldiers arrested me from my home in al-Da'iyya at about midnight [in August]. They dragged me from my bedroom and took me to the local police station. The first day they beat me severely with a cane. I was held for ten days altogether, first at al-Da'iyya police station and then at *Sijn al-Ahdath* (the Juveniles Prison) in al-Firdos. The only food I was given was hard bread. Some of the detainees at the police station were minors,

aged about 14 or 15. I heard the screams of detainees being tortured. I was not subjected to electricity, only beatings. But my body was blue all over with bruises. An officer told me that I had been sentenced to death. I was beaten so hard that the aluminium rod which holds my calliper together broke (I suffer from paralysis of the right leg and have to wear a calliper constantly). In my cell there were two detainees, one aged 16 and the other 25. The younger one was handicapped—he was lame and used a crutch. He had been beaten on his face, which was blue with bruises."

A Kuwaiti businesswoman in her late 20s who ran a marketing firm prior to the invasion told Amnesty International what had happened to one of her employees, a 25-year-old Palestinian who holds a Jordanian passport [name withheld by Amnesty International]:

"He went to Basra to sell electronic equipment in order to buy vegetables and fruit to bring back to Kuwait. He was arrested on 9 September after refusing to give the Iraqis some of the food he had brought back. His younger brother [name withheld] was arrested as well. They took them to al-Surra police station and held them for 4–5 hours. I saw [my employee] upon his release. He was in a terrible state, unable to walk. The soles of his feet were swollen. I saw marks of beating on his body and his hands were covered with scratches. He told me they had taken off his clothes, blindfolded him, and then beaten him for about an hour with canes and then with electric batons. Then he was kicked by four soldiers who wore heavy army boots. Before releasing him, they subjected him to Russian roulette [mock execution]. His brother received the same treatment."

Several former detainees told Amnesty International that Iraqis had been held with them in the same detention centre. A Kuwaiti student held at al-Farwaniyya police station in September [see Appendix A2] said:

"They took me back to the al-Farwaniyya and threw me back in the same room where I stayed four days. . . . then they took us out of the room and brought in four Iraqi soldiers whose hair, eyebrows and moustaches had been shaved. The guards were beating them, saying that they were traitors and had brought shame upon their families. . . ."

Another Kuwaiti student held at an Iraqi Intelligence centre in Basra in the third week of September [see Appendix A7] told Amnesty International:

"[I was] put in a cell measuring 3x4 metres, together with about 25 other detainees. These detainees, from what I could gather, were all Iraqi civilians. One of them, aged 18, had been tortured with electricity. Another one had had his skin pierced with pins."

Amnesty International has also interviewed several doctors who, following the invasion of Kuwait, worked as volunteers in various hospitals. All of them stated that the bodies of victims of extrajudicial killings brought to the hospitals bore obvious signs of torture, some of them having been badly mutilated. Scores of these bodies have been photographed, and the photographs provide irrefutable evidence of the abuses committed by Iraqi forces [See Appendix D]. The following are two accounts provided by medical doctors to Amnesty International.

\*Account provided by a 31-year-old Kuwaiti doctor [name withheld by Amnesty International] whose specialization is occupational medicine. He volunteered his services at al-Ahmad and al-Addan hospitals in August and September, and stated in respect of the former hospital:



"On average, five or six new bodies were brought to the hospital each day. All were males and most were in their 20s. Many bore marks of torture. Judging by the bodies that I personally saw, the methods of torture being used included the extinguishing of cigarettes on the body; burning of the skin with heated metal rods; application of electricity; cutting off of the tongue and ear; gouging out of the eyes and the breaking of limbs. In most of these cases, the immediate cause of death appeared to be a single shot in the back of the head or, in a few cases, a shot in the ear or mouth. I also saw the body of a middle-aged man who appeared to have been strangled with a rope. Most of the victims were Kuwaitis, but among those whom I came across were five Egyptians and one Iranian. Some of the victims had also had their fingernails extracted, and others had swollen feet with pockets of pus as a result of being subjected to *falaqa* for prolonged periods. Some had marks round their ankles, consistent with having been suspended upside down. One had been shot in the thigh. Those burned with heated implements had white marks on the affected areas, with black spots on them. One of the Egyptians I saw had been shot at point blank range in his hand, which looked as if it has been torn to pieces. Some had had their beards plucked out. . . ."

\*Account provided by a Kuwaiti medical doctor in his early 40s [name withheld by Amnesty International] who examined the bodies of victims at the Red Crescent headquarters between August and October:

"I personally examined about 60 bodies. In addition to the shot through the back of the head, some of them also bore marks of torture, such as burns on various parts of the body. Some had broken limbs, others bore signs consistent with having been beaten with heavy implements. One victim had clearly had his beard plucked out, and others had had their finger and toenails pulled out. I came across three people who had been tortured with electricity on their genitals and back, and three others who had had cigarettes extinguished on their eyeballs. In some cases the immediate cause of death was not a bullet, but torture. One such body which I examined had no bullet wounds. The victim had been kicked and beaten extensively. His name was . . . [name withheld by Amnesty International], aged 20, from al-Sulaibikhat. He had been arrested in early September while distributing food from the cooperative society to peoples' homes. His body was found lying in the streets ten days later. . . ."

Several doctors also informed Amnesty International that Iraqi officials forced them to issue death certificates in respect of some victims, giving an incorrect cause of death. For example, the doctors would be forced to state that the victims had died of internal bleeding instead of torture or bullet wounds. According to one Red Crescent worker, this happened at al-Farwaniyya, al-Amiri, al-'Addan and Mubarak hospitals.

All the torture victims referred to thus far in this document have been males. Although a number of former detainees interviewed by Amnesty International stated that they had either seen women held with them in the same detention centre or had heard their screams, none was able to provide detailed information on their treatment while in custody. Female detainees were, in most cases, held apart from the men, either in separate cells or in different sections of the detention centre or prison. One passing reference to a female detainee was provided by one of the

Red Crescent workers detained in Nayef Palace in the period mid-September to mid-October:

"All the detainees I saw in Nayef Palace were males. However, late one evening I saw a woman being brought in. She was pregnant and was carrying a suitcase. I don't know her nationality, but she was Western. She was taken into the officers' room. Later I heard screams, and I think they were those of a woman. I don't know what happened to that woman, I didn't see her again."

On the basis of the information received by Amnesty International, it was not possible to determine the extent to which the torture methods described above were used on women. Apart from psychological torture, such as having to watch their sons being shot [see Section 6], the prevalent form of torture used on women has been rape. By its very nature, this form of torture makes the victims, as well as their relatives, reluctant to talk about it. A number of men interviewed said they knew of cases of rape, but refused to reveal the names of the victims even in confidence.

In this context, it has proved difficult to verify or substantiate the numerous reports of rape emanating from Kuwait since 2 August. In the first week of August, a British Airways stewardess was reported to have been raped by an Iraqi soldier on board a bus outside the Regency Palace Hotel in Kuwait City. One of the hotel's employees informed Amnesty International that the stewardess, a British national, was raped as she was about to accompany passengers to another hotel. Most incidents of rape reported in the first three weeks of the invasion, however, suggested that Asian women were the prime targets, particularly Indian and Filipino domestic servants. Eyewitnesses stated that they had seen some of these women being dragged out of their employers' homes by Iraqi soldiers, presumably for the purpose of raping them. One such account is that of an Indian male cook who, together with an Indian maid identified as Mary, was employed by a Kuwaiti family at the time of the invasion. He told Amnesty International:

"On 2 August, early in the morning, my boss received a telephone call. Immediately afterwards the family started packing their belongings. Then they called Mary and me and told us that they were leaving for London. My boss gave us the keys to the house and a few gold coins, told us to take care of ourselves and left. For one week we stayed alone in the house. Then about ten or fifteen Iraqi soldiers in two military vehicles arrived. They decided to take everything in the house, and ordered Mary and me to load the vehicles. This took two hours. When we finished, two of the soldiers told Mary to go with them. Mary said to them, 'Please, I am not coming with you, please help me'. She was crying too much when she said this. The soldiers pushed her into one of the vehicles beside the driver while pointing a gun at her. Then one of them turned round to me and hit me in the chest with the butt of his machine gun. I didn't see Mary again."

Such reports were rife in Kuwait, and although the actual extent of such incidents is impossible to assess, they gave rise to a climate of very real fear among the Asian women. A 37-year-old Filipino staff nurse who was visiting Kuwait at the time of the invasion told Amnesty International:

"[In August] there were about 20,000 Filipinos sheltering at our embassy in Kuwait. Some were inside the building, and the others were in three unfinished buildings nearby. Among them were housemaids who were

alone and scared, their employers had been away on holiday. They were all scared, having heard stories of rape. I don't think they were safe even at the embassy—there were only seven officials working there."

Since early September, Amnesty International has received reports that increasingly, Kuwaiti and other Arab women have been raped by Iraqi military personnel, although some cases were reported earlier. According to Egyptian diplomatic sources, three Egyptian air stewardesses were raped at the Meridien Hotel on 3 August. An Egyptian female nurse working at Mubarak Hospital until early September told Amnesty International that she knew of several Arab women admitted to the hospital after being raped. She stated that she had personally participated in carrying out gynecological tests on one of them, a Palestinian woman in her early 20s, and that the test were positive. The nurse said that when she arrived at the hospital (in mid-August) the woman was hysterical, having apparently been taken to the district of Hawaili, raped by five soldiers and then thrown out onto the street. She also said that the previous day, a Kuwaiti woman was admitted to Mubarak Hospital, having been raped by Iraqi soldiers at her home in al-Salmiyya. A Kuwaiti doctor who had been working for the Red Crescent told Amnesty International that he knew of fifteen incidents of rape in al-Jahra, fifteen in al-Rigga and three others at the Maternity Hospital. The victims were of various nationalities, including Arab women. In another case, an Egyptian doctor working at al-Sabah Hospital told Amnesty International of a case he knew of:

"I know of one Kuwaiti lady in al-Jabiriyah who has a 19-year-old daughter . . . I'm sorry I can't tell you the names, they're from a very prominent family. It was at the end of August . . . the daughter went out to get some food. Three Iraqi soldiers and one officer followed her and wanted to rape her. They followed her inside her villa. When the mother saw them she pleaded with them not to rape her as she was only a virgin. She asked them to rape her instead of her daughter, so they did."

A Kuwaiti woman [name withheld by Amnesty International] who left her country on 29 November stated that Iraqi soldiers had threatened to rape her and her sister in front of their brother, a journalist who had been arrested on suspicion of involvement in opposition activities. The woman gave this as her reason for fleeing Kuwait, and she gave details of cases of rape she knew of. These included the rape of four Kuwaiti girls in front of their father in al-Rumalithiyya in mid-November. She also reported seeing a young Kuwaiti woman being held while completely naked at Sabah al-Salem police station during the two weeks prior to 29 November. She had apparently been repeatedly raped by Iraqi soldiers there.

A Kuwaiti gynecologist and obstetrician working at the Maternity Hospital who left Kuwait in mid-November reported on two rape victims she had personally examined:

"A Jordanian girl aged about 20 was raped by five Iraqi soldiers. She told me that they had abducted her when she left her building to go to the grocers. They abducted her, raped her and then threw her onto the street. She was later found by some Kuwaiti boys who brought her to the hospital. When I examined her I found her vagina swollen from extensive penetration. She was also scratched and bruised on her face, back and hands. She was hysterical."

"[On 11 November] when I was in the casualties ward, the Iraqi police brought me two

girls. The first was a 22-year-old bidun and unmarried. She told me that while they were sleeping in their home at 6 am, Iraqi soldiers came and gathered them in the upper floor. They took her down to the ground floor, where an Iraqi soldier raped her anally several times. When I examined her, I found an injury 4cm. long from the anal opening to the vagina. She needed five stitches. I also noticed bruises and injuries on her body due to resistance. Then she told me that the Iraqis also brought her older sister and assaulted her. So I examined her sister, who was 26 years old and married. I found that she had been raped vaginally and anally. She told me that they had raped her and then stole her family's money and gold. I have heard of many cases of this kind, but they did not come to the hospital because of the shame."

#### Methods of torture and ill-treatment

The following are details of allegations of torture and ill-treatment which have been made to Amnesty International since 2 August, some of which are supported by medical evidence and photographic material [see Appendices C and D]. These reports are entirely consistent with methods of torture and ill-treatment known to have been used in Iraq over many years, and some of which are also supported by medical evidence [see in particular Amnesty International's report entitled "Torture in Iraq 1982-1984", published in April 1985, and the organization's annual reports].

It should be noted that not all of the methods listed below are said to have been widely used since 2 August. Those methods which have been alleged only in a few cases brought to Amnesty International's attention are marked with an asterisk (\*).

1. Beatings on all parts of the body, involving punching, slapping, delivering Karate-style blows and kicking with heavy army boots. Implements used for beating include canes, metal rods, whips, steel cables, hosepipes, rubber truncheons and rifle butts.
2. *Falaqa*: prolonged beating on the soles of the feet. Sometimes the detainee is then forced to walk or run.

3. Suspending the detainee by the feet, or by the arms which are tied behind the back.

4. Beating the detainee while suspended from a rotating fan in the ceiling.

5. Breaking of the arms, legs or ribs; dislocating elbow and shoulder joints.

6. Lifting the detainee high up in the air and then dropping him, sometimes resulting in the fracturing of bones.

7. Applying pressure to the fingers with a clamp-like instrument.

8. Slashing the face, arms or legs with knives.

9. Extracting finger and toenails.

- \*10. Boring a hole in the leg, apparently with a type of drilling tool.

11. Cutting off of the tongue and ear.

12. Gouging out of the eyes.

- \*13. Castration.

- \*14. Hammering nails into the hands.

15. Piercing the skin with pins or staplers.

16. Shooting the detainee in the arm or leg at point blank range followed by deprivation of the necessary medical treatment.

17. Rape of women (including virgins) and young men.

18. Inserting bottle necks, sometimes when broken, into the rectum.

- \*19. Tying a string around the penis and pulling it tightly.

- \*20. Pumping air using a pipe through the anus, particularly of young boys.

21. Applying electricity to sensitive parts of the body, including the ears, lips, tongue,

fingers, toes and genitals. Sometimes the detainee is doused with water prior to the administration of electricity. The electrical instruments used include electric batons as well as wires fitted with clips (like those used to recharge car batteries but smaller in size).

22. Burning various parts of the body, including the genitals, with domestic appliances such as electric irons, with heated metal rods, or with a naked flame.

23. Extinguishing cigarettes on the eyeballs or on various parts of the body, including the genitals, nipples, chest and hands.

24. Pouring hot and cold water alternately over the detainee.

25. Placing the detainee in a cold, air-conditioned room for several hours, and then immediately into a heated room.

- \*26. Pouring an acid-like substance onto the skin.

27. Pouring caustic substances onto the eyes, causing blindness.

28. Plucking facial hair, particularly the beard, with pincers or pliers.

29. Placing heavy weights on the detainee's body.

30. Spitting into the detainee's mouth.

31. Exposing the detainee to the sun for several hours at a stretch without water.

32. Subjecting the detainee to mock execution. This includes holding the head below water to the point of near suffocation; going through the motions of execution by firing squad; and holding a gun to the head or in the mouth and pulling the trigger.

33. Forcing the detainee to watch others being tortured, or to hear their screams.

34. Raping, or torturing the detainee's relatives in his or her presence; threatening the detainee with such acts.

35. Threatening the detainee with torture methods such as the electric chair (*al-Kursi al-Rajaji*), or with death by immersion in an acid bath.

36. Deprivation of medical treatment.

37. Deprivation of sleep, food, water, fresh air and toilet or washing facilities.

38. Degrading the detainee by using obscene language or insults.

#### 5. THE DEATH PENALTY

Within a month of the invasion of Kuwait, Iraq's Revolutionary Command Council (RCC) had passed resolutions introducing the death penalty for three offenses: On August 11 for the hoarding of food for commercial purposes; on August 14 for looting; and on August 25 for the harboring of Western nationals. On November 20, the RCC reaffirmed in a new resolution that the hoarding of food was punishable by death, apparently in response to the growing effects of the internationally-imposed economic sanctions on Iraq.

In line with its usual practice, the Iraqi Government has refrained from making public the number of people executed for these capital offenses, although some executions for looting have been officially confirmed [see below]. In this context, it is impossible to assess the extent of the application of the death penalty since the invasion. Furthermore, the information available to date does not enable Amnesty International to assess the extent to which such executions can be considered as 'judicial'. In other words, whether the alleged offender had been granted the opportunity to defend himself against the charges against him, including having access to a defense lawyer, and whether his conviction had been secured following trial procedures which met international standards for fair trial. In the context of the widespread abuses perpetrated by

Iraqi forces in Kuwait, which reveal a total disregard for the most fundamental human rights principles, it is Amnesty International's view that the likelihood of any alleged offender receiving a fair trial under such circumstances is indeed remote. In arriving at this conclusion, Amnesty International also takes into account Iraq's past and current record vis-a-vis the conduct of trials in its own courts. The organization has over a number of years expressed its concerns to the Iraqi authorities about unfair trial procedures which failed to meet not only internationally recognized standards for fair trial, but also those standards set out in Iraq's own domestic legislation. Such deficiencies apply in death penalty cases as well, where defendants have been repeatedly denied access to a defense lawyer while in pre-trial detention, denied the opportunity to speak in their own defense in court or to call witnesses on their behalf, and denied the opportunity to appeal against a death sentence which, in many cases, had been secured on the basis of "confessions" extracted from the defendants under torture. The unfairness of these procedures is most apparent in trials before Iraq's permanent and temporary (ad hoc) special courts, whose decisions by law are final and not subject to appeal [for further details, see Amnesty International's report entitled "The Death Penalty in Iraq: Legal Aspects", published in June 1987]. The RCC's Resolution No. 322, which introduced the death penalty for looting on August 14, provided that such cases will be heard before a special court, whose decisions are also final and not subject to appeal.

To date, Amnesty International has not received any information suggesting that any death sentences have been passed or carried out on individuals accused of hoarding food. Reports that a Kuwaiti man was executed in early September for harboring a Western national remain unconfirmed. The person in question was said to be among the thousands of Kuwaiti military personnel arrested by Iraqi forces, and may have been executed for other reasons. At least 18 executions for looting, however, have been officially confirmed by Iraq. The first known case was reported on August 16, two days after the offense became punishable by death. The body of a man said to be an Iraqi soldier was found hanging from a crane in al-Hilali Street, opposite the *Muhafazat al-Asima* building [see Appendix D for photograph]. Initial reports suggested he had been publicly hanged, but subsequent accounts from eyewitnesses who saw the body indicated that he had been shot first and then his body was later hung in public as an example to others. The following is one such account given to Amnesty International by a Kuwaiti housewife in her late 30s:

"I saw his body that morning [August 16], suspended from a crane near *Muhafazat al-Asima*. There was a placard round his neck which read: "This is the punishment for those who steal the riches of the people". Another placard with the same message was placed on the ground beneath the suspended body, together with the goods he was supposed to have stolen. The man had been shot first, and then his body was hung. It remained there for two or three days. His photograph was published in *al-Nida*."

Another person, a Kuwaiti man in his late 20s, told Amnesty International that he had been present when the body was taken down. He stated that there were several bullet wounds on the body, suggesting that the victim had first been executed by firing squad. The body was removed by the Red Crescent



for burial. The name of the victim is not known, and neither is it known whether he had received any form of trial prior to execution. A former lecturer at Kuwait University in her mid-50s remarked to Amnesty International:

"They said he was guilty of looting, but that was probably a pretext. How can they execute him for looting when they are all looting openly? I saw myself, on the way from Kuwait to Baghdad, fourteen lorries carrying televisions and other electrical equipment. Maybe that person was an honourable man who dared to say 'no' to them, and was executed for it."

According to information received by Amnesty International, the photographs of ten other men said to have been executed for looting were shown on Iraqi television between 17 and 21 August. Among them were Iraqi, Kuwaiti, Egyptian and Syrian nationals. The university lecturer (mentioned above) told Amnesty International:

"In the days immediately after the [16 August] execution, Iraqi television announced that others had been executed for looting. They showed their photographs on television. I saw four or six of them. One of them was an Egyptian national employed by the Kuwait Oil Company. A maternal cousin of mine recognized him, but I don't recall his name. On 18 August they showed on television the photograph of another of those executed. He was a Kuwaiti from the al-Hajiri family, also accused of looting. I don't know his first name. On 20 August they showed on television the photographs of other looters."

Her account was consistent with those given by several other people interviewed by Amnesty International, including that of a Kuwaiti businesswoman in her late 20s. She also told Amnesty International that one of the Kuwaitis executed was from the al-Hajiri family, that he was 17 years old and was arrested after leaving a diwaniyya and later accused of looting. Further confirmation that executions for looting have been carried out since the invasion of Kuwait was provided by President Saddam Hussein in an interview broadcast on British television on 12 November. In response to a question on human rights violations posed by the interviewer, President Saddam Hussein stated that:

"... any Iraqi from Baghdad who steals or robs from a house in the province of Kuwait, and is caught red-handed, will be tried. Iraqi law provides for the death penalty in a case of this kind. A number of Iraqis from the province of Baghdad, or they may have been from the province of Basra or maybe from other provinces, were executed because they stole from the homes of the people in Kuwait. This has happened. Why does the British press not talk about this? Because it reflects the just aspect of our position. . . ."

On 30 November, seven men were publicly hanged in Kuwait after being accused of looting. Iraqi television announced that they had stolen large sums of money in Iraqi dinars, jewellery and electrical appliances from homes in Kuwait. One of Iraq's daily newspapers, al-Jumhuriyya, reported on 1 December that the seven were hanged in the presence of their victims, who were said to have identified them. The names and nationalities of those executed are not known, nor is it known whether they had been tried.

A number of Kuwaitis and other nationals interviewed by Amnesty International firmly believe that ostensibly criminal offenses, such as looting, were used by the Iraqi authorities as a pretext to execute individuals suspected of 'political' offences. In other

words, individuals who had taken part in opposition activity against Iraqi forces in Kuwait. In that context, scores of hangings were alleged to have been carried out on the grounds of Kuwait University in late August and early September, while other executions by firing squad were reportedly carried out, sometimes in public, in residential districts of Kuwait City [See Section 6]. Other categories of people feared to have been executed since 2 August are Iraqi soldiers who attempted to desert from the army after their deployment in Kuwait, and Iraqi exiles living in Kuwait and suspected of membership of the opposition group al-Da'wa al-Islamiyya (Islamic Call). Iraqi law provides for the death penalty for both these offenses.

#### 6. EXTRAJUDICIAL EXECUTIONS

"From the middle of August, an average of four or five bodies were brought daily to our centre, but on some days there would be as many as ten. All the victims were male and were of varying ages, the youngest being about 16. However, on 18 August the body of a 12-year-old girl was brought in. Many of the male victims whose bodies I examined had been shot in the back of the head at point blank range, and as such their jaws had been shattered. The usual pattern was that the Iraqis would bring the detainee back to his home and ask his family to identify him. Once he had been identified, the Iraqis would shoot him in the back of the head, right in front of his family."

This pattern of deliberate killings, described to Amnesty International by a doctor working for the Red Crescent, was repeated time and again in accounts provided not only by medical personnel working at several hospitals in Kuwait, but also by the relatives of victims and others who had witnessed such killings. According to Amnesty International's assessment of the situation, hundreds of extrajudicial executions reported since 2 August were carried out in the manner described above. However, many other victims were said to have been executed by firing squad, sometimes in public, apparently without prior legal proceedings. Others, including infants, have been killed through the deliberate deprivation of essential medical treatment.

During the first few hours of the invasion, an unknown number of Kuwaiti military personnel were reported to have been killed in the context of armed clashes with Iraqi forces. In the ensuing month, many civilians who took up arms against Iraqi forces were killed in similar circumstances, and their numbers are also unknown. However, all the cases referred to below involve killings which, according to Amnesty International's information, clearly took place outside the context of armed conflict. The victims include both civilians and former military personnel who were unarmed at the time of their deaths, and who appear to have been deliberately targeted.

The majority of victims of extrajudicial executions brought to Amnesty International's attention have been Kuwaitis, but the organization has also received reports of the killing of other nationals, including Egyptians, Iranians, Pakistanis and one British national. Most of the Kuwaiti victims were males in their early 20s, although among them were minors below the age of 18. Some were as young as 15. With the exception of two cases mentioned later in this document, it does not appear that women have been killed in the same manner. Although Amnesty International has received reports of at least five women being lined up and shot in public, it has not been

able to confirm this nor to obtain their names and details of the circumstances surrounding their deaths.

Again, as with those who have been arrested or who have "disappeared" in custody, it is impossible to ascertain with any real certainty or accuracy the number of people deliberately killed by Iraqi forces in Kuwait since 2 August. In the context of denials by the Iraqi Government of any knowledge of such atrocities, and having denied the International Committee of the Red Cross and journalists access to Kuwait, it is only possible to arrive at a general estimate. Based on the information it has received from a wide range of sources, including the scores of people it has interviewed, Amnesty International believes that the number of extrajudicial killings runs into hundreds, and may well be over 1,000. Incidents of such killings relate largely to the period mid-August to mid-October, although killings before and after that period have also been reported.

The range of 'offences' which have led to these mass deliberate killings is wide and varied. Apart from persons known or suspected of having participated in armed opposition, others are reported to have been extrajudicially executed for reasons including: trying to flee Kuwait; possessing hunting rifles and other weapons of a 'non-military' type; giving medical treatment to suspected opposition activists; refusing to allow the removal of medical equipment from hospitals; 'neglecting' Iraqi patients requiring medical treatment; carrying large amounts of money; participating in peaceful demonstrations; carrying the Kuwaiti flag or photographs of the Amir of Kuwait; writing or distributing leaflets critical of the Iraqi presence in Kuwait; and refusing to publicly demonstrate allegiance to President Saddam Hussein. In a few cases, people have been deliberately killed as they were in the process of delivering food from the cooperative societies to peoples' homes.

There is no indication whatsoever, based on the information gathered by Amnesty International to date, that people arrested for these kinds of offences were actually formally 'charged' or received any form of trial prior to execution. On the contrary, some of them were apparently led to believe that they were to be released. The following is an extract from the testimony of a 19-year-old Kuwaiti student who survived an attempted execution by firing squad, and gave Amnesty International an account of what happened. He had been arrested on 11 September after failing to hand over to the Iraqi authorities arms he said he had possessed prior to the invasion. After a two-week detention period at a private house in al-Jahra', during which he was subjected to torture, he and other detainees were told that they were to be released:

"... on the last day [ie. 24 September] at 2:30 in the morning, a captain came and told us that the President had ordered the release of all the detainees. [He] said that they were going to release us in groups, and called out the names of twelve people. I was one of them."

According to his account, they were taken to Dasman Palace where they were told they were going to be driven to their homes. The 19-year-old student and two other detainees [whose names below have been changed by Amnesty International to prevent identification] were led into a car:

"We were all still blindfolded and handcuffed, but as we approached the district of al-Faiha' the soldiers removed Samir's blindfold so that he could direct them to his

home. But when we arrived there, they told us all to get out of the car. Muhammad and I asked why, because we didn't live there. They made us get out of the car anyway, blindfolded Samir again and made us stand at the doorstep of a house. I realised at that moment that we were going to be executed. I remember it was just after dawn prayers. The first shot was fired and I heard Samir fall to the ground. Two bullets grazed my head but neither of them penetrated my skull. I fell to the ground, and when Muhammad was shot he fell down on top of me. The soldiers then came up to us, took the blindfolds and handcuffs and went away. They must have believed we were all dead.

"My head was bleeding profusely. I crawled over to Samir and raised his head, trying to revive him. I thought he had been pretending, just like me. Then I saw the bullet hole in his head, and just at that moment he died. I couldn't believe what was happening. I went over to Muhammad and found him dead too. I managed to drag their bodies over to one side and recited a short prayer for them. Then I started walking. I didn't know where I was going, but I was afraid the soldiers would come back. . . ."

He was able to get medical assistance, and fled Kuwait some three weeks later [his full testimony is reproduced in Appendix B].

As this student's testimony shows, and as described in Section 4 of this document, victims of extrajudicial killings were invariably also victims of torture. Many of the cases known to Amnesty International involved the suspects being arrested and detained for several days or weeks, during which time their families remained ignorant of their fate and whereabouts. The detainees were routinely tortured while in custody, and then publicly shot outside their homes after a member of their family had identified them. Two Kuwaiti brothers were arrested on 9 September after weapons and a pistol silencer were found at their home in the district of al-Nuzha. They were initially held at al-Kadhima Sports Club and then at the Iraqi Intelligence Centre in al-Jahra' municipality. The younger brother, an 18-year-old student, told Amnesty International that he was held for three days and tortured through constant beatings. Here he recounts what happened to his brother, who was aged 19 [the names of both brothers are withheld by Amnesty International]:

"My brother . . . had been held with me in al-Jahra', but they did not release him. He was held for 36 days and then, in mid-October, they brought him back to our house. When we saw him he was still alive. They threw him down on the doorstep and then shot him in the head with a gun fitted with a silencer. He was handcuffed at the time. We called an ambulance which took him to al-Amiri Hospital, but he was already dead. He had also been severely tortured. His feet were covered with blue bruises, and his body lined with marks caused by extensive beating. There was a deep hole in his thigh which appeared to have been caused by some sort of drilling tool. Electricity had been applied to parts of his body. Late that afternoon we buried him in al-Rigga cemetery. The Iraqis had earlier made it known that public mourning for the dead would not be permitted. Nevertheless, people came to our house to offer their condolences."

In other cases, Iraqi soldiers apparently did not wait for the detainee to be identified before killing him. Such was the case of another 18-year-old Kuwaiti student whose father, aged 53, told Amnesty International of the circumstances of his death [the names

below have been changed to prevent identification]:

"The Iraqis came four times to our house. They were searching for Kuwaitis who had been in the armed forces. I have seven sons, five of whom were in the army. My two younger sons are Hassan, a teacher aged 24, and 'Abdallah, a student aged 18. Since the invasion, Hassan had been working as a volunteer in the cooperative society in our district, and 'Abdallah was helping to bury the dead in al-Rigga cemetery. Each time the soldiers came, they searched the whole house. On the fourth occasion, which was on 16 September, they arrested Hassan and 'Abdallah. Before taking them away, the soldiers hit Hassan with a metal rod in his stomach until the skin was cut and he started to bleed. They threw 'Abdallah on the ground and stepped on him with their army boots. For eight days we knew nothing of their fate and whereabouts. Then, on the ninth day, they brought 'Abdallah back. It was eight o'clock in the morning, and I had just finished the morning prayers. I heard the doorbell ring, followed by two gunshots. I ran down and opened the door. I saw 'Abdallah lying down on the ground. His eyes were bound with a black cloth. He had been shot in the head and had died instantly. We took him to the cemetery for burial."

As mentioned earlier in this document, some of the "offences" for which people have been extrajudicially executed by Iraqi forces had no connection whatsoever with membership of the Kuwaiti armed forces, or with suspected acts of armed or even non-violent resistance. Reports received by Amnesty International indicate that these killings were arbitrary in the extreme, and that decisions to shoot were often taken on the spot by soldiers or officers without prior clearance from their superiors. A lecturer in political science at Kuwait University told Amnesty International about the killing of a male relative of hers in such circumstances:

"During the first few days of the invasion, there was a lot of pressure on the bakeries to keep up supplies of bread to the people. On the fourth or fifth day my relative, who was 45, was queuing outside a bakery in al-Umairiyya. An Iraqi soldier from the Republican Guards was also there. My relative could not control himself. He started shouting at the soldier, saying: 'You have ruined our lives, why did you come?' The Iraqi soldier shot him dead there and then, in front of everyone."

In another incident, a Kuwaiti man was reported to have been killed in similar circumstances at a checkpoint, apparently for carrying Kuwaiti currency. The following is an eyewitness account of his execution given to Amnesty International by a Lebanese engineer working for the Kuwait Oil Company:

"On 17 October I was on duty in the al-Ahmadi area near the main office of the Kuwait Oil Company. I was in my car. There was a man in front of me in a blue Mazda. He came to a checkpoint. I remember it was about 4 pm because I was supposed to be on duty and I was already running late. I was thinking 'please don't let this guy be a Kuwaiti', because they really give the Kuwaitis hell. The soldiers took him out of his car. I opened the window of my car so I could hear what was going on. 'What's your nationality?' they asked him. 'I'm a Kuwaiti', he answered. 'Where's your wallet?'. As he was reaching for his wallet one of the Iraqis pushed him and pulled it out. They found Kuwaiti currency, 150 dinars. 'You've got that dog Jaber's money [referring to the Amir of Kuwait]'. The Kuwaiti was going to

explain [why he had the money] when the soldier pushed him hard, making him stumble, and then he sprayed him with bullets with his machine gun. Within a few seconds a pickup truck drove up—they must have been waiting there, as if they knew. The Kuwaiti had fallen to the ground on his back. Three soldiers grabbed him like a rubbish bag and dumped him in the truck, and then disappeared. I asked one of the soldiers what had happened, and he said, 'the bastard had that dog Jaber's money.' He then asked me where I was from, so I told him I was Lebanese. He said, 'Don't worry, we'll free your country from the bloody Syrians, they're next. . . .' I went to al-Ahmadi Hospital to look for the man whom they had killed, and then to al-'Addan Hospital where I asked if a body had been brought there. No one knew anything about it."

Information gathered by Amnesty International indicates that incidents of such killings, which began in earnest in mid-August continued and increased in September and October. In addition to those detainees who were shot outside their homes after identification by relatives, others were reported to have been killed in police stations or other places of detention where they were held. One 32-year-old Kuwaiti office clerk told Amnesty International that a detainee held with him at al-Sulaibiyya police station in August was shot dead in front of him during a torture session [see Appendix A3]. In such cases, the bodies of the victims would invariably be thrown out onto the streets or dumped in rubbish bins. A former member of the Kuwaiti armed forces in his early 30s told Amnesty International that, prior to leaving Kuwait in mid-September, he had volunteered to collect bodies off the streets for burial. He stated that:

"On average, about 20 or 30 bodies were found daily in the period starting beginning of September. In each district I covered I would find five or six bodies, although there were days when none were found. These districts included Bayan, Sabah al-Salem, Qurtuba, al-Umairiyya and al-Rawda."

Passers-by who came across these bodies would also take them to one of the hospitals or to the cemetery. As the killings continued, however, people were said to have become too frightened to remove the bodies for fear that even this might be interpreted as an act of resistance. Instead, passers-by would contact the Red Crescent or call an ambulance. One of the Red Crescent's staff who left Kuwait in mid-October told Amnesty International:

"After a while there were so many bodies that there was no more room at the morgue of the nearby Mubarak Hospital. We began putting some of the bodies in the large hospital refrigerators normally used to store food. Families would come looking for missing relatives in the morgues and refrigerators. Most of the bodies were buried in al-Rigga cemetery. We buried about 30 or 40 bodies in each grave."

A Kuwaiti doctor volunteering at al-'Addan and al-Ahmadi hospitals told Amnesty International:

"A number of unidentified bodies remained in the morgues of several hospitals for a long period without anyone claiming them, to the point that the morgues were packed with bodies. This coincided with the fleeing of the cemetery employees and the necessity for each family to dig the graves of those it had lost. But some of the young men volunteered and took charge of the cemetery (washing the bodies, digging the graves and praying for the dead). Some Afghan workers were



also hired to dig graves. Al-Rigga cemetery was used instead of al-Sulaibikhat cemetery, which had been turned into a military zone early on in the invasion."

The Red Crescent worker quoted above described later developments.

"... towards the end of September/beginning of October, even the burial operations became risky. The Iraqis had stolen the equipment used for burial, even the shrouds used to wrap the bodies. Some of the volunteers who were in charge of digging the graves were arrested. Among them was ... [name withheld by Amnesty International]."

A former member of the Kuwaiti armed forces who left Kuwait on 12 October told Amnesty International that his brother had been one of the volunteer grave-diggers. Through him, he learned that on 7 or 8 October, Iraqi forces had taken control of al-Rigga cemetery. "After that", he said, "some families who took the bodies of their relatives for burial there were made to pay 100 Iraqi dinars for each body buried."

In addition to paying for the burial of these victims, reports were also received that some families had been made to pay for the bullets used to execute them. In one case, two Kuwaiti brothers aged 18 and 19 [names withheld by Amnesty International] were shot dead in front of their homes in al-Khaldiyya on 4 October after reportedly refusing to lower the Kuwaiti flag from their home. Their parents were asked to pay the price of the bullets used to kill them—in this case 15 Iraqi dinars each. In other cases reported, the sums of money being asked were 70 or 100 dinars per person. This practice of asking families to cover 'state expenses' for executions is common in Iraq and has been documented by Amnesty International over a number of years. In some instances the sums of money requested have been as much as 500 Iraqi dinars, apparently to cover the costs of coffins and transportation of the bodies as well as ammunition. The practice of instructing the families of victims not to hold public mourning is also common in Iraq. According to reports received, Iraqi forces have tried to enforce such instructions in Kuwait since 2 August, apparently without much success.

#### Case examples

Below are the details of ten identified victims of extrajudicial executions who died in the period 8 August—first week of October. Accounts of the circumstances of these deliberate extrajudicial killings have been provided by eyewitnesses or people who subsequently saw their bodies, some of whom were interviewed by Amnesty International.

1. Sana' al-Nuri: a 25-year-old law student at Kuwait University. According to eyewitness reports, she was killed on 8 August when Iraqi troops fired at a group of some 35 women demonstrating peacefully in al-Jabiriyya against Iraq's annexation of Kuwait. Another woman in her mid-20s was also reported to have been killed in the same incident, as well as two boys aged 13 and 16 who died after being shot in the head and heart respectively.

2. Douglas Croskery: a middle-aged British businessman who was shot dead by Iraqi soldiers on 11 August near the Kuwaiti border with Saudi Arabia as he was trying to flee the country. Two other British men traveling with him who did succeed in crossing the border stated that they had witnessed the killing. British Embassy officials in Kuwait lodged an official protest to the Iraqi Government over the incident, and made attempts to recover the body. The British Foreign Office has confirmed that Douglas

Croskery's body has not been handed over to their officials to date.

3. Mahmoud Khalifa al-Jassem: a writer on Islamic affairs in his early 30s, living in the al-Salmiyya district of Kuwait City. According to information provided to Amnesty International by medical personnel of the Red Crescent, his body had been found in a rubbish bin and was brought to their headquarters at the end of August. Two doctors who examined the body stated that he had been tortured prior to execution: his beard had been plucked out, his toenails extracted and his body bore burn marks consistent with the use of a hot metal implement. The reasons for his arrest and execution are not known.

4. Ahmad Qabazard: an employee of the Department for the Protection of Personalities (Idarat Himayat al-Shakhsiyat) of the Ministry of the Interior. He was a Shi'a Muslim in his late 30s, and held the rank of captain. According to reports received, he was arrested for the possession of opposition leaflets. In the first week of September (exact date unknown) he was brought back to his house in al-Jabiriyya. The house was reportedly set on fire by Iraqi soldiers, who then shot Ahmad Qabazard in the back of the head. Amnesty International interviewed two Kuwaiti men who stated that they had seen his body subsequently. According to their accounts, it had been badly mutilated: the left ear had been severed and the right eye gouged out; the finger and toenails had been extracted; his body was burned with cigarettes in several places; and nails had been hammered into his hands.

5. Mubarak Fahle al-Noot: aged 44, Head of the al-Ardiyya Cooperative Society and President of the Numismatics Society. According to several accounts, including those of eyewitnesses, he was publicly shot by firing squad outside al-Ardiyya cooperative society on 7 September, apparently for refusing to take down a photograph of the Amir of Kuwait and to replace it with one of President Saddam Hussein.

6. Saleh Hussain: age and profession unknown; he was arrested on 2 September at a *diwaniyya* in the al-Sabahiyya district of Kuwait City, together with seven other Kuwaiti men. According to reports received, he was brought back to his house on 8 September and publicly shot in the presence of his mother, brothers and neighbors. A medical doctor told Amnesty International that his body bore extensive burn marks consistent with the use of electricity and hot metal rods (on his back, stomach and hands). Cigarettes had also been extinguished on his body.

7. Badr Rajab: age unknown, employed as an administrator with the al-Sabahiyya cooperative society. He was married and had eight children. His body was found in a rubbish bag in the al-Sabahiyya area on 8 September. According to reports received, his hands had been tied and his head wrapped in the flag of Kuwait. He had been shot twice in the head, just above the ear. The reasons for his execution are unknown; when arrested, he had just left his house, apparently to make arrangements for the setting up of a new bakery in the district.

8. Adel Dashti: age unknown, he was employed in the public relations department at al-'Addan Hospital. According to several accounts received by Amnesty International, on 9 September several wounded Iraqi military personnel were brought to the hospital for treatment, one of whom, an officer, died the same day. In retaliation, five of the hospital's administrative staff, including 'Adel

Dashti, were reportedly lined up and shot on the hospital's premises. Iraqi military personnel had allegedly accused the hospital of neglect.

9. Dr. Abd al-Hamid al-Baihan: age unknown, he was the administrative director of the Hussain Makki Jum'a Centre for the Treatment for Cancer. His body was brought in off the streets to the Red Crescent headquarters in the third week of September. One Red Crescent doctor who saw his body told Amnesty International that it bore marks of torture as well as a bullet wound in the head. According to several doctors, he had been arrested and executed for refusing to cooperate with Iraqi forces in the removal of medical equipment from the centre where he worked. This is borne out by the account of a Kuwaiti family interviewed by Amnesty International, one of whose members had been receiving cancer treatment at the centre and was still there when Dr. al-Baihan was arrested. They reported that he had hidden some medical equipment in the centre's basement in order to prevent it being stolen by Iraqi troops.

10. Dr. Hisham al-'Ubaidan: an obstetrician in his late 30s working at the Maternity Hospital. His body was brought to the Red Crescent headquarters in the first week of October. According to accounts received, he had been arrested on 1 October after Iraqi forces learned that he had been treating people who had taken part in resistance activity. According to an Egyptian doctor interviewed by Amnesty International, Dr. al-'Ubaidan was shot outside his home several days later, and had been tortured while in detention, including with electricity.

In addition to killings by execution and torture described thus far in this document, a number of other deaths resulting from deprivation of medical treatment have been reported. These have occurred in the context of the widespread looting of medicines and medical equipment carried out by Iraqi forces in Kuwait since 2 August. According to information made public by Kuwait's government-in-exile, as well as by eyewitnesses, most of the principal general and specialist hospitals in Kuwait have been looted, with much of their equipment being transferred to Iraq. The majority of deaths reported in this context appear to have resulted from the non-availability of medical treatment, compounded by the exodus of medical personnel out of the country. Nevertheless, a number of other deaths have apparently resulted from the deliberate deprivation of medical treatment, including the disconnection of life-support machines from patients. On the basis of the information received, Amnesty International believes that such deaths are tantamount to extrajudicial killings. The victims are said to include both infants and adults.

The following is a general account of the situation in Kuwait's hospitals as described by a 33-year-old Kuwaiti banker who left the country on 16 September and was subsequently interviewed by Amnesty International:

"Conditions in the hospitals are very bad. Medicines are no longer available. The Iraqis looted the hospitals and took away even vital machines which were keeping some of the patients alive. At some hospitals they no longer admit Kuwaitis, only Iraqis. Many Kuwaitis are afraid to go to the hospitals anyway. They are mostly treated in their homes by Kuwaiti, Egyptian and other doctors working as volunteers. We heard of several cases where patients died after being deprived of medical treatment. One woman

died after the dialysis machine she was connected to was switched off and looted. Another woman at al-Sabah Hospital died in similar circumstances. She had just had a lung operation and was in the process of recovering."

In some cases, Kuwaitis were apparently denied medical treatment altogether. A number of medical personnel reported that when Kuwaitis were brought to the hospitals, Iraqi soldiers stationed there would check whether they were suffering from natural diseases or complaints as opposed to wounds sustained during armed clashes. In the latter cases the would-be patients were either not admitted or were subsequently denied treatment. One such example was provided by a Kuwaiti doctor who left the country on 16 September:

"At al-Razi Hospital there was a young Kuwaiti man who was wounded and his condition was critical. His parents came to me and said that he was dying. So I ran to the wing [of the hospital to which he had been admitted], and I saw that his condition was indeed critical. I noticed that his oxygen supply had been cut off. So I switched it on again and he began to improve. I made a protest about his treatment, so one of the Iraqi doctors took me aside and [warned me against saying anything]. The following day the young man died because the oxygen supply had been switched off again."

Another Kuwaiti doctor provided information on the case of a detainee [name withheld by Amnesty International] who was ill at the time of his arrest and required constant treatment. As he was said to have been tortured while in custody, however, it remains unclear whether the immediate cause of death was torture or deprivation of medical treatment. The victim, a Kuwaiti aged 48, was an administrator at al-Fintas cooperative society.

"He was arrested on 24 August just as he was leaving his house. During his detention at Iraqi intelligence headquarters in al-Fintas his relatives tried to convince the Iraqis of the importance of his taking medicines. But the Iraqis refused to pass on the medicines to him, and threatened to arrest his relatives if they asked about him again. Their reply was: 'If he is alive you will find him, and if he is dead you will find him.' He died on 26 August and was buried on 27 August without his family knowing about it. His body had been taken to al-Amiri Hospital and, according to the medical report, there were marks of torture on his stomach and back, and bruises on his forehead. He was buried in al-Rigga cemetery, where the young men [grave-diggers] identified him. His son and cousin identified him from a photograph at al-Amiri Hospital on 11 September, a day after they were themselves released from detention."

In other cases, Kuwaitis and other nationals suffering from natural but chronic complaints reportedly died after doctors were forced to give priority to Iraqi patients. A doctor working for the Red Crescent told Amnesty International:

"In the early part of the invasion, the Iraqis prevented ambulances from taking wounded Kuwaitis to the hospitals. Eyewitnesses in hospitals reported that in some cases Iraqi soldiers ordered doctors to give priority treatment to fellow Iraqis at the expense of Kuwaiti and other patients. I know of two Kuwaiti men who died as a result of medical neglect in these circumstances. . . . [names withheld by Amnesty International]. Both were under intensive care at al-Amiri Hospital. One of them suffered from a heart condition."

Several cases of this kind were reported to Amnesty International, the information in large part being provided by doctors working at the hospitals where the deaths occurred. Among the victims were three patients [names withheld by Amnesty International] who died after life-support machines had reportedly been disconnected and looted. Two of them suffered renal failure: a Jordanian woman and a Kuwaiti businessman at Hamad al-Issa Centre for Kidney Transplants [part of al-Sabah Hospital]. The third case was that of a Kuwaiti woman under intensive care at the Cardiac Unit of al-Sabah Hospital and who died of cardiac arrest.

In addition, over 300 premature babies were reported to have died after Iraqi soldiers removed them from incubators, which were then looted. Such deaths were reported at al-Razi and al-'Addan hospitals, as well as the Maternity Hospital. According to a Red Crescent doctor:

"Premature babies at the Maternity Hospital died after Iraqi soldiers took them out of the incubators. This happened in August, in the early days of the invasion. A total of 312 babies died in this way. I personally took part in the burial of 72 of them in al-Rigga cemetery."

Another doctor working at al-'Addan Hospital, whose brother was a volunteer grave-digger, reported that 36 premature babies were buried in one day alone in August. An eyewitness account of such deaths at al-'Addan Hospital was provided by a 15-year-old Kuwaiti girl, who testified before the United States Congressional Human Rights Caucus on 10 October:

"The second week after the invasion, I volunteered at the al-'Addan Hospital. . . . I was the youngest volunteer. While I was there, I saw the Iraqi soldiers come into the hospital with guns, and go into the room where 15 babies were in incubators. They took the babies out of the incubators, took the incubators and left the babies on the cold floor to die. It was horrifying."

A Kuwaiti doctor working at al-Razi Hospital (quoted earlier in this section) told of other cases he knew of:

"There is a woman I know who for a long time did not bear children. This year she gave birth to quadruplets—three boys and a girl. The babies were put in incubators because they were born in the seventh month. Two hours after the birth, the woman was told to leave the hospital. The next day she received a telephone call from the hospital, telling her to come and take her babies. She said she could not take care of them as they needed special care and nutrition. So they said to her 'As you wish'. The woman rushed to the hospital and found her babies out of the incubators. She took them home, and the following day they died."

#### APPENDIX A: TESTIMONIES OF EIGHT TORTURE VICTIMS

##### Testimony A1

A former interrogator in his early 30s, arrested on 22 September after being found in possession of a leaflet giving information on chemical weapons. He was detained for one week, principally at al-Farwaniya police station in Kuwait City and subjected to beatings, kicking, burning of the skin and sexual torture.

"I was arrested on 22 September, just as my family and I had set off for Saudi Arabia. We live in Kifan. We were driving through al-'Umairiyya when we were stopped at a checkpoint. The Iraqis searched the car, and found a leaflet giving information about chemical weapons. They took me to al-'Umairiyya Primary School, where I was blindfolded and

left for one day. Next day I was taken to al-Farwaniya police station, where I used to work as an interrogator before the invasion. It was about 11:30 a.m. I was blindfolded and handcuffed. Almost immediately they began hitting me, and I was subjected to beatings on the soles of my feet (*salaga*). They burned my skin with a hot metal rod. The interrogator kept asking me about the leaflet found in my car, and I denied knowing anything about it.

The following day I was beaten once again. This time they used a cane, an electric cable and another wooden implement with which they hit me on my rib cage until one of my ribs was fractured. The soldiers also kicked me on the pelvis with their army boots. By that time my body was blue with bruises, and my nose was bleeding. Then they tied a string around my penis and asked me to "confess" as they pulled the string tighter. They threatened me with execution, and with the rape of my sister. Then one of the officers said, "Bring the bottle". They spread my legs and began inserting the top of the bottle into my anus.

In the evening they locked me up in a filthy cell on my own. The dishdasha I was wearing was covered with blood. There was also blood in my urine. I was left in the cell for three days, and then they took me to al-Jahra' police station. I was beaten there once again, and this lasted for about one hour and a half. An officer there threatened me with the electric chair (*al-Kursi al-Rajja*). After the torture came to an end, they forced me to insult the [Kuwaiti] government and to declare allegiance to Saddam. They told me I must cooperate with them, and I had to sign a statement to that effect before I was finally released."

##### Testimony A2

A 17-year-old student was arrested in early September after being found in possession of a gun and leaflets containing information on weaponry. He was detained for 36 days in several detention centres in Kuwait City and later in Basra and subjected to beatings, mock execution, *salaga*, electric shocks and threatened with sexual torture.

[He was arrested by Iraqi special forces at a checkpoint at Khaitan Bridge, near Khaitan Sports Club, at 3 pm in the afternoon. He was found in possession of a gun and 150 copies of a leaflet containing instructions on the use of rockets and explosives. The leaflet contained the official stamp of the Kuwaiti National Guard].

"They took hold of me quickly and began hitting me. They locked me up in the boot of my car for about half an hour, then they took me out and tied me up with a rope with my hands behind my back". [Several other military personnel then arrived.] "They put me back in the boot of my car and placed a tyre over my chest and took me to Khaitan police station. There, they took me out of the car and led me to an office where there were seven lieutenants. On the way to the office they kicked me and hit me with their hands. They threatened me with death and torture if I did not tell them where I had gotten the gun and leaflets and who my friends were. In the pockets of my trousers they found emblems used by the Iraqi Special Forces and the emblem used by the Iraqis on their hats. They asked me about who the members of the resistance were, and whom I had killed and where. I insisted on saying one thing, that I had got the emblems from some soldiers as a souvenir and that I came across the gun and leaflets by chance. I said I was passing by close to the National Guards building in al-Khaldiyya where I saw



the gun and leaflets. They did not believe me. They had bound my eyes so that I could not see anything. The soldiers kicked me as they passed by me.

After that they removed the blindfold. The officer had with him four soldiers carrying their weapons, which were Kalashnikov machine guns. The officer told me, "Pray for your soul because you are going to be executed", and he gave orders to the four soldiers to load the guns and fire. They loaded, but when they pulled the trigger it turned out that the ammunition was blank. The officer told me to smile and that it was my luck that the ammunition was defective. He was laughing. They took me to a room where there were about fifteen Iraqi soldiers [The officer] said to them, "He is the one who carried out yesterday's operation and killed our comrades". So they started beating me up, they kicked me, punched me and slapped my face and beat me with canes. This lasted from five o'clock until nine o'clock in the evening. I saw the clock pointing to nine in Abu Khaled's office. He is in charge of the police station and his rank is that of major. He asked me "How are you? Answer me regarding the gun and the leaflets". I gave him the same answer, so he ordered them to take off all my clothes except for my shorts. Then he started hitting me with a black rubber stick, and every time I stepped away from him the other officers hit me with an electric baton.

After that they blindfolded me and hit me in the same way. Then they subjected me to *falaga* on my feet until they turned blue. . . . I was subjected to electric shocks for a brief period and I felt my body tremble and fell to the floor. I was able to see a little through my blindfold which was white and was raised a little over my eyes. [The officer] placed a wire on my nipple and stuck it on. Then he took hold of the other end and applied electricity four times. I lost consciousness, and when I came round I was being whipped. [The officer] then applied electricity to my toes while repeating "Confess and tell us what you know". . . . [Then one of them] came in and put a bottle of whisky on the table. They brought a bucket with a sponge in it. . . . He gave orders to remove my shorts and to place the bottle in my anus. So I said I would confess. . . . and I repeated what I had said before. He asked me about the leaflets, and I said that I had seen the leaflets in my car but I did not know who was distributing them."

[He was then asked about named individuals and families, where they lived or where they could be found. He said he did not know. He was also asked about the locations of resistance activity. He gave the names of two districts where he knew there was no such activity].

"They told me that if I brought them an Indian or Filipino woman they would release me. They laughed among themselves and two of them carried me (for I was unable to stand up) back to the cell and gave me back my clothes which I put on. . . . After three days they transferred me to a house [a private house belonging to a member of the al-Sabah family]. . . . There were Indians and Kuwaitis with me. There was one guard standing over us. There were two women there, one was elderly and the other about 25 years old. At noon they took me to another place which I believe was the Iraqi Embassy in Kuwait. . . . I was handcuffed and blindfolded. They asked me the same questions while beating me with a stick. I did not change my answers. They took me back to Khaitan police station and put me in the officers' room with them.

They were laughing and making jokes. In the evening they transferred me to al-Farwaniyya police station. . . . They told me it would only be for two days and then I would be released. The following after interrogation and beating they returned me to Khaitan police station. . . . When we arrived at Khaitan they told me that I was to be released tomorrow and that they have my release papers, and in fact I saw these papers bearing my name. At midnight I was summoned by Abu Khaled, the head of the police station, who said to me that the statements I had made were not acceptable. He tore up the release papers. . . .

They took me back to al-Farwaniyya and threw me back in the same room where I stayed four days. . . . then they took us out of the room and brought in four Iraqi soldiers whose hair, eyebrows and moustaches had been shaved. The guards were beating them, saying that they were traitors and had brought shame upon their families. We were put in another room. . . . for fifteen days and then they transferred four of us to the district of al-Jahra. . . . they beat us up for the whole day. . . . they pierced our skin with pins. . . . and forced us to dance. . . . Then I was told, "You will be dead tomorrow. Write a letter to your family. What sort of execution do you want, electric, by shooting or by hanging?". A soldier said, "We have a new method which is the acid bath, or else we can knife them until they die. . . ."

[Eventually] I was transferred with twenty others to Basra. They led us into a building and made us stand in the corridors. . . . they subjected us to the worst forms of torture. . . . there were four women there. . . . I heard their screams and cries. After the interrogation and beating I was told that my name was not [registered with them]. So I stayed one day in Basra and then they transferred me back to the Municipality Building in al-Jahra [in Kuwait]. . . . and then they transferred me with 30 others to the Juveniles Prison [in the al-Firdos district of Kuwait]. . . . In the Juveniles Prison there were 160 detainees, among them. . . . [names withheld by Amnesty International]. The charge against many of them was the distribution of food (meat and chicken) to the people. [After spending a further three days in the municipality building in al-Jahra] they transferred us to Muhafazat al'Asima where we were examined. I hid the traces of torture on my body in order to avoid being executed, because anybody who has clear traces of torture on his body or is suffering from permanent damage is executed. After the examination was over we had to give an undertaking to cooperate with the Iraqi authorities. Then I was released."

#### Testimony A3

A 32-year-old office clerk arrested on 3 August as he returned home after buying foodstuffs from the local cooperative society. He was detained for five days at al-Sulaibiyya police station in Kuwait City and subjected to beatings and electric shocks, and was shot in the leg at point blank range.

"On 3 August, the second day of the invasion, I was supposed to take one of my children to the hospital in al-Farwaniyya for a check-up. When I arrived there I was prevented from entering. I tried to go to a pharmacy, but the roads were closed. In the afternoon I went to the cooperative society in our district to get some foodstuffs. On the way back to my home I was stopped by Iraqi soldiers. They took the milk and other food I had bought, blindfolded me and took me to al-Sulaibiyya police station.

When I entered the police station, I was taken into a room where about 70 Kuwaitis were held. There were young boys among them, below the age of 18. I recognized a friend of mine among them, and I understood that he had been arrested in circumstances similar to mine. Each detainee was interrogated individually. I was told to wait my turn.

There were three officers in the interrogation room when I went in. One asked the questions, another took notes and the third stood by the door, holding a gun. I was asked for my nationality card. Then the officer asked me, "Are you happy with the situation [ie, the situation in Kuwait] in which you find yourselves?" I replied: "Yes, we are fine". The officer then said, "We are here to help you in the uprising". When I replied that there had been no uprising, the officer standing by the door hit me on the head with his rifle. I was immediately taken to another room where I was subjected to torture for about one hour. They applied electricity to my fingers and genitals, and I was beaten with sticks. My friend whom I had seen earlier was brought into the room. One of the officers said "Execute them", but another officer replied, "No, only one of them". So they shot my friend there and then, in front of me. They shot me in my left leg. I received no treatment for the wound until my release five days later.

I was returned to a cell measuring 2 x 3 metres. Several Kuwaiti detainees were there, all of whom bore marks of torture. They gave us dry bread to eat. Five days later I was summoned again. I was told that if I tried to leave Kuwait I would be executed. I was asked to put my fingerprint on a piece of paper containing a prepared statement and then I was released. When I returned to my house I found that the Iraqis had stolen most of its contents. Apparently, in my absence, they had gone to the house and told my wife that I had decided to give away our possessions. When my wife objected, one of the Iraqis hit her. They took our furniture and even my wife's wedding ring. Eight days after my release, my family and I left for Saudi Arabia.

#### Testimony A4

A 22-year-old student arrested on 24 August following house-to-house searches in the al-Rawda district of Kuwait City. He was detained for eight days in al-Rawda and al-Farwaniyya police stations, and subjected to beatings, kicking, *falaga*; cigarettes were extinguished on his body and his leg was slashed with a knife.

"I was arrested on 24 August. Iraqi soldiers were searching all houses in the area where I live (al-Rawda) and arresting a number of men. It was a Friday and I was at home. They knocked on the door and when I opened it they arrested me. I was put in the back of a lorry together with others who had been rounded up. We were not allowed to talk to each other. We were taken to al-Rawda police station. I was put in a cell measuring 3 x 5 metres together with eight other detainees. We were all blindfolded and our hands and feet tied. For a while I also had a rope put around my neck, and which was tied to the ceiling. We remained in the cell for two days, during which we were beaten by guards. Groups of four or five guards would enter the cell and start hitting us with their hands, and sometimes they kicked us with their heavy army boots. They threatened us with electrical torture. I knew one of the detainees in my cell. His name is . . . [name withheld by Amnesty International], a Kuwaiti aged about 24. His father was a lieutenant.

ant in the National Guard. He was beaten very badly and suffered broken legs as a result. They only gave us bread to eat.

On Sunday morning I was taken to another room. Two Iraqis, both with the rank of captain, interrogated me. One of them asked the questions and the other tortured me. I was asked to name people who were active in the resistance. When I said I did not know anyone in the resistance, they threatened that they would arrest my two younger brothers (aged 14 and 15). One of them began beating the soles of my feet with a cane, and then he forced me to walk around the room. He also extinguished cigarettes on my upper left arm and on the left side of my chest, traces of which are still apparent. He also cut my left thigh with a knife.

After that I did not return to the cell. I was put in a car (a Toyota Saloon) and driven to al-Farwaniyya police station. I was put in a room which contained torture equipment. It was mainly electrical equipment, wires and electrodes like those used to recharge car batteries but smaller in size. I was told to sit down, and I was left alone for about one hour. I did not know what was happening, but I could hear screams from nearby rooms. There was a lot of blood on the floor, particularly in the corners of the room. After one hour I was taken to the airport. A Palestinian in the Iraqi army, with the rank of lieutenant, came with us. When we arrived at the airport an Iraqi officer took me to a toilet and said to me, "This is where Kuwaitis belong". I was made to stay in the toilet for about a quarter of an hour. Everything was broken. While waiting I noticed some discarded uniforms previously worn by Kuwaiti Airways stewardesses. I could hear the sounds of people screaming even here at the airport.

I was then taken to an office, where the Palestinian lieutenant and the Iraqi officer were seated. I was asked again about whom I knew in the resistance. I refused to give any information. The Iraqi officer then put a gun to my head and said while laughing, "You are about to die". They then brought a video camera, and gave me a piece of paper which contained statements against the [Kuwaiti] government. For example, it said that the government was corrupt and that the Kuwaiti people had been oppressed until their liberation by Iraq. They told me to memorise the statement in preparation for filming. After the filming was over, they asked me to cooperate with them as an informer. I told them I could not do that if they used the film because the resistance would not trust me. They agreed not to use it and allowed me to telephone my family. My mother and brother came to the airport to collect me. The Iraqi officer and the Palestinian lieutenant came with us, and we dropped them off at al-Salmiyya police station. The Palestinian lieutenant told me to return to al-Farwaniyya police station that evening and bring him babies' milk. When I went there with the milk, I was detained for another two days. I was kept in an office, not a cell, and I was not tortured again.

After my release, I returned home. The Iraqis kept contacting me to make sure that I had not fled, and to threaten me that if I failed to cooperate with them they would arrest my family. They said they would also arrest me and take me to Fao. I managed to leave Kuwait almost three weeks after my release. At the Kuwaiti-Saudi Arabian border I was told to turn back, as no males were being allowed to leave. I gave one of the soldiers 100 Iraqi dinars and some cigarettes and he let me through."

#### Testimony A5

A 38-year-old man arrested on 5 September after another detainee allegedly revealed that he was active in the armed resistance. He was detained for one week at the Kuwait General Staff headquarters in the al-Shuwaikh district of the city and later in Basra. He was subjected to beatings, mock execution, exposure to hot and cold temperatures, electric shocks and suspension from a rotating fan.

"I was arrested on about 5 September. A treacherous person in al-Jabiriyya informed about me. I was in the armed resistance. On the day of my arrest I was armed and travelling in one of the cars used by the resistance. I was alone. I was stopped at a checkpoint. One of the Iraqi soldiers asked me: 'Are you ... [he mentioned my name]?' I realized that they knew about me and I drove away at top speed. The soldiers began shooting. At the next checkpoint there were about 30 soldiers. I did not stop and they pursued me. They fired in the direction of my car, as a result of which one of the tyres was punctured. The soldiers caught up with me and dragged me out of the car. They tied my hands and feet and blindfolded me with a piece of green cloth.

I was taken to the Kuwait General Staff headquarters in al-Shuwaikh, where the blindfold was removed. I was brought before an Iraqi captain. Without asking me any questions he started hitting me Karate-style, then he said, 'Execute him'. This was about 8 o'clock in the evening. I was beaten for about a quarter of an hour, and then taken into a courtyard where I was a firing squad consisting of three soldiers. An officer read out the charges against me: he accused me of treason against my country and of having stolen arms and ammunition. The soldiers then pointed their rifles at me; I was still without a blindfold. One shot was fired, deliberately missing me. The officer said, 'Stop, the interrogation is not over'.

They locked me up in a room for about one hour. Then I was taken to another room which had four air conditioning units. I was practically naked, wearing nothing except a sirwal (inner clothing). They turned on the air conditioning and left me there for several hours, until dawn. Then they took me to another room which was very hot.

After that I was interrogated. They asked me questions about the resistance, they wanted information about the cells within the resistance, the names of activists, etc. They also tried to force me to make statements against the (Kuwaiti) ruling family. I remained silent. At 7:30 am the following morning, I was blindfolded and pushed into a car. During the drive I was occasionally beaten. When the blindfold was later removed, I found myself in Basra in Iraq. I was taken to a detention centre where both men and women were held. Almost immediately I was subjected to lashing with a whip. Then two officials brought me some food, which consisted of bread and tea, and they gave me a cigarette. One of them spoke to me in a brusque and harsh manner, the other was polite. The official who spoke harshly told me that I must confess to being a member of the National Guard, to being in the resistance, etc. He said that if I confessed, I would be given Iraqi nationality and if I didn't confess I would be executed within half an hour. Then he left the room. The polite officer then advised me not to confess. I replied that I had nothing to confess to. While this was going on I could hear the sounds of women screaming under torture.

After a while three men entered the room. One of them carried a bucket of very hot water. First they beat me up by using Karate blows until I lost consciousness. Then all three men lifted me up in the air and dropped me on the ground. My head hit the ground and my jaw broke as a result. By that time I was bleeding profusely and vomiting blood. At this point they immersed my head in the hot water about six or seven times, all the while ordering me to confess. I repeated that I would not confess. Then they left me unconscious. After several hours another group of men entered the room. One of them attacked me with a sharp implement, cutting my face and arms. Then they beat me with hoses and electric cables. After that they gave me two pills to swallow, which they called 'confession tablets'. These pills were supposed to calm me down, but they did not seem to have any effect on me.

Then they put me in cell on my own. The room measured about 2 x 3 metres and had a small window. The following day they tortured me with electricity. First they poured water on my body and then applied the electricity. Then they placed electrodes on my toes and genitals. I was taken for interrogation once again. Finally one of them said that there was no use in interrogating me further and that I was to be prepared for execution. However, they took me to another room which had a fan in the ceiling. I was turned upside down and my ankles were tied to the fan, which was then switched on. I spun around two or three times and then I was taken down. I was taken back to the cell and left alone for two days.

After that I was put in a car and driven back to Kuwait. I was taken to the Mudiriyyat al-Amm (General Intelligence Directorate), close to Nayef Palace, which is now a detention centre. I was made to sign various papers and was then released. After my release I was warned by various people that I was under surveillance and that I would be rearrested and executed. So I fled Kuwait and went to Saudi Arabia."

#### Testimony A6

A man in his 30s arrested twice, in the third week of August and later on 20 September and accused of being a member of the Kuwaiti armed forces and of having participated in opposition activities. He was held for four days in a school and at al-Jahra' police station in Kuwait City, and subjected to beatings, kicking, electric shocks and the placing of heavy weights on his body.

"I was first arrested during the third week of August, in a residential area. It was in the middle of the day, about 12 o'clock. I was alone in my car, and I was stopped by soldiers. They ordered me out of the car and accused me of being in the resistance. They took me to a school which had been turned into a military barracks. I was taken into a large hall, where I saw about 100 Kuwaiti detainees. All were men and were hardly wearing any clothes. They were surrounded by guards.

The following day I was taken to the police station, where I was tortured. Three officers interrogated me. They asked for my personal details. I was kicked and beaten with a rifle butt. They accused me of being in the army and in the resistance. The interrogation session lasted for several hours. Then they took me to another room, where they applied electricity to my hands, feet and genitals. I fainted as a result of the electric shocks. I was then interrogated once again. They asked me the same questions. One of them punched me in the mouth with his elbow, and one of my teeth broke as a result.



They took me to a large cell, where I was held on my own. The beating continued intermittently throughout the day and night. I was beaten particularly on my back. The soldiers stepped on me with their heavy army boots and they placed heavy weights on my body. The following morning one of the officers came to fetch me. He gave me a cigarette and then told me to start walking. I thought he was going to shoot me since he was carrying a machine gun. He told me to go to the bathroom, where I found a friend of mine. He had paid a sum of money in exchange for my release. I left the police station with him.

My second arrest was on 20 September. I was held for six hours. I was arrested in al-Jahra', again as I was driving a car. They interrogated me again, asking the same questions as before. I was beaten and insulted. I was released in exchange for a sum of money. Two others detained with me were released in the same way."

#### Testimony A7

A 23-year-old student arrested around 22 September after returning to Kuwait to assist his family in fleeing the country. He was detained in several detention centres in Kuwait City and later in Basra. He was subjected to beatings, whipping, exposure to cold air and to the sun for prolonged periods, and electric shocks.

"I was not in Kuwait when the invasion occurred, but went there in order to get my family out. I was arrested in mid-September, in al-Salmeh district. First I was taken to 'Ali al-Salem [military] base, close to the border with Saudi Arabia, where I was left on my own for about three hours. No one talked to me. Then I was taken to al-Liwa' al-Sades [military base on the al-Jahra' road]. I was put in a room where the air-conditioning was switched on. They left me there overnight without a blanket, and I was shivering from the cold. I was not given any food. The following day I was interrogated. They asked me to tell them where the American forces were stationed, where the resistance in Kuwait was based, etc. I was being interrogated on my own, but after it was over they took me with two other detainees to the Iraqi Embassy in Kuwait City. We were taken in an open car, accompanied by two soldiers. At the embassy we were left for three hours in the sun, without food or water. Then an officer arrived and took us back to al-Liwa' al-Sades. From there we were taken to Basra in a lorry loaded with goods stolen from Kuwait. These were mainly refrigerators and office equipment.

In Basra we were taken to the offices of the Iraqi Istikhbarat [Intelligence]. As soon as we entered we were blindfolded. The Iraqis started whipping and beating the three of us. They took us down some stairs into a basement. Although I was blindfolded, I managed by looking downwards to see scores of detainees who were also blindfolded and handcuffed. The three of us who arrived together were put in a cell measuring 3 x 4 metres, together with about 25 other detainees. These detainees, from what I could gather, were all Iraqi civilians. One of them, aged 18, had been tortured with electricity. Another one had had his skin pierced with pins. We could hear cries and screams all the time. The whole basement was stifling—there was no ventilation whatsoever. We were constantly beaten. The food we were given was foul, and the water was warm and salty. We were allowed to go to the toilet once a day only.

I remained in that cell for about one week. Then I was summoned for interrogation. I was taken upstairs, blindfolded and hand-

cuffed. One person interrogated me, and another person whipped me. The questions were mainly related to the specific locations of American forces in Saudi Arabia and the centres of resistance in Kuwait. The interrogation lasted about five minutes. Then I was taken to another room, still blindfolded and handcuffed. I was subjected to electric shocks on my right ear and chest.

After that I was transferred by bus to an ordinary prison. The drive took about 15 minutes. I was told I had to pay the bus fare, which I did with the little money I had on me. I was held in a large hall, where there were hundreds of detainees. I remained in the prison for seven or eight days, and then 32 of the detainees were summoned for trial. I was one of them. We were taken to another building which had a sign on the outside saying 'Basra Court'. We sat in a waiting room, and then each of us was brought before a judge individually. I didn't know whether he was really a judge, but the sign on the door of his office said 'The Judge'. He wore civilian clothes. There was also an officer in the room, taking notes. I was before the judge for three minutes altogether. He asked me for my name and why I had returned to Kuwait. The charge against me was entering the country illegally (when I was first arrested I was accused of espionage). Then the judge asked me to sign a statement, the contents of which I was given no opportunity to read. He warned me that if I was caught again I would be executed. I was taken back to the waiting room while the other detainees went through the same process. When it was over, we were taken back to the prison, where they gave us back our identity documents and released us. A few of us took a taxi as far as Safwan, and from there entered Kuwait."

#### Testimony A8

A 31-year-old man arrested on 14 September at his home during a diwaniyya. He was detained for three weeks at al-Farwaniyya and al-Jahra' police stations as well as a private home in Kuwait City, and later in Basra. He was subjected to beatings, electric shocks, mock execution, was forced to watch his relatives being tortured and was himself tortured in front of them.

"At 2:30 am 45 soldiers broke into my house. As well as my own family, my father and brothers and my in-laws were there. We were twelve in all: eight Kuwaitis, three Indians and one Yemeni [names withheld by Amnesty International]. The soldiers separated the men from the women and made the men lie on the floor face down with their hands above their head. The house was searched and a picture of the Amir was found, as well as the Kuwaiti flag. We were told this was a capital offence. They took the men in a bus and confiscated the cars. They also took our jewelry, watches and money.

They took us to al-Farwaniyya police station and put us into two cells. At 9 pm the next evening the interrogation began. We were blindfolded and handcuffed behind the back before interrogation. We were accused of being in the resistance. There was usually one interrogator and two guards present. The interrogator said he was not convinced by our answer which was denial of involvement. After 15 minutes, the beatings began. They tied a wire to my two middle fingers and an electric current switched on for 4 to 5 seconds. The same questions were again repeated. My father was then called in. I was forced to watch him being kicked and beaten by a lieutenant called Hani. Then they called in my son. I was beaten in front of him in

order to get him to confess. This went on from 9 o'clock until 1:30 in the morning.

I was returned to my cell. I was unable to lie on my back for two days. Interrogation continued twice daily at 11 am and 2:30 am. They used a nylon hose to beat us because it does not leave any permanent marks. I was prodded with an aluminum stick which had an electrified end. On the third day they threatened to bring in my wife and beat her in front of me. My brother-in-law was subjected to falaqa.

In all there were about fifty people in the two cells at al-Farwaniyya. We had very little food, and we were allowed to go to the toilet only twice a day. After seven days they subjected me to mock execution. The interrogator put a gun to my head and pulled the trigger. He then put it into my mouth and pulled the trigger again. I was then forced to sign papers based on my interrogation. On Monday at 4 pm we were taken in three cars to al-Jahra' police station. We were put in one cell—eight of us plus four others (the three Indians and the Yemeni had been released). We were told not to speak to each other.

Interrogation began at 9 pm. There were no beatings, just questions about previous statements. Next day I was called in at 11 am, blindfolded. The blindfolds were removed—I could see cane sticks and electric wires. I was told to confess, and when I refused I was beaten with the sticks. After two days the rest of the family was released. Next day I signed various papers and was taken in a bus with seven others to a house in al-Jahra' district. It was about 6 pm. We were taken down to the basement. This house seemed to be a security centre. The guards wore civilian clothes, not military. There were about 15 prisoners—four of them Palestinians. The guards beat us as they passed by. After five hours they moved us into cells. There were three cells on the ground floor holding 85 prisoners—35 in one and 25 in each of the two others.

Food was rare. We were allowed to go to the toilets twice daily. Beatings were continuous. Sick people were seen by a doctor who came every two or three days to give tranquilisers. We were interrogated twice daily in a separate room. The guards had electrified sticks and used them to wake up the prisoners throughout the night, according to their mood. We were usually interrogated by seven people, each session lasting about half an hour, followed by a one hour torture session. They beat us with hoses and applied electric shocks with their sticks.

At the end of the week I was taken with eight other detainees [names withheld by Amnesty International] in a bus to Basra. First we were taken to *Sijn al-Amn al-Siyassi* (State Security Prison). There were many Iraqis held there, mostly members of *al-Da'wa al-Islamiyya*. On the first day I was held in solitary confinement. They tortured me by pulling out a toenail from my right foot, extinguishing cigarettes on my hand, and applying electricity to my body using wires as well as an electric prod. The next day I was put in a cell with 14 other detainees. One died of a heart attack, he was given no medical help. I was interrogated once daily. After eight days I was forced to sign various papers, the contents of which I had not seen, and taken back to al-Jahra' on my own. I stayed there for six hours, and then I was handed over to my father. I had lost over 20 kilos in weight."

[His wife told Amnesty International of how soldiers came to their house the day after his arrest and beat her up along with

their two daughters, in order to force them to confess that he was involved in opposition activities. They put a gun to the head of one of her daughters and threatened to shoot her. Then they slapped her and threw her to the ground.]

APPENDIX B: TESTIMONY OF A SURVIVOR OF AN ATTEMPTED EXECUTION  
*Testimony B*

A 19-year-old student arrested on 11 September after failing to hand over weapons to the Iraqi authorities. He was detained for two weeks at a private house in al-Jahra' and subjected to torture. He survived an attempt to execute him by firing squad on 24 September [the names below have been changed to prevent identification]:

"I was arrested on 11 September. The Iraqis first came looking for me at my home in the district of al-Rawda, but I was not there. I was at a *diwaniyya* in a nearby house. So the soldiers came there and arrested me and another person. First they took me to al-Kadhima Sports Club, where I remained for about two hours. Then they took me to a private house in al-Jahra', where I was held for two weeks. I was put in a room with other detainees. We were 32 altogether in that room, but I estimate that there were about 120 detainees in the whole house. They were all males of varying ages. There were young boys aged 14 or 15, and men as old as 80.

For the first days I remained in that room. I was handcuffed and blindfolded the whole time, as were all the others. They gave us no food. There was even nothing to lean on to rest my body. I was not interrogated during those three days, but we were all subjected to constant beatings and kicking by the guards. They used to come into the room and threaten us: either you confess, or else we have 22 officers here in this house to deal with you. Then after three days I was called for interrogation. The Iraqis had found weapons in my home, which I had had before the invasion. They repeatedly asked me why I had failed to hand over the weapons to them. During the interrogation I was blindfolded and beaten repeatedly. Then I was handcuffed and suspended by the hands from the ceiling. After that they applied electricity to various parts of the body, including my chest. Apart from questioning me about the weapons, they also asked if I knew any foreigners and where they were hiding. Also, if I knew of the whereabouts of any diplomats, members of the armed forces and members of the al-Sabah family. They asked me about specific individuals whom they named. I didn't know any of them except for one, who was a major in the Kuwaiti army, but I did not reveal that to them.

I was interrogated several times over the next four days. It was always the same questions and the same torture. If I said anything which contradicted what I had said in an earlier interrogation session, the torture would become more severe. In the final week of my detention, there was no more interrogation, but the usual beating of all the detainees continued. Then, on the last day [ie. 24 September] at 2:30 in the morning, a captain came and told us that the President had ordered the release of all the detainees. Some of the detainees in the room with me, especially the old men, thanked him. The captain said that they were going to release us in groups, and called out the names of twelve people. I was one of them.

They blindfolded us and tied our hands behind our backs. We were taken onto a bus and then driven to another place, where two more people boarded. Then they took us to

Dasman Palace. I knew where we were because one of the other detainees was able to see a little from below his blindfold. At Dasman Palace we remained on the bus for about half an hour. Then an officer came and told us we were going to be taken to our homes. I was led into a car with two other detainees, Samir, a 23-year-old officer who lived in the district of al-Faiha', and Muhammad, aged 23 or 24, who lived close to me in al-Rawda (I don't know his profession).

We were all still blindfolded and handcuffed, but as we approached the district of al-Faiha' the soldiers removed Samir's blindfold so that he could direct them to his home. But when we arrived there, they told us to all get out of the car. Muhammad and I asked why, because we didn't live there. They made us get out of the car anyway, blindfolded Samir again and made us stand at the doorstep of a house. I realized at that moment that we were going to be executed. I remember it was just after the dawn prayers. The first shot was fired and I heard Samir fall to the ground. Two bullets grazed my head but neither of them penetrated my skull. I fell to the ground, and when Muhammad was shot he fell down on top of me. The soldiers then came up to us, took the blindfolds and handcuffs and went away. They must have believed we were all dead.

My head was bleeding profusely. I crawled over to Samir and raised his head, trying to revive him. I thought he had been pretending, just like me. Then I saw the bullet hole in his head, and just at that moment he died. I couldn't believe what was happening. I went over to Muhammad and found him dead too. I managed to drag their bodies over to one side, and recited a short prayer for them. Then I started walking. I didn't know where I was going, but I was afraid that the soldiers would come back. I was looking for someone to help me, but it was dawn and the streets were empty. I started feeling faint, so I went up to a house and knocked on the door. No one answered, but the door was not locked and I went in. As I was looking for a telephone an old man and three women came out of one of the rooms. The man asked me what I wanted, so I told him what had just happened. At first he didn't believe me. I told him where the two bodies were, and he went to look for himself. When he came back he said I could stay with them.

I stayed for three days. One of the old man's daughters was a nurse, and she treated me as best she could. Then I called my family and my father came to collect me. I learned that, in my absence, he had been looking for me. After paying a sum of money to an Iraqi officer at a police station in the 'Abdallah al-Salem district, he was told that I had been executed. My father had then gone looking for my body in the hospitals. At Mubarak Hospital he found my name on a list of executed people. So my family naturally thought I was dead, and they were receiving mourners at our home. They couldn't believe I was still alive. I found them at home crying.

Of course I couldn't stay with them at home, in case the Iraqis found out that I was still alive and came after me again. So I went into hiding until, some three weeks later, I was able to leave Kuwait. . . ."

APPENDIX C: EXTRACTS FROM MEDICAL REPORTS

The information below relates to Photographs 1 to 9 in Appendix D. It consists of extracts from a) a medical report from a British doctor with experience in the examination of victims of torture and, b) the written medical opinion of a prominent British forensic pathologist.

Photographs 1, 2 and 3

These are photographs of the bodies of three unidentified persons. The bodies were found in the streets of Kuwait City and brought to the headquarters of the Red Crescent in the period late August/early September. Amnesty International interviewed the doctor who took these photographs. He stated that the victims had been tortured (beaten and burned) prior to their execution. There was no autopsy examination. The following is the medical opinion of the British forensic pathologist:

Photograph 1

There is clearly a lot of blood soaking the body which has most likely arisen from either a wound to the head, neck or chest. A striking feature of the photograph is the dark staining of the hands which may represent oil (or a similar substance) or alternatively burns.

Photograph 3

This is a view of the top of the head together with the forehead. There is an obvious gaping wound which extends from the left side of the forehead, just in front of the hairline, backwards towards the top of the head. The scalp is torn open in the front half of the wound and beneath it can be seen white skull. The back half of the wound shows loss of scalp and skull and there is brain tissue hanging out. Over the forehead at the front end of the wound it has an arc shape and from this the main wound which is linear passes backwards. I interpret this as most likely a tangential gunshot wound which has barely penetrated the skull. The arc shape at the front of the wound is likely to be the entry and, running backwards from this, the bullet has merely penetrated the scalp; then in the most posterior part of the wound it has also penetrated the skull and torn the brain. It is not possible to say what the range of fire was other than that it was either a contact wound or fired from a range of greater than 1m. There are clearly some marks to the face but it is impossible to say whether these are injuries or dried blood stains.

Photographs 4 to 7

These show the traces of torture still apparent on the bodies of three Kuwaiti men [identities withheld] who fled to Saudi Arabia in late September. No medical report has been provided. The following is the medical opinion of the British forensic pathologist:

Photograph 4

The man in this photograph shows prominent bruising to the right side of the forehead and the right eye which might either represent a fall or a blow. The most significant injuries from the point of view of interpretation are those to the right upper arm and adjacent right chest. These comprise at least three and possibly four loop shaped injuries made up of two parallel lines (similar to curving railway lines in appearance). This is a forensic classic and is produced by blows from a rope or electrical flex or similar object which has been doubled up to form a loop. There is no doubt therefore that this man has been assaulted. It is significant that the three or four blows are very localised to the outside of the right shoulder since this implies that he was not moving in an attempt to escape the blows at the time they were struck. This might imply that he was unconscious or semi-conscious as a result of his head injury or alternatively that he was in some way physically restrained or that he was psychologically restrained by fear. The injuries appear fresh and are likely to be only a few days old.



*Photograph 5*

This appears to be the back of the same man as in photograph 4. There are irregular purple bruises over the left shoulderblade area. These are blunt force injuries produced either as a result of a fall or one or more blows.

*Photograph 6*

This man has extensive healing injuries to the face particularly involving the right side of the forehead and right cheek together with the right upper eyelid and the bridge of the nose. There appear to be some minor scabs over the left cheek. There are surgical sutures in the wounds and this together with the general appearance suggests that the injuries are less than two weeks old at the time of photography. Healing injuries are difficult to interpret but the appearances suggest a series of lacerations ie tears to the skin produced as a result of blunt force. In practice this means that of either a fall or blow. The pattern of injuries would be consistent with either a very heavy fall onto the nose and right side of the face or alternatively a series of blows with a blunt object, for example a baton or a riflebutt.

*Photograph 7*

This elderly man shows some small irregular scabbed injuries to the inside of his right elbow. One of these appears to have prominent puckering of the skin around the margin which is common in the healing of skin injuries where there has been a loss of surface tissue. The original injuries are likely to have been abrasions or lacerations, ie. scrapes or tears of the skin produced by blunt force trauma, ie. either through a fall or a blow. This would be an unusual location for an injury produced in a fall although the possibility cannot be discounted.

*Photograph 8*

This shows traces of torture on the arms of a 22-year-old Kuwaiti student whose testimony appears in Appendix A4 of this document. The victim was examined by a British doctor on 9 November, and the following are extracts from his medical report:

*On Examination*

There are nine 1cm circular scars, recently healed, arranged in a cluster on the outer aspect of the left upper arm. There is a single similar one on the adjacent area of the left chest.

There are two tiny, recently healed scars on the outer aspect of the left arm and a single one on the right arm.

There is a recent 2cm transverse linear scar on the front of the left thigh and a similar 1cm scar close by.

*Comments*

He states that the nine circular scars on the left arm and the single one on the chest were caused deliberately by cigarettes.

He attributes the tiny recent scars on both arms to scratches inflicted during interrogation, the scabs of which have only recently finally separated.

He states that the recent linear scars on the left thigh were inflicted deliberately with a razor blade.

*Opinion*

The circular scars on the left arm and chest are characteristic of cigarette burns. Their appearance is of injuries which have healed only a few weeks ago. Their distribution in a symmetrical cluster-pattern could only have been deliberate. I have no hesitation in asserting that they were inflicted deliberately by cigarettes within the past three months.

The tiny scars on both arms are compatible with scratch-marks which have recently healed. Their appearance fits his story.

The two linear scars on the left thigh are clearly recent and would fit in with his statement that they were caused by a razor blade.

*Photograph 9*

This shows the facial view of a 28-year-old Kuwaiti man [identity withheld], the victim of an attempted extrajudicial killing interviewed by Amnesty International. According to his testimony, Iraqi soldiers shot him on 24 August as he had just finished distributing food from the local cooperative society to peoples' homes. He stated that soldiers started firing at him as soon as they saw him, and he ran away. One of the bullets penetrated his neck, exiting at the mouth. He suffered serious damage to the jaw and was fortunate to survive. He was admitted to Mubarak Hospital for preliminary treatment, and subsequently underwent surgery at a hospital in Saudi Arabia. The following are extracts from the written medical opinion of the British forensic pathologist, based on three photographs provided by Amnesty International:

"There is a circular scar on the back of the neck on the left side consistent with the description given as a bullet wound inflicted one and a half months previously. It is impossible to say with certainty that it is a bullet wound but if it is then it is likely an entry wound. A wound in this site would not necessarily strike the spinal column and, depending upon direction of the wound track, not necessarily be lethal. . . . The obvious lesion is to the left lower face where there is a healing injury with loss of the left half of the lower lip and a large scarred area involving the left side of the chin. A part of this scarred area shows the absence of a beard. There is also a scar passing in an arc shape from the lateral margin of the left nostril around the left cheek to the point of the chin on the left side. . . . [This] apparently shows small dots along its margin which likely represent surgical suture marks suggesting that whatever the underlying condition this man has had surgical treatment. It is not possible to state conclusively that this damage to the lower face was the result of trauma rather than natural disease. However taken together [with the other photographs examined, the injuries shown in this photograph] would be consistent with a gunshot entry to the back of the neck on the left side with an exit through the left side of the face and resultant disruption of the face probably including the jaw, which was then repaired surgically."

The organization subsequently received his medical records, which confirmed the nature of his injuries.

## APPENDIX D: PHOTOGRAPHS OF VICTIMS OF TORTURE AND EXTRAJUDICIAL EXECUTION

[Photographs not reproducible in the RECORD.]

## APPENDIX E:

## STATEMENT BY THE IRAQI EMBASSY

Once more, Amnesty International has resorted to its unenviable lip-service in matters related to Iraq. Perhaps, what is most regrettable on this occasion is that the end product of its service concerns a country where the entire population is now the victim of illegal armed embargo on all necessities for their livelihood, including food and medicine with the intention of starving its people and exposing their children to diseases. But our past experience with the Amnesty shows that no humane motives to-

wards Iraq could have galvanized Amnesty into action.

However, we find it regrettable that under the present circumstances in the concerned area any outsider would have the audacity to give credibility to today's so called report by Amnesty International.

Yet, on our part, we renew our advice to the Amnesty on the need to approach an official Iraqi representation and examine their so called "testimonies" as one-sided stories would only further expose the intentions of those involved in this lip-service by the Amnesty. The opportunity to witness the situation on the ground remains open for the Amnesty. Absence of representative officers of the Amnesty and lack of evidence to its reports on Iraq renders its recent report an embarrassment to the practice of reporting, and Amnesty itself is in no better position in this regard.

LONDON, October 3, 1990.

THE PRESIDING OFFICER (Mr. ROBB). The Senator from Michigan.

Mr. RIEGLE. I thank the Chair. Mr. President, going back in time to the reference that many of us have to the Vietnam experience, clearly that situation was different, and we know that, in many important ways. But by the same token, there are a number of disturbing and relevant parallels between that situation and this one. I think it is very important to reflect on our history, that history, and other history, before we move ahead at this time.

There are a lot of levels upon which we can analyze this problem, and I want to just touch on some of those this morning. One of them relates to other events that are going on in the world.

I was profoundly struck and troubled by the news this morning that Soviet forces have moved into Lithuania, and there you have an invasion, in effect, against an authentic democracy. Kuwait is not a democracy; it is a monarchy, which is a very different thing. So there are a lot of problems around the world that would invite our attention.

I must just say in passing that I am very troubled about invasions any time, very troubled about the one that we are seeing occurring right now in Lithuania and, I suspect, possibly in the other Baltic States. I hope the Soviet officials will understand that if they take advantage of our distraction in the Persian Gulf to crack down on captive nations that in fact have democracies in place, they are going to pay a price here. They are certainly going to pay a price with respect to the views and the actions of this Senator and, I expect, many others.

But it is relevant to think about that in the context of the stakes that we face in the Persian Gulf, because the question that we are dealing with right now is whether the United States decides to start a war. Our war. It will be our war. We just heard the chairman of the Armed Services Committee say that if this thing moves into an offensive mode, 90 percent, his best estimate, or perhaps more of the combat

forces are going to be American forces. People from some place else may agree with what we are doing, but it will be our war. That is the choice on one side.

The choice on the other side is whether we continue to use every other form of pressure that we have, the economic sanctions, diplomatic pressure, everything else that we can bring to bear to try to resolve this situation in a way satisfactory to us and to the views that we hold.

Now, if a war starts, there are going to be an awful lot of people who die. We should not have any illusions about that. This is not going to be a clean, quick, surgical war. That is not the nature of the region, not the nature of the history, not the nature of the passions that are involved. This is a situation, I think, where we will find that, if a war ensues on that scale, initiated by us, principally conducted by us, we are going to find ourselves with a subsequent chain of events that no one can foresee but that I think are enormously complex and dangerous and costly to our country.

War is about, as I just said, people dying, and there are going to be a lot of Americans who will die in this war. A good number already have just in accidents and other circumstances. Most of the forces that we have over there on that frontline situation right now are very young. They are not much older than these pages sitting down here in the well of the Senate, a few years older, but they have not lived very long. If the bullets start flying, there are going to be a lot of them who are not going to live much longer. That is just the sheer, miserable fact of war. War is about fire and steel and people dying.

I am convinced in my own mind that if the sons and daughters of all of us, of the President, of the Vice President, the Cabinet, were all over there in the Persian Gulf right now right up on the front line and were going to be part of that first assault line that would go into Kuwait, I think we would be taking more time. I think we would be working harder on the sanctions policy. I think we would be trying to squeeze Saddam Hussein in every other way that we could, short of a shooting war.

But that is not the nature of it. I must say I am troubled about that. It is even different than when we had the Vietnam war because when we had the Vietnam war, we had the draft in place, which was not a perfect device. We collected people in this country in a far more equitable way when there was a requirement, or so it seemed—I question whether it was right or not, but that aside—to go out and put Americans at risk and ask them to fight and die for their country. We lost over 55,000. We lost over 55,000. And I can tell you this, I did not know Lyndon Johnson well, but I knew him well

enough to be able, I think, to make this statement. I think if he had known at the outset that that war—or John Kennedy before him—was going to take 55,000 American lives and over 200,000 American wounded, he would have said, no, we are not going ahead with it; it is not worth it.

It was not worth it. It was not worth it. And any of us who served during that time who did talk to the parents who lost sons principally and some daughters in that war and tried to make sense out of it and explain it to them, whether out in Arlington Cemetery or military hospitals, which all of us who served at that time did, and to try to find words to explain why their son either had to die or be incapacitated in some way, it was very difficult to find the words.

It is not going to be any easier in this situation. I have to tell you I care about people, and people that I do not know. But I do not care much about the emir of Kuwait. I've never met him. I do not care if I ever do meet him. I do not care much about monarchies. Whether he runs the show in Kuwait or not I do not think is really very important to this country. I do not mean by that that I want Saddam Hussein to run it. But the issues at stake over there are very unclear and very fuzzy, not about democracy, I will tell you that, because there is no democracy there. There was not before, there is not now, and there will not be, in my view, in the future. So that is not why we are asking a combat force, 90 percent plus of whom are Americans, to be ready to start to fight and die.

So I have very serious reservations about that. We have changed the draft, as I say, so now we have a volunteer army, it is called, and in that volunteer army we have a very high proportion of people in our society who represent minority groups in our country, partly because it was a professional opportunity, a job opportunity, a chance to get ahead.

So we do not have, in a sense, an even distribution throughout our country of who it is that is up there on the front edge of this thing, and who are going to be the ones that are asked to pay the price.

I will make a prediction right now, and I hope I am wrong. If the shooting starts I think there are going to be many, many, many thousands of deaths, combatants on both sides, and a lot of other innocent people who get caught in the crossfire. Those people were all over Vietnam, too, by the way. I am talking about civilians who get caught in the crossfire, children, old people, and they pay a price that is every bit as severe as people who are in combat responsibilities.

I have been hearing from the people of Michigan about this because they care very deeply about it. I only want

to make two references to it and I will move on.

This week, from Michigan, I received roughly 800 phone calls and letters. In December I had a total of about 3,000. The messages that I am getting, obviously this is not a perfect sample, these are self-initiated, are running 9 to 1 against going to war at this time.

But what happens if we have a war, beyond just the mayhem that will occur that any war brings? I received a letter from a professor at Michigan State University. I want to read it into the RECORD because I think it is directly relevant to what the stakes are here. It is written to me by a professor named Alan Fisher, director and professor of Middle East history at Michigan State University. This is what he says. He sent this in on his own.

In this difficult time of debate over what to do in the Middle East, please consider the following questions as you grapple with the options available (continued reliance on sanctions or war): What will the Middle East look like after a war?

He then goes on to write as follows:

Besides the inevitable enormous loss of life, mostly non-combatants, and mostly Arabs to begin with:

1. Will there be a Kuwait left to return to sovereignty?
2. Will Iraq be a more stable place with Hussein removed by military means?
3. Will the Iraqi civilians who survive our bombing be likely "good citizens" in the New World Order?
4. Will Israel be further along the road to a secure future? Will not many Israelis also be dead, wounded, and will not Israel be even more of an economic dependency of the United States?
5. Will Israel be more likely to be able to move in the direction of peace with the Arab world?
6. Will Turkey's democracy survive? Is it not more likely that Turkey's largely Islamic population will be less Western-oriented? I foresee the establishment in Turkey of another Islamic Republic as one of the results of such a war.
7. Will Jordan possibly survive at all as a country? Think of the likely millions of refugees to pour out of Iraq/Kuwait to Jordan, Syria, Arabia as the result of heavy bombing and combat.
8. Can the Saudi family possibly survive such a catastrophe as a war on their borders (particularly the war that most seem to be forecasting)? What will this mean for the economy of the world, let alone Michigan?

These questions and others need asking, and he is exactly right. There has not been much debate yet about the question of where this all leads. Where does this all lead?

If we have the mayhem that will come from a shooting war of the kind that one can anticipate here, what are the down-the-line consequences, if not instability probably spreading off in all directions?

But I want to ask this question: if this is so important to the world, to the rest of the world, the rest of the world that is on our side, then where are they? Where are they? Why are not



they there? Why are not they there with us?

I will tell you why they are not there: the rest of the world, what we call our allies, are not willing to fight this war. They are not willing to fight it. They are willing to say that it is OK for us to fight it. But they are not willing to fight it.

I saw a woman in my hometown of Flint, MI, a few months ago. She said to me, and I was powerfully struck by this, that she has three sons in the Marine Corps and they are all over there right now in that situation in forward positions.

It just knocked the wind out of me because I think of a family being called upon to maybe send one child, or at the most two. This woman looked me in the face and explained to me that she has three sons there.

In my mind, I was thinking to myself, as our forces and her three sons are out in these forward positions in these sand dunes out there in Saudi Arabia, why are not there some Japanese combat forces over on the next sand dune? Why are not there some German forces over on another sand dune, and some French forces over on another sand dune?

They are not there, as we were just told by the chairman of the Armed Services Committee. And you will not see them there.

As long as we are willing to carry this load for the rest of the world, wisely or unwisely, whether we can afford it or not, whether it is fair or not, the rest of the world will stand aside as they are doing.

Yes, we have a few allies there. Quite frankly, just as we did in Vietnam, in effect we are paying some of them to be there with us. I am glad the Egyptians are there with us. They are there to defend Saudi Arabia. They are not prepared to be part of assault wave into Kuwait. Of course, we just forgave 8 billion dollars' worth of bills that they owe us. I suspect that has something to do with why they are there in a defensive capacity, and the same applies to U.N. votes.

We have looked the other way at some of the outrages that have gone on in China with respect to the brutality and repression there.

Now there is some brutality that is going on in the Baltic States with the Soviet Government. We got their votes and their support, at least adequately enough in the United Nations, and how did we get that support to let us go in and fight this war for everybody else, by looking the other way and soft-peddling some of the things that they are doing and in fact helping them directly and in other ways.

So I think it is fair to say that we bought a little support there as well. I am convinced, as I stand here, if the issue put to the United Nations today was this: Look, we would like you to

put together a 500,000-person international, multinational force that over the next 90 days would replace the American force, and we would be part of it, we would do our fair share, and get all of the rest of the U.N. nations involved, let us have an honest-to-goodness U.N. force in there, and then if we are going to have an offensive action, let us let that be who carries it out. If that were put on the floor of the U.N. today for a vote, how many votes do you think that would get? How many votes do you think that would get? That is why it has not been done that way, because there are not the votes for that, because the rest of the world is not willing to fight this fight, unless it is being done with young people from this country. And that is wrong.

It is just plain wrong. There is no justification for it.

Mr. President, I ask unanimous consent that a letter be printed in the RECORD at this point.

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

MICHIGAN STATE UNIVERSITY,  
East Lansing, MI, January 10, 1991.

Senator DONALD RIEGLE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR RIEGLE: In this difficult time of debate over what to do in the Middle East, please consider the following questions as you grapple with the options available (continued reliance on sanctions or war): What will the Middle East look like after a war?

Besides the inevitable enormous loss of life, mostly non-combatants, and mostly Arabs to begin with:

1. Will there be a Kuwait left to return to sovereignty?
2. Will Iraq be a more stable place with Hussein removed by military means?
3. Will the Iraqi civilians who survive our bombing be likely "good citizens" in the New World Order?
4. Will Israel be further along the road to a secure future? Will not many Israelis also be dead, wounded, and will not Israel be even more of an economic dependency of the United States?
5. Will Israel be more likely to be able to move in the direction of peace with the Arab world?
6. Will Turkey's democracy survive? Is it not more likely that Turkey's largely Islamic population will be less Western-oriented? I foresee the establishment in Turkey of another Islamic Republic as one of the results of such a war.
7. Will Jordan possibly survive at all as a country? Think of the likely millions of refugees to pour out of Iraq/Kuwait to Jordan, Syria, Arabia as the result of heavy bombing and combat.
8. Can the Saudi family possibly survive such a catastrophe as a war on their borders (particularly the war that most seem to be forecasting)? What will this mean for the economy of the world?
9. Will Mubarek be able to remain in authority in Egypt? Is it not more likely that he will be replaced there with a variant of an Islamic Republic too?

10. Is it not likely that there will be civilian casualties of a terrorist campaign as a part of this war?

Is it not a better alternative to take the "high ground" and call upon the international community (in the hopes of avoiding civilian and non-combatant casualties, and in the hopes of preserving the stability of the rest of the Middle East) to tighten the sanctions, to isolate Iraq from the world community, to send home their diplomats and close world airports to their planes, to seize all Iraqi assets outside of Iraq, and to make it thus more likely that there would be, in time, an internal (Iraqi) solution to Hussein? But such a strategy might take a year.

Is this too much of a sacrifice to make in order to avoid the collapse of the Middle Eastern political order, and to avoid the tens of thousands of deaths which the military option now would produce?

I have heard no one in the public side of the debate ask these questions, and they need asking!

Sincerely,

ALAN FISHER,  
Director, and Professor  
of Middle East History.

Mr. HARKIN. Will the Senator yield?

Mr. RIEGLE. When I am finished, I will be happy to yield. I want to make a few more points. I am nearly finished, and then I would be happy to yield.

I have essentially concentrated here on the human side of this thing and the equity side of it. But I want to talk for a minute about the economic side of it.

I serve as chairman of the Senate Banking Committee, and we have banks collapsing in this country. And it is a little hard for that news to make it to the front page, because all of the front page news is on the Persian Gulf, as it properly should be.

But my point is that we have other serious problems facing us, enormous problems, on the economic side. We are going to have a Federal budget deficit this year of probably \$400 billion, after last year's so-called budget deal. It is absolutely extraordinary, and we cannot afford it. A significant chunk of it is going to be the added cost of the rest of the world allowing us to go in and conduct an American war into Kuwait and into Iraq. The deficit is a huge problem. That is a ticking time bomb.

If you want to talk about the United States losing its power internationally, the way we are going to lose it is by squandering our economic future. We can talk about projecting military power as long as we want, but there will come a time if we cannot sustain it with our economic strength, we are not going to be able to assert military power, whether we should or should not, whether we want to or not, in the future.

In addition to that deficit, we have a recession under way. Unemployment is rising; the unemployment lines are getting longer, and we are depleting the unemployment compensation fund. We have many American people and families in economic trouble.

I will tell you this—mark it down—we have tremendous accumulated stresses and strains and dangerous conditions in our financial structure. You are seeing it in the banking system right now. But it radiates out beyond that.

These are problems building up over a long period of time, and they are very difficult to solve. When a nation goes off to war and conducts it essentially by itself, in terms of the cost and lives and dollars, it is even in a weaker position to be able to deal with its fundamental economic problems here at home. We are way overdue in that respect. It is time to start investing in America and in our people.

Here we are over in Saudi Arabia. I asked how much the Saudis have given to this war effort so far. The figure is about \$6 billion. It is a laugh. In fact, I think the Saudi royal family ought to be up on the front line. I do not say that disrespectfully. But I will tell you this, they have a lot more at stake in this than any family in America.

I am not prepared, as I stand here, to put one young American in front of any member of the royal family of those countries that are under immediate threat. I should think they would want to be up on the front line ahead of us.

That is not the way it works. No, let us just go get some kids, hither and yon from this country and, yes, as the Senator from Virginia said a while ago, who in their youth and in their enthusiasm and so forth, and send them over there. It is one thing before the war starts, but it will be a very different thing after it starts.

It is regrettable what happened up in this gallery earlier today. I condemn that kind of outburst in here. But it is a sign of things to come if this war starts, and we all know it, at least anybody that has a memory.

I know this President, as we all do, and I care deeply about him, personally, and in the duties and responsibilities that he carries. I want this President to succeed in everything he does, not just on this matter. It is not a decision that any one person in this country under our system or under common sense ought to take by himself. If we are going to war—and as I say again, it is going to be an American war if it starts—than we better have a real consensus in this country. I do not mean a 52-to-48 vote or 51-to-49 vote or 55-to-45 vote, because what that vote will say to whoever might be President is: Look, we are not convinced, we are not convinced that the stakes require this, or that this is the action to take at this time. I speak only as one Senator. But that is my view.

So my prayers, and the prayers of everybody here, will be with everybody who carries the weight of deciding and carrying this out, our military people in the field, first and foremost, and the

President, as he weighs the judgments he is called upon to make. America needs a good decision here, and so does the world as a whole. I think the decision is to try every last thing that we can find, as long as we can try it, before we throw the switch and initiate an American war, the consequences of which no one can foresee.

I thank the Chair and yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa [Mr. HARKIN].

Mr. HARKIN. Mr. President, let me make a comment on something that the Senator from Michigan brought up.

There is a misconception that this is a U.N. resolution. The Senator from Michigan did us a great service by pointing out that the resolution giving the green light to use force against Iraq after January 15 was a Security Council resolution voted on by 12 nations, only 2 of whom beside the United States have sent military or economic assistance to the effort in Saudi Arabia.

Again, I want to read into the RECORD a list of those countries that voted to allow our young men and women to shed their blood in Saudi Arabia: Canada, Colombia, Ethiopia, Finland, the Ivory Coast, Malaysia, Romania, Zaire and Britain, France, U.S.S.R., and the U.S.A.

Again, France and Britain have troops over there. I might point out China did not vote for the Security Council resolution. They simply abstained. Because of China's position as a permanent member of the Security Council, they could have killed the resolution using their veto power if they had voted against it.

It is interesting to note that the day after this vote the Chinese Foreign Minister was welcomed to the White House here in Washington.

We have to point out this is not a U.N. resolution—159 member nations did not vote on it; 12 nations voted on it. I just read the list.

Mr. RIEGLE. If the Senator will allow me, I shall add one other final thought and then take my seat. Others wish to speak.

I mentioned the mother who spoke with me in Flint, Michigan, who has three of her sons in forward positions as Marines over there at the present time. If a Japanese family would send one of their sons and a German family or French family would send one of their sons, then two of her sons could come home and only one would remain. That to me is the test that we ought to be applying in this area of this discussion.

I thank the Senator, and I thank the Chair.

Mr. HARKIN. I thank the Senator.

Mr. President, I think we need to remember just how we got into this mess so that we can avoid repeating our past

mistakes and sort of do a review of events that have unfolded so far.

Again, I am not going to go into every detail, although I think we have enough material to back up the things that I am about to say with cites of dates, events, comments, many of which I will be inserting into the RECORD.

The fact is, the United States for a long time supported Saddam Hussein. He was one of ours. We supported him in the Iraq-Iran war. Throughout the 1980's, the administration, first the Reagan administration and then the Bush administration, continually played down, did not want to rock the boat on the human right violations in Iraq. Senators took the floor to talk about it. Members of the House spoke about it. But the administration did not want to do anything to rock the boat.

When Saddam Hussein gased his own citizens, the Kurds, there was not a peep from this administration. When Iraq commenced building chemical and biological weapons, there was a deafening silence from this administration and from the Reagan administration. When they began developing intermediate-range ballistic missiles that could reach Israel, again nothing was said by the Reagan and Bush administrations.

When they attempted to develop a nuclear weapons capability, there was nothing from the Reagan and Bush administrations.

I said, Mr. President, on many occasions after Iraq invaded Kuwait, we have the Israelis to thank for going in there and taking out what was beginning to be a national nuclear capability being developed by Iraq.

Throughout 1990, long before Iraq invaded Kuwait, Congress tried to impose economic sanctions against Iraq for its human rights and weapons violations. The administration opposed them all. On July 27 of last year, 1990, less than 1 week before the invasion, the Senate voted 83 to 12 to impose sanctions. The House approved them, but the administration opposed them.

On June 15, Assistant Secretary of State for Near Eastern Affairs, John Kelly, testified that the administration opposed these economic sanctions.

We keep hearing how Saddam Hussein is isolated; he does not get the right kind of information. But all through the 1980's he had to be thinking America is on his side in supporting him. Even when one of his missiles killed 27 of our men on a ship we said "Oh, it was a mistake," and took no action against Saddam Hussein.

Then we come up to the fateful meeting between April Glaspie, our Ambassador to Iraq, and Saddam Hussein just a few days before the invasion. Listen to what April Glaspie had to say directly to Saddam Hussein before the invasion, which was recorded on videotape.



First, she tells Saddam Hussein, in reference to the British colonial power that drew the Iraq-Kuwait border:

I think we know that well. As a people we have experience with colonialists.

When later in conversation Saddam Hussein said Iraq needed higher oil prices, our Ambassador said:

I know you need funds. We understand that. And our opinion is you should have the opportunity to rebuild your country.

Then Ambassador Glaspie went on to say this:

We have no opinion on Arab-Arab conflicts like your border disagreement with Kuwait. I was in the American Embassy in Kuwait during the late 1960's. The instruction we had during this period was that we should express no opinion on this issue and that the issue is not one associated with Americans. James Baker has directed our official spokesmen to emphasize this instruction.

So if we are told that Saddam Hussein does not get outside information, that he is isolated over there, what is he to think after all the 1980's with all the support of the United States and then our own Ambassador telling him we have no opinion on Arab-Arab conflicts, "specifically your border dispute with Kuwait."

I do not know Saddam Hussein. I never met him. I can only take what I read and what other people said about him. But he must have been thinking that this is a green light from the United States for him to take action.

Then Ambassador Glaspie was quoted in the New York Times after the invasion saying, "We never expected they would take all of Kuwait."

I think it is important for people to understand what led us up to this invasion.

I am not saying this somehow excuses the invasion. Absolutely not. I supported and still do support President Bush's initial actions that he took in Saudi Arabia. I said so publicly. The only thing that I disagreed with back in August was calling up Reserves. I did not think that was necessary. But I supported sending troops in a defensive posture to Saudi Arabia; I supported the efforts by President Bush to get other countries involved; and I supported his efforts to get all the nations of the world together in the economic embargo and sanctions.

This is the kind of new world order that we ought to be talking about. Rather than responding with brute force and military power, we need a new world order wherein we respond to the Saddam Husseins of the world with isolation, economic and diplomatic isolation, to the point where their economy crumbles and they cannot operate.

If we can do that, then we truly will have achieved a new world order. But if we are simply going to use the votes of 12 members of the Security Council—and who knows what promises were made to them—as a pretext for America, again, being the policeman of the

world, going in and conducting offensive military actions, we are back to where we were before the United Nations, and indeed before the League of Nations. So I was hopeful that this Security Council Resolution would help achieve a new world order. The President's global economic blockade was unprecedented, replacing unilateral military action with collective economic blockade. When we left here in October to go home, we had a unified purpose, and a unified position. I supported the President. I supported the economic sanctions. I supported the defensive structure we had in Saudi Arabia. I searched the RECORD, and I cannot find anyone in this body who disagreed with that, Democrat or Republican.

Last fall, I was up for reelection. During the campaign, I specifically said time and time again that I supported President Bush's actions in the Mideast, although I did not think we needed to call up the Reserves. But, be that as it may, that was a small point.

Only after the election, much to my surprise, the President unilaterally and without consulting Congress changed his policy and position in the Mideast in two ways. One, he upped the ante by going from a defensive position to an offensive position. I said at the time I thought that was not the right course of action to take. He could have consulted with Congress or called Congress back into session to consider whether we agreed with this policy change. But he made that decision without consulting us.

Another decision was made unilaterally by the President without consultation with Congress: to go to the U.N. Security Council to get this resolution setting the date of January 15. What is magic about January 15? Where did that date come from? I will tell you where it came from: It was plucked out of thin air.

Actually, as my understanding goes, the Bush administration wanted January 1 to be the deadline. Some of the other nations of the Security Council wanted later dates. They compromised on January 15 as the deadline.

So the policy and position that was supported uniformly among most people was changed. As I said, I cannot think of one Senator who disagreed with that policy before the election. The President, doubled troop levels moved from a defensive posture to an offensive posture. And set an arbitrary January 15 deadline. And again, I repeat for emphasis sake, this was not a deadline set by the United Nations as a whole. It was accepted by 12 nations of the Security Council, only two of whom have troops in Saudi Arabia.

I have talked with constituents of mine back in Iowa who understand this. One of the reasons I pressed so hard for this debate and a vote by the Senate and the House was I found it in-

congruous at best that the President would go to 12 member nations of the Security Council, like Zaire and the Ivory Coast and Ethiopia and Colombia, to ask for their permission to allow our young men and women to fight and perhaps to die in Saudi Arabia; but the President would not come to the Congress to ask permission of the elected representatives of the American people.

That is why I feel that this debate is important, and that we vote before January 15. This is a debate that encompasses all the American people. They are watching, they are listening, and they want the information. I think there is a great deal of confusion out there about: How we got into this; what our purposes are, and what are our options.

I covered the first about how we got into it. Now let me, for a few minutes, cover what the reasons are for U.S. involvement.

The first reason enunciated was to stop Iraq from invading Saudi Arabia. That policy was supported wholeheartedly and uniformly, and we succeeded. We stopped him in his tracks.

Another reason cited for our involvement was oil. I agree with those who say in our economy we must have oil to function. I am one of those who think we ought to have a different energy policy and move forward on an energy policy that would make us more energy independent. But the fact is, right now we have to have it.

But we are looking at oil from Iraq and Kuwait. All of the oil that we had previously gotten from Iraq and Kuwait could be replaced just by raising the average fuel economy of the automobile fleet in America, the CAFE standards, by 3 miles per gallon. Think about that. We ask thousands and thousands of young American boys and women to die because Detroit cannot raise the average miles per gallon by 3 miles a gallon? How ridiculous; how absolutely ridiculous. In any event, Saudi Arabia has increased its production.

The next reason we were given was Secretary Baker said at one time, what it boils down to essentially is jobs. What kind of jobs is he talking about? If we want jobs, rather than spending money on a military machine to be squandered in the Saudi desert, we should be putting people to work on alternative energy projects: Environmental restoration, repairing our highways and bridges, and infrastructure in this country?

Another reason was to stop naked aggression. We have heard that a number of times recently. Certainly naked aggression should be stopped. But what about a few weeks ago when there was naked aggression in Chad by Libya? We did not rush over there with our troops.

How about Syria? Syria, now one of our allies. Not too long ago Syria went into Lebanon and massacred 700 civil-

ians. That was naked aggression. We did not do anything about it. Now Assad is on our side.

What about Indonesia's bloody excursion into East Timor, where they basically wiped out a country and killed a lot of people? We did not do anything.

Or when Saddam Hussein gassed the Kurds in his own country? That was naked aggression. We did not do anything.

What does this mean, that we want to stop naked aggression? Does this mean that we are now going to say that the United States will, indeed, become the policeman of the world and that we will respond to every instance of naked aggression? Or does it mean we are just going to pick and choose which ones we want to respond to or not? How about the Soviets putting down the Lithuanians? Are we going to respond to that? I daresay we are not. So we are going to pick and choose which kinds of naked aggression we oppose?

Again, as I stated earlier, a new world order, I believe, can respond to this type of aggression in a more forceful way, and one that can actually be counted on by those countries that would anticipate such aggression, more so than the United States just sending in troops.

Libya knows the United States is not going to send troops to defend Chad. The Soviets know we are not going to send troops to protect the Lithuanians. Indonesia knew we were not going to send troops to protect the poor East Timorese.

But if we establish this new world order of economic sanctions and embargo on a country like Iraq, then that says something to these other countries that may have designs on other people's territory: That the United Nations indeed can get together to put economic sanctions and embargo on that country. That would be more of a threat than the United States sending troops, because they know the United States is not going to send troops in many of those cases.

Another reason was to restore the legitimate Government of Kuwait. What does this mean? Does this mean the national legislature? The emir dissolved the legislature in 1986. Only adult males whose fathers or grandfathers resided in Kuwait before 1920 could vote, which amounts to about 8 percent of the population. The emir, as I said, dissolved the national assembly in 1986. So it is ruled by a monarchy, a virtual dictator, who has untold wealth.

But all that aside, is Kuwait a friend of the United States? How do we mark friendship? Kuwait has voted more often against the United States in the United Nations than the Soviet Union. When we went to Grenada to protect our people in Grenada, there was a vote taken in the United Nations, in 1983, on the subject of Grenada. There were 100

votes against us for committing naked aggression in Grenada. Kuwait voted against us. Just a year ago in Panama, there was a vote, again, on what we did in Panama, in the United Nations. Kuwait voted against us again. So we have to really wonder, and the people of America ought to know this. Again, I do not say this in any way says we cannot take action. I am going to get to that, obviously, at the end of my remarks. I am just saying, at what price? At what price? How many lives?

Another reason to stop Iraq's nuclear capability. I will respond to my good friend, Senator HATCH, who talked about me on the floor yesterday. I said to him this morning that I was going to mention his name in response to, I think, a misinterpretation or misunderstanding that he may have of my position on this. There is a lot of talk about Iraq becoming a nuclear power and having a nuclear weapon's capability.

Let us look at the facts. Iraq has 12 kilograms of enriched uranium, which they had obtained in order to fuel their nuclear reactor, which, of course, was taken out by the Israelis. Iraq is also a signatory to the nonproliferation treaty. When a country signs onto the nonproliferation treaty, they agree to two provisions: They will not obtain nuclear weapons and, second, in exchange, countries with a nuclear capability can help the treaty signatory to establish a domestic nuclear generating capacity. But any country that is a signatory has to allow the International Atomic Energy Agency to inspect and account for the nuclear materials at any time. Last month, the International Atomic Energy Agency inspected the enriched uranium stockpile of Iraq and accounted for the 12 kilograms which they had obtained 10 years ago.

So they do have 12 kilograms. What can they do with 12 kilograms of enriched U-235? They can make one very crude nuclear device. I said device, not bomb. Bomb envisions something that can be picked up, carried by a plane, and dropped someplace. So they could probably make one bomb. How big would it be? Again, this is where we get in the area of nuclear physics. It would be a big bomb, bigger than the one we set off near Alamogordo, which they had to raise with a crane, probably bigger than the "little boy" we dropped on Hiroshima, which required a B-29 bomber to carry.

So let us say they were going to build this bomb with the 12 kilograms of uranium that they have. What are they going to do with it? They send one bomber across the border and that plane will be shot down so fast. That is why we have AWACS over there. They cannot get it out of their country. Are they going to put it on a truck and take it to Jordan? As soon as they did that, we would know they diverted

their 12 kilograms and made a bomb. There is no way to deliver it. It is absolutely impossible to put it on a missile. As I said, they have not done anything to divert that 12 kilograms to any kind of bombmaking as of last month.

You say, well, they may develop other types of facilities later on. To build a nuclear weapons capability, Iraq would have to develop much greater quantities of enriched uranium or plutonium, one of the two. You cannot make a nuclear bomb out of nothing. You have to have the nuclear material. To get enriched uranium—let us take that first—they would have to build either a gaseous diffusion plant or gas centrifuge plant. A gaseous diffusion plant, if anybody has been to Oak Ridge, is very large and very costly. Ours was built during the Manhattan project that cost billions of dollars, a lot of time, and a lot of high technology.

We are going to have a briefing by our Intelligence Committee soon, but all the information I have from the Intelligence Committee is they have no gaseous diffusion plant in Iraq and have not started to design or build one. They can build a gas centrifuge plant. Again, our intelligence shows us they have enough hardware to build 26 gas centrifuges to separate U-235 from U-238. But you need 1,000 such centrifuges to get the enriched uranium to build nuclear weapons.

Why do I go into elaborate detail? Because so many people talk about this, but they do not have their facts straight. They have 26 while they need more than 1,000 gas centrifuges in order to separate out U-235 from yellow cake which is mostly U-238.

The only other way they could enrich uranium is through laser isotope separation. This Senator spent 10 years on the House Science and Technology Committee. We talked a lot about laser isotope separation. We have not even developed it commercially. We think we can, but we have not even started the process of building large laser isotope separation facilities. It is very high technology. So much for uranium.

The other route to fissile material is plutonium. Where do you get plutonium? Out of nuclear reactors, either military reactors or those that generate commercial electricity. Again, thanks to the Israelis, the Iraqis do not even have a research reactor and are not about to have one for quite a while. Even if they did have an operating nuclear reactor from which they could get the plutonium after a while, they would need a plutonium reprocessing plant to extract the plutonium from spent fuel rods. They are not even near building anything like that.

This whole idea of this nuclear capability of Iraq is exaggerated. But I think the nail in the coffin on the nuclear argument as the reason that we ought to go into war with Iraq follows



from Secretary of State Baker's no-invasion pledge. If Iraq withdraws from Kuwait by the 15th, we will not invade them and we will take no military action against them. That leaves Hussein in power and leaves whatever nuclear facilities people may think he has intact.

So it cannot be an issue. It is one that is blown out of proportion. There is no basis in fact for the fear that they either have a nuclear capability, delivery capability, or are about to acquire one. As I said, if he leaves, they get to keep everything. So it cannot be too much of a concern of ours.

The last reason for our involvement is to force Iraq out of Kuwait. I submit, Mr. President, that is the only legitimate reason. We cannot condone in the post-cold-war era this type of naked aggression. I think that those of us who are supporting the resolution offered by the majority leader, and even those who are opposing it, all agree that Saddam Hussein's troops have to get out of Kuwait. On that there is no disagreement and no negotiation. The question is how best to accomplish Saddam's eviction from Kuwait in the long-term best interest of the United States and the Mideast and at least cost in money and lives.

That is why we emphasize sanctions. They are working, as so many have said, including the distinguished Senator from Georgia, the chairman of the Armed Services Committee—97 percent of Iraq's exports, 90 percent of its imports, 45 to 50 percent of its GNP, according to intelligence estimates. In the worst year of the Depression in this country our GNP went down by 14 percent—1931-32. We know how devastating that was in this country. Think what it must be like in Iraq when their GNP has gone down 45 percent in 5 months. So they have been reduced more than 5 months than the United States suffered during all 4 years of our Depression.

Again on the question of sanctions, Admiral Crowe in testimony before the Senate Armed Services Committee said that the embargo is "biting heavily." He said, "It is the most effective peacetime blockade ever levied." And quoting Admiral Crowe further, he said, "Most experts believe that it will work with time. Estimates range in the neighborhood of 12 to 18 months. In other words, the issue is not whether an embargo will work but whether we have the patience to let it take effect." Again from a former chairman of the Joint Chiefs of Staff.

Seven out of eight former Secretaries of Defense said that the sanctions ought to be given time to work.

I am going to finish also a quote that was partially quoted by the Senator from Georgia [Mr. NUNN]. I want to finish it because there are a couple sentences in it that I think ought to be added. This is from October 28. General

Schwarzkopf, our commander in the field, head of our forces in the Mideast, is quoted as stating with respect to sanctions:

Golly, the sanctions have only been in effect about a couple of months . . . And now we are starting to see evidence that the sanctions are pinching. So why should we say, OK, we gave them 2 months (and it) didn't work. Let's get on with it and kill a whole bunch of people? That's crazy. That's crazy. You don't go out there and say, OK, let's have a nice war today. God Almighty, that war could last a long time, long time, and kill an awful lot of people. And so we've just got to be patient.

That is from General Schwarzkopf. I wanted to repeat that statement because a couple of sentences were not stated by the Senator from Georgia. I wanted to add them because I think it shows that General Schwarzkopf himself does not know how long that war would last or how many casualties we would have.

In closing, Mr. President, on eight occasions prior to the election last fall the President said that economic sanctions were working and that we should have patience. But that position was switched after the election.

In one other quote that I wanted to read, and I will put this in the RECORD, in testimony before the Armed Services Committee, Edward Luttwak, a military expert said:

With each passing day, the Iraqi economy reverts another step to its organic agricultural level, which can supply dates and barley, but not ballistic missiles or, indeed, any other armaments beyond small arms.

Mr. Luttwak also said that military action now against Iraq would "do no more than to turn the wheel of Persian Gulf instability one more time. Hence, if Americans were to die in fighting Iraq, only the tragic loss inflicted on their families would be permanent, while any results achieved would be ephemeral."

Mr. President, my conclusions are these. First of all, as to the constitutional position, only Congress can declare war. Only Congress.

I have heard it said that the President has made the decision. Now, we may not agree with that decision, but he has made that decision; we have to support it.

The President of the United States is not a king. He is not an emperor. He is not a dictator.

A week ago yesterday we stood on this floor of the Senate, we raised our right hands, and we swore an oath on a Bible. I take that oath seriously. That oath was to uphold and defend the Constitution of the United States. I did not take an oath to uphold and defend a President of the United States, not any President of the United States. So that argument has no effect on this Senator whatsoever because my oath of office was on the Constitution. If the President made a mistake, then I think it the responsibility of Congress to say

that he has made a mistake and not just to go along.

We have been told that there are 210 previous wars that the President has conducted without any kind of approval from Congress. Actually, there were 215. Five of those were declared wars: the War of 1812, the Mexican War, the Spanish-American War, World War I, World War II—by the way, there were two declarations for World War I, and three for World War II.

We started looking at some of those other 210 military actions. I will tell you they are as phony as a \$3 bill. One of those 210 that they listed was the dispatch of three military transport aircraft to the Congo to evacuate citizens. That was one war. Another war they listed was in 1983 when we sent the AWACS airplane to aid Egypt after the Libyans bombed a city in Sudan. That was another war.

In 1976, additional forces were sent to Korea when two U.S. servicemen were killed cutting down a tree. That is another war. And by the way, the Vietnam war is listed three times—the actual Vietnam war, the April 3, 1975, evacuation of Vietnam, and the April 30, 1975, evacuation of the Saigon Embassy. These are part of the 210 "wars" that were listed that the President got us into without approval of Congress.

What we are talking about in Saudi Arabia is war, real war where people will fight and die.

These previous speakers said we have allies there. Yes, we do. And those allies are willing to fight to the last American to make sure that our position prevails. But not to the last Egyptian, or Saudi, or those people who voted in the Security Council, Zaire, and Malaysia, and Romania and others. (Mr. LIEBERMAN assumed the chair.)

Mr. HARKIN. Assad, I tell you Assad would like nothing better than to knock out Hussein. Then he becomes numero uno over there. If he can get it done with Americans, fine. This, the same Assad who just practiced naked aggression against Lebanon.

Or Iran. You have to believe that Iran would like nothing better than for us to take out Hussein, to do their work for them.

Sanctions must be given a chance to work is my second conclusion. I have talked about that enough.

The third is that the case for military action at this time has not been made. This really gets to the heart of the debate. As someone who spent 8 years in the military, I at one time—and I only did it once—took a flag to a family of a friend who was killed in the military.

That has a profound effect on you. It is something you never forget. The number of people that I went through flight training with that are no longer with us because they died in Vietnam. I was in the military during Vietnam.

I had a different responsibility. I had a different oath. I supported the President.

When I left the military and later became a Member of the House of Representatives, I began to speak out against Vietnam. I swore at that time that never again would there be an unjust war. There will be times when the United States must use its military might—I am not a pacifist. But our cause must be just. Our purpose must be clear, and our people must be united. Nothing less will suffice for America going to war.

Quite frankly, if the Congress is divided on this issue, it is because the President of the United States has not made his case to the American people that war is necessary at this time. The polls all show a split. The recent New York Times CBS poll asked the question, "Should we go to war now or should we let sanctions have more time to work?" The results were 47 to 46. Evenly split.

I do not want our young men and women going into war with a divided United States. The President has not made his case to the American people. The American people are divided on this issue. That is reflected here in the Senate of the United States because we are divided, because we reflect that division among the American people. We should not go to war when the people of this country are divided and when our purpose is not clear.

Now I hope that we have the votes to do two things: To insist that the President come to the Congress before he takes any offensive action. That, I believe, is crystal clear in the Constitution. He must do that.

Second, to express the Congress' support for continuing the sanctions.

There may come a time when force must be used. The President must make that case to the American people. He must get them united. Second, if we have to use that force, use it on a weakened Iraq, a nation that is going to be much weaker than it is now when they cannot get spare parts, when they cannot get tires, when they cannot get lubricating oil, and when they cannot fly their airplanes. Think of 1 year's GNP loss of 50 percent or more, of what that would mean to their economy.

Mr. President, I ask unanimous consent to put in the RECORD a number of items, one of which is this article that came in the paper yesterday from Philadelphia, to the Washington Post. It is entitled "Working Overtime, Preparing for the Worst." "U.S. Companies on Tight Schedules to Fill Pentagon Order for 16,099 Body Bags." They are working round the clock. The Pentagon ordered 16,099 body bags. That must be based on something. As I understand, they have already shipped about 12,000 body bags over there.

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

[From the Wall Street Journal, Jan. 7, 1991]

#### WHITE SLAVES IN THE PERSIAN GULF

(By Arthur Schlesinger, Jr.)

President Bush's gamble in the Gulf may yet pay off. Let us pray that it does—that the combination of international economic sanctions, political pressure and military build-up will force Saddam Hussein to repent and retreat. Let us pray that the tough talk from Washington is designed primarily as psychological warfare—and that it will work.

But tough talk creates its own momentum and may seize control of policy. If the gamble fails, the president will be hard put to avoid war. Is this a war Americans really want to fight? Sen. Robert Dole (R., Kan.) said the other day that Americans are not yet committed to this war, and he is surely right. And is it a war Americans are wrong in not wanting to fight?

Among our stated objectives are the defense of Saudi Arabia, the liberation of Kuwait and restoration of the royal family, and the establishment, in the president's phrase, of a "stable and secure Gulf." Presumably these generous-hearted goals should win the cooperation, respect and gratitude of the locals. Indications are, to the contrary, that our involvement is increasing Arab contempt for the U.S.

#### WHITE SLAVES

In this newspaper a few days ago Geraldine Brooks and Tony Horowitz described the reluctance of the Arabs to fight in their own defense. The Gulf states have a population almost as large as Iraq's but no serious armies and limited inclination to raise them. Why should they? The Journal quotes a senior Gulf official: "You think I want to send my teen-aged son to die for Kuwait?" He chuckles and adds, "We have our white slaves from America to do that."

At the recent meeting of the Gulf Cooperation Council, the Arab states congratulated themselves on their verbal condemnation of Iraqi aggression but spoke not one word of thanks to the American troops who had crossed half the world to fight for them. A Yemeni diplomat explained this curious omission to Judith Miller of the New York Times: "A lot of the Gulf rulers simply do not feel that they have to thank the people they've hired to do their fighting for them."

James LeMoine reported in the New York Times last October in a dispatch from Saudi Arabia, "There is no mass mobilization for war in the markets and streets. The scenes of cheerful American families saying goodbye to their sons and daughters are being repeated in few Saudi homes." Mr. LeMoine continued, "Some Saudis' attitude toward the American troops verges on treating them as a sort of contracted superpower enforcer. . . ." He quoted a Saudi teacher, "The American soldiers are a new kind of foreign worker here. We have Pakistanis driving taxis and now we have Americans defending us."

I know that the object of foreign policy is not to win gratitude. It is to produce real effects in the real world. It is conceivable that we should simply swallow the Arab insults and soldier on as their "white slaves" because vital interests of our own are involved. But, as Mr. Dole implied, the case that U.S. vital interests are at stake has simply not been made to the satisfaction of Congress and the American people.

Of course, we have interests in the Gulf. But it is essential to distinguish between pe-

ripheral interests and vital interest. Vital interests exist when our national security is truly at risk. Vital interests are those you kill and die for. I write as one who has no problem about the use of force to defend our vital interests and who had no doubt that vital interests were involved in preventing the domination of Europe by Hitler and later by Stalin.

In defining our vital interests in the Gulf, the administration's trumpet gives an awfully uncertain sound. It has offered a rolling series of peripheral justifications—oil, jobs, regional stability, the menace of a nuclear Iraq, the creation of a new world order. These pretexts for war grow increasingly thin.

If oil is the issue, nothing will more certainly increase oil prices than war, with long-term interruption of supply and widespread destruction of oil fields. Every whisper of peace has brought oil prices down. And the idea of spending American lives in order to save American jobs is despicable—quite unworthy of our intelligent secretary of state.

As of the stabilization of the Middle East, this is a goal that has never been attained for long in history. Stability is not a likely prospect for a region characterized from time immemorial by artificial frontiers, tribal antagonism, religious fanaticisms and desperate inequalities. I doubt that the U.S. has the capacity or the desire to replace the Ottoman Empire, and our efforts thus far have won us not the respect of the Arab rulers but their contempt.

What about nuclear weapons? The preventive-war argument is no more valid against Iraq than it was when nuts proposed it against the Soviet Union during the Cold War. In any case, Secretary of State Baker has in effect offered a no-invasion pledge if Iraq withdraws from Kuwait—a pledge that would leave Saddam Hussein in power and his nuclear facilities intact.

As for the new world order, the United Nations will be far stronger if it succeeds through resolute application of economic sanctions than if it only provides a multilateral facade for a unilateral U.S. war. Nor would we strengthen the U.N. by wreaking mass destruction that will appall the world and discredit collective security for years to come.

No one likes the loathsome Saddam Hussein. Other countries would rejoice in his overthrow—and are fully prepared to fight to the last American to bring it about. But, since the threat he poses to the U.S. is far less than the threat to the Gulf states, why are we Americans the fall guys, expected to do 90% of the fighting and to take 90% of the casualties? Only Britain, loyal as usual, has made any serious military contribution to the impending war—10,000 more troops than Egypt. If we go to war, let not the posse fade away, as befell the unfortunate marshal in High Noon.

And please, Mr. President, spare us the sight of Dan Quayle telling the troops that this war won't be another Vietnam. How in hell would he know?

No one ever supposed that an economic embargo would bring Iraq to its knees in a short five months. Why not give sanctions time to work? The Central Intelligence Agency already reports shortages in Iraq's military spare parts. If we must fight, why not fight a weaker rather than a stronger Iraq? What is the big rush? There is a phrase of President Eisenhower's that comes to mind: "the courage of patience."

I also recall words of President Kennedy that seem relevant during these dark days:



"Don't push your opponent against a locked door." What is so terribly wrong with a negotiated settlement? Iraq must absolutely withdraw from Kuwait, but the grievances that explain, though not excuse, the invasion might well be adjudicated. As for the nuclear threat, that can be taken care of by a combination of arms embargo, international inspection throughout the Middle East and great-power deterrence. Such measures would do far more than war to strengthen collective security and build a new world order.

One has the abiding fear that the administration has not thought out the consequences of war. Fighting Iraq will not be like fighting Grenada, or Panama. The war will most likely be bloody and protracted. Victory might well entangle us in Middle Eastern chaos for years—all for interests that, so far as the U.S. is concerned, are at best peripheral.

#### IRAQI SIDESHOW

Worst of all, the Iraqi sideshow is enfeebling us in areas where vital interests are truly at stake. While we concentrate energies and resources in the Middle East, Eastern Europe is in travail and the Soviet Union is falling apart. We cannot singlehandedly rescue democracy in the ex-communist states, but at least we ought to be thinking hard about ways we could help on the margin. Europe is far more essential to our national security than the Middle East.

And we confront urgent problems here at home—deepening recession, decaying infrastructure, deteriorating race relations, a shaky banking system, crime-ridden cities on the edge of bankruptcy, states in financial crisis, increasing public and private debt, low productivity, diminishing competitiveness in world markets. The crisis of our national community demands major attention and resources too. While we fiddle away in the Middle East, the American economy will continue to decline, and Japan and Germany will seize the world's commanding economic heights.

War against Iraq will be the most unnecessary war in American history, and it will cause the gravest damage to the vital interests of the republic.

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[From the Washington Post]

**WORKING OVERTIME, PREPARING FOR THE WORST; U.S. COMPANIES ON TIGHT SCHEDULES TO FILL PENTAGON ORDER FOR 16,099 BODY BAGS**

(By Mary Jordan)

**PHILADELPHIA.**—In a one-story factory on a quiet side street in the blue-collar Port Richmond neighborhood here, workers who make bedsheets for babies are busy filling a new rush order: 16,099 body bags for soldiers who may die in Operation Desert Shield.

"I hope nobody has to use these," said Edward Lustick, an Aldan Rubber Co. employee, as he inspected the olive-color, rubber-coated material that will be sewn into the government's standard seven-foot, 19-inch bags that store human remains.

On Dec. 11, the Department of Defense awarded a contract to three body bag makers. They immediately called Aldan, one of the few sources in the country for the chloroprene-coated fabric used for the waterproof bags, the contractors said.

"We can confirm that we have ordered human remains pouches," said Lt. Col. Stu-

art Wagner, a Pentagon spokesman. "But we can't say how many or where they are going."

Pentagon sources, however, said the rush order for the 16,099 body bags was placed because they may be needed in Operation Desert Shield.

"No, it would not be wrong to say that these body bags are going to Desert Shield," said one Defense Department official. "We do always keep some on hand, but this is not regular inventory."

Three of the companies said they were told the bags were for Operation Desert Shield. One company official said that when he inquired about the unusual number, a Defense Department supply officer said the order was based on a computer model of how many deaths might result if a shooting war breaks out in the Persian Gulf.

"I asked why it is such a crazy number. Why not 16,000 or 17,000?" said Hugh Blaha, vice president of C.R. Daniels, an Ellicott City, Md., firm assembling 8,200 of the body bags in its Tennessee factory. The Department of Defense official "said that it was based on computations that were made and that this was the number that they needed," Blaha said.

The Pentagon has refused to estimate publicly how many American lives might be lost in a war with Iraq. Defense officials will not acknowledge any preparations for war casualties, keeping classified the number of body bags, hospital beds and grave registration units in the Persian Gulf region.

The term "body bag" has even been stricken from the official vocabulary at the Pentagon, where military spokesmen, when pressed, referred to them as "human remains pouches."

Norbert Efros, an owner of Lite Industries Inc., of Paterson, N.J., said his company could make only 4,000 of the body bags on the "very tight delivery schedule" called for in the Desert Shield contract. "They made it very clear that they needed these right away," Efros said.

Blaha said his Ellicott City company, which also makes Christian Dior handbags, has set aside about 40 sewing machine operators to work full time on the body bags. The company expects to get its first shipment of material from Aldan by Jan. 21.

The Pentagon body bags, sturdier than those used by commercial mortuaries, cost about \$100 each.

The stipulations of the contract awarded Dec. 11 call for delivery of some bags as soon as possible, with all 16,099 delivered by March 1, according to the contractors.

To fill the largest order for the government-specification body bag material it has ever received, Aldan is keeping its two giant ovens operating 24 hours a day. The heat seals the rubber coating on the green fabric.

"We're running three shifts around the clock. We can't do more than that," said Barry Fleischer, Aldan's vice president for marketing. "We're working overtime and Saturdays."

Most of Aldan's business is in commercial products, including material for Gerber waterproof bedsheets for babies.

"I choose not to think about what it's for because it's not very pleasant," Fleischer said as he watched hundreds of yards of the body bag material roll on steel rods into the ovens.

"I'm seeing quite a bit of this these days," said Winston Parker, the factory's head oven operator as he checked the rubber-coated material as it was heated to 280 degrees. "I hope nothing is going to happen that means

we have to use these. It's not going to prove anything if we go to war."

[From the Washington Post, Sept. 13, 1990]  
TRANSCRIPT SHOWS MUTED U.S. RESPONSE TO TREAT BY SADDAM IN LATE JULY

(By Jim Hoagland)

One week before he ordered his troops into Kuwait, Iraqi leader Saddam Hussein warned the U.S. ambassador in Baghdad that America should not oppose his aims in the Middle East because "yours is a society that cannot accept 10,000 dead in one battle" and is vulnerable to terrorist attack, according to the Iraqi minutes of the July 25 conversation.

U.S. Ambassador April Glaspie did not respond directly to Saddam's menacing comments, concentrating instead on praising Saddam's "extraordinary efforts to rebuild your country." She also gently probed the Iraqi leader's intentions in massing troops on Kuwait's border, but did not criticize the Iraqi troop movements, according to the Iraqi transcript.

The State Department did not challenge the authenticity of the transcript yesterday. Spokesman Richard Boucher declined to comment on specific remarks it contains. He said Glaspie was not available for comment.

Iraq's version of the meeting shows Saddam giving Glaspie explicit warnings that he would take whatever action he deemed necessary to stop Kuwait from continuing an "economic war" against Iraq. Her response, as recorded by the Iraqis, was to reassure Saddam that the United States takes no official position on Iraq's border dispute with Kuwait.

In response to Saddam's comments about Iraq's need for higher oil prices, the ambassador said: "I know you need funds. We understand that and our opinion is that you should have the opportunity to rebuild your country. But we have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait. . . . James Baker has directed our official spokesman to emphasize this instruction."

The disclosure of the transcript to Western news media, which originated with Iraqi officials, appears intended to emphasize that Saddam had reason to believe that the Bush administration would not offer any serious opposition to his move against Kuwait.

The administration has acknowledged that it was caught by surprise by Iraq's Aug. 2 invasion of Kuwait. But the tone and content of the transcript of the July 25 meeting called by Saddam strongly suggest that the official American misreading of Saddam's intentions and capabilities may have emboldened him to commit an act of aggression that has brought the United States to the brink of war in the Persian Gulf.

Mr. HARKIN. Mr. President, that is what this is about. It is about body bags. There may come a time when we have to do it. But that time is not here and it is not now. The time is here and now for a new world order based on economic sanctions, isolation, keep our allies together, and making Saddam Hussein pay a much, much higher price with a minimal loss of our lives of our own young men and women in Saudi Arabia.

I yield the floor, Mr. President.

Mr. BENTSEN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

If the Senator will withhold, I want to indicate to the various Members of the Senate who are here that I have received from my predecessor in the Chair, the Senator from Virginia, a list of Senators who have been in the Chamber waiting to be recognized in order of their appearance in the Chamber. I will proceed according to that list, and therefore recognize the Senator from Texas [Mr. BENTSEN].

#### THE GULF CRISIS

Mr. BENTSEN. Mr. President, I am in an unaccustomed role. I have a reputation of being somewhat of a hawk for the things that I have done in this body throughout the years. But this time I am supporting the resolution of the Senator from Georgia and the majority leader.

I heard one Member earlier saying that now that these young men and women are over there in the Middle East, in the Persian Gulf, that if they do not go ahead into combat, that they will be disappointed.

I do not believe that for a minute. I happened to have served this country in combat in the air and on the ground. I never saw people in combat that were not uptight, sweating, and worried. If they were not, they were either without imagination or they were dumb. I do not charge any of these young men and women with that. I think they are there because they think it is their responsibility discharging what the President has ordered, their Commander in Chief.

We are debating an issue that is the most important issue that can ever face this Senate; that is, whether or not we declare war. We spent a great deal of time in trying to sort out the complexities and seeing that the Congress fulfills its constitutional responsibility on the declaration of war.

The first speech that I made on the floor of the Senate addressed that dilemma, trying to do it where you do not shackle the President, where he can respond quickly and forcefully in protecting U.S. interests.

Amid all of this controversy that we have been hearing about, one thing is very clear: Iraq began this war on August 2, when they invaded Kuwait. The President, the Congress, and the American people, I believe, are united in agreement that the Iraqi aggression shall not stand. I think we all agree that if American troops are committed to combat, they must have the full support of the Congress; that there must be no question about our total commitment to success.

So I would agree that there is a broad consensus on the objectives but a lack of consensus on how we achieve those objectives. Hopefully, this debate that we have been experiencing yesterday, today, and tomorrow will help to clarify that.

I know there are some that say there is not that much interest in it. There

are not that many members on the floor. I must tell you there is intense interest. I am sure there is not a television console that is not turned on in any office in the U.S. Senate or the House of Representatives.

This debate that we have today is more than just about principles and policies and prerogatives. It is about American men and women and their lives, the faces you see every morning on television wishing their families well.

I do not think anyone in this chamber or the generals themselves can have an accurate, sure knowledge of what costs there will be to this war.

I heard the Senator from Michigan saying that he did not know Lyndon Johnson well but he was sure if Lyndon had known there was going to be 55,000 lives lost in Vietnam, that he would have been following the suggestion of the Senator from Vermont, Senator Aiken, to declare victory and go home; that he would not have wanted to see this country experience that kind of divisive fight.

I do know that in that desert in 1973, in just a 20-day war between Israel and the Arab nations, 21,000 people lost their lives in 20 days—and 37,000 were casualties. The weapons are much more lethal today where you see biological warfare, chemical warfare, and you see a ruthless dictator who will not hesitate to use them.

I believe the cost of even a short, successful war will be very high. Wars generally fought do not follow with precision any plan of action that a general sets forth at the beginning.

It is interesting to talk about an unstable area that has been that way for thousands of years, the Middle East; to talk about how we have to continue balance; that we have to really punish Saddam Hussein but not destroy the power of Iraq; that we have to look over here at General Assad, and what he has done in Syria and who also wants to be the new Nasser of the Middle East; that we have to be concerned about the Iranians becoming a preponderance of power. I do not quite know how you measure all those things. I am trying to keep a balance in the process.

The other day Ross Perot made a telling point. He said we should commit our Nation before we commit our troops. The President is asking Congress to commit our troops. He is asking us to sign off on the use of force to liberate Kuwait.

The question has been asked whether the congressional grant of authority can fall short of what the Security Council has said in blessing the use of force after January 15. My answer to that is that Congress can certainly set different standards regarding authority to go to war.

The support of the U.N. Security Council is welcome, and it is impor-

tant, but its members have not sworn to uphold the Constitution of the United States. They were not elected to represent the will of the American people. That is our job. That is what we hired out to.

Mr. President, I fully recognize that it may only be possible to eliminate the consequences of Iraqi aggression by liberating Kuwait by Armed Forces. And certainly the meeting this week between Secretary Baker and Foreign Minister Aziz gave us little reason to be optimistic about a negotiated settlement or unilateral Iraqi withdrawal.

Let me make that quite clear. I do not rule out the use of military action to force the Iraqi military from Kuwait. But I strongly believe there is less risk overall in giving those sanctions more time to work. It is not clear to me that the people of the United States are committed to the option of invasion and all it entails.

Mr. D'AMATO. Will the Senator yield for a question?

Mr. BENTSEN. If I may continue, I ask the Senator to wait until the end of my statement, please.

Some are saying that this debate divides us. But the truth is that the American people are already divided on the wisdom of war in the gulf.

We cannot wish away those divisions or swallow them in a great gulp of patriotism. But I think we can try to minimize their consequences abroad by limiting this debate in time and reaching an early conclusion.

Only the President, I believe, by rational persuasion from his position of leadership, can bring about a consensus.

I think we need to keep the invasion option on the table, right out front, where the Iraqis can see it. I believe it is premature to authorize the President with our forces to march on Kuwait. I prefer the leadership alternative by which the Congress gives the President clear authority to fight in defense of our interests, guarantees expedited procedures on the use of force to liberate Kuwait, if the President specifically requests it, and provides for the option of holding our fire while we see if those sanctions will work.

If someone thought they were going to work in 4 or 5 months, we should have never taken that route. That is not a realistic timetable.

I think this resolution by the majority leader and the Senator from Georgia is the best course of action under the circumstances. I believe it preserves the constitutional role of the Congress and the President, and guarantees the President a prompt vote if he should seek an authorization for offensive operations.

President Eisenhower knew the horror of war. Yet he talked about "the courage of patience." Two of our highest ranking military officers, recent Chairmen of the Joint Chiefs of Staff,



are Admiral Crowe and General Jones. Admiral Crowe said that the embargo is biting heavily. He said it is the most effective peacetime blockade that has ever been imposed. Even granting that it is not working as fast as many would prefer, he noted that most experts believe that it will work with time. And the estimates range all the way from 12 to 18 months.

Admiral Crowe concluded, "It would be a sad commentary if Hussein, a two-bit tyrant presiding over 17 million people and possessing a GNP of \$40 billion, would have more patience than the world's most affluent and powerful nation."

General Jones called for "patient resolve" and expressed concern that the most recent reinforcements might cause us to fight prematurely and perhaps unnecessarily.

What we are looking at here is a country that is about the geographical size of California, has the population of Texas, and has the income of Louisiana, a country that has never been as isolated as this one is, surrounded by those economic sanctions.

CIA Director Webster gave unclassified testimony about the potential effects of the sanctions on Iraq's war machine. He said, "Under noncombat conditions, Iraqi ground and air forces can probably maintain their near-current levels of readiness for as long as 9 months." He said, "Iraqi technicians would be able to maintain current levels of aircraft sorties for 3 to 6 months."

What that means is, as these sanctions continue—and we heard statements about their GNP being cut by 50 percent already, 70 percent at the end of 12 months. What kind of a fighting force do you think you have when you only have 30 percent of your GNP left? What do you think has been happening to the resupply of parts, to the effectiveness of the vehicles that they have to use? These estimates mean that you have very serious problems for Iraq insofar as their economy, and have that by summer.

I also recognize it is a genuine question whether our international coalition can hold together for that long. But there are enormous uncertainties over the scope of that war—and the consequences of a full-scale war—and what might encourage the further destabilization of that area.

Mr. President, I know it can be frustrating for our Government and for some of our troops in the field to hold back and wait for sanctions to take their toll. But that time will not be wasted. A year of sanctions will force them to cannibalize their parts, create a shortage in those parts, dry up supplies of processed fuel and foreign exchange. When you finally cut back that much, well over 90 percent on those things they can sell, they will not have

the foreign exchange to buy those things they need to wage war.

I still cannot see any compelling reason to rush into war, with all it means in terms of life, loss of life, economic dislocation, and dangers to our interests throughout the region.

But there is another point I would like to make while we are debating questions of principles as related to the gulf. I am proud that America has the will and the capability to respond to grave threats to the international order, and it is good to have friends like the English, the French, the Egyptians, and the Saudis prepared to stand with us.

But there are other nations with vast economic interests in the region and in this crisis that are doing far less, when they could do much more. Major world powers like Germany and Japan, two of the largest economic powers of the world, have demonstrated that they can be aggressive, resolute, and make tough decisions when it comes to establishing market share in other countries, and economic sanctions on trade. But when it comes to taking risks and devoting the resources necessary to protect the system that enables them to continue to progress and prosper, many of our friends dial 911 and expect the United States to be on the other end of the line. We need friends who will do more than just hold our coats.

The fact that the expenses of Desert Shield are apart from the budget does not mean that we do not have to pay them. I can recall that we stayed out there for months, 4 and 5 months, debating the budget, making painful decisions, raising taxes, cutting back on essential programs, to save \$41 billion. Now we will be expending it in the Middle East, in the gulf, and if we go to war, the estimates are we will be spending an additional \$1 billion to \$2 billion a day. That is with all of our deficit problems, with the recession in our country, with unemployment going up.

We got into an arms race with the Russians. Fortunately, they went broke first. But we cannot afford to mortgage ourselves further unless we get adequate help from those who have the capability to pay.

There are many nations that have an undeniably major stake in effective response to Iraqi aggression there that are not helping enough on that score. But if that aggression is overcome by force of arms, there is no doubt in my mind that the United States will pay a disproportionate share in lives and costs.

I feel very strongly that the President must have a fail-safe, expedited process to get a vote on the invasion of Kuwait. But I also feel it would be well to give those sanctions more time to work. I think there is less risk in that than going to war at this time.

We all want to bring this crisis to a conclusion. It has been stated we cannot keep 430,000 combat troops in the Middle East. There are some of us who remember some extended tours. This is one fellow that did not see his first born until he was a year-and-a-half old.

At some point, maybe military action will be the only option left open. But I do not think that is the case today. We are approaching a moment of truth in the gulf, with enormous uncertainties and difficult choices. There is no easy answer, but there are important principles involved, and thousands of lives. Congress has a responsibility, Congress has a right, to share in the fateful decisions of war. We have a right and a responsibility to debate the options.

We must commit the Nation before we commit the troops, and by fulfilling our role as representatives of the people, I would hope that we could develop policies and priorities that commit the Nation both now and in those fateful weeks ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado [Mr. WIRTH].

U.S. POLICY IN THE PERSIAN GULF

Mr. WIRTH. Mr. President, we begin the 102d Congress with the most critical vote any of us will be called upon to make: Whether or not to commit our Nation to war. After months of debate, hearings and consultations with the administration, we are now in the Senate fulfilling our constitutional responsibility of the war power by voting on the pending and related resolutions. There can be no doubt that the American Constitution grants the power to declare war only to the Congress. If article I, section 8 has any meaning, any clear applicability, it is in this precise circumstance.

This debate is not about American goals in the gulf crisis. On this, we all agree: Iraq's unprovoked aggression against Kuwait must be reversed; stability in the region restored; and a hopeful "new world order" strengthened. The debate is not about the ends, but about the means to achieve those ends. And here, there is significant difference of opinion on whether we should send American troops into Kuwait after January 15—or whether we should tighten the economic stranglehold on Iraq, while holding out the use of force as a last resort.

I cannot now support a resolution which gives the President the authority to initiate combat against Iraqi forces. Such a course of action at this time—although fully justified by Iraq's aggression last August—is neither necessary nor prudent. For this reason, I have cosponsored the resolution offered by the majority leader, the distinguished chairman of the Armed Services Committee and others which urges continued application of economic and

diplomatic pressure, while not ruling out the use of force at a later date.

Mr. President, as we contemplate sending over 400,000 young Americans into battle against Iraq, it might be instructive for us in understanding this decision to review how precisely we have arrived at this historic juncture.

#### U.S. POLICY IN THE 1980'S

There can be no doubt that the responsibility for Iraq's brutal invasion of Kuwait lies squarely with Saddam Hussein's ruling regime in Baghdad. Secretary Baker spoke in Geneva of Saddam's miscalculations, and he certainly has made many in the 1980's, if not before, beginning with his attack against Iran. But we too have made some miscalculations in that troubled corner of the world.

Sadly, the United States Government has contributed to the current crisis through the mixed signals of support we sent Saddam throughout his war with Iran. The Reagan administration sold helicopters to Baghdad and took Iraq off the terrorist list in 1982; the following year we granted export credit guarantees for agricultural purchases—purchases which totalled \$5 billion in the ensuing 6 years. It has been reported that we shared intelligence data with Saddam.

Only in the past year, we have apologized to Saddam for offending him with a Voice of America broadcast critical of Iraqi human rights abuses. Weeks before the invasion of Kuwait, the Bush administration vetoed congressionally mandated economic sanctions against Iraq. And in the week before the invasion itself, our Ambassador gave Saddam no reason to believe that the United States would intervene in Iraq-Kuwaiti issues.

This is not to excuse Saddam, but to serve as a reminder that Saddam was given no firm, clear delineation of U.S. determination to reverse any act of aggression or manipulation of his neighbors. He clearly must have that message now.

A second area in which we have failed, and failed miserably, is in seeking greater energy independence. Unquestionably, the lack of a national energy policy for the past decade has much to do with the President's decision to deploy our troops in the Saudi sand. After all, when the legitimate government of Liberia was under assault last fall, we did not send a quarter million troops. When the Chinese invaded Tibet, we did not send in troops. There is no question but that we are in the gulf in large part because of oil, and our concern about oil relates directly to our increasing dependence on imported energy.

It would be a mistake not to point out that it was the Reagan-Bush team that dismantled this Nation's commitment to energy independence through alternative energy and energy conservation programs. In the area of

R&D, for example, expenditures have been cut by more than two-thirds in the last decade. Fuel economy standards for automobiles have been rolled back, and just last year the President backtracked on his own goal of putting 1 million alternative-fueled vehicles on the road by the year 2000.

We receive, Mr. President, disturbing reports about the White House's reaction to the comprehensive suggestions made by Secretary Watkins and the Department of Energy, saying we should not have aggressive conservation measures, we should not take the steps that I think most Americans know have to be taken. Simply put, cheap supplies of energy, not secure, reliable, domestic sources of energy, were the objectives of energy policy in the 1980's. This administration and the previous one strived for cheap supplies of energy, not energy independence. But, like the budget deficit generated by the feel-good economics of the 1980's, we are now paying the bill and the price is even greater than anyone could have imagined.

In the 16 years I have been in the Congress, Mr. President, I have worked in the House and here on a national comprehensive energy policy, and never has the need been more apparent and never has the opportunity for success been greater than it is today. If there is a silk purse to be made out of this whole situation, Mr. President, maybe it is that we can expect President Bush—to make a statement of his long-term energy goals as he makes his State of the Union Address to Congress; and that he in that commits himself and this country to a national energy policy.

Maybe there is some light at the end of the tunnel of this otherwise very, very unfortunate situation in which we find ourselves. We must hope that our national energy policy will reflect the same vigor and commitment of the President that he has exercised in drawing a line in the sand in Saudi Arabia. Let us hope that same commitment comes for all of us here at home that he is making for more than 400,000 American troops overseas.

Mr. President, I applauded President Bush's initial reaction of Saddam's aggression. Following Iraq's brutal aggression toward Kuwait, the United States last August embarked upon a proper three-pronged approach to aggression in the gulf: To stop Iraqi aggression and defend Saudi Arabia; to impose economic sanctions against Iraq; and to weave a broad international coalition to isolate Iraq. That policy and that deployment were broadly supported by the American public and broadly supported here in the U.S. Senate.

The initial U.S. policy has also been very successful internationally. The President quite rightly characterized the world's response to this first cold

war crisis as critical in establishing a new world order. We have cooperated with the Soviet Government in a manner unimaginable since 1945. What once could have been the start of World War III is now the subject of broad superpower harmony. The United Nations, through the Security Council, is beginning to fulfill its mandate of collective action for collective security.

But the day after the November election, the day after the elections, President Bush, without any consultations with the Congress, abruptly shifted U.S. policy by announcing his intention to add an additional 200,000 troops to Operation Desert Shield. Without a troop rotation policy, this decision to deploy 430,000 troops in the gulf put the United States on a clear path to war. With this decision, the President veered away from his successful three-part August policy and toward one fraught with significant danger. It is not at all clear to me, Mr. President, why the administration chose to cast aside the course it originally set, especially when the best evidence we have indicates it had been working and when the administration itself suggested that sanctions would require at least 1 year to be effective.

The former Chairman of the Joint Chiefs of Staff, Gen. David Jones, testified before the Armed Services Subcommittee that—

My main concern is not that we might choose to fight but rather that the deployment might cause us to fight, perhaps prematurely and perhaps unnecessarily. \*\*\* Adding such a large increment of forces \*\*\* could narrow our options and our ability to act with patient resolve. Mr. President, this is exactly what is happening.

Why the apparent change of strategy last November? Iraq is now the object of the most comprehensive set of sanctions in history, sanctions endorsed by the United Nations and actively supported by the world community. These sanctions are slowly but surely squeezing Iraq. As CIA Director Webster has testified:

Sanctions have dealt a serious blow to the Iraqi economy. \*\*\* They have all but shut off Iraq's exports and reduced imports to less than 10 percent of their preinvasion level. All sectors of the Iraqi economy are feeling the pinch of sanctions and many industries have largely shut down.

This from the President's own Director of the CIA.

Current estimates suggest that the U.N. sanctions have reduced Iraq's gross national product by 50 percent. Foreign exchange reserves are nearly depleted. Military support—spares, technicians—from the Soviet Union and France, previously major suppliers of the Iraqi military machine, is now nonexistent.

The impact of these sanctions on the Iraqi military is already palpable, and continues daily to erode their military preparedness. Tires, spare parts, special lubricants, and countless other



The fundamental question in the gulf, Mr. President, is not whether or not Saddam Hussein is a brutal dictator who deserves to be overthrown. Clearly he is. Or whether his

unprovoked aggression against Kuwait should stand. It clearly will not. The issue is whether going to war with Iraq now is necessary to achieve our goals, whether war will put the United States in a better position to advance our national interests in the Middle East over the long run. An Americanization of war with Iraq now would not only be fraught with dangers in the short run but would also likely lead to a destructive polarization in the Arab world that would make United States interests in that important region even more difficult to achieve for generations to come.

Before we send thousands of brave young Americans to battle in the Middle East, we have a duty to continue the course the administration correctly embarked upon in August and for which there was very broad national support. There is no guarantee that the economic and political sanctions will move Saddam. There is no guarantee of that. But what is the guarantee that war is not going to be fraught with much more danger? That is the question we face here.

I believe that before we sacrifice our sons and daughters, we better be certain we pursued fully and in good faith all of the options.

Mr. President, before closing, I want to also spend a couple minutes on the arguments that have been made over and over again by those who are critical of the resolution being brought forward by the majority leader, Senator NUNN, and others. Let me just touch upon those arguments because they deserve our attention and deserve to be refuted.

The argument has been made that there is a parallel between what we may be doing now in this option and what was done in the 1930's: In 1932 in Manchuria, 1935 in Ethiopia, 1938 in Czechoslovakia. But the analogy does not apply. In fact, we have acted very decisively. A major blocking force was sent to the Middle East to stop Saddam Hussein. Anybody who suggests this is a parallel to the 1930's when nothing was done is misreading history dramatically.

Second, the quite glib political argument is made that "the Democratically controlled Congress should have had this debate before now." Let me respond to that.

We had no request from the President, and in fact he did not want a resolution up here which would generate divisive debate. We forbore going ahead. There was an enormous amount of pressure on the majority leader to bring this debate up, and he did not want to undercut the negotiations that were going on in the Middle East.

If we had gone ahead with that debate, the same kind of political bashing would have occurred that is going on now. If we started that debate, we would have been accused of undercut-

ting the negotiations. We waited for the negotiations to be over and now the argument is we should have gone before. I find it quite disingenuous to pursue that criticism, particularly when the President, in fact only 10 days ago, thanked the majority leader and Speaker of the House for their forbearance in this situation.

Third, the argument has been made over and over again that we have to restore the legitimate Government of Kuwait. We may want to restore the legitimate Government of Kuwait.

But let us remember that during the Iraq-Iran War, when we were reflagging Kuwait vessels, it was the Kuwaitis who would not allow U.S. forces to be put ashore for rest and recreation, or U.S. ships to come ashore to be repaired in Kuwait itself. We were reflagging their vessels and they would not let U.S. forces come on shore even in Kuwait.

Certainly, I think none of us would condone the rape of Kuwait, but let us keep this in proportion. Is it now in our interest potentially to bring this whole part of the world into an enormous war? I think not. Saddam Hussein must get out of Kuwait. To push him out at this time with military means is far out of proportion to the problem we face.

To those who say, well, the embargo is not going to work on time, I would ask: How long did we expect an embargo is going to take and why did we embark on this embargo to begin with if we were not willing to stay the course? The argument has been made that somehow the Congress is going to blink in this situation. You can turn it around and say, in fact, the administration blinked. They had a very successful program going with the embargo, demanding a kind of patience, and we ought to be pursuing that.

Another criticism is that we are "pulling the rug out from under our U.N. partners." U.N. partners? As the distinguished Senator from Iowa made very clear, the "January 15 Resolution" passed the U.N. Security Council by a vote of 12 for, 2 against, and 1 abstention. Essentially, this is a "hold-your-coat" resolution. A number of countries are saying, "We will hold your coat, Uncle Sam, while you go out and fight." Few have made any commitment to this at all.

I ask, Mr. President, if today the question facing the United Nations were going to war now or allowing economic sanctions to work, I would wager that the United States would clearly vote for the continuation of those sanctions and not for war.

Finally, Mr. President, the argument has been made that we do not have the patience in the United States to persevere with a sanctions strategy. That argument flies in the face of our recent history. We just went through 40 years of the cold war. We were enormously

patient, holding together a very complicated, a very different, and a very important coalition. That coalition held together. We were patient for 40 years and we won the cold war. There were some during that period of time, as Admiral Crowe pointed out, that thought we ought to bomb Moscow. "Wouldn't that have been a great idea?" he said. Of course we have the patience; of course we can hold together the coalition, and that is precisely the policy that we should be pursuing.

Finally, Mr. President, I just want to note that my office has received a great outpouring of concern on this issue from all over the State of Colorado. We have received in the last 3 days 1,516 telephone calls, nearly 1,100 of those opposing the President, supporting sanctions, 420 of these supporting the President and military action. Since December 21 we have received 2,600 letters against the President's position, 196 for the President's position.

Obviously, none of us in making this decision is in a situation of simply weighing the mail that comes in; if we did that, there would be no point in being elected. You would just have a set of scales in everybody's offices and do that. But I think it is useful to note for the record how the people of Colorado have registered their concern and views on this crucial issue.

Mr. WIRTH. I have great respect for this debate. I hope that we have the wisdom and we come to the point, Mr. President, to persist in patience and to let the sanctions work, rather than rush to war.

Mr. President, I yield the floor.

Mr. BOND addressed the Chair.

The PRESIDING OFFICER. (Mr. KERREY.) The Senator from Missouri.

#### A GRAVE AND IMPORTANT TASK

Mr. BOND. Mr. President, the task we have undertaken today is a grave and very important one, perhaps one of the most important tasks we will have the opportunity to exercise in our service in this body.

For more than 5 months now, Iraq has illegally occupied the sovereign nation of Kuwait. The occupation of Kuwait has been a brutal one. We have heard discussion today about the possibility of people dying. Well, people have died and people are dying. The Iraqi soldiers have murdered, robbed, raped, and tortured Kuwait citizens. They have taken newborn infants and thrown them out of incubators. Kuwait City has been dismantled and taken back piece by piece to Iraq.

In the wake of this outrageous violation of international law and common decency, President Bush has brought the international community together and the United Nations has issued some 12 resolutions from the Security Council. In November, the Security Council passed a final resolution authorizing force if Iraq does not agree to



withdraw from Kuwait. There has not just been talk. There has been action. We have imposed sanctions. We have resolved to cut off the oil pipelines. An international embargo has been instituted. But Saddam Hussein has still not withdrawn from Kuwait. He refuses to do so. The Director of the CIA, Bill Webster, has indicated that there is no evidence that the sanctions will work, that the sanctions will get the Iraqi ground forces out of Kuwait.

No one would argue that perhaps the sanctions have cut the GNP, the gross national product, of Iraq, that the sanctions have lengthened bread lines, that the sanctions have driven up the cost of bread, that the sanctions have worked some hardship on the citizens of Iraq, but they have not squeezed Iraq sufficiently to get its ground forces out.

In his letter to Congressman ASPIN, Bill Webster, on January 10 said:

Our judgment remains that even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait. Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions especially if the threat of war recedes significantly.

Director Webster also says:

Iraq: infantry and artillery forces, the key elements of Iraq's initial deterrence, probably would not suffer significantly as a result of sanctions. Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically.

Today, as we enter the final days before the January 15 deadline set by the United Nations, I believe it is absolutely critical that the entire world send a clear message to Saddam Hussein, and that message should be we are not bluffing. As Secretary Baker said on Wednesday after his meeting with Tariq Aziz, Iraq's behavior throughout this crisis has been characterized by one miscalculation after another. First a miscalculation of world response to his invasion of Kuwait; second, the miscalculation of the response of the world to the taking of innocent hostages and the using of them as shields; and third, the miscalculation at Wednesday's meeting in Geneva that the United States and the world would not follow through on their promises to use force against him.

Given this record, we must not allow any action to be taken here that would cause Saddam to make the greatest miscalculation, the one that would result in our troops ultimately being forced into battle.

I can tell you, Mr. President, that I for one have been somewhat disappointed in recent days by comments of some of our allies who appear to be more and more willing as each day goes along to give Saddam some hope that

there is a way out of the situation short of unconditional withdrawal, that he will get something as a result of his invasion if he compromises just a little bit.

President Mitterrand of France, for example, seems to be determined to reward Saddam for his crimes against Iraq. President Mubarak of Egypt made comments earlier this week that he would reevaluate Egypt's position in the coalition. Those indications are I think both unnecessary and unhelpful. Furthermore, they show that there is a real danger that the coalition could come apart with further delay, a delay which would be countenanced by the resolution introduced by the majority leader.

We may have little influence over what the heads of other nations say, but we do have a President who is willing to lead. He has kept the coalition together. He and his Secretary of State deserves great praise I believe for that effort. There is something, however, that we can and I believe we must do to strengthen the President's hand, to strengthen our coalition and, we hope, to avoid a war with Iraq. That is, to make it absolutely clear to Saddam Hussein that the United States stands as one, we stand with the world coalition under the U.N. resolution determined to see him withdraw.

That means we must act. We have had a lot of debates on whether Congress can and must act on what the President can or cannot do. Those questions are all moot now because the time has come for us to act. The President has asked for us to act. We must.

I believe there is only one place we can stand and that is solidly behind the President. I believe we must pass a resolution similar to the one that was passed by the U.N. Security Council in November, one that unconditionally authorizes the use of force. Any other action is certain to be interpreted by Saddam Hussein as a wavering, with the result that the crises will go on and on and he will not withdraw.

What does Saddam Hussein want? Obviously he wants to keep Kuwait. He wants to be able to stare down the international community, in particular the United States. That will make him in his eyes and in many others, the leader of the Arab countries. He wants to be in that position.

How can he stay there? First he wants to make sure that we do not attack him. He wants a guarantee that he will have an opportunity to wait out the sanctions. He wants an opportunity to work to break down the coalition. He wants an opportunity to show that the January 15 deadline has come and gone, and he is still in power and all the nations of the world, led by the United States, arrayed against him cannot shake his position.

He needs time in order to work to break down the coalition, to work his

way back into his channels of distribution.

When I took at his goals and compare them against what I believe will be the result if the resolution I referred to earlier is adopted by Congress, it would, No. 1, show a lack of will by not even being willing to support the U.N. resolution; it would show that the United States is in retreat from the strong position taken by the United Nations.

Second, it would delay any possible action or the threat of any possible action. And speaking today with the Secretary of Defense, I learned that the ability to stand down his forces, to put less of an effort into total wartime mobilization, would allow him to regroup and recoup his strength.

The threat of war, the threat of military action against him is wearing on his abilities, on his supply lines, and on his troops. To give them a free pass, to give them a recess, to give them a winter vacation, allows them to rebuild their strength.

Third, giving Saddam Hussein more time allows him to stand tall throughout his part of the world after January 15 and say "I am the leader, I am the one who has faced down the United States; rally behind me."

I believe that is a very dangerous message to allow him to convey because it might attract others to him.

What does the resolution before us do for our country's efforts to resolve the crisis? No. 1, it ensures that Saddam Hussein will not beat the January 15 deadline. No. 2, it strengthens Hussein's resolve to wait us out. No. 3, it undermines the President's efforts to get Hussein to believe we are serious, which is our only real leverage to get him to withdraw his soldiers from Kuwait.

It is clear to me and the American people as well that the only way to get Hussein out of Kuwait is to make him believe we will use force. The resolution before us goes in just the opposite direction.

Saddam has made it very clear time and again that he understands only force. And he has further made it clear that he does not think the United States nor the world will use force against him. Until we convince him otherwise, he is unlikely to back down.

We saw an excellent illustration of the obstinacy of Iraq on Wednesday. The Foreign Minister of Iraq, Aziz, showed absolutely no indication that Iraq intends to comply with the U.N. resolutions. He even refused to convey a message from our President to his President.

This can only be because Saddam is convinced that we will not follow through on our threats.

It is sometimes hard to blame him for thinking we will not follow through. We have talked about the messages from the heads of other coun-

tries. Certainly anyone who watches television, as we are told Saddam Hussein does, and sees the comments on our television about people pledging that we will not go to war, we will withdraw our troops, or we will cut off the money for the troops, it is easy to understand that someone not accustomed to our system would see these as policy declarations. The hide of the President's policy with respect to Iraq is being chipped up and chewed up by thousands of sound bites.

I know compelling arguments can be and have been made, arguments which are popularly appealing, arguments against war. Here is a good one. I quote:

How horrible, fantastic, incredible it is that we should be digging trenches and trying on gas masks here because of a quarrel in a far-away country between people of whom we know nothing. It seems still more impossible that a quarrel which has already been settled in principle should be the subject of war.

In case you do not recognize that quote, it was from Prime Minister Neville Chamberlain in a London broadcast on September 27, 1938.

I believe the better policy then and the better policy now was summed up by Winston Churchill in the dark days leading up to World War II. Churchill said:

Civilization will not last, freedom will not survive, peace will not be kept, unless a very large majority of mankind unites together to defend them and show themselves possessed of a constabulary power before which barbaric and atavistic forces will stand in awe.

Also, we have heard lots of discussions today about how our situation shows we do not have an energy policy. We have heard a lot about what other countries should be doing to support our efforts. There is no disagreement with that.

If the resolution were to say we demand more support from Japan, from Germany, we demand more financial support and more military support from the countries we are defending, I suspect the vote would be 100 to nothing.

No. The reason we are here is to debate on which resolution we pass. I believe the reason we must adopt a resolution supporting the position of the U.N. resolution is very simple and straightforward. The simple reason we must act is that we cannot allow Saddam Hussein to profit from his aggression.

The world stands poised at a critical moment in history. A cold war has come to a close, and the world is entering into a new era, one that I hope is going to be characterized by democracy and peace.

On the other hand, there is a danger that it will instead be characterized by regional strife and violence. If we allow Saddam Hussein to succeed in this venture, the first of the truly post-cold

war era, we will pay the price for years to come.

If the world makes it clear that we will stand by, not get in the way, and allow a large country to erase a smaller one, and to do it without a strong and immediate response, we will see that pattern followed time and time again in Europe, in Asia, in Latin America, in Africa.

In addition, if we allow Saddam Hussein to wiggle out of the current situation on any terms other than complete and unconditional withdrawal, we will serve only to strengthen his hand and we will be forced to deal with him in the future when he attempts to attack Saudi Arabia or Israel or when he bullies his smaller neighbors such as Jordan and Bahrain; then we will be forced to face an Iraq armed with long-range missiles and possibly even nuclear weapons.

Appeasement of a bully has never worked. We should have learned that in the 1930's. Less than 60 years ago, the nations of Europe tried it. They tried appeasement with "peace in our time" and Hitler showed it did not work. Instead of standing up to Hitler when it could have done so at a relatively small cost, the other countries of Europe tried appeasement first by ignoring his military buildup and then by allowing him to keep Czechoslovakia, none of which had any effect other than to make him stronger and more bold.

As Churchill wrote in the first volume of his excellent history of the Second World War:

All this terrible superiority had grown up because at no moment had the victorious allies dared to take any effective step, even when they were all-powerful, to resist repeated aggressions by Hitler and breaches of the treaties.

One other matter that I would like to take just a moment to address is the issue of linkage, which has attracted a great deal of attention recently. Instead of discussing Kuwait's situation, Aziz said that Iraq's invasion of Kuwait was motivated by Saddam Hussein's concern for the Palestinian people in Judea and Samaria. If you think about it for a moment, that is a truly incredible statement.

First of all, Saddam Hussein has never been a champion of the Palestinian people. In fact, he has only rallied to their cause when doing so furthered his main goal of becoming the pre-eminent leader in the Arab world—the next Nasser.

Second, Saddam's invasion of Kuwait resulted in great hardship and suffering for many Palestinians living in Kuwait—thousands have lost their savings and their homes and have been forced into refugee camps in Jordan and other countries.

And finally, to argue that Iraq's attack on Kuwait was somehow on behalf of the Palestinians and that Israel

should somehow be forced to pay the price of that invasion is simply ludicrous. Kuwait is no friend of Israel; in fact, it remains in a state of war with Israel, and it has funneled billions of dollars to PLO terrorist groups over the years. Saddam Hussein's invasion of Kuwait is exactly what it appears to be—a territorial dispute between two Arab countries. The invasion had nothing to do with Israel and nothing to do with the Palestinians. To allow Saddam even the smallest success in this attempt to rewrite history would be an egregious error.

Put in its most simple terms, Iraq is in Kuwait because it invaded that country without provocation and without attempts at diplomacy. Its actions in that country have been beyond any bounds of decency or morality. Israel, on the other hand, occupies the West Bank and Gaza as a result of its attempts to defend itself against decades of armed aggression by its neighbors. Further, Israel has tried for decades to open talks that could lead to trading those territories for peace with its neighbors—an offer we saw backed by bold action in the 1979 Camp David accords.

Certainly we would like to see a peaceful resolution of all of the problems throughout the Mideast, but the issue today—and the only issue—that we are dealing with is Saddam Hussein's crimes in Kuwait.

In closing, I would simply urge my colleagues to consider the gravity of the action we are considering today. Not only are we facing a decision that will affect the lives of hundreds of thousands of young Americans now in Saudi Arabia, but we are also facing a decision that could have an impact on the lives of many more Americans in future conflicts.

In making our decision today, we must consider what will be its long-term impact. We must understand that a decision to avoid conflict today may result in a greater conflict, greater loss, much greater hardship, and many more deaths down the road.

As much as any other member of this body, I dread the thought of sending American troops into battle, and I continue to cling to the hope that the current crisis can be resolved diplomatically. However, it now seems patently clear to me that the best way to peace is through strength, and the only way that we in this body can show strength today is to stand with the President and with our brave men and women in the Middle East.

We have assembled such a tremendous force against Iraq. Now we in the Congress must act in a way that will finally cause Saddam to stand in awe of that force and the moral power that stands behind it. Only through such strong, clear-cut, and direct action can we hope to avoid conflict and convince Saddam Hussein that he must get out,



or face terrible consequences. As Director Webster has said, economic sanctions will not get ground troops out of Kuwait. Time is on Saddam Hussein's side, not our side. We need the credible threat of force to tell him that his time is up.

I thank the Chair.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

#### ACHIEVING THE GOALS OF OUR NATIONAL POLICY

Mr. MCCAIN. Mr. President, I rise in opposition to the resolution which is before us, and in support of a resolution which would, if necessary—and I emphasize only if necessary—give the President the support of this body for the use of force. It is only by supporting our President that we can achieve the goals of our national policy and meet our urgent national security requirements in the Middle East.

Mr. President, I stand here with some confidence, that the proposed resolution will be defeated. I have this confidence because, quite frankly, I cannot envision this body of responsible men and women endorsing a resolution which would tie the hands of the President at a time when he must be free to act, but which also endorses and I quote:

\*\*\* the use of force at a later time, should that be necessary, to achieve the goal of forcing Iraqi troops from Kuwait.

Mr. President, anyone who is a credible observer of Saddam Hussein recognizes one basic fact: It is a credible threat of the use of force which now has any possibility of succeeding in convincing Saddam Hussein that the evacuation of Kuwait is in his best interest. The correct resolution would undercut or destroy our last hope of a peaceful withdrawal, and then commit us to the use of force only when that threat has lost its meaning and credibility.

We also cannot rely on sanctions. First, sanction are not necessarily more humanitarian. In many people's minds, sanctions means that we will just cut off parts of Iraq's economic activity. That Iraqis will not be able to drive their cars, or buy luxury goods, and sooner or later minor inconveniences will make an individual such as Saddam Hussein accede to our request that he leave Kuwait.

Mr. President, in order for sanctions to succeed, we must inflict significant pain on the people of the nation which is the object of those sanctions. Yet, Saddam Hussein is certain to allow massive pain to be inflicted upon his people before he will consider withdrawing from Kuwait. He will make innocent civilians, and children suffer. It is the ordinary Iraqi that Saddam Hussein views as nonessential to his war effort. If we are not prepared, as a nation, to attack his military forces, are we prepared to watch films of children

suffering from malnutrition and swollen bellies as a result of our sanctions?

Mr. President, it is intellectual sophistry to believe it will have decisive effect without the use of force. The best estimates of the CIA indicate that this is not the case. The Director of the CIA, Judge Webster, has stated publicly that sanctions and the embargo will not have a significant impact on Saddam Hussein and his policies in the short run.

We have already imposed sanctions for 5½ months, and we still have no clear timeline or date when we can be sure that sanctions will change Saddam Hussein's behavior. The question that I believe the sponsors of this resolution must answer before it can be seriously considered when this situation will change? When will they feel that sanctions have had enough time? Will it be 1 month? Will it be 2 or 6 months? Will it be 1 year, 2 years, 5 years, 10 years? When will they admit sanctions have been given enough time? Not only do the American people deserve that answer if we are seriously to consider this resolution, but so do some 400,000 American service men and women who are now in the Middle East? Are we deferring action or avoiding it? Are they reducing the risk of war, giving Saddam a political victory, or allowing Iraq time in which it can improve its defenses and make our men and women pay a higher price for victory with their lives?

Mr. President, during this debate we hear references time and time again to the Vietnam war and how people want no more Vietnams. We hear that from the President. No one wants another Vietnam. The President does not, and neither does anyone in this body who has addressed this issue. Clearly, neither we, nor the American people seek a replay of that tragic chapter in our Nation's history.

Yet, this resolution could force a "Vietnam" upon us. If we drag out this crisis and do not act decisively and bring it to a successful resolution, we face the prospect of a much longer and bitter war.

If we must use force, we must use it quickly and decisively. We must never again drift into a major conflict in slow stages, denying its seriousness, and setting political rules and constraints that make victory impossible. Fortunately, I believe that we have the leadership to avoid such mistakes. Colin Powell, the Chairman of the Joint Chiefs of Staff, has clearly learned the lessons of the Vietnam war. I think that Secretary Cheney is also an outstanding individual who has a clear grasp of what is at stake here. Our President deserves great credit for the skill and great ability that he has shown in handling this issue, and he has made it clear that if Saddam Hussein forces him to act, he will use the

strategy and tactics we need to avoid the mistakes of Vietnam.

We also must beware of trying to pursue sanctions as if the use of force would still be an option 6 months or a year from today. The Senate Armed Services Committee held a series of hearings this December, while Congress was in recess. Very credible witnesses opposed the use of force in their presentations to the committee and to the American people.

However, one witness who did not get enough visibility during those hearings was former Secretary of State and National Security Adviser Henry Kissinger. Henry Kissinger pointed out in his testimony, when he was asked about military action and the use of sanctions, that "the two approaches have been presented as if they were successive phases of the same policy. In fact, they will prove mutually exclusive because, by the time it is evident that sanctions alone cannot succeed, a credible military option will probably no longer exist."

Why did Mr. Kissinger say that, Mr. President? I believe he said it because he knew the fragility of our coalition and its willingness to use force. He knew there is only so long that widely disparate nations with different regimes and interests can be kept together in the face of a threat to their mutual security.

If the United States, as this coalition's leader, now sends a signal that it is not prepared to use all means necessary, that coalition could dissolve and, unfortunately, very quickly. We might then well find ourselves alone or without many of our supporters. We could lose our military capability and credibility long before we found out an embargo and sanctions could not do the job.

Mr. President, another key issue of this debate is the risk war poses to human life. Let us first establish during this debate that no matter where we stand on this resolution, none of us want to see the needless loss of human life, especially American lives. I reject categorically any argument by those who support this resolution that those in opposition to it do not share that same fundamental concern.

The truth is that if we are forced to fight later—if we can fight later—Iraq will be more ready, more dug in, and more able to absorb our air attacks. Further, Mr. President, there are other lives at stake here, lives that already are being lost day by day. I wish that every American would have the opportunity to read the report of Amnesty International. Amnesty International, as we all know, is the most credible body on this globe concerning human rights and its observance. They have contributed more to the furtherance of the observance of human rights than any organization that I know, and I say

that, not always having agreed with them.

Mr. President, I will not read all of the Amnesty report. In fact, I will not read some of the excerpts from this report because some of it is so graphic and appalling that I feel some restraint is called for in reading all the details in public. I will, however, read some excerpts.

The report quotes a description of the general pattern of arrest described in a memorandum prepared by officials of the Kuwaiti Red Crescent, dated October 23, 1990:

The daily arrests and attacks on citizens became widespread. People could not move about freely, even to carry out essential tasks for fear of being arrested, or killed, or disappearing. Raids on homes became a daily occurrence that people could expect at any time. The arrest and torture of people is something which threatened every individual. Young men were shot near their homes and in front of their families, and this method was used by the occupiers to terrorize the people and eliminate the young men on the pretext that they worked in the resistance. There were no fair trials for these people. On the contrary, arrests, interrogation, torture, punishments, and killings were carried out in an arbitrary and whimsical manner decided upon by intelligence agents and others in the occupying forces.

Mr. President, a number of people interviewed by Amnesty International also stated that detainees who are badly mutilated as a result of Iraqi torture are either kept in detention in Kuwait, or executed. This appears to be a more recent development prompted in all likelihood by widespread media coverage of human rights abuses. For example, the Amnesty Report quotes a 17-year-old former detainee released in early October, who states that:

... They transferred us to Muhafazat al-'Asima where we were examined. I hid the traces of torture on my body in order to avoid being executed, because anybody who has clear traces of torture on his body or is suffering from permanent damage is executed.

Mr. President, let me read a list of the following details of torture and ill-treatment which have been made to Amnesty International since August 2. There are some 20 forms of torture on this list:

1. Beatings on all parts of the body, involving punching, slapping, delivering Karate-style blows and kicking with heavy army boots. Implements used for beating include canes, metal rods, whips, steel cables, hosepipes, rubber truncheons, and rifle butts.
2. Falaqa: prolonged beating on the soles of the feet. Sometimes the detainee is then forced to walk or run.
3. Suspending the detainee by the feet, or by the arms which are tied behind the back.
4. Beating the detainee while suspended from a rotating fan in the ceiling.
5. Breaking of the arms, legs or ribs; dislocating elbow and shoulder joints.
6. Lifting the detainee high up in the air and then dropping him, sometimes resulting in the fracturing of bones.
7. Applying pressure to the fingers with a clamp-like instrument.

8. Slashing the face, arms or legs with knives.
9. Extracting finger and toenails.
10. Boring a hole in the leg, apparently with a type of drilling tool.
11. Cutting off of the tongue and ear.
12. Gouging out of the eyes.
13. Castration.
14. Hammering nails into the hands.
15. Piercing the skin with pins or staples.
16. Shooting the detainee in the arm or leg at point blank range, followed by deprivation of the necessary medical treatment.
17. Rape of women (including virgins) and young men.
18. Inserting bottle necks, sometimes when broken, into the rectum.
19. Tying a string around the penis and pulling it tightly.
20. Pumping air using a pipe through the anus, particularly of young boys.
21. Applying electricity to sensitive parts of the body, including the ears, lips, tongue, fingers, toes and genitals. Sometimes the detainee is doused with water prior to the administration of electricity. The electrical instruments used include electric batons as well as wires fitted with clips (like those used to recharge car batteries but smaller in size).
22. Burning various parts of the body, including the genitals, with domestic appliances such as electric irons, with heated metal rods, or with a naked flame.
23. Extinguishing cigarettes on the eyeballs or on various parts of the body, including the genitals, nipples, chest, and hands.
24. Pouring hot and cold water alternately over the detainee.
25. Placing the detainee in a cold, air-conditioned room for several hours, and then immediately into a heated room.
26. Pouring an acid-like substance onto the skin.
27. Pouring caustic substances onto the eyes, causing blindness.
28. Plucking facial hair, particularly the beard, with pincers or pliers.
29. Placing heavy weights on the detainee's body.
30. Spitting into the detainee's mouth.
31. Exposing the detainee to the sun for several hours at a stretch without water.
32. Subjecting the detainee to mock execution. This includes holding the head below water to the point of near suffocation; going through the motions of execution by firing squad; and holding a gun to the head or in the mouth and pulling the trigger.
33. Forcing the detainee to watch others being tortured, or to hear their screams.
34. Raping or torturing the detainee's relatives in his or her presence; threatening the detainee with such acts.
35. Threatening the detainee with torture methods such as the electric chair [al-Kursi al-Rajjaj], or with death by immersion in an acid bath.
36. Deprivation of medical treatment.
37. Deprivation of sleep, food, water, fresh air, and toilet or washing facilities.
38. Degrading the detainee by using obscene language or insults.

Some of the cases Amnesty reports upon are too degrading to read.

One case, however, that merits worldwide investigation is a report by a Red Crescent doctor that over 300 premature babies died after Iraqi soldiers removed them from incubators, which were then looted. Such deaths were reported in the al-Razi and al-'Addan hospitals, as well as the Maternity Hospital. According to the Red Crescent doctor:

Premature babies at the Maternity Hospital died after Iraqi soldiers took them out of the incubators. This happened in August, in the early days of the invasion. A total of 312 babies died in this way. I personally took part in the burial of 72 of them in al-Rigga cemetery.

Mr. President, I wish that every American would take the opportunity of reading Amnesty International's report, and understand such atrocities are still going on today. The embargo has meant the loss of life, of human dignity, and human rights. It is not an alternative to the loss of life.

Mr. President, previous speakers have also attempted to discount Iraq's efforts to acquire weapons of mass destruction, that is, atomic weapons in order to support this resolution. This is a dangerous exercise in political rhetoric. Saddam Hussein has already shown his willingness to use weapons of mass destruction. He used them on the battlefield against the Iranians and he also used them against his own people, the Kurds. He has the singular distinction of being the first person to make mass use of chemical weapons on the battlefield since World War I.

As far as his capability to acquire nuclear weapons is concerned, I do not know exactly when he is able to acquire them. I have heard estimates from as short a time as 1 year to as long as 10 years from now. I believe, however, that the evidence is clear that if Israel had not bombed his Osirak facility back in 1981, we would already be facing the threat of nuclear weapons today from Iraq. It is equally clear he has spent billions since that time to acquire a centrifuge enrichment and nuclear weapons production capability, is actively producing biological weapons, and has stockpiled thousands of tons of chemical weapons. We are not arguing whether Iraq will attain nuclear weapons. We are arguing as to when. I would like to believe the most optimistic estimates, that such nuclear capability is a long time away. Unfortunately, we do not know and time after time we have been deceived by our hopes.

Another argument that is frequently mentioned in this debate is whether we are considering going to war over the price of oil. Mr. President, no one can ignore strategic realities, but we are not opposing Saddam Hussein to lower the price of oil. The issue is de facto control over more than 60 percent of the world's oil reserves. If whether one individual will have the ability to threaten the world's economy for years to come. I have no doubt that if Saddam Hussein were to prevail, it would only be a matter of time before he went on to take control of Saudi Arabia and the other Gulf States, or Saudi Arabia and other oil producing nations felt they had to respond to the dictates of Saddam Hussein. I do not believe that Saddam Hussein is simply interested in increasing the price of oil. I believe he



is interested in power and regional dominance. I believe that this would inevitably lead him to cut off or ration the world's oil supplies and thereby disrupt the world's economy. We cannot risk putting that capability into his hands, the capability to undermine or destroy the world's economies.

We have also debated allied participation and burdensharing Mr. President, as if this somehow excused us from the necessity to act. I, too, am bitterly disappointed at the lack of active military participation by many of our allies. I suggest if there is any message President Bush and Secretary Baker need to carry to many of our allies, it is the great and enormous dissatisfaction that the American people feel about their lack of military and economic participation, particularly since we know it is the lives of American men and women that are principally at risk in the gulf. I believe we need to address that issue in the future.

Yet, Mr. President, we are in a time of transition, a time of transition to a new world order. Some 37 other nations have shown they are willing to make some contribution. Hopefully, when the next crisis arises, and unfortunately there will be one, we can expect a greater participation on the part of our allies.

We also cannot ignore our obligation to Israel. The distinguished majority leader of the Senate recently raised the issue that if we attack Iraq, Iraq might attack the State of Israel in response and thereby divide the coalition that supports the U.N. effort in the gulf. I believe this risk is minimal, and ignores the threat to Israel if we do not act. As recently as yesterday, President Hosni Mubarak stated that he felt if Israel were attacked, Israel had every right to respond in a military fashion.

It is also clear that many Americans understand that Saddam Hussein threatens the entire Middle East, and Israel's very existence, and not just the gulf. I think it is important at this time to mention a statement made by the Conference of Presidents of Major American Jewish Organizations. The Conference of Presidents of Major American Jewish Organizations on Wednesday, June 9, issued the following statement on the current crisis in the gulf:

We support the policy of the Bush administration in demanding the complete and immediate withdrawal of Iraqi forces from Kuwait, the restoration of the legitimate Government of Kuwait and its land, and the dismantling of Iraq's huge arsenal of conventional and military weapons as well as its potential for developing biological and nuclear arms. We support the policy of the Bush administration in going the extra mile to seek a peaceful resolution of the gulf crisis, while being prepared to take the required steps including the use of military force to achieve the goals of international commu-

nity and opposing Saddam Hussein's aggression.

Mr. President, I ask unanimous consent that this full statement be printed in the RECORD.

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

CONFERENCE OF PRESIDENTS OF  
MAJOR AMERICAN JEWISH ORGANIZATIONS,

January 9, 1991.

1. As we get closer to January 15 there will be a need for quick access to regularly updated information. For this purpose the Presidents Conference will be converting its travel line into a Crisis Hotline so that our leadership can call in to receive up-to-the-minute information regarding the situation in the Gulf. The number is 1-800-872-8540.

2. The following is a statement issued by the Presidents Conference today.

The Conference of Presidents of Major American Jewish Organizations today (Wednesday, January 9) issued the following statement on the current crisis in the Gulf:

"We support the policy of the Bush Administration in demanding the complete and immediate withdrawal of Iraqi forces from Kuwait, the restoration of the legitimate Government of Kuwait in its land and the dismantling of Iraq's huge military arsenal of conventional and chemical weapons, as well as its potential for developing biological and nuclear arms.

"Such measures are essential to prevent Saddam Hussein from renewing his threats against other states in the region and his attempts to further radicalize other Arab regimes.

"We support the policy of the Bush Administration in going the extra mile to seek a peaceful resolution of the Gulf crisis while being prepared to take the required steps—including the use of military force—to achieve the goals of the international community in opposing Saddam Hussein's aggression.

"We support the policy of the Bush Administration in its refusal to accept any linkage of the occupation of Kuwait with the Palestinian issue. There is no connection between the two. The true similarity is between Kuwait as the victim of Iraqi aggression in 1990 and Israel as the victim of Arab aggression in 1967. The difference is that Kuwait was overrun and Israel successfully resisted an unprovoked attack by Arab states.

"We trust that the U.S. policy will not be undermined by the attempts of other nations to appease Saddam Hussein or in any way to reward his aggression."

Mr. MCCAIN. Mr. President, this is a critical point in history. We determine at this moment whether we, in the first crisis of the post-cold war era, can act together with the United Nations and every other civilized nation in the world, to prevent naked international aggression of the most heinous and disgraceful kind. It is clear to me that if we fail to act, our New World order will be inevitably a succession of dictators, or more Saddam Husseins. There is an abundance around this globe of real or would-be dictators who will see a green light. They will see a green light for aggression, and a green light for annexation of its weaker neighbors. We will have created a threat to the stability of this entire globe.

It is unfortunate at this time in history that the United States has to bear the majority of this burden. I believe over time we can rightfully expect other nations to provide the kind of coordination and assistance that will be necessary in the next crisis.

Let us also not forget that American determination is our only real hope for peace. I am convinced that somewhere deep down, Saddam Hussein still must, somewhere, have a spark of sensibility. Convincing him that we will use force if necessary is the best and most viable option that we have to convince him that it is in his best interests—which is the only interest he is concerned about—to have an orderly withdrawal and a speedy one from Kuwait. If he cannot understand the threat of force, he will not understand the threat of any embargo. He will have forced us to war, and we will have been forced to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York is recognized.

HISTORY OF SANCTIONS

Mr. D'AMATO. Mr. President, a number of my colleagues have offered a resolution. The essence of that resolution is that continued operation of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course of action at this time.

Mr. President, this is not a debate over whether we commit U.S. forces to wage war. Even those who have propounded this resolution have indicated that it may in the future be necessary to use force—but that we should be more judicious and that we should give the sanctions more time to see what if anything happens. Mr. President, I believe if we adopt the resolution that we are considering, it chops the knees right from out under our boys. It undercuts them in the sand. It undercuts the President and it undercuts this country. I think it is going to be rather difficult for any President, this President and any in the future, to conduct foreign policy and to have our allies rely upon his word and his commitments. We better think long and hard about this.

Let me speak about the history of sanctions in this body. It was on May 17 of this year when with a number of our colleagues, Senator PELL and I attempted to offer an amendment to the Chemical and Biological Weapons Act of 1989. I never heard more double talk, more triple talk, more quadruple talk about why, on May 17, we should not do anything to disturb our relations or out trade with Iraq. We had people telling us what a wonderful guy he was. Oh, he was changing. Incredible; it is in the RECORD.

We had a little fandango here about, oh, how the Ways and Means Committee would blue slip it; how we did not want to stop that legislation. We

adopted a policy that what is good economically for my region is what is important. We did not care about the butchery. We did not care about the chemical weapons. We did not care about the report that Amnesty International had prepared before that showed the killing, the atrocities. We did not care about the reports we were getting from the CIA and others as to what was taking place.

We had a State Department that was a mealy mouthed group, incredible. Do not think they do not share the blame. Right up until the final days: Oh, we see him moderating.

I said, "Why?"

"Well, he's sending someone to the international convention on chemical weapons."

I asked the question, Was that to find out how he could use them better, more effectively? He was moderating.

"The enemy of my enemy is my friend." How many times have we heard that from Assistant Secretary Kelly and the other groups of absolute wishful thinkers who showed no pragmatism, no practicality.

If on May 17 we had done something and sent the butcher of Baghdad a message—by the way, when I called him the "Butcher of Baghdad," the Iraqi Ambassador complained. I offended his sensitivities. Do I offend his sensitivities now? Will I be accused of being undiplomatic now? Is it any less truthful or was it any less truthful then?

I do not hear anybody bashing Saddam Hussein. I think we ought to be pretty careful when we speak about our President. I heard some language here that is less than careful and judicious. You may disagree. But to take the President on the way we have sends a terrible signal. And it is wrong.

This is not a question of whether or not we declare war. It is a question of whether or not we back up our President and our Nation's commitment and all of the actions we have undertaken to give them credibility. Then we hear these estimates about sanctions and how they are working and how they are not working and whether we should wait or whether we should not wait. That is important.

I have heard about the letter and the assessment of January 10. But when we look at the record, it seems that we want to disregard this. Mr. Webster in his latest analysis on January 10 said, "The ability of Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months."

Here are the CIA's comments as of January 10, in a letter to Congressman ASPIN. He said the situation in Kuwait is unlikely in the next 6 to 12 months to change. Twelve months from now, we will be here. Will our position in the field be strengthened? What about the resolve and the determination of our young men and women? What will the

country be asking? What about the fragile coalition? And it is fragile, and we understand that. What about the economic burden? What does Mr. Webster continue to say, because we talk about whether or not the sanctions are working.

By the way, the same group who would not vote sanctions, who would not cutoff trade with him prior to his invasion, is now supporting sanctions. I find it interesting that we wait for him to invade, we wait for him to wipe out, we wait for him to occupy, we wait until we send a quarter million-plus boys over there and now we are talking about whether or not sanctions are going to be effective and maybe we should give it some time. How much time? Is there anyone here with some expertise who can tell me 6 months from now that his Armed Forces are going to be degraded to the point that we are enhanced and he is going to withdraw particularly when we say we will not give the President the ability to back up any credible threat with the military? What nonsense.

Saddam Hussein, when he sees that, will be licking his chops. He is the winner. If we pass this resolution, he is the winner. He sticks in there and behind the scenes the Arab coalition begins to shudder and then they say maybe we should not have called upon the United States because, after all, they cannot keep that commitment.

Let us read the letter, and I am going to take a little part of it.

On balance, the marginal decline of combat power in Baghdad's armored divisions probably would be offset by the simultaneous improvement of its defensive fortifications.

So when he says is there a degradation, yes, but minimally. And they will enhance their defensive capabilities. He addresses the question as to their air force and its degradation, and he points out that that is not their strong suit.

He continues: "Even if"—this is Judge Webster, January 10. What is the date today? 11th. January 10 he writes this letter, a day ago:

Even if sanctions continue to be enforced for an additional 6 to 12 months—

We are talking for up to a year—he is saying—

Economic hardship alone is unlikely to compel Saddam Hussein to retreat from Kuwait or cause a threatened popular discontent in Iraq.

He goes on:

He probably continues to believe that Iraq can endure sanctions longer than the international coalition will hold and hopes that avoiding war will buy him time to negotiate.

I say to my friends, we talk about waiting for some sanctions at some mythical time that no one is willing to set forth. We do not say 2 months, 6 months, some undetermined time when they will pay their toll, and we have an assessment by Judge Webster, the CIA, by others, that says it is not having an

impact. Any darn fool should have known that right from the beginning and it should not have been handled in that manner. We should have said our sanctions are there to deprive him of the fruits of an otherwise great victory.

I begged the administration early on not to take that course of action, not to spell out to the people that sanctions in and of itself would bring victory. They did not. The administration was wrong. And they have come forward today and they admit it because those are the facts. I am not just saying that. I committed that to paper August 24 in an article to the New York Times. I said to them, "It is simply naive to believe that an economic embargo will starve Mr. Hussein into capitulating to our demands." It is in the RECORD. It is in the RECORD that we failed to do even a prudent thing, to send a signal to Saddam Hussein, "Do not undertake this aggression."

Now after the aggression is undertaken, after the failure of the administration to stand early and the Congress to do what it should have done, now when the President commits hundreds of thousands of young men and women, what are we going to say to Saddam Hussein? We are going to see if the sanctions will work in the face and in the light of our expert testimony that indicates an evidence and facts that they will not.

Do we want to undercut the President, a blow to our President and to future Presidents and to our young men out there? Do it. That is what happens if we pass this resolution. It is incredible.

Let me read a part of today's editorial in the Washington Post: "\*\*\* but do support putting in the hands of the President—a President who personally knows something about war—the authority to make a more plausible threat in these 11th-hour circumstances of President Hussein's predeadline countdown. Our judgment is that Congress, by deciding to authorize the President to conduct war, materially improves his chances of achieving peace."

If Saddam Hussein faces no credible punishment, no credible threat but the continuation of an economic boycott that, yes, is bringing real problems in economic deprivation to his people, but that is not the kind of credible punishment that will move him, he has no incentive to withdraw from Kuwait.

History has pointed that out in the case of Saddam Hussein. But only when he faces an overwhelming threat to his well-being and that of his military machine do we have an opportunity to resolve this matter peacefully. So I say if we pass this resolution, we deprive the President of demonstrating that we have the will and the capacity and the ability to inflict the kind of punish-



ment that even Saddam Hussein will not countenance.

This is our best opportunity to resolve this even if it is a minimal opportunity to resolve this peacefully. That is why I will vote against this resolution.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

#### HOW DO WE BEST ACHIEVE OUR GOALS?

Mr. BREAUX. Mr. President, today we are all engaged in a debate on a subject matter with more important consequences than any other that can come before the Senate: The question of whether we as a body will vote to authorize the use of military force against another nation.

I trust that our decision today will be the correct one. To do the wrong thing today can have terrible consequences tomorrow.

There is no disagreement in America today that Saddam Hussein represents the embodiment of evil and that he must get out of Kuwait which he has brutally invaded and now illegally occupies. The only debate is how do we best achieve our goals?

While Kuwait is only a small country, many thousands of miles from our shores, I know that Americans today realize that the world of the 1990's is, indeed, a smaller place where any event anywhere can affect us all everywhere.

Even in 1945, Franklin Roosevelt recognized this when he said during his fourth inaugural address:

We have learned that we cannot live alone at peace. Our own well-being is dependent on the well-being of other nations far away. We have learned that we must live as men and not as ostriches, nor as dogs in the manger. We have learned to be citizens of the world and members of the human community.

A year ago the world was basking in the glow of a new era of freedom and harmony that many hoped would be the underpinnings of what has become known as the "new world order." The Berlin Wall had fallen, Ceausescu toppled in Romania, Mandela freed in South Africa, and free elections scheduled in Nicaragua. People around the globe looked forward to an era when domestic political disputes would be settled at the ballot box, and international problems resolved at the conference table.

Mr. President, Iraq shattered this dream on August 2 with its brutal blitzkrieg against its tiny neighbor, Kuwait. From the beginning, there have been stories of atrocities by the Iraqi Army, the likes of which have not been seen since Hitler's panzers rolled across Europe half a century ago. Summary executions, torture, rape, pillage, and looting have left Kuwait in ruins. In hospital maternity wards Kuwaiti infants were taken from their incubators and left to die. The incubators

were sent back to Baghdad. Kuwait, which Iraq now claims as its 19th province has, for all intents, ceased to exist as a nation.

Mr. President, Amnesty International, a very well-respected international organization, has documented the types of torture that the Iraqi Army perpetrated on the people of Kuwait. I quote from this publication:

#### METHODS OF TORTURE AND ILL-TREATMENT

The following are details of allegations of torture and ill-treatment which have been made to Amnesty International since 2 August, some of which are supported by medical evidence and photographic material. These reports are entirely consistent with methods of torture and ill-treatment known to have been used in Iraq over many years.

1. Beatings on all parts of the body, involving punching, slapping, delivering Karate-style blows and kicking with heavy army boots. Implements used for beating include canes, metal rods, whips, steel cables, hoses, rubber truncheons and rifle butts.
2. Falaqa: prolonged beating on the soles of the feet. Sometimes the detainee is then forced to walk or run.

3. Suspending the detainee by the feet, or by the arms which are tied behind the back.

4. Beating the detainee while suspended from a rotating fan in the ceiling.

5. Breaking of the arms, legs or ribs; dislocating elbow and shoulder joints.

6. Lifting the detainee high up in the air and then dropping him, sometimes resulting in the fracturing of bones.

7. Applying pressure to the fingers with a clamp-like instrument.

8. Slashing the face, arms or legs with knives.

9. Extracting finger and toenails.

10. Boring a hole in the leg, apparently with a type of drilling tool.

11. Cutting off of the tongue and ear.

12. Gouging out of the eyes.

13. Castration.

14. Hammering nails into the hands.

15. Piercing the skin with pins or staplers.

16. Shooting the detainee in the arm or leg at point blank range, followed by deprivation of the necessary medical treatment.

17. Rape of women and young men.

18. Inserting bottle necks, sometimes when broken, into the rectum.

19. Tying a string around the penis and pulling it tightly.

20. Pumping air using a pipe through the anus, particularly of young boys.

21. Applying electricity to sensitive parts of the body, including the ears, lips, tongue, fingers, toes and genitals.

22. Burning various parts of the body, including the genitals, with domestic appliances such as electric irons, with heated metal rods, or with a naked flame.

23. Extinguishing cigarettes on the eyeballs or on various parts of the body, including the genitals, nipples, chest and hands.

I could go on and on, Mr. President, with this list of documented types of torture that have been used by the Iraqis on citizens of occupied Kuwait.

They have also obviously used chemical weapons on their own citizens.

I doubt very seriously, Mr. President, that a nation which has used these types of torture methods on the people of Kuwait and chemical weapons on its own citizens is going to be too impressed by sanctions which merely

sometimes reduce caloric intake on the citizens of Iraq while the army continues to get well fed.

A similar question faced this Nation in the late 1930's as Adolf Hitler's shadow slowly, but surely, fell across Europe. As late as 1936 Hitler's Germany was neither seen, nor in fact was a credible threat to world order. America wishfully hoped for peace and watched as a mad, power-hungry dictator ran over one country after another. People like Charles Lindbergh warned that, "If we enter fighting for democracy abroad, we may end up by losing it at home." Many people listened and the question asked was "Why die for Danzig?" The answer, history tells us, is that the terrible world war that followed could have been avoided had we responded earlier.

I say to President Bush, your responsibility, Mr. President, is to lead, and you have done a remarkable job internationally in convincing the world community that Saddam Hussein must pull out of Kuwait. The world is united in its resolve, it is now time to convince America of the corrections of your position. This is the most important moment of your presidency, it is worth a few more minutes clearly explaining what you have done and what is now needed. Americans want strong leadership and they deserve no less.

I have heard my constituents in Louisiana. They love America and what our country stands for, yet they are also concerned. They do not want another Vietnam, and we must clearly stand for the proposition that never again will that occur. They question whether this effort is worth the price. They need to be assured by our President of the importance of America standing strong in these critical times. We owe it to the American people, to our military men and women, and to their parents and children that in this effort we will be united, clear in purpose and successful as quickly as possible.

I believe that there are compelling reasons for America's presence in Saudi Arabia and our leadership of the multinational coalition confronting Iraq. A restoration of regional stability; continued access to reasonably priced Arabian oil supplies; stopping Iraq's quest for nuclear weapons; and the continued forging of a new world order from a sound basis for our effort to reverse Iraq's absorption of Kuwait. In addition, American credibility and our commitment to global security are at stake.

Iraq's enormous military is a serious threat to the entire Middle East. While Iran had heretofore been a counter to Iraqi strength, the Iranian armed forces were greatly weakened during the 8-year war with Iraq and no longer represent an adequate counterweight to Baghdad. Thus, Saddam Hussein has been able to train his sights on his far

weaker, but oil-rich neighbors to the South. I consider it vital, irrespective of the outcome of this crisis, that Baghdad's military might be reduced to prevent Iraq from preying on its neighbors in the future and to restore the balance of power in the gulf region and throughout the Middle East.

Mr. President, the invasion of Kuwait doubled the volume of oil under Iraq's control. Saddam Hussein now holds 20 percent of the world's proven oil reserves. Unless he is stopped, Saddam will be in a position to manipulate oil pricing and supply, either by continued conquest, or by threatening his relatively lightly armed neighbors. This is unacceptable and poses a grave threat to America's economy and security, and those of our allies.

Iraq's pursuit of nuclear weapons is expected to result in nuclear capability within the next 3 to 10 years, although some analysts predict that Baghdad may be capable of exploding a crude nuclear device within 12 months. Mr. President, the prospect of a nuclear-armed Iraq is terrifying. Saddam Hussein's willingness to use chemical weapons, not only against Iranian troops, but also against Iraq's own Kurdish minority, leads me to conclude that he would have no hesitation to use nuclear weapons. It is vital that Iraq's effort to acquire nuclear weapons be stopped as part of a diplomatic settlement; or, if war breaks out, that Iraq's nuclear weapons development facilities be targeted and destroyed. Iraq's capability to manufacture and deliver chemical and biological weapons must also be eliminated.

The collapse of communism in Eastern Europe and the ongoing rapprochement between the United States and the Soviet Union has reinvigorated the United Nations and given rise to hopes that conflict resolution can take place peacefully. Implicit in this "new world order" is the need for the world community to respond collectively in opposing, by force if necessary, those countries which violate the precepts and norms of international behavior. Iraq's brutalization of Kuwait clearly falls into this category, and the global response to Baghdad's invasion is a test of the world's willingness to exercise collection security.

So far, the world has responded with a remarkable degree of unanimity. On 12 separate occasions the U.N. Security Council has passed resolutions demanding that Iraq withdraw from Kuwait and that the legitimate Kuwaiti Government be returned to power.

Mr. President, if this new approach to international affairs is to succeed, this Congress must demonstrate and resolve that aggression will not be rewarded and that it will be reversed.

There are those in this body and throughout the Nation who do not believe that we should resort to force to secure an Iraqi departure from Kuwait.

They argue that the sanctions are working and that the Iraqis will withdraw peacefully. With all due respect to my colleagues, I do not believe that the sanctions alone are enough to force Iraq to back down.

The history of economic sanctions clearly indicates that the longer they remain in effect, the more porous they become. There have been a number of reports in the media detailing efforts by countries in Western Europe to circumvent the sanctions. I am also concerned that Iraq will be able to expand the illegal trade now occurring along its border with Iran.

I do not doubt that the sanctions are taking their toll on Iraq; recent reports indicate that the Iraqi gross national product has been cut in half. Devastating as this may be to Iraq's oil-based economy, their effect cannot be overemphasized. Iraq's command economy is not affected to the same degree by sanctions as a market economy would be. Food, although rationed, appears to be plentiful and life in Iraq goes on relatively normally. Remember, Mr. President, that economic privation and hardship are nothing new to Iraq. The country was severely tested during the 8 years of fighting with Iran.

I am also concerned that the coalition facing Iraq will break apart if the Congress votes to defer indefinitely the use of force and instead opts for the continuation of sanctions. The administration has already gone to great effort to keep the other members of the coalition together. Fractures between the United States and the allies are becoming apparent and these schisms are likely to expand in the future. The Europeans are becoming skittish and our Arab allies fear the wrath of their people, many of whom see Saddam as a modern-day Nasser. The tensions in the Arab world will undoubtedly rise if thousands of foreign troops remain in Arabia through the holy month of Ramadan—which begins in mid-March—or the Hajj, the annual pilgrimage to Mecca which will take place in June.

Our allies, especially in the Middle East, have stuck by the United States because they have believed that we are determined to put a stop to Iraqi aggression. If we appear to waver, I have little doubt that they will scramble to cut separate deals with Saddam Hussein to avoid Kuwait's fate. Clearly, now is the time to support the President, confront tyranny and aggression and restore a measure of balance to a volatile region.

I have no quarrel with the Iraqi people. However, Saddam Hussein must understand that, in President John Kennedy's words:

Let every nation know, whether it wishes us well or ill that we shall pay any price, bear any burden, meet any hardship, support any friend, and oppose any foe to assure the survival and success of liberty.

I urge my colleagues to join with me in sending a clear and unmistakable message to Baghdad by supporting the President.

I yield the floor.

The VICE PRESIDENT. The Chair recognizes the Senator from North Dakota.

The Senator from North Dakota.

#### CONTINUE TO WORK FOR PEACE

Mr. BURDICK. Mr. President, war is the last thing any of us want. I cannot vote to authorize military force at this particular time. I support the Democratic resolution which stops short of war. But it says Congress will work with the President as the situation changes. Sanctions should force Iraq out of Kuwait if we give ample time. Let us continue to work for peace instead of working for war.

Mr. METZENBAUM addressed the Chair.

The VICE PRESIDENT. The Senator from Ohio.

Mr. METZENBAUM. I thank the Chair.

Mr. President, I am pleased to be a cosponsor of the resolution authored by our Democratic leader. I commend Senator MITCHELL for his diligence and his diplomatic skills in crafting this measure with the assistance of Senators NUNN and LEVIN, BYRD, PELL, WIRTH, LEAHY and so many others.

It lays out a course of action that is measured and sensible. It ensures the protection of the constitutional balance envisioned by our Founding Fathers.

That balance prohibits any one man or woman, even the President of the United States, from committing an entire Nation to war.

Mr. President, Saddam Hussein is a tyrant—a bully—an insecure leader trying to prove his importance with a reckless disregard for the lives of his people and the future of his country. Over the past 10 years, he has menaced his neighbors—he has gassed his own people. He invaded, smashed and pillaged a small powerless neighbor. Kuwait as a nation no longer exists. Everything of value was stripped, stolen and shipped off to Baghdad.

I agreed with the President when he said that the situation in the Persian Gulf presented a serious threat to vital U.S. interests.

All nations that depend on a stable supply of Middle East oil were threatened and endangered when Saddam Hussein marched into Kuwait. I supported the tremendous effort the President and his Secretary of State made in mobilizing worldwide condemnation against this outlaw dictator. But after that, the President and I parted company.

I believe the International Coalition has stopped Saddam in his tracks. The sanctions are beginning to bite. They are beginning to strangle his economy.



And I believe these hard-earned sanctions should continue to work.

Iraq's economic output is down 40 percent since August. According to Jim Schlesinger and Admiral Crowe, certainly two knowledgeable men. What possible reason can there be now for abandoning this successful effort?

Sanctions or war—Saddam will lose either way. But this economic embargo of Iraq is enabling us to avoid the terrible costs of war. Let us not forget. It is the lives of young Americans that will be lost in war. And, if we go to war, someone will have to explain why.

It is war that will drive the price of oil to \$60 or \$100 a barrel. It is war that will result in the destruction of the gulf countries. It is war that holds the greatest uncertainty.

When the shooting stops, it is the United States that will bear the lion's share of the cost of reconstructing the region.

Now let me address myself to another extremely troubling aspect of the gulf crisis. That is the issue of burdensharing. Our allies are not paying their way. The United States is bearing almost the entire cost of the Desert Shield Operation; 430,000 U.S. troops, far more than the rest of our allies combined.

How many troops have our allies there? 245,000. About 30 percent of the total.

But as the chairman of the Armed Services Committee Senator NUNN pointed out, the Syrians have indicated that they will not use their troops in an offensive operation and we do not know whether the Egyptians will permit their troops to be used in such an operation against Iraq.

So, the reality of the situation is if the coalition attacks Iraq, United States troops will make up about 90 percent of the total attacking force.

It is our soldiers whose lives are on the line, our allies in Europe and Japan are far more dependent on Middle East oil than we.

Yet their contribution to Desert Shield is penurious. It is insulting.

Look at the facts.

Japan promised \$2 billion in calendar year 1990.

What has Japan provided to date?

\$428 million in cash, and their estimate of \$50 million in-kind services.

I was informed today they have provided as part of those in-kind services 40,000 Sony Walkman radios. At best, including all of their contributions, even the Sony radios, that is a total of \$478 million—less than a quarter of what they promised.

This is from a country with the second largest economy in the world, a country that is taking the rest of the world to the cleaners economically—a country that imports 99 percent of its oil—70 percent of which comes from the Gulf.

Japan can afford to do more—they should be doing more! They are shirking on their responsibilities.

What about Germany, the economic powerhouse of Europe?

Germany agreed to provide \$2 billion in support.

What have they contributed so far?

\$337 million in cash and useless East German military equipment—one-sixth of what they promised.

France imports 96 percent of its oil; Italy imports 93 percent of its oil; the Netherlands, 94 percent; Belgium, 99 percent; Sweden, 95 percent.

All of these countries should be standing shoulder to shoulder with America, shoulder to shoulder with our boys in the field. Yet, they are contributing almost nothing. And it is our men and women who are being called upon to face the Iraqis in the field.

At last count, France was sending about 15,000 troops.

Britain had sent 30,000 troops.

Compare that to the U.S. commitment of 430,000 combat troops.

Europe and Japan, Brazil, the so-called tigers of Asia—Korea, Singapore, Hong Kong, and Taiwan—all countries that must have a reliable supply of oil to keep their economies going, to maintain their standard of living—countries that can afford to help—are not helping.

We still spend \$3 billion every year defending South Korea.

Now we are going to protect their oil supply.

It is any wonder that we have such difficulty in competing with Korean goods as they come into this country and compete with American products?

The fact is, the gulf burdensharing issue is so egregious, it has become an embarrassment to the administration.

Until recently, the Pentagon and the State Department were publishing an accounting of foreign contributions to Operation Desert Shield and assistance to the frontline, Middle-Eastern countries.

They are no longer doing so.

In addition, the Pentagon is no longer providing cost estimates for the Desert Shield Operation.

Last Friday, the administration decided at the last minute to forbid Pentagon officials from testifying at a House Budget Committee hearing on the cost of Desert Shield.

According to the chairman, Mr. PANNETTA, the administration "informed us that it will not be willing to discuss the cost of Desert Shield for an indefinite period."

At the same hearing, Charles Bowsher, Director of the GAO, complained that Pentagon chiefs know how much foreign governments have contributed to the frontline states, but now refuse to release the data.

That is an outrage.

The frontline states know what they are contributing. Other nations that

are contributing know. But the American people are being told by their own Government representatives, "We will keep the facts secret from you; we will refuse to testify to a congressional committee. This is secret information."

What is so possibly secret as to the amount that foreign governments have contributed, unless it is just a total embarrassment to the U.S. Government? How can the U.S. Government possibly justify shielding the American people from that information, refusing to share it with us, refusing to share it with Congress?

Most recent estimates place the cost of Desert Shield at \$30 billion in 1991—and that is without a shooting war.

So, Mr. President, once again, it is Uncle Sam, U.S. soldiers, and U.S. taxpayers that will carry the world on its back.

It is wrong and it is unfair.

I agree with the President that we cannot negotiate, we cannot accept linkage; I salute him for his position on those points. But we cannot reward illegal aggression, either.

And I abhor the deal the French are trying to cut with Hussein at the world's expense.

This is not the first time France has had its own agenda.

France is that one nation in the world that never can be counted upon, that is always looking out for its own welfare and no one else's concerns. It has done it time and time again.

The French pulled their forces out of NATO when Europe faced a Soviet menace during the depths of the cold war.

They sold arms indiscriminately to anyone with cash on the table—including both Iraq and Iran during their 8-year war.

And they refused to let United States pilots overfly French airspace during the Libyan raid.

Probably in the history of this country, there are few nations that have been more remiss, more turning their back on their obligations to the world community and their responsibilities as far as their relations with this country are concerned than the French. We have not been able to count upon them for many years. Going back in history, they were one of our great friends, but in more recent years, they cannot be counted upon.

Mr. President, make no mistake about it. I support the blockade against Iraq.

I do not rule out war as a last resort. But war should be the solution when all else fails.

Mr. President, it is outrageous that the American people must carry so much of the financial burden for Desert Shield. But I believe they are willing to stick it out until the sanctions break Saddam's back.

Money is one thing, but I cannot hand a blank check of American lives over to the President until I know in my head and in my heart that we have no other option.

Accordingly, Mr. President, I will support the resolution of the majority leader, and I hope that it will soon take its proper course. I understand the difficulties of passing it. I understand that the votes may not be there, but this Senator believes that the wise course, the right course, is to proceed forward, supporting the sanctions, supporting the embargo, and not taking this country into a war.

I yield the floor.

The VICE PRESIDENT. The Senator from Connecticut.

#### THE PERSIAN GULF CRISIS

Mr. LIEBERMAN. Mr. President, it is a terrible frustration, indeed a painful irony that Saddam Hussein's invasion of Kuwait has plunged our world back into crisis just months after the collapse of Eastern European communism. We have hardly had the time to enjoy the peace before confronting war once again. Indeed, nearly half the men and women who form the vanguard of our defense of Western Europe have suddenly been shifted from Germany to Saudi Arabia, trading uniforms and tanks of forest green for those of desert brown.

This sudden reversal of our fortunes reminds us of a sad and old lesson which runs throughout the course of human history. We are an imperfect species, capable of great good but also great evil. Saddam Hussein's fascistic tyranny and brutal aggression are but the latest examples of the capacity of human beings to inflict pain on one another.

Within our society, we rely on the adoption and enforcement of laws to control our worst inclinations. In the world community, civilized relations between nations have depended on alliances of peace and defenses against war. But when alliances have been broken and defenses breached by acts of aggression, the civilized world has often had to meet force with force.

Regretfully, I have concluded that this is such a time. We are now joined in a conflict from which there is no turning back. That is no easy conclusion for me to reach. I am humbled, in fact, by the responsibility which has been placed in me by the people of Connecticut who sent me to be their U.S. Senator at this moment, and by the responsibility that I feel for every one of the men and women who are defending us today in the Persian Gulf, and every one of their fathers and mothers, their husbands and wives, their sons and daughters.

The horrible possibility of war became clear to me one recent Sunday morning in the Goffe Street Armory in my hometown of New Haven, CT, where the 142d Medical Clearing Co. of the

Connecticut National Guard had gathered for departure to Fort Devens in Massachusetts and, from there, to the desert of Saudi Arabia. I felt an obligation, as have so many of my colleagues in recent months in similar circumstances, to join those men and women for a brief time to convey to them my own sense of gratitude for the tremendous sacrifice they were about to make, my support for their cause, and my belief that they are heroes to us all.

It is no easy thing to look into the eyes of men and women who are marching off to the drumbeat of war. It is no easy thing to look into the eyes of their families gathered to see these soldiers off, all of them haunted by the ultimate question, "Will I see my loved one again?"

It is no easy thing to stand on the floor of this historic Chamber and cast a vote that may decide the fate of so many of our American friends and neighbors. It is not easy. We all know that.

We know from the tone and tenor of the debate in the Chamber over the last few days that all of us comprehend the gravity of this moment. The political intrigue that often marks debate on issues here in the Senate is absent, replaced by a common knowledge—in the midst of diverse opinions—that the fate of people and nations hangs in the balance as we marshal our arguments for or against a resolution that may lead to war.

No, it is not easy. But it must be done. It must be done because our President has asked us to vote to support him in this hour of challenge; and our Constitution demands that we vote before our Nation is committed to war.

The issue before us is not to pick a day or time for hostilities to begin, or to determine how a war is waged. No; that in my opinion is the clear responsibility of the President as Commander in Chief under article II of our Constitution. The issue before the Congress under article I, section 8, is whether or not we authorize the President to use force to achieve our goals in the Persian Gulf, if the President chooses to wage war.

On that issue, I will vote to authorize the President to have the power to go to war. I will do so in the knowledge that war may, indeed, be the result and that many good people may die. But I will cast that vote in the hopes that, by so doing, I will make the prospects of peace more real.

Mr. President, it is one of the ironies of this crisis that the prospects for peace may not be fully realized until we are fully prepared for war. That is not a new concept. More than 15 centuries ago a Roman historian, Vegetius said it: "To have peace you must prepare for war."

In Saddam Hussein we face a threat of the most dangerous nature, a rigid,

unyielding dictator. Our best hope for true peace is to convince Saddam Hussein now that he faces swift, utter, devastating defeat if he fails to withdraw completely, and without condition, from Kuwait. President Bush has been absolutely clear and resolute on this point.

But it seems that Saddam has not yet gotten that message. How else to explain the contempt he displayed through the person of Tariq Aziz in Geneva just 2 days ago? How else to explain the intransigence of Saddam in instructing his emissary to refuse to even accept a letter from the President of the United States? That insult was to me, and I am sure to many Americans, a defining moment in this crisis, a moment that encapsulated the nature of the threat we face—stubborn, rigid, unyielding dictatorial, and arrogant. It demonstrated more clearly than ever the need for American unity and American determination.

Our final best chance for a truly peaceful end to this crisis, I am convinced, is to send a clear and unequivocal message to Saddam Hussein that the American Congress and the American people stand shoulder-to-shoulder with our President at this critical moment of confrontation. And that is why I will vote to support and affirm the U.N. resolution.

Mr. President, those who argue that economic sanctions must be given more time to work, who have joined in the resolution to require that sanctions be given more time to work, have made serious and thoughtful arguments on this floor and they deserve an answer from those of us who will oppose that resolution and instead counsel authorization for war. There is a surface appeal to the position that sanctions should continue. But in my respectful opinion that appeal does not run deep and it does not run strong.

Yes, the sanctions have cut off most of Iraq's imports and exports. But 5 months of sanctions have not led Saddam Hussein to cede 1 inch of Kuwaiti territory, not to bring forward one hint of compromise. Rather, 5 months of sanctions have given Saddam 5 months to pillage and rape Kuwait, to fortify his defenses, to endanger further the lives of American soldiers who are there.

Five months later in Baghdad, restaurants and cafes and discos remain open, car dealers continue to sell cars, and high-rise apartments continue to be built. Starvation seems very far away in this land where the science of agriculture was in fact invented at the dawn of civilization.

Yes, industry in Iraq has suffered somewhat, but we must remember industry accounts for but 10 percent of Iraq's gross national product.

That part of Iraq's military forces most vulnerable to sanctions is the air force, which will probably atrophy



somewhat from lack of high-tech parts over a period of time. But the air force is not critical to Saddam's ability to maintain his power in Iraq and in Kuwait. It would, in fact, by most estimates be destroyed early in any war that we do begin.

No, it is Iraq's ground forces that represent the greatest threat to all of us. Tanks, artillery armored personnel carriers, and soldiers need only dig in and stay put in Kuwait, as they have. It takes little to maintain them, especially if we remove the threat of imminent war and promise them months of peace, while we wait to see whether sanctions work.

Sanctions in the present case, in my opinion, are a tactical, not a strategic, weapon. There is a man in Connecticut by the name of Uwe Jahnke, who lives in Washington Depot. He was taken prisoner in Kuwait after the Iraqi invasion, and held as a human shield at an Iraqi military site. He wrote to me recently to say:

I think that delay will help the Iraqis, will most likely result in Iraq remaining in Kuwait, and will further strengthen Saddam both economically and politically, both in Iraq and regionally. I believe that sanctions alone will not result in Iraq withdrawing from Kuwait.

Mr. President, sanctions are a very blunt instrument which hurt civilians before they hurt the military, which hurt the weak before the strong.

I ask the question here: Is it truly more moral to maintain a strategy that inflicts the most punishment on a civilian population, the most vulnerable in society, the poorest, the youngest, the oldest?

If people think that sanctions will work, they must think that they will bring terrible destruction on the heads of the Iraqi people themselves. It is important to consider the morality of that result before decrying the immorality of war.

Consider, too, the fact that making the Iraqis suffer will in no way guarantee the achievement of our goals in the Persian Gulf. Where is there one shred of evidence over the last 5 months that leads to a conclusion that massive suffering on the part of his people will convince Saddam Hussein to leave Kuwait? This is a man who let as many as 1 million of his fellow Iraqis suffer casualties in a war against Iran. That is a casualty rate greater than what Americans suffered—North and South—during the Civil War.

No sanctions we impose can compare to the suffering the Iraqi people faced in their 8-year war with Iran, suffering which did nothing to dislodge Saddam from power or to change his course. How can we hope that a man who would kill his own people with poison gas will retreat because his people may have to stand in line for food?

Supporters of sanctions, I think, not only fail to fully consider the mind of

Saddam Hussein, they fail also to look at the calendar on the wall. Their argument suggests, what do we have to lose by taking more time to see whether the sanctions work?

Mr. President, more time for sanctions is not a course without risk. It is a course full of risk and peril for the world, for the United States, and particularly for America's fighting men and women in the Gulf today. What impact will the passage of time itself have on our ability to achieve our goals? Do supporters of continuing sanctions imagine that all other aspects of the Persian Gulf crisis will remain static, unchanged? Will the Gulf States countenance the presence of hundreds of thousands of American troops within their borders for a period of a year or more? What will happen to our ability to use military force if 1 or 2 years from now sanctions fail? Will our troops be able to maintain their sharpest combat edge for that long? And what will Saddam do over that time to further protect himself and imperil our troops, to cover and disperse Iraqi targets, to dig in more in Kuwait, to make even more difficult and dangerous the service of American soldiers there?

No, allowing the sanctions more time is not a course without peril. It is full of peril. Tying the President's hands indefinitely would give Saddam additional time to perfect his weapons of mass destruction. They will enhance their ability in this time to develop new biological weapons and to deliver them: botulin toxins, various strains of anthrax, typhoid, and cholera bacteria, the most nightmarish forms of combat. Within a year I am convinced he will develop a crude yet destructive nuclear device. Our soldiers, if indeed any would remain in the Gulf to carry out the military option a year from now, could well face a greater threat on the battlefield than they face today. My point again in that those who wish to use sanctions must face the fact that they have a price. They are not without cost.

What of the coalition, the essential ingredient of our ability to maintain sanctions and threaten force? Will Turkey remain firmly allied with us for years? We forget the toll that these sanctions have taken on that nation. The internal pressure in Turkey to reopen its oil pipeline or its agriculture trade with Iraq will grow with each passing month.

In Egypt, extremists who assassinated the head of the parliament last autumn could undermine the government's support of our policy. Clashes between Israelis and Palestinians will continue, possibly straining our relations with our own moderate Arab allies.

In Europe, the growing conservative forces in the Soviet Union could compel President Gorbachev to renew Mos-

cow's once-close relationship with Saddam. France, affected by its own domestic political cross-currents and its north African neighbors, could decide against any use of military force.

Any one of these developments would generate more pressure on nations to compromise with Saddam. Already there is talk of an Iraqi demand that Kuwait cede two strategic islands, Babiyan and Warba, and the southern end of the huge Rumaila oil field. Those concessions are already being discussed. Is it realistic to conclude that within a year from now, they will not be much more seriously considered? Arabs who now stand with us ready to fight Saddam, if necessary, may well lose faith in our will if we send an uncertain message from this Chamber, and may begin to seek ways to make a deal with Saddam if we retreat from the course of strength that our President has set.

I know none of us in this Chamber advocates appeasement. I am not saying that. None of us wants to offer Saddam real concessions. But I want to suggest that to delay the threat of force, to rely on sanctions for a period of a year or more, opens the door for accommodation—some might call it appeasement—by others. And that is something we cannot stop, we cannot control.

We all know how high a price we will pay for that result. Appeasement of Saddam, even if not by our design, would leave him the victor in this crisis and the United States the loser, and a lesser power in the world. Who could trust our word? Who could have confidence in our will as we tried to lead the civilized world into the new world order?

I fear that concessions and delay will only embolden, not satisfy, Saddam Hussein. Delay will strengthen his resolve for victory more than it will weaken his capacity to survive. That is a lesson that has been taught to us throughout the span of human history.

Remember the words of Pericles, responding to the demands for peace with the Spartans at the price of compromise.

He warned:

There is one principle which I hold to through everything. \* \* \* If you give way, you will instantly have to meet some greater demand.

Two thousand four hundred years later, another great general offered a similar warning to his country, our country:

Eagerness to avoid war can produce outright or implicit agreement that injustices and wrongs of the present shall be perpetuated into the future.

Those were the words of Gen. Dwight D. Eisenhower. And he added:

We must not participate in any such false agreement. Thereby we would outrage our own conscience. In the eyes of those who suffered injustice we would become partners of

their oppressors. In the judgment of history we would have sold out the freedom of men for the pottage of a false peace. \* \* \* We would assure future conflict.

Those words of Eisenhower's ring so clearly and directly in the situation we face today.

Then another great American, 4 years before World War II, in a prescient speech for which he was severely criticized at the time, President Franklin Roosevelt said:

There can be no stability or peace either within nations or between nations except under laws and moral standards adhered to by all. International anarchy destroys every foundation for peace. It jeopardizes either the immediate or the future security of every nation, large or small. It is, therefore, a matter of vital interest and concern to the people of the United States that the maintenance of international morality be restored.

Roosevelt expressed a clear understanding that when immorality is allowed to run loose in the world, when aggression is tolerated, though it may occur far away, all of us suffer. That is what is at stake in the Persian Gulf. A victory by Saddam Hussein is a victory of anarchy over order, or war over peace, of brutality over liberty, of immorality over morality. Saddam will breathe new life into that discredited old notion of Machiavelli that the power of the state is the supreme right.

No peace-loving people or nation is safe once the terror of the state is loosed against people around the world. Saddam, victorious, cannot be shunted to the sidelines of world affairs, ignored as a grotesque anomaly, a sideshow. Like a virus, Saddam, the victor, will infect the body of international order, and we cannot let that happen.

Mr. President, I know that comparisons between Saddam Hussein and Adolf Hitler are made often. Sometimes they are too easily drawn. Sometimes, on the other hand, they are too simply dismissed.

The achievement of wealth and power that would be Saddam's, if we did not strongly respond to the threat that he represents, will not satisfy his thirst for conquest. That is clear from his ideology; it is clear from his record. It will not satisfy him any more than it did satisfy Adolf Hitler in the 1930's.

Saddam is in his 13th year as leader of Iraq and he has been an aggressor in 11 of those 13 years. That is the record. There are ominous historic parallels to the ruthlessness of his aggression. Compare Saddam's Scud missiles with Hitler's V-2's, both weapons launched against civilian populations. Compare Saddam's gas attack on the Kurds of Hallabja in his own country to Hitler's air attack against the villagers of Guernica. Scale of destruction may be different so far, but the horror on the face of the dead are quite the same.

Mr. President, we must uphold the principle of order, particularly at this turning point in world history. The waning of the cold war has ushered in

a period of tremendous promise. The spread of democratic ideals, of competitive economic markets, of worldwide communications, have put the forces of tyranny on the defensive around the globe. Those forces now look to Saddam and they look particularly to us as the one remaining superpower in the world, the torch of liberty within our grasp, standing for freedom and stability throughout the world. They look to us to see how we will act in this crisis.

Victory for Saddam will embolden all who share his thirst for power and disregard for civil conduct.

The defeat of Saddam will restore international morality and enhance prospects for a generation of civilized relations, peaceful relations among the nations of the world.

Mr. President, in the end, in this humbling, awesome debate and decision, we must each face the ultimate question, which is whether our goal, the goal of defeating Saddam Hussein, is worth the terrible price that we may have to pay in a war. That question really cuts to the heart of this debate today, and it cuts to each of our hearts as well.

To answer that question, I have tried to imagine what I would say to give comfort to a parent whose child may confront an Iraqi artillery bombardment, to a parent whose child may endure an Iraqi chemical attack, to a wife whose husband may face an Iraqi terrorist raid. I can truly say to them, your son or daughter, your mother or father, your wife or husband is a hero defending our country and the civilized world, and the people of the United States will be eternally grateful for their service and their courage.

As horrible as war is, its horror pales in comparison to the fate of the world if Saddam Hussein's power is allowed to grow. The lives of loved ones are put in harm's way only because the nature of all of our lives for years to come hangs in the balance. The heroic work of our men and women in the Persian Gulf will mean the survival of the kind of world that we want for our children and the prevention of a world in which our children may not survive, certainly not survive as free men and women.

One of those heroes that I have just talked about is another resident of my State, Sgt. Douglas Champaigne of Stratford, CT, who sent me a holiday card from the Persian Gulf where he is serving, and he said to me:

All of us here hope for a peaceful end to this crisis, but if that is not possible, I sincerely hope that Congress and President Bush will see eye to eye on the quickest and least destructive way to force Saddam Hussein from Kuwait.

Sergeant Champaigne concluded:

We are prepared to do the job that we are trained for.

Mr. President, now let us in Congress do the job that we were elected for. Let

us not "sell out the freedom of men for the pottage of a false peace." None of us wants war. None of us in this country, right up to the President of the United States, who himself has known war and is a man of strength and balance, wishes to wage a war. But we must, as Lincoln said, be ready to accept that war may be required. Let us face the awful task before us with the conviction that the price we set for a civilized world is a price that we Americans are prepared to pay.

Thank you, Mr. President, I yield the floor.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER (Mr. BRYAN). The Senator from Ohio.

THE GRAVITY OF THE SITUATION CANNOT BE OVERSTATED

Mr. GLENN. Mr. President, the gravity of the situation we face, which has been discussed here yesterday and today, cannot be overstated.

I would like to begin by saying I believe we all agree with President Bush in a very fundamental way, and that is the overall objective of our policy toward the Persian Gulf. We all agree that Iraq must get out of Kuwait.

The debate here is not over that subject. The debate here is how we accomplish that end with the least potential loss of life. I would add, Mr. President, that I am concerned about the loss of life on both sides. We tend to think solely of loss of American life, but we know that the loss of a son or father, or any family member, to an Iraqi mother is just as grievous, and we do not want to see that pain inflicted on anyone.

We are told that Saddam Hussein quite often watches American television, so perhaps our remarks here today should be tailored to send a message directly to Saddam Hussein:

And that message is, do not misread this debate in the Halls of Congress. Do not misconstrue our constitutional debate, which is largely an internal matter for us to resolve here. Do not misconstrue this debate as a lack of commitment to seeing Iraq leave Kuwait.

We have a united United States of America. We have a united Congress. We have a united United Nations. We have a united coalition of nations that agree with the President that Iraq will leave Kuwait.

It was obvious to all of us that the objective of the move into Kuwait was but the first step. We saw the forces of Iraq move into a southern position and assume attack positions: artillery forward, troops forward, tanks forward, aimed toward Dhahran and the oil fields in that area.

By insisting that Iraq get out of Kuwait we signal that we will not permit Iraq to dominate some 71 percent of the world's oil. I will address that a little bit more later.

We would ask Saddam Hussein what does he have to gain by defying world



opinion? What does he have to gain by defying the U.N. sanctions? We would say to him directly. What does he have to gain by defying his own Arab brothers who have castigated him along with the whole community of Nations?

While, as I have indicated, I continue to support the President's insistence that Iraq must leave Kuwait, I begin to be concerned when I see this policy extended into timetable combat before the embargo has had time to bite—to be as effective as I believe it can.

Mr. President, I have been a bit mystified by some of the changes in the course of administration policy. We started off early last fall with the President putting together an international coalition and the most effective embargo ever put in place. Then we started seeing, a short time ago, a shift. I was concerned about this and questioned our intelligence people about whether we were being given all the same information that the President gets. If I was being given that same intelligence information, I saw no reason for that shift to occur.

And we saw, during that period, many statements which I have called sound bite justifications for war which did more to confuse than to clarify during that period. I submit that we can never again get into a war that is not fully understood and fully backed by the American people. In other words, we do not want to repeat the Vietnam experience.

It seems that discussion of real and important Persian Gulf policy issues somehow got set aside for short, catchy, attention-getting statements. The important thing in going to war is not whether the President says, "I've had it." The important thing is whether the American people have had it and will support whatever action comes thereafter.

It is not just mistreatment of hostages or denial of normal Embassy rights, which had their turn of emphasis. Important as those things are, declaring Saddam Hussein as Hitler-like and overstating the imminence of nuclear danger may appeal to the emotions but do little to add to understanding the situation.

Is it naked aggression which we have heard repeated over and over? Yes, it is. The naked aggression charge against Iraq is absolutely true, but can anyone believe that we would have 400,000 troops in Saudi Arabia supported by U.N. sanctions and embargoes if Kuwait was a nation with no resources, in a nonstrategic, non-energy-producing part of the world? Well, hardly.

We saw encroachments in Timor out in the Far East. Was there a cry that this is encroachment, that this is naked aggression, and did we move 400,000 troops to that area? No, we did not. It had little impact on us directly economically. Are we prepared to move

in 400,000 troops if the Soviets decide to move into Lithuania suddenly. No, probably not.

So the point is there are real issues. They are issues that must be understood by the American people, and I believe these issues are important. I believe they are vital to the United States. We go back to the time of the Carter doctrine in the 1970's. At that time we were concerned about a Soviet move toward the Persian Gulf and what it would mean if the bulk of the world's oil supply had come under the domination of the Soviet Union.

On the issue of our vital interests, the first one, of course, is the potential control of 71 percent of the world's oil reserves. I believe that was an Iraqi objective. The first step was their move into Kuwait.

I read an article during the holidays written by Jim Fain, of the Cox News Service. He was commenting on a new book by Daniel Yergin, called "The Prize." He quotes out of that book: "Mastery itself was the prize," said Winston Churchill," describing when they moved the British Navy from coal to oil. He says, "Oil has been synonymous with mastery ever since."

Yergin traces the saga of petroleum and what it has meant in industrialized expansion in the 20th century. "Saddam Hussein," he goes on to say, "comes across as a rather ordinary player in his bizarre cast of heroes, villains, and screwballs." He says that World War I really established our dependence on oil and all that flowed from it into our society after that. He goes on to detail some of the things that have occurred in the world's quest for petroleum. I will quote from this article:

A U.S. embargo prompted Japan's attack on Pearl Harbor while it reached for the oil riches of the East Indies. Hitler invaded the Soviet Union coveting the oil of the Caucasus. Both guessed wrong. U.S. oil fueled the allies. U.S. submarines and airplanes destroyed Japan's tanker fleet. Allied bombers crushed Nazi coal-gasification plants. Even so, Patton's tanks would have taken Berlin in 1944 had they not run out of gas.

The CIA's first dirty trick sought to safeguard oil by reinstalling the shah in Iran, a gambit that triggered his hubris and ultimate downfall. Britain's Anthony Eden put all his chips in 1956 on seizing the Suez Canal to maintain the oil lifeline—and was humiliated when a miffed Eisenhower cut off his emergency oil supply. Sound the requiem for Victoria's empire and 19th century imperialism.

Those who say we shouldn't fight in the Gulf today reveal charming naiveté—and total ignorance of history. Oil is precisely what we do fight for. It remains mastery.

As Yergin writes, "At the end of the 20th century, oil was still central to security, prosperity and the very nature of civilization."

He concludes by saying:

That's why 400,000 Americans are bivouacked on the Saudi sands. It's why, unless

Hussein backs down, we will send them into battle.

There's nothing noble or moral about any of this. It's just that, until we develop new energy sources, we have no choice. We are trapped in an oil society we fashioned of ourselves. We are, as Yergin puts it, Hydrocarbon Man.

We are not talking about whether gasoline at the pump is going to cost \$1.75 or \$2 a gallon or even more. If that was the only issue, we probably could say we will pay that and avoid any conflict. But it goes far deeper than that, the issue is access to and control of some 71 percent of the world's oil.

We have another vital interest, it seems to me. We have the implication for long-term United Nations collective security actions. Will they be successful in the future? This is the first test of the United Nations in the post cold war era.

(Mr. CONRAD assumed the chair.)

Mr. GLENN. Another interest is our future relations with Arab nations and the hopes for Mideast peace.

Another concern is that Iraq already has chemical weapons of mass destruction and has not hesitated to use them, and is developing a nuclear capability. Finally there is our interest in the welfare of our friend and ally Israel.

All these issues need to be fully explained and examined, before the American people can be expected to give their assent and their commitment to military action.

Will the embargo work? We do not know yet. It has only been in operation for a comparatively short period of time.

I noted today a number of references to Director Webster's letter of yesterday to Congressman LES ASPIN. I put a different interpretation on that letter than do my colleagues who have today quoted Director Webster saying that sanctions would not work. That is not exactly what he said.

He was asked directly, "Do you think we will get Saddam Hussein out by this means,"; he doubted that and I doubt that, too. I could have written this letter. I am skeptical that an embargo alone would do the whole job, but no one can say for certain it will not. Even if it does not, it will undoubtedly leave Saddam Hussein and Iraq in a weakened condition for facing military action to force Iraq out of Kuwait.

Director Webster said that U.N. sanctions have shut off nearly all of Iraq's trade and financial activity and weakened its economy, but disruptions in most sectors are not serious yet. The impact has varied by sectors. He said the ability of the Iraqi ground forces to defend Kuwait or southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months, which was the timeframe he had been asked to comment on.

But he goes on to say that Iraq's armored mechanized forces will be degraded somewhat from continued sanc-

tions, the number of inoperable Iraqi armored and other vehicles will grow gradually, and the readiness of their crews will decline as Baghdad is forced to curb its trading activities.

He goes on in a later paragraph to say Iraq's air force and air defenses are likely to be hit far more severely than its army if effective sanctions are maintained for another 6 to 12 months. This degradation will diminish Iraq's ability to defend its strategic assets from air attack and conduct similar attacks on its neighbors.

Basically I read the Director's letter as saying that while we do not expect sanctions alone to make him yell uncle and pull out, we would expect them to weaken him before a military attack might have to take place.

Americans, more than most people around this world, are accustomed to near instant gratification. That is a problem for us. What we want, we want now. I want a new car. I want it now. I do not want to wait. We establish an embargo. We want it to work now. But embargoes take time. As has already been quoted here today, President Eisenhower asked: "Do we have the courage of patience?" That was in a different context. We could well ask that of ourselves today.

Certainly Iraq is an ideal embargo target. If the embargo ends in failure, we still have the military option. I will fully support that course at that time. I believe the Persian Gulf is that important. But to again loose the terrors of war, and the thousands of lives that hang in the balance, should not be the first resort.

Just saying that Kuwait was attacked or that hostages have been mistreated will not be much solace when flag-draped coffins of both male and female soldiers, sailors, marines, and airmen line up in the hangars in Dover, DE.

It seems to me that we have a situation that calls not a very lengthy delay, not for a delay into the indefinite future, but for letting the embargo have a greater chance to work.

I think the President still has a lot of explaining to do to the American people about the vital interests of the United States at stake in the Persian Gulf area.

This is necessary because Presidents do not go to war. It is the Nation that goes to war. And the people must understand and support the decision if we are to avoid disasters of the past.

I say keep the embargo on. For what length of time? Good question. I would make that decision based on intelligence estimates of whether the embargo is increasingly biting, is having an increasing effect on Iraq.

Can you base it solely on that? No. Obviously, there are going to be other factors. There is rotation of our military personnel to be considered. Do we activate all the Reserves? Do we insti-

tute a draft? What about weather factors? There are a number of factors here that impact on how long we let the embargo work.

But there is another problem of deciding when military action should start. January 15 has been used as a focal point date, but to me there is nothing automatic about January 15. The date when we would decide to take military action should be when we have the maximum military strength there, when our 430,000 people are there in place with their equipment. When combat starts, we must be ready and we must prevail with overwhelming military force.

Looking up some things the other day, I ran across this quote out of a book, "Lord Nugent's Memorial of Hampden." It was about John Hampden. He said he knew that "the essence of war is violence, and moderation in war is imbecility." I might put that in my own words and say in combat, moderation is self-defeating.

In other words, we want Iraq to know that we learned our lessons in Vietnam. This is not going to be a piecemeal approach, where our people get chewed up. We are not, we would say to Saddam Hussein, not Iran. There will not be human waves of 15-year-olds. This is the United States and our allies, with the finest firepower, the finest training the world has ever known, the world's most capable military power.

We do not want Saddam Hussein to be surprised. He should understand that our military are not trained to lay down their lives. They are trained to make opponents lay down their lives; the Iraqi President should understand that thousands of Iraqis will be at risk. Is that brutal? Yes; it certainly is, because war is brutal.

And that is the reason we would like to make certain that this embargo is given a chance to work—to get Iraq out of Kuwait or to weaken the opposition to the maximum extent possible.

Mr. President, I agree with President Bush thoroughly, completely, unequivocally on one thing; that is, Iraq will be out of Kuwait. That is not part of this debate, that is a given.

The glorious wars of the history books cannot erase the horrors of war up close and personal.

Along with other Members of this body, Mr. President, I have experienced war and combat. So when it comes to the 400,000 men and women we have sent to the sands of Saudi Arabia, I want to make one thing very clear: I say to Saddam Hussein and to every mother, father, sister, brother, friend, spouse, and fiancé of our troops in the gulf, that while I do not want war any more than they do, if war comes, and the shooting starts, our Government will do whatever it takes to support and protect our people, and bring them home as quickly as possible.

The men and women of our Armed Forces have been my very first concern since this crisis began, and they will continue to be. And that is the reason I will vote as indicated when this issue comes before us on the floor.

Mr. FOWLER addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

#### THE GULF CRISIS

Mr. FOWLER. Mr. President, there is only one President of the United States, one Commander in Chief. And in foreign policy, particularly in crisis situations when time is of the essence and where it is vital we speak with a strong and united voice, it is the President who must be the primary spokesman and policymaker for our Nation.

Throughout this latest crisis in the Persian Gulf, I have urged support of American policy as proposed by the President, praising his prompt and resolute response to Saddam Hussein's aggression, his skillful diplomacy in putting together an unprecedented international wall of resistance to Saddam Hussein, his perseverance in putting into play political and economic sanctions to pressure Iraq.

In spite of misgivings about the change in administration strategy in November—the doubling of our troop commitment in Saudi Arabia and the transformation from defensive to offensive capabilities—I have continued my willingness to support a Presidential request for an authorization of offensive force, as long as the President provides evidence that our current course of economic and political sanctions cannot achieve our objectives, and that our allies are doing their fair share.

In my view, the formulation of America's response to international crises rests chiefly with the President, and I am sympathetic with the lament of the current and previous administrations that we cannot afford to have each of the 535 Members of Congress serve as Secretary of State. Similarly, the Commander in Chief must be in clear charge once hostilities begin.

As Republican Senator Arthur Vandenberg said in the Senate Chamber on December 8, 1941:

I am constrained to make this brief statement on my own account, lest there be any lingering misapprehension in any furtive mind that previous internal disagreements regarding the wisdom of our policies may encourage the despicable hope that we may weaken from within. I have fought every trend which I thought would lead to needless war; but when war comes to us—and particularly when it comes like a thug in the night—I stand with my Commander in Chief for the swiftest and most invincible reply of which our total strength may be capable. It is too late to argue why we face this hazard. The record stands. The historians can settle that conundrum upon another day when we have finished with this task. For now, nothing else will be enough except an answer from 130 million united people that will tell this whole round Earth that though America still hates war, America fights when she is



violated. And fights until victory is conclusive. God helping her, she can do no other.

There remains one area, however, where the President should not, and under the Constitution cannot, act without full congressional assent. This act commits our Nation to war.

And make no mistake about it, that is where we are today: We are on the brink of full-scale, all-out war, not a police action, not a limited reaction to attacks on American forces, not a rescue mission, not a response to an imminent threat to American lives, but war. The President, the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff all have stated clearly and publicly that if and when we employ the force we are here to authorize today, it will be total war against Iraq.

The Founding Fathers clearly held, correctly in my view, that no one individual should have the capacity to take our country into war—thus the constitutional requirement for Congress to declare war: war with all its uncertainties, with all its costs in lives and resources, with all its consequences, known and unknown, must be the result of the collective will of our Nation's citizenry exercised through their elected representatives.

I have previously said on this floor that there is no more important responsibility facing a U.S. Senator than our votes on confirming Supreme Court Justices. I still believe that to be the case, for it is the only dispassionate accountability required of the judicial branch of our Government, whose decisions fundamentally affect the way Americans live, and work, and worship.

But the decision we face today, in essence whether to confirm the President's request for an authorization of war, is of the same magnitude, affording the best opportunity for accountability of the other independent branch, the executive, whose decisions in this case quite literally will affect the lives of thousands of young Americans, Iraqis, Kuwaitis, and others.

In preparing for this decision, I have looked to history to help provide some larger perspective. In reading about the First World War, I was struck by the prewar predictions of quick victory: the German general staff thought the war it helped start would be over in 4 months; the Russians were even more optimistic, looking for a victory in 2 or 3 months; the English and French also expected quick and relatively painless success. How wrong they all were!

I was also deeply impressed by the fact that, once the major powers began to mobilize their forces for war in late July and early August of 1914, they largely became the prisoners of their own mobilizations: There was a frightening, automatic-pilot quality to those last days of peace before the lamps went out all over Europe. The political decisionmakers found their options

dramatically limited by train schedules, and by the real dilemma of whether to use the mobilized forces or to risk losing their capacity to act.

I also read the debates, in this Chamber, from August 6, 1964, on the Gulf of Tonkin resolution, spoken while I was a young infantry lieutenant at Fort Benning, GA, preparing for another war. Hear the words of Senator Javits of New York in that debate:

What are we to look for from our allies in the way of assistance, aid, comfort, partnership, and the future implementation of the resolution? It is one thing to stand alone; it is another thing to stand with (the) seven other (SEATO) countries, three of them in the area, implementing a solemn commitment, which is just as binding on them as it is on us. I am sometimes inclined to agree with those who say that we cannot be the policeman or guardian of the whole world. We cannot lead it by the hand; we can be the lynch pin; but what are we to expect from the others?

Or to the then Chairman of the Foreign Relations Committee, Senator William Fulbright of Arkansas:

As to contributions by other members of SEATO, they have been too little \* \* \* the question has been asked, "What are the others doing?" We were informed as late as this morning, and on other occasions in the past several days, that they are not doing very much.

or to Richard B. Russell of my State, one of the great Senators of American history:

No one feels more deeply than I do about the fact that when the United States intervenes, many others who have equal responsibility have tended to say, "Let Uncle Sam do it."

These discussions of allied contributions could have been taken from today's newspaper. And in the case of Vietnam, once the fighting started in earnest, there arose an even greater distance between American policy and that of our SEATO allies.

Listen to Senator Russell once more:

In the present circumstances, it will serve no useful purpose to debate the wisdom of our original decision to go into Vietnam. It is unnecessary for me to state that I had grave doubts about the wisdom of that decision. \* \* \* No action whatever can be taken in the field of international relations in today's troubled world that does not involve some danger. But I submit to this body the view that I firmly believe there is much more danger in ignoring aggressive acts than there is in pursuing a course of calculated retaliation that shows we are prepared to defend our rights.

Or to Senator Fulbright once again:

The point which I wish to make is that while we must be consistent in the objectives of our foreign policy, we must be flexible in the instruments we use to attain them. We must bear in mind that military force is not an end but an instrument, a dangerous and repugnant one which is never desirable but sometimes essential. It is equally unwise to assume that force must never be used and to assume that its successful use in one instance warrants its use in any or all others.

Objectives and means, the appropriate degree of response, the place of force in our foreign policy options, these are all issues which are at the heart of today's debate.

Parenthetically, in fairness, I must point out that the three Senators I just quoted supported the Tonkin Gulf Resolution, as did all but two of their colleagues, the exceptions being Senators Morse and Gruening.

But if my colleagues will indulge me for a moment, in addition to considering more recent history, I was also interested to read Thucydides' account of the fifth century B.C. Peloponnesian War, particularly his account, written shortly after the events he described, of the Athenian invasion of Sicily from 415 to 413 B.C.

The Peloponnesian War, primarily involving Sparta and its allies against the Athenian empire, had started in 431 B.C. But after 10 years of inconclusive warfare, a peace treaty was signed in 421 B.C., which lasted, after a fashion, until 413. So the Athenian expedition against Syracuse took place during a respite in "superpower" hostilities—another parallel to today.

Thucydides, in many ways the first historian who set high standards of objectivity in his work, reports the debate within the Athenian assembly over the proposed intervention in Sicily. Nicias, the cautious Athenian politician who had helped secure the peace treaty of 421 and who was very concerned about Athens overextending itself in Sicily, and Alcibiades, the oft-times brilliant strategist and enthusiastic supporter of an expansive Athenian empire present the arguments.

Nicias: It is true that this assembly was called to deal with the preparation to be made for sailing to Sicily. Yet I still think that this is a question that requires further thought—is it really a good thing for us to send the ships at all? I think that we ought not to give such hasty consideration to so important a matter and on the credit of foreigners get drawn into a war which does not concern us \* \* \* What I am saying is this: In going to Sicily you are leaving many enemies behind you, and you apparently want to make new ones there and have them also in your hands. \* \* \*

We should also remember that it is only recently that we have had a little respite from a great plague and from the war, and so we are beginning to make good our losses in men and money. The right thing is that we should spend our new gains at home and on ourselves instead of those exiles who are beginning for assistance and whose interest it is to tell lies and make us believe them, who have nothing to contribute themselves except speeches, who leave all the danger to others and, if they are successful, will not be properly grateful, while if they fail in any way they will involve their friends in their own ruin. \* \* \*

If any one of you is sitting next to one of his (Alcibiades') supporters, do not allow yourself to be brow-beaten or be frightened of being called a coward if you do not vote for war. Do not, like them, indulge in hopeless passions for what is not there. Remember that success comes from foresight and

not much is ever gained simply by wishing for it. Our country is now on the verge of the greatest danger she has ever known. Think of her, hold up your hands against this proposal.

Alcibiades: Do not change your mind about the expedition to Sicily on the grounds that we shall have a great power to deal with there. The Sicilian cities have swollen populations made up of all sorts of mixtures, and there are constant changes and rearrangements in the citizen bodies. The result is that they lack the feeling that they are fighting for their own fatherland; no one has adequate armor for his own person. \* \* \* The chances are that they will make separate agreements with us as soon as we come forward with attractive suggestions, especially if they are, as we understand it, the case, in a state of violent party strife. \* \* \*

There seems to be, therefore, no reasonable argument to induce us to hold back ourselves or to justify any excuse to our allies in Sicily for not helping them. We have sworn to help them, and it is our duty to help them, without raising the objection that we have had no help from them ourselves. The reason why we made them our allies was not that we wanted them to send us reinforcements here, but in order that they should be a thorn in the flesh for our enemies in Sicily, and so prevent them from coming here to attack us. \* \* \*

Remember, too, that the city, like everything else, will wear out of its own accord if it remains at rest, and its skill at everything will grow out of date; but in conflict it will constantly be gaining new experience and growing more used to defend itself, not by speeches, but in action.

Alcibiades prevailed in this debate, but Nicias made one last attempt to dissuade the Athenian assembly by presenting his assessment of the large force which would be necessary to successfully prosecute the invasion.

Nicias: To deal with a power of this kind we shall need something more than a fleet with an inconsiderable army. We must have in addition a large army of infantry to sail with us, if we want our actions to come up to what we have in mind. \* \* \* It would be disgraceful if we were forced to retire or to send back later for reinforcements owing to insufficient foresight to begin with. We must start, then, with a force that is large enough for its task, and we must realize that we are going to sail a long way from our own country on an expedition very different from any of those which you may have undertaken against any of your subjects in this part of the world, when you have had your alliance to fall back on and when supplies have been easy to obtain from friendly territory. Instead of this, we are cutting ourselves off from home and going to an entirely different country, from which during the four winter months it is difficult even for a messenger to get to Athens.

The Athenian assembly, as we now know from 400 years before Christ, confounded Nicias' plan by approving the larger expedition, and then naming him and Alcibiades as two of the three commanders of the mission. It is now also recorded that the Athenian expedition met disaster 2 years later, though historians still debate why this happened: Whether because of leadership failures, or excessive timidity in military tactics, or underestimating the

foe, or some other factors. But Thucydides' summation echoes down the centuries, regardless of what produced the result:

This was the greatest Hellenic action that took place during the war, and, in my opinion, the greatest action that we know of in Hellenic history—to the victors the most brilliant of successes, to the vanquished the most calamitous of defeats; for they were utterly and entirely defeated; their sufferings were on an enormous scale; their losses were, as they say, total; army, navy, everything was destroyed, and, out of many, only few returned. So ended the events in Sicily.

Mr. President, in conclusion, I do not attempt to draw close parallels with events of the past. There are not clear analogies between the classical Greek world of the 5th century B.C. and the late 20th century, and I am not for a moment suggesting that our forces would suffer the Athenians' fate.

Indeed, I have every confidence that our military would prevail in any conflict it enters into with Iraq. No, the lesson is, first and foremost, the uncertainties of war, as true when the European powers had plotted a short, decisive war in 1914, as in 1964 when we sought no wider war in Vietnam, or in 415 B.C., when Athenians dreamed of glory on a far-off battlefield. In none of these cases did those who planned the conflict foresee the ultimate cost in blood or treasure or the long-term consequences of their actions.

So as we stand here today deciding on whether or not to go to war, now let us remember these cautionary tales from the past, not because we are doomed to repeat them but because they do remind us that war, all-out war, should not be entered into lightly even if our best guesses point to swift and near certain success.

Is war with Iraq justified? Absolutely, yes. The Iraqi invasion and occupation of Kuwait was a blatant act of aggression and an affront to the international community of civilized nations, thus justifying an international response.

But there is a difference between a war being just and a war being prudent or necessary or immediate. What would determine whether this war was necessary and prudent? Given the high costs and uncertainties of war, I believe the answer is, we should choose the war option only when other less costly, less risky alternatives such as the use of economic and political sanctions are shown not to be able to achieve our objectives.

One way or another, sooner or later, Saddam Hussein, who is after all mortal, will leave the scene. So our long-range policy goals should not be shaped by a reaction to this one venal man.

What if we go to war with Saddam Hussein on January 15 or 16, defeat and destroy him and Iraq in 3 weeks, with relatively few casualties? Will our long-range position in the gulf and regional stability be guaranteed or un-

dermined in the aftermath of our military victory?

What if, after our victory over Iraq, the Arab masses throughout the Middle East perceive our successful war as an instance of Americans invading Arab land and killing Arabs, and they hold their own nondemocratic governments to blame for supporting us? What if, after our military victory, the Iranians, the Syrians, and the Turks, all press for immediate and favorable resolution of their border disputes with a badly weakened Iraq?

What if, after our military victory over Iraq, the Kurds in Iraq obtain, formally or informally, autonomy or outright independence and exert a possibly destabilizing influence on their fellow Kurds in the neighboring nations in the Middle East? What if the American and possibly other forces necessarily left behind to secure the new status quo in Iraq and the Arabian Peninsula are subject to frequent terrorist attacks, at a minimum?

What if a devastated Iraq, facing potential starvation, is increasingly subject to the appeal of Islamic fundamentalism as a response to its total defeat?

Should not we, the United States of America, maintain our military threat, let the world know—as all of us are doing on all sides of this debate—that military threat remains our option, that it will be used if all else fails? But should not we try all else and begin debate on what happens after we win and not look at this in terms of 3 days or 5 days or 7 days, when these overwhelming questions have achieved no attention in the public debate or an discussion from the executive branch?

It is obviously my conclusion that now is not the time to lead with our military option. Surely we can be more tough-minded than that.

We must not become, as did the European leaders in 1914, prisoners of our own force mobilization. We must not embark on a military offensive in support of international goals where the cost and risk is so overwhelmingly borne by us alone.

Need I remind us that once the fighting starts it is unlikely we will be able to equalize this disparity? Ninety percent American forces—90 percent of the fighting forces are American. Once our fighting starts, our allies will conclude, rightly, that once we have committed American lives to the fighting we certainly will not refuse to provide for them.

Above all, we must not embrace the war option with its inherent and unforeseeable risks, unless we have concluded that other policy options—in this case the international political and economic sanctions against Saddam Hussein—cannot succeed in driving him out of Kuwait.

I am not one who believes—and with this I conclude, I say to my friends who have been patient—I am not one who



believes that it is never appropriate for the United States to use armed force to protect our interests. Quite the contrary, in the 14 years that I have served in the United States Congress I have backed American military deployments in Grenada, in Panama, in Lebanon, and the ongoing defensive deployment in Saudi Arabia.

At this moment I believe the President has the inherent right to use force if necessary to respond to military or terrorist attacks upon the United States and our interests or to imminent threats to American lives.

A military offensive to liberate Kuwait may well become necessary. It may well become our Nation's only option. I would and will support such an option if two conditions are met: evidence that sanctions will not do the job, as I said, and equitable burden-sharing by our allies in this fight. But let the world know that the American people are of one mind and one voice when it comes to resisting the naked aggression of all the Saddam Husseins of the planet. We will continue to vigorously enforce sanctions in order to continue weakening his outlaw regime and to continue denying him any benefits from his occupation of Kuwait.

At present, in my opinion, we should do everything short of immediately initiating a war to achieve our just aims. And if all else fails, then that option will be exercised.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION

Mr. WARNER. Mr. President, on behalf of a bipartisan group of Senators, myself, Mr. LIEBERMAN, Mr. STEVENS, Mr. ROBB, Mr. HEFLIN, Mr. DOLE, Mr. SHELBY, Mr. DANFORTH, and others, I lay before the Senate a resolution in support of the President, in support of the constitutional process, and in support of the United States continued participation in and leadership of the U.N. policy in the Persian Gulf.

I ask this resolution be printed.

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

Joint resolution to authorize the use of United States Armed Forces pursuant to United Nations Security Council Resolution 678.

Whereas the Government of Iraq without provocation invaded and occupied the territory of Kuwait on August 2, 1990; and

Whereas both the House of Representatives (in H.J. Res. 658 of the 101st Congress) and the Senate (in S. Con. Res. 147 of the 101st Congress) have condemned Iraq's invasion of Kuwait and declared their support for international action to reverse Iraq's aggression; and

Whereas, Iraq's conventional, chemical, biological, and nuclear weapons and ballistic

missile programs and its demonstrated willingness to use weapons of mass destruction pose a grave threat to world peace; and

Whereas the international community has demanded that Iraq withdraw unconditionally and immediately from Kuwait and that Kuwait's independence and legitimate government be restored; and

Whereas the U.N. Security Council repeatedly affirmed the inherent right of individual or collective self-defense in response to the armed attack by Iraq against Kuwait in accordance with Article 51 of the U.N. Charter; and

Whereas, in the absence of full compliance by Iraq with its resolutions, the U.N. Security Council in Resolution 678 has authorized member states of the United Nations to use all necessary means, after January 15, 1991, to uphold and implement all relevant Security Council resolutions and to restore international peace and security in the area; and

Whereas Iraq has persisted in its illegal occupation of, and brutal aggression against Kuwait; Now, therefore, be it

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

#### SECTION 1. SHORT TITLE.

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

#### SECTION 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 666, 667, 669, 670, 674, and 677.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF MILITARY FORCE IS NECESSARY.—Before exercising the authority granted in subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions cited in subsection (a); and

(2) that those efforts have not been and would not be successful in obtaining such compliance.

#### (c) WAR 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.

At least once every 60 days, the President shall submit to the Congress a summary on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council in response to Iraq's aggression.

Mr. WARNER. Mr. President, quite simply, this joint resolution, unlike Senate Joint Resolution 1 laid before the Senate yesterday by the distinguished majority leader, Senator NUNN and others, recognizes that a continued credible threat of military force is an

essential ingredient if we are ever to attain the goal of requiring Iraq to withdraw immediately and unconditionally from Kuwait and to fulfill the goals of the United Nations resolutions.

While many of those who have spoken in support of Senate Joint Resolution 1 have attempted to claim they support the President's policy in the Persian Gulf, and that their only difference with the President is over the matter of timing of the use of military force, that is simply, in my judgment, not the case. Senate Joint Resolution 1, if enacted, would decouple from economic sanctions and all other peaceful and diplomatic initiatives the essential ingredient of the U.N. policy; namely, the credible threat of military force linked with the sanctions. Our resolution provides the President with all of the elements necessary to see that the U.N. goals are achieved.

Let me explain briefly what this resolution seeks to achieve. This resolution, which is identical to a bipartisan resolution being considered by the House of Representatives, would provide the President with the authorization of Congress to use the United States Armed Forces pursuant to U.N. Security Council Resolution 678 to achieve implementation of the other 11 U.N. Security Council resolutions pertaining to the invasion of Kuwait by Iraq.

However, before the President could exercise the authority in this resolution, the President would first have to determine and notify the leadership of the Congress that the United States has used all appropriate diplomatic and other peaceful means to obtain compliance with the U.N. Security Council resolutions and that those efforts have not been and would not be successful in obtaining such compliance.

Mr. President, the sponsors of this resolution believe that we have now presented the Senate with a clear choice: Do we support the President's policy of actually achieving the clear objectives of the U.N. Security Council in the Persian Gulf, or do we repudiate the President, repudiate U.S. policy, and repudiate the United Nations?

It is important to note the reasons we believe our approach is the right one.

Proponents of Senate Joint Resolution 1 assert that Iraq is uniquely susceptible to economic sanctions and that we should give those sanctions more time. It may be correct that Iraq is unique, but the best evidence available to the United States and its allies and, indeed, to the U.S. Senate, in my judgment, shows that it is not so unique that economic sanctions, standing alone, will reverse Iraqi aggression in Kuwait.

As CIA Director Webster stated in his letter to the chairman of the House

Armed Services Committee, dated January 10 of this year:

Our judgment remains that, even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq.

Today the Senate, in room S-407 of the Capitol, at the request of myself, the Republican leader, and others, and indeed joined in by the distinguished majority leader, presided over by the chairman of the Intelligence Committee, the Senator from Oklahoma [Mr. BOREN] received much the same information in a greatly expanded version and had the opportunity for questioning by the more than 60 Senators present.

The proponents of Senate Joint Resolution 1 say, more time but no authorized threat of force. We say, time without threat of force is of no value and may, indeed, be counterproductive to the U.N. coalition and its forces.

The proponents of Senate Joint Resolution 1 say, more time, and we ask, how much more time? And then a silence ensues.

The proponents of Senate Joint Resolution 1 say, they support the President and his policy, but they just wish to give sanctions alone an indefinite chance. We believe that peaceful means have a far greater chance of success now if there is no doubt that other means are authorized, including the use of force.

Mr. President, we all hope, and, indeed, we all pray that there be no further acts of aggression, no more bloodshed in the Persian Gulf. We all hope and pray that Saddam Hussein will understand that he must withdraw from Kuwait. The sponsors of this resolution, however, believe that we as a nation must stand together with the President if Saddam Hussein is to clearly and unequivocally get that message. This fact, if there is to be any truly peaceful, long-term solution to this crisis has to be made unequivocally clear.

I urge each of my colleagues to give deep and serious thought and consideration to the issues before us, as we are doing, and to support this resolution, which today is laid before the Senate.

We wish the Secretary General of the United Nations the best of good fortune, but in this 11th hour, no message, no messenger can be more decisive than a decisive action by the Congress of the United States in support of the President and the United Nations.

If we fail, if a conflict ensues, future generations will search for evidence to answer the question: Could bloodshed have been avoided had Congress acted in support of the United States and the United Nations? I thank the Chair.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey. The Senator from Kansas was seeking recognition.

Mr. DOLE. I will take 30 seconds.

Mr. LAUTENBERG. I yield to the minority leader.

Mr. DOLE. Mr. President, I want to say the resolution that will be introduced, once we have an agreement, is the resolution that we indicated last evening that we would be putting forward. I have indicated to the majority leader privately that we would be prepared to do this. I am pleased, as pointed out by the Senator from Virginia, that it is identical to the bipartisan resolution offered in the House, the so-called Solarz-Broomfield-Fascell resolution. It is identical to the House version. We hope that colleagues on both sides will take a hard look at this resolution. Even some who may be supporting the Nunn-Mitchell resolution, if that should be defeated, may want to support this resolution. I thank the Chair, and I thank the Senator from New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

THE DECISION TO WAGE WAR: A GRAVE DECISION

Mr. LAUTENBERG. Mr. President, I rise to join the debate to help resolve the question on whether or not the Congress should vote to give the President authority to lead our Nation into war now or whether we should give the policy of economic sanctions, coupled with the threat of force, more time to work.

Mr. President, as an aside, I am committed to the Mitchell-Nunn amendment, but I would be more than willing to look at any proposals that are offered so that we can, in good conscience, make the clearest decision for each one of us.

The decision of whether to commit our Nation to war is one of the most difficult, complex, and wrenching ones that a nation can make. The stakes are enormous. It cannot be overstated. This vote could mean the difference between life and death for thousands of American and allied soldiers. It could alter the lives of families and friends forever. It could fundamentally change the shape of the post-cold-war world and America's place in it.

Because the decision to wage war or seek peace is the gravest decision a nation can make, I have thought long and hard about what the right course of action should be at this time. I have carefully reviewed the expert testimony presented to Congress on this issue, and have received my own briefings from administration experts. I have listened at length to the concerns of my constituents and discussed the problem with my colleagues. I have thought carefully about my own experiences as a soldier in World War II and the outcome of our Vietnam involvement.

I even traveled to the gulf in August, 3 weeks after the invasion, to make my

own assessment of what we faced in the region.

As the father of a son of draft age, I have tried to put myself in the place of parents whose children today sit in the sands of Saudi Arabia. I have tried to answer whether I would be willing, at this point in time, and given our other options, to take the risk involved on the battlefield to achieve our aims. And in thinking of my son, I am thinking of all those other sons, daughters, spouses, relatives and friends who could be called to fight, and perhaps die, if we go to war.

While we must always be prepared to defend our vital national interests, we cannot detach ourselves from the human costs involved in this decision.

After careful thought, I have come to the conclusion that the most prudent and effective course at present is to give the sanctions, coupled with a readiness to go to war if necessary, more time to achieve Iraq's withdrawal from Kuwait.

Mr. President, in deciding to give the sanctions more time to work, I want to make it clear that I do not rule out going to war when and if the sanctions have run their course without producing the desired result. I simply believe that based on available evidence, going to war is not the wisest, most effective policy today.

For these reasons, I support and have cosponsored the Nunn-Mitchell, et al. resolution.

Mr. President, this resolution puts Congress on record in favor of giving economic sanctions more time to work before concluding that they will not be sufficient to dislodge Saddam Hussein from Kuwait. It also requires the President to seek congressional approval before going to war, and authorizes the President to use force to protect United States forces, enforce the embargo, and protect Saudi Arabia.

I believe the policy expressed by this resolution charts a wise course between those who want Congress to simply give the President an open ended authorization to use force once we have passed January 15 and those who would rule war out totally. This resolution concludes that now is not the right time to go to war, while preserving clearly our option to go to war at a later point.

Some have suggested that by refusing the President the authority he seeks to go to war, we are undercutting him at a critical time, and giving aid and comfort to Iraqi intransigence.

But the hand of the President will be considerably stronger if he decides to wage war against Iraq after having secured the support of the Congress, as representatives of the American people, than if he goes to war without it.

We each have our constitutional responsibility. Each Senator must examine his or her own conscience and determine what is the best course for the



country to follow, as he or she sees it. We cannot be guided, in this weighty decision of war and peace, by anything other than what our best judgment tells us is the right course.

In deciding whether the use of force is appropriate to resolve conflict at any given point, it is important to evaluate such proposed action in light of general criteria that we believe are relevant.

Question: Is the issue at stake demonstrably vital to U.S. security interests?

Do we have clearly defined and agreed-upon political and military goals?

Have all other means to resolve the dispute been exhausted?

Are the American people committed to the use of force?

Is the Nation willing to commit the resources necessary to achieve our objectives?

Has Congress, representing the American people, fully explored the issues and met its constitutional mandate to approve the use of force?

Careful consideration of these criteria leads me to the conclusion that while force may ultimately be required in this situation, given our vital national interests, it is not the only alternative at this particular point in time.

Mr. President, there is no question in my mind that we have vital national interest at stake in this conflict.

There can be little doubt about Hussein's aggressive intentions, or his willingness to use force to achieve his boldest aims. His invasion of Iran in 1980 and Kuwait in 1990 made it crystal clear that the civilized norms of international behavior are no brake on his ambitions.

Today, with his million-man army, his biological and chemical weapons, and his budding nuclear capability, Hussein's eyes are turned on the spoils to be found in the Middle East. But if his invasion and occupation of Kuwait are not reversed, he will surely look further afield.

And, if his aggression stands, he will have won not only the ability to control the oil resources of Kuwait, but by intimidation or outright force, those of the rest of the gulf. Think of the military arsenal he could build with a stranglehold on almost half the world's oil.

Saddam Hussein already possesses weapons of mass destruction and has demonstrated a willingness to use them against enemies and his own population. We have all heard his threats. He has said that he would torch half of Israel with binary chemical weapons. He used poison gas against his own Kurdish citizens, causing over 5,000 civilians to die. He has shown that he will stop at nothing to punish dissent or perceived disloyalty in his popu-

lation, including torture and murder of children to punish their parents.

Today Hussein's sights are set on domination of the Arab world. But his possession of biological and chemical weapons, and his relentless drive to acquire a nuclear capability, threaten the safety of the entire world. Today, this tyrant is content with Kuwait. But tomorrow, no one knows.

Further, because this crisis is the first of the post-cold-war world, how we deal with it will influence how we are able to deal with future aggression.

If sanctions succeed in reversing Hussein's aggression, we will have set a powerful precedent for the peaceful resolution of crises through concerted international action.

Finally, we also have a vital national interest in preserving the continued flow of oil. I am not talking about the price at the gas pump when I refer to oil. Oil is the single most important commodity in the industrial world. Its assured supply is essential to the functioning of our society, and to the health of the world economy.

If Iraq is allowed to get away with wanton aggression, it could be in a position to control the oil resources of the entire gulf through intimidation if not outright conquest. We would cede to Hussein the right to dictate the price and availability of roughly half the known oil reserves in the world, giving him inordinate power over the destinies of not only the United States but the entire world.

Such control would simply mean the unavailability of the fuel we use to warm our homes, to bring our harvest to market, to keep our hospitals and our institutions operating, and our economy functioning. Even if we are able to deal with the higher oil prices ourselves, such higher prices would have a pervasive and detrimental effect on the economies of our trading partners and developing countries.

So for me, Mr. President, the first test has been met. America does have vital national interests at stake.

Mr. President, there is broad agreement in the Congress on the President's overriding goal of reversing the Iraqi invasion and occupation of Kuwait. Further, we appear to have moved toward consensus on other political and military goals as this crisis has progressed. These include reducing Saddam Hussein's future warmaking capabilities, setting a precedent in the post-cold war era that aggression will not be tolerated and preventing Saddam Hussein from gaining control of almost half the world's oil resources which could cripple our world economy and enable him to continue to build an even more threatening arsenal.

Mr. President, the fact that we have not exhausted all means other than force to resolve the dispute compels me perhaps more than any other consideration to believe that we ought not to

authorize the President to go to war at this time. Despite the belligerence of Iraq and the failure of diplomacy in Geneva, I believe that we have to give international economic sanctions backed by force and readiness and the promise of diplomacy more time to work.

We have heard from the military experts, people like Adm. William Crowe, Gen. David Jones, former Chairman of the Joint Chiefs of Staff, former Defense Secretaries, James Schlesinger, former Defense Secretary Cap Weinberger, and the respected chairman of the Armed Services Committee, Senator SAM NUNN, among others, all of whom have stated their belief that we ought to give sanctions a chance to do their damage before making a decision to go to war against Iraq. Each day they remain in place Iraq's military capability is degraded and it becomes less able to withstand military attack.

Historical analysis of the use of economic sanctions suggests that they can be effective over time in forcing the withdrawal of Iraqi troops from Kuwait. The prospects for the success of sanctions against Iraq are considerably higher than in previous international efforts because of the unprecedented coverage of sanctions which cover virtually all of the Iraq's trade and finance, and the strong commitment to these sanctions by the global community.

Sanctions have rarely been applied in such a comprehensive manner, even in wartime. All of Iraq's oil exports, which provide 90 percent of its foreign exchange, have been cutoff. Iraq has been forced to forfeit \$1.5 billion in foreign exchange earnings each month since the embargo was put in place. Iraq's hard currency reserves essentially to pay for smuggling are running out. Iraq is unusually vulnerable to economic coercion like this because crude oil represents 90 percent of its total exports. It is easily monitored and easily interdicted.

This squeeze on Iraqi income facilitates enforcement of the embargo since smugglers do not take credit and do not charge full price. Denied critical inputs like fuel additives, Iraq's economy is slowing down. Iraq is clearly beginning to feel the economic consequences of its international isolation. Its factories are shutting down, and its productive capabilities have been impaired. Recent press reports confirm that the Iraqis across the board are feeling the pinch of the embargo. They indicate that Iraq is encountering increasingly serious shortages in the government food rationing program that has helped Iraq sustain its defiance of the U.N. embargo.

Since September Iraqi families have suffered a 25 to 50 percent decline in the amount of basic food items they can get in government stores with their ration coupons. With the reduc-

tion of government food supplies more and more Iraqi families are being forced into the open food market where prices of basic food items are seven times higher than they were at the outset of the crisis. Shortages of rice, sugar, and milk have become more apparent.

The strongest indication of a looming food crisis was a government announcement in late December that all excess supplies of sugar and flour on the open market were to be confiscated by Iraqi authorities administering the rationing program.

Further attempts to blunt the embargo impact through farming have not been successful. Our own CIA believes that the embargo will degrade Iraqi military readiness. The CIA Director Webster told the Congress the international boycott is likely to seriously affect the Iraqi Air Force within 90 days, and to degrade to a somewhat lesser extent other Iraqi military forces over a period of time of 9 to 12 months.

Former Chiefs of Staff Crowe and Jones have testified before the Senate Armed Services Committee that the embargo will stop the flow of spare parts to the military and that within 9 to 12 months the operation too of Iraqi planes and tanks would be seriously impaired. The longer the embargo lasts the less able Iraqis will be able to defend their army in Kuwait.

Mr. President, it is true that we do not know at this point if our policy of adhering to economic sanctions will achieve our goals, but one thing is quite clear. If we go to war now we will never know. There is no guarantee that a war would achieve our goals either or what the costs would be in human lives.

Mr. President, I will ask unanimous consent that an article that appears in today's Philadelphia Inquirer appear in the RECORD as if read in full.

I will just make some reference to it, Mr. President because very frankly, many of us in this Chamber sat in a room where we were to be briefed on the latest intelligence information as gathered by our State Department or by our Defense Department. We were never able to get any kind of a suggestion as to what the casualty toll might be.

But here in this Philadelphia paper today it tells us a story. In a one-story factory building in Philadelphia's Port Richmond section, workers, who usually make bedsheets for babies, are busy filling the rush order material for 16,099 body bags for soldiers who may die in Operation Desert Shield. "I hope nobody has to use these." They quote the individual and an employee as he inspected the olive-colored rubber-coated material that will be sewn into the Government's standard 7-foot, 10-inch bags that store human remains.

The article goes on to say, "I asked why it was such a crazy number. Why not 16,000, or 17,000? Why an odd number like 16,099?" It said a Defense Department supply officer said the order was based on a computer model of how many U.S. deaths might occur if shooting broke out in the Persian Gulf.

Mr. President, I ask unanimous consent that the excerpt be printed in the RECORD.

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

"I asked why it was such a crazy number. Why not 16,000 or 17,000?" said Hugh Blaha, vice president of C.R. Daniels, an Ellicott City, Md., firm assembling 8,200 body bags in its Tennessee factory. The Defense Department official "said that it was based on computations that were made and that this was the number that they needed," Blaha said.

Mr. LAUTENBERG. Offensive military action could cripple our access to gulf oil. If we attack Iraq, the Iraqis might in turn attack and destroy Kuwaiti and Saudi oil facilities.

Further, it is possible that military action to "free" Kuwait could actually result in its total destruction. With some half million Iraqi troops presently in or near Kuwait, in well fortified defensive positions, a quick military strike may not be realistic. It may require a longer, more drawnout conflict to achieve the desired goal, destroying whatever remains of Kuwait in the process.

Going to war at this time could fracture the international coalition we have so painstakingly constructed. Our allies are not united on the wisdom of pursuing such a course, by any means, and some of them might even switch sides in the event of hostilities. The probability that Israel would wind up fighting alongside of us in the fight to liberate Kuwait increases the possibility that Arab opinion would turn against our effort.

If America attacks Iraq, Iraq's Foreign Minister Aziz has stated in absolutely clear terms that Iraq would attack Israel, bringing Israel into the war on the side of the United States coalition. A highly destructive war, fought by American and Israeli forces, with many Arab casualties, may unleash a wave of anti-Americanism that hurts our long-term interests in the Middle East.

Mr. President, if we propose to fight a war, then the American people have to clearly support the use of force. They have to believe that the good of the Nation warrants the risk of the lives of their children, spouses, and parents. In my view, this test has not yet been met. Americans are divided over whether to go to war after January 15, or to give sanctions more time to work.

A new Washington Post-ABC poll found that 63 percent of Americans favor going to war with Iraq to force it

out of Kuwait at some point after January 15. But the same poll shows that when asked if they support such a war if it means 1,000 to 10,000 Americans would die, the majority of those polled oppose the war.

And if the American people are divided at the outset on the wisdom of embarking on war, before a single shot has been fired, they almost certainly will be less supportive when the casualties start to mount.

The fifth test is our willingness—the President's and that of the American people—to commit the resources needed to do the job, and the wisdom of such a course, given the impact on our society and economy.

The President appears willing to underwrite any price for Operation Desert Shield, given the massive deployment of over 400,000 people in the gulf and his request to the Congress to authorize them to go to war. What he has not said is where we are going to find the funds, estimated to cost over \$30 billion during the coming year, without firing a single shot. What he has not spelled out is how he will explain to the American people why we are not only contributing the large majority of soldiers, but paying most of the bills for fighting in the desert as well.

Recent reports suggest that the budget deficit in the coming fiscal year will exceed \$300 billion and might even reach \$400 billion. While our Nation's security can never be mortgaged, the costs of Operation Desert Shield must be seen in the context of our ailing economy and the need to provide for urgent domestic needs.

Will the American people be willing to finance the cost of Desert Shield when they realize that Saudi Arabia will make \$52 billion more from oil in 1991, or \$143 million more per day as a result of this crisis, but has contributed less than \$1 billion in cash and material support to Desert Shield through the end of November?

Will they be willing to shoulder this crushing burden when they realize that the Saudi contribution represents less than 7 days of total Saudi oil revenue windfall?

Will they be willing to pay when they realize that Germany and Japan are much more dependent on gulf oil than are we, but have refused to pay their fair share of the burden of defending the gulf against Iraqi aggression?

Will they be willing, when they realize that not only are Americans being asked to shoulder the lion's share of the financial burden but are being asked to do the lion's share of the fighting as well?

I am not saying that we should forever wait on the sidelines to defend our national interests because our allies and friends have not come forward. But I am saying that the American people's perception of how fairly the burden is



being shared will affect their support for embarking on the path of war.

Mr. President, a final consideration in deciding whether to use force is whether the President has sought and secured the approval of the Congress to do so.

Before the President commits the country to war, he must, under the Constitution, seek congressional approval and he should, as a matter of common sense, seek that approval in order to assure that the Nation is behind him.

Congress is not the only final arbiter of what is right or wrong in international affairs, but Congress is charged with the solemn responsibility of declaring war. And in this, we are the representatives of the American people. We represent the collective wisdom, the views, and the common sense of those who elected us. We are their voice and their vote in the councils of power. We are their proxy.

It is my responsibility to every New Jersey family and every American family to make sure that before we risk the lives of our beloved American soldiers any further, we have exhausted every option that has a reasonable chance to achieve our goal.

It is my responsibility to ask if I would be willing to send my own child to war in the gulf at this juncture before I send anyone else's child to war. And it is my responsibility, as one who has fought a war, and experienced first hand the terrible loss and sacrifice that is asked of our soldiers and of a nation that commits itself to war, to determine whether such a course is justified at this time.

Now is the time for the Congress to speak its mind. It would be folly for the President to commit to a war without a national debate and congressional approval to do so. When the going gets rough, he will want and need Congress behind him. The decision to go to war was vested in the Congress by the Constitution, so that the decision to risk American lives would not be made by one person, but rather by many, by people elected by our citizenry and answerable to them.

Mr. President, I want to stress that the Nunn-Mitchell resolution does not rule out going to war at some point down the road. It merely expresses the view that we ought to give the economic sanctions, coupled with the threat of war and the possibility of diplomacy, more of a chance to work before we have concluded that they have failed.

Mr. President, one novelist has written that the strongest of all warriors are these two: Time and patience. We are asked on the floor by colleagues what kind of a message it is that we are sending to those who are now on-site in the Persian Gulf, and I think the message that we are sending is that we are behind you, that we are trying

to protect your lives and your well-being, and we are also sending a message to American families across the country that before we take the risk, we are going to exercise every option available.

Mr. President, I hope the Senate will support the Nunn-Mitchell resolution.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

#### OPERATION DESERT SHIELD

Mr. BURNS. Mr. President, maybe a little fall on the ice was good for me because I have had the opportunity to listen to almost all of the arguments made here over the past few days. The arguments for and against giving the President—my President, your President—of these United States of America the kind of support he needs to bring the Middle East situation to resolve.

Let us sum it up. I hope Saddam Hussein watched this whole debate because it was pretty clear to me that almost every man and woman in this Congress believes very strongly that Iraq should get out of Kuwait. There are honest and varied differences on the best method to attain that goal. But we are united in a common goal.

Let us use some good old common sense. How many in this body who have ever aspired to be President—and believe me there are a number of them—would do anything different than what the President is doing this very moment if they were faced with this dilemma? President Bush has established and proven himself as a leader among leaders in dealing in the international community. What he has done thus far is unprecedented in the annals of man. I believe in President Bush, and the American people believe in him. If we do anything to threaten his standing in the international community, we will have done the American people, not just President Bush, a great injustice.

At this juncture, I know that President Bush will not commit this country to war unless he is convinced that neither sanctions nor further diplomacy will work. I believe that we need to give him the ammunition he needs to convince Iraq to withdraw from Kuwait. That ammunition includes an authorization to use force if need be.

I have heard the opinions of many prominent names from the past quoted during this debate. I appreciate the service that they have given this country, but I am not going to stake the future of this Nation on their judgments alone. We have others, current administration officials, who have their fingers on the pulse of this situation, who disagree with many of these former officials. We have had a number of briefings on the gulf situation from Secretary Baker and Secretary Cheney. The facts are there folks, and I firmly believe that the time to stop Saddam Hussein is now.

If we fail to stop Hussein now, what will we do when he has nuclear weapons? If we do not stand against Saddam Hussein's aggression, we risk losing the opportunity for a new world peace. But if we do give the President the authority to stop Saddam Hussein now, it will be as Vice President QUAYLE has said, "others will draw the lesson that might does not make right and that aggression will not be allowed to succeed."

It is often said that those who either forget or ignore history are doomed to repeat it. In light of that, I ask only two questions.

First, is Saddam Hussein out of Kuwait or even considering getting out of Kuwait? I do not believe that this veteran of Middle East confrontations has any intention of ever yielding to world opinion let alone the opinion of the United States. This is not a man who yields to pressure. History has shown us that.

Second, will sanctions really work? Have sanctions ever been 100 percent effective in achieving a foreign policy goal of this magnitude. I have never heard anyone claim that they have. I have heard that the sanctions imposed against Iraq are more successful than others have been in the past. Sanctions will only work if they are air tight. They never have been, they are not now, and they never will be in my opinion. In fact, as time goes on, there will only be bigger leaks and more of them.

Finally, the most compelling argument for the President's position yesterday was that of Senator COHEN of Maine. We either deal with Saddam Hussein now at a cost no one can estimate or deal with him later at an even greater cost. This is a lesson of history that we must not ignore or forget. I have heard many draw parallels to Vietnam. The lesson I draw from Vietnam is that an indecisive response leads to greater loss of life.

President Roosevelt did not want war. President Truman did not want war. And President Bush does not want war. I do not believe there is a single person in this town who wants anything that resembles war. To me, American lives are faces and friends. It is a terrible way to settle disputes. There are no winners and lots of losers. However, recent history teaches us that a strong policy in strong hands is the greatest deterrent to armed conflict.

I shall vote to give the President the authority he needs to deal with the situation in the Middle East. To do anything to the contrary will destroy the coalition that was so masterfully put together by our President and his administration. To do anything to the contrary puts peace at risk. That is not a risk I am willing to take.

Several Senators addressed the Chair.

The PRESIDING OFFICER. In the opinion of the Chair, the Senator from Massachusetts [Mr. KENNEDY] is recognized.

Mr. STEVENS addressed the Chair.

Mr. KENNEDY. Mr. President, I am recognized; am I not?

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

Mr. KENNEDY. Mr. President, I do not yield for that purpose.

The PRESIDING OFFICER. In my opinion, the Chair recognizes the Senator from Massachusetts [Mr. KENNEDY].

URGING CONTINUED SANCTIONS AND DIPLOMACY  
IN THE PERSIAN GULF

Mr. KENNEDY. Mr. President, President Bush is marching this country toward a senseless and unnecessary war. It may well be that only the U.S. Senate can stop him now.

The United Nations is willing to let America go to war, because the United Nations will not have to fight the war, or fill the body bags that will be returning to the United States.

We will not know for sure until the votes are cast tomorrow, but the House of Representatives has apparently acquiesced in war, for reasons that are difficult to comprehend.

So now the issue of war or peace is in the lap of the Senate of the United States.

One reason that our democracy works as well as it does is that the House and Senate can take opposing views of what the national interest is. In the all-important decision that our democracy is about to make, President Bush cannot go to war unless he has the consent of both the Senate and the House.

In the many months ahead, there will still be ample opportunities left for war, if all peaceful efforts fail. But if the U.S. Senate votes for war tomorrow, there may well be no time left for peace.

It has never been the Senate's role to be a rubber stamp for the President, or to yield to the prevailing passions of the times. The Senate was designed from the beginning as a place where the Nation could be protected—and would be protected—from being stampeded into profoundly unwise and potentially disastrous actions. Now, it is up to us in the Senate to fulfill that historic role again.

A century ago, the House of Representatives voted overwhelmingly—126 to 47—for the impeachment of President Andrew Johnson.

But by a single vote—the vote of Senator Edmund Ross, a courageous Senator from Kansas—the impeachment was defeated in the Senate.

When the Senate roll is called tomorrow, who will be Senator Edmund Ross, and cast the single vote that saves us all from war?

We all agree on the goals we seek in the Persian Gulf. There is no dissent on

that. America and the world are united that Saddam Hussein must get out of Kuwait—no ifs, no ands, no buts, no compromise.

But America is deeply divided over whether now is the time for war, on the January 15 timetable that President Bush set last November for the use of force.

War is not the only option left. Our policy in the Persian Gulf is not broken, and it cannot be fixed by war. There is still time for the Senate to save the President from himself—and save thousands of American soldiers in the Persian Gulf from dying in the desert in a war whose cruelty will be exceeded only by the lack of any rational necessity for waging it.

In dedicating the battlefield at Gettysburg, our greatest Republican President, Abraham Lincoln said, "We here highly resolve that these dead shall not have died in vain."

President Bush cannot make that statement, if he goes to war on the indefensible timetable he has set. If President Bush wants to fight, I urge him to give peace a fighting chance.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I would like to try to see if we can reach some accommodation here. I understand there is no effort here to close anyone out. And I know Senator STEVENS was here previously and there was something of a list. I had actually been operating by it. I know the Senator who was ahead of me on that list. I think in the change of chairs, unfortunately, some people were away for a briefing and that list was changed.

I would be very, very amenable to yield to the Senator. Perhaps we could even get a rotation or something going. I think we need to be fair in this process.

Mr. President, if the Senator from Alaska were to agree to that—I know it is hard because the rules of the Senate are that the first Senator up is recognized. But I think, given the passions of this, and obviously the length of time people are waiting, it is the interest of all of us to try to accommodate everyone on a fair basis.

Mr. STEVENS. Mr. President, if the Senator will yield one moment, without losing the right to the floor—he has the right to be recognized, Mr. President—some of us have been waiting here since noon, coming on and off. We thought we had a list. That has not worked. There have been two Republicans on this side recognized since noon.

I suggest that the time is going to come when this Senator will be recognized, and when that happens we are going to have a quorum call and get a majority in here to work something out so it is fair.

I do not seek the Senator to yield to me. He has been recognized in his own right. But I do think it is time that we be fair about recognition of the people who support the President and those who do not. That is the way I view the process right now, Mr. President.

The record will reflect the recognition since this morning of Senators as they have been recognized. I suggest some fairness be brought into this procedure now.

Ms. MIKULSKI. Mr. President, will the Senator from Massachusetts yield?

Mr. KERRY. Mr. President, I yield if I can ask unanimous consent that I not lose the right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Maryland.

Ms. MIKULSKI. Without the Senator from Massachusetts losing his right to the floor, the Senator from Massachusetts is to be commended for helping to maintain civility in the throes of debate.

I would recommend to the Senator from Alaska, while the Senator from Massachusetts is speaking, because I believe his remarks will be extensive, that we can reach this framework of fairness that he has talked about and not beginning that after he concludes his remarks. We could get that list in and work on it while the Senator from Massachusetts is conveying to us and the people of America his views on the subject.

I think it is important for us to maintain civility in the throes of this debate and get recognized. This is a bipartisan body.

Mr. KERRY. Mr. President, I would be happy to do whatever my colleagues think would work best here. I know we do not want to lose time in a quorum call at all. The distinguished majority whip is here. He wanted to work this out with the leader.

Mr. President, without losing my right to the floor, I yield to the Senator from Kentucky.

Mr. FORD. Mr. President, I believe the distinguished Senator from Maryland is correct, and the Senator from Massachusetts [Mr. KERRY] does have 25 minutes of remarks. During that period of time I intend to work with the distinguished whip on the other side and we will see if we cannot work out some form where everything would be fair.

As far as time is concerned, the individuals, that is one thing. We cannot be timekeepers. And the only list at the desk is an informal list of the ones recognized first.

There have been—not been—this many on this side here all day. Most of them have been over here. They have been in and out, reading newspapers, and that sort of thing. We do not mind that at all.

At the first juncture the distinguished assistant Republican leader and I will have to try to work things



out. I see my good friend from Alaska smiling, and he will be the first one we help. We do not want a quorum call. If he will just relax and allow us to move forward here, I think we will be able to accommodate him before midnight.

Mr. BRYAN. Mr. President, will the distinguished Senator yield for the purpose of questioning without losing the right to the floor?

Mr. KERRY. Without losing the right to the floor, I am glad to yield.

Mr. BRYAN. I say to the distinguished Senator from Massachusetts that I have physically been on the floor for 3 hours. I intend to speak in support of the President. So I do not want any system to be devised that would alternate back and forth with the expectation that because a Senator happens to be on this side of the aisle he will be speaking in opposition to the resolution offered by the senior Senator from Virginia.

I am going to work out—it seems to me those of us who have waited on the floor and physically sat in—not in and out—ought to have the right, under the rules, ought to be recognized first to seek recognition and be recognized by the chair.

Mr. KERRY. Mr. President, I am confident, watching the Senator from Kentucky that he will take that into consideration. I am sure agreement will be worked out.

INSTEAD, WE ARE TALKING ABOUT WAR

Mr. KERRY. Mr. President, I wish, like everyone else here, that we were not at this moment talking about sending people to another war. Like many of us, I suspect, I had hoped after my reelection, and given the economic problems that we face in Massachusetts, to be able to return here and to talk about what we need to do to move our economy, to talk about economic priorities, about education, and the crime in our streets, and about the plain and simple anxiety that thousands of our citizens feel today just about survival at home.

Instead, Mr. President, we are talking about war, about countless of our families torn apart by duty and commitment to our country, of countless lives put on hold.

Mr. President, we are here talking about all of the repercussions that go with a war, about countless lives that will be put on hold. And surely the consequences of this discussion can make our domestic concerns even greater than they are today. But that is not the issue. That is not what we are here to talk about.

We engage here in one of the most important debates that we could ever engage in. And it is certainly the most important debate that I have engaged in since I have been in the U.S. Senate. And this will be the most important vote.

There has been a lot of talk on the floor about treaties, resolutions, prin-

ciples, slogans, and all the political and strategic reasons for going to war or not going to war, and they are indeed a legitimate part of this debate.

But sometimes I think in the words we lose sight of the personal stakes of this conflict and what it will really mean to us at home—and to the rest of the world.

We have a way of quietly saying "war is hell" or "war is horrible" and then we move on, lost again in the words which describe the passions and the politics. I am willing to accept the horror that goes with war—when the interests or stakes warrant it. My belief is though that our impatience with sanctions and diplomacy does not yet warrant accepting that horror and my fear is that our beloved country is not yet ready for what it will witness and bear if we go to war.

The question of being ready and certain is important to many of us of the Vietnam generation. We come to this debate with a measure of distrust, with some skepticism, with a searing commitment to ask honest questions and with a resolve to get satisfactory answers so that we are not misled again.

I might add that I also come to this debate determined that whatever happens we will not confuse a war with the warriors. I am determined that our troops will receive complete and total support. And, that if we do go to war, I am committed that we do everything in our power to accomplish our mission with minimum casualties and bring the troops home to the gratitude and respect they deserve.

But until the first shot is fired I remain troubled by the unanswered questions and by the human considerations.

Our VA hospitals are already full of several generations of veterans who carry or wear daily reminders of the costs of war. Those hospitals have been cutting staff and services these past several years. They cannot care for those already needing help. So, are we ready to spend the money on a new generation of patients? And can we afford to?

In a country that still struggles with agent orange, outreach centers, posttraumatic stress disorder, homeless veterans—is this country ready for the next wave?

I remind my colleagues that cost in human lives is not limited to the battlefield. In the case of Vietnam—we have lost more Vietnam Veterans from suicide and slower forms of suicide such as alcoholism and drug abuse that have had the same end-result of death, than we lost in battle—60,000 of them. The human costs, pain, and suffering do not end when combat ends. Are we ready?

Are we ready for the changes this war will bring—changes in sons and daughters who return from combat never the same, some not knowing their families

and their families not even recognizing them. Are we ready?

Are we ready for another generation of amputees, paraplegics, burn victims, and whatever the new desert war term will be for combat fatigue, shell shock, or PTSD?

Since the time of Vietnam we have been reaching for a set of ruling principles about when we go to war and many have tried to set out what those principles ought to be—commentators, Secretaries of Defense, Presidents—both present and former. A consensus seems to have been arrived at that we should go to war when our vital interests are at stake in a way that the majority of Americans have identified and are agreed upon, and when we have exhausted all peaceful alternatives that could have achieved the same goals as war. That is not, Mr. President, the situation that exists today, and we know it.

To those of us for whom Vietnam remains much more than just a distant memory, there are analogies which create deep-seated doubts over the apparent willingness of this Administration's rush to war. Let me say right up front that the Iraqi crisis is in most ways not like Vietnam.

It is very different indeed—different in International implications—different in purposes—different in risks—different in stakes—different in military strategy and opportunities. I am convinced also that it will be different in outcome.

But in one inescapable and absolutely critical facet, it demands that one of the central lessons of the Vietnam experience be applied—do not commit U.S. forces to combat in a potentially prolonged or bloody conflict unless Americans have reached a consensus on the need to do so. That consensus must be broad and openly arrived at with full respect for the constitutional role of the Congress—not by unilateral action of the President, absent true consultation.

There is a rush to war here. I do not know why, but there is a rush to war. There is a rush to have this thing over with. Somehow I can not help but feel that if we were squared off against a stronger nation there would not be such a rush. Our history with the Soviet Union makes that clear. But with Iraq—we know we can win or think we know we can win. We know they are surrounded. We know our high-technology weapons and targeting capabilities can overwhelm the Iraqi military. And so we think we can get it over with an "acceptable level of casualties."

So we are willing to act, it seems, with more bravado than patience. It is as if the whole theory of deterrence developed through the cold war period has suddenly been turned topsy-turvy; and we are behaving precisely in such a confrontational manner because we are

not facing a superpower and because the same rules of deterrence do not apply. That, I think, is not the way a great and responsible nation should act in these dangerous times, particularly not when it has other options available to it. But, most important, that is not the way you act if truly acting within the definition of a new world order.

In recent days we have heard some try to cower those with legitimate concerns or questions into political submission by suggesting that we are weakening the country or pulling the rug out from under the President with this debate or an adverse vote. I believe it is those who make that argument who do a disservice to country and to Constitution, and perhaps even to the troops.

I believe we strengthen our country through this debate because we show the world what real democracy means. And, more importantly, we strengthen our country because our citizens see our own democratic process working as it ought to. But most importantly, consider what a farce we would be perpetrating if the U.S. Congress did not exercise an independent judgment about war. Are we in the United States of America supposed to go to war simply because the President thinks we should and has put so many people in the position of having to support him just to back him up? Is that the reason we go to war in 1991 in the United States of America?

I hear it from person after person—"Well, I want to back up the President." "I do not want the President to look bad." "The President got us in this position, I am uncomfortable—but I can not go against him."

Mr. President, it looks to me like backing up the President's decision has become the new vital interest, not the immediate liberation of Kuwait—not some real threat to our country.

It sounds like we are risking war for pride, not for vital interests!

Are we supposed to go to war simply because one man—the President—makes a series of unilateral decisions that put us in a box—a box that makes that war, to a greater degree, inevitable? Are we supposed to go to war because once the President has announced something publicly, to reverse or question him is somehow detrimental to the Nation despite the fact we are a coequal partner in government?

Obviously, such an argument and such an approach to the governing process of this country makes Congress nothing more than a rubber stamp and literally renders inoperative our co-equal decisionmaking responsibility in a matter of war and peace. It might be wise to remind ourselves that we still are a nation of laws and not of men; that we still elect our Presidents; We do not crown them. We had a revolution more than 200 years ago to settle that question and the Constitution put

the war-making power in Congress's hands precisely to avoid the very individual decisionmaking—that places us in the box we are told we are in today.

Mr. President, I suspect that 75 percent or more of those who will vote for use of force desperately do not want it to be used, and a significant number will vote for it only because they want to prevent the President from being reversed. That really means that this vote to grant the use of force may very well carry—if it does—only because some will succumb to the very box the President has put us in.

The danger of that is that those who vote for use of force will create a situation where it becomes more, rather than less, likely that the force they hope will not be used will, in fact, be used. They escalate the stakes. They narrow the box further. That is a terrible way to make policy, Mr. President, but it is an even more terrible way to go to war by any account. That is called rolling-the-dice policy; big rolling the dice. Perhaps it will work. There are many who suspect it might.

But, Mr. President, I would rather vote for good, prudent policy which would have the same good end result or which, if it ultimately brings you to war, it does so because there was no other option. I would rather vote for that than a roll-the-dice policy with all the attendant risks and questions about who fills the power vacuum in Iraq. What happens if we win? What happens with Israel? What happens for years to come to American businessmen trying to do business in the Middle East? All of those are unanswered questions, Mr. President, and I think the American people would prefer that we vote that way, too.

But now, because of the decision of the President of the United States, because he set a January 15 deadline, because he significantly increased the number of troops in the desert, turning from defense to offense unilaterally, we are in the position of either debating this issue and slowing the rush to war, or forever giving up our responsibility to decide whether or not this Nation goes to war. I believe we have a basic duty and a responsibility to ask why the unilateral conversion of Desert Shield to Desert Sword now demands that, like lemmings marching to the sea, we must march off to war.

Many have argued in recent days that we must, by a large majority, vote to give the President the right to use force, because that is the best way to send the message to Saddam Hussein, and that only the threat of force, a new threat of force, will somehow give him that message.

Mr. President, I believe such thinking is dangerous, and I believe it is flawed because it requires us to surrender the most important responsibility of the Congress: The power to make war. This is not a vote about sending a

message. That message was already on the table. This is a vote about whether or not to put ourselves in a smaller box where war may become more likely, whether it needs to or not, and where we will have nothing further to say about it.

For us in Congress now, this is not a vote about a message. It is a vote about war because whether or not the President exercises his power, we will have no further say after this vote. But voting to keep sanctions and diplomacy is not a vote against war if all other options fail because we continue to hold that lever in our hands.

I ask you, Mr. President, which is more prudent? The argument that this vote will somehow send Saddam Hussein a different message ignores the fact that from the outset there has already been a realistic force on the table and there remains a threat of force as long as the sanctions are in place and troops are in the region. So the decision is not a decision that sends some new threat of the use of force that somehow will accomplish what the last threat of force was unable to. It is a vote which says we are ready to go to war and it says we are ready to go to war before all the other options have been exercised. I, therefore, do not believe that we can treat this as somehow passing on to the President some casual affirmation of his diplomacy.

There is also the argument that we must support the President because he is the President, and if you do not support the President when he asks you to, you will hurt the policy. That is an argument of enormous appeal, Mr. President, and that is why it is made. All of us, I think, every single one of us by natural instinct wants to support the President. None of us wants to be perceived somehow as taking away from the ability of the President to act in the greater interest of the country. But regrettably the President has put us in a position where we have a choice between either blindly supporting him or destroying the strength of the constitutional process and risking a war simultaneously.

Sometimes this appeal of the President, political as it is, can trample on the duties and responsibilities of others that the Founding Fathers said share in the governing process. Mr. President, in all candor, I would rather be here on the floor voting to support the President. I would rather case a vote that tallies in the eighties or nineties or is unanimous and I can walk away without a sense of division. I can assure you it is easier, but if we were to succumb to this argument, if anybody in this Chamber succumbs to this argument right now, if we just close ranks with the President for the sake of closing ranks, we will effectively have given up our warmaking power, and we will set an extraordinarily dangerous



precedent, and, most of all, we will not have done, I think, our service to the troops and to this country.

All the President would have to do at any time then, all any President would have to do is create a box, put the Congress in the box and then say, "I need you to close ranks around me," and he or she will unilaterally carry out whatever policy they want to in the name of unity. That argument cost us thousands of lives in Vietnam, Mr. President. Just go down to the memorial here in Washington and look at that black granite wall. I say to my colleagues that over half the names on that wall are there because too many legislators were too often too willing to just close ranks with the President.

The call we need to heed is not a call to close ranks with the President, but how about closing ranks with the troops in the Arabian desert whose fate is determined by our analysis and judgment? How about closing ranks with mothers and fathers and brothers and sisters and families across this country whose hearts and souls are heavy with the hope that we will exercise our judgment correctly? If there is a call to close ranks, Mr. President, let it be the closing of ranks among ourselves here in this Chamber with our responsibility to make our best judgment about how we deal with human life. That is what the Framers of the Constitution intended and that is what the American people expect of us.

We are in this position today because the President of the United States made a series of decisions that have put us in this position, not because we made them or because we fail to make them. The memory of Vietnam says to all of us that it is far, far better that we risk curbing in or reining in this rush to war now, rather than trying to get the American people support it at some time down the road after the shooting has started. Nothing, nothing could faster bring us a repetition of the divisions and the torment this Nation faced during the 1960's and 1970's.

Mr. President, in my heart and in my gut and in my mind I do not believe in sending people to war unless it is imperative. And it is not, in my view, imperative that in the next few days we send soldiers to fight a war. We are at this grave moment deciding whether or not we do so for two fundamental reasons: Because President Bush unilaterally decided to increase the troops to 430,000 and because he set a deadline.

We are not here because oil is not reaching the shores of the United States or our economy is crippled.

We are not here because there has been an attack or there is the imminent threat of one.

We are not here because the world has decided that we have to go to war.

We are not here because the vital interests of the United States are somehow more at stake today than they

will be in 3 weeks or 3 months or a year.

We are here because the policy of one man suggests that we do not have the patience to wait this out and see if we can settle it differently.

Much has been said by the Secretary of State and others about a New World order, about a defining moment in history. I have no doubt about the potential of this moment to be defining in terms of history, but that definition can be negative as well as positive. And how negative or positive it will be will depend on what kind of New World order we really create.

Can it truly be said that the United States of America, trading off better treatment to China for an abstention on a vote, cozying up to Syria with its record of support for terrorism, or making promises to other countries in exchange for a hold-your-coat, you-go-ahead-and-take-the-risks-and-casualties endorsement, can it truly be said that these create a New World order? Can it really be said that we are building a New World order when it is almost exclusively the United States who will be fighting in the desert, not alone, but almost, displaying pride and impatience and implementing what essentially amounts to a pax Americana? Is that a New World order?

Can it really be said that this is a true New World order when it lacks a true United Nations collective security effort, with the full measure of international cooperation and burden-sharing which it should carry?

Most who look at the financial burden we are incurring compared to our allies; who measure the number of forces we have who will shed blood in comparison to our allies; who take notice of the degree to which there are unilateral ultimatums issued by us; the unilateral offerings of meetings by us; the unilateral refusals of meetings by us; and U.N. Secretary General Perez de Cuellar nearly absent from the scene until these final moments—many who see these realities—cannot help but question the collectiveness of this security, the breadth of multilateralism in this cooperation, and especially the newness of this New World order.

Mr. President, I regret that I do not see a New World order in the United States going to war with shadow battlefield allies who barely carry a burden. It is too much like the many flags policy of the old order in Vietnam where other countries were used to try to mask the unilateral reality.

I see international cooperation; yes, I see acquiescence to our position; I see bizarre new bedfellows and alliances, but I question if it adds up to a new world order.

Most important, I do not see a new world order in fighting before we wait out more peaceful approaches. In fact, I see more of the old world order where countries are quick to try to resolve

their disputes by force, where countries that do not try to exercise the patience for real international cooperative efforts—slow as they might be, become so locked in their position that common sense becomes one of the first casualty of conflict.

Some Senators and the administration have suggested that sanctions alone cannot force Saddam Hussein to withdraw from Kuwait. They note that sanctions can be evaded; that the alliance could break up, with Iran agreeing to pipe Iraqi oil or the Soviet Union suddenly shifting its support for our policy to opposition. They say now is the time to strike, while the alliance is strong. They suggest that the failure of sanctions is an obvious truth that the rest of us are willfully ignoring.

This obvious truth is contrary to the testimony of our own intelligence estimates. As CIA Director William Webster testified before the Congress just 1 month ago—on December 5, 1990—the CIA estimated that sanctions would need another 9 months to be effective—only then could we determine the extent to which they were working.

That means that according to the Director of the CIA, we cannot conclude that sanctions are ineffective until next September.

Other experts have suggested that the full impact of sanctions in degrading the Iraqi military, in addition to its civilian economy, would take some 2 years in all to be felt. By that time, they have testified, "the industrial infrastructure of the Iraqi economy will grind down for lack of spare parts, and factories will close for lack of raw materials." As they have testified, "sanctions do not yield immediate results. They are not a surgical tool; rather their effect is corrosive."

With the sanctions, time is not on Saddam Hussein's side, but ours. Sanctions cost Iraq much, they cost us little. Iraq's gross national product before the sanctions were imposed was \$52 billion a year—its exports were \$12.4 billion, almost entirely in oil, its imports another \$13 billion. Those exports are now wiped out; those imports are largely stopped. The grinding down has begun and will only intensify with time.

As a top-level member of the Bush administration told the New York Times and Washington Post on August 9, on the condition that he not be named, sanctions will work against Iraq because "we don't have the cold war situation where it was difficult to enforce sanctions because of ideological competition and huge divisions in the world. This time, we've got the Soviet Union on board and virtually everyone else as well. \* \* \* You can shut off the gulf and you've got them locked in on the Mediterranean side. \* \* \* This time we're dealing with a single-source economy based on oil sales that

is on its knees working of the war and can be hurt very easily."

As a former Iraqi army colonel told the Washington Post on August 23, "It's more important to stop the oil from getting out than to stop food from getting in." If the oil doesn't get out, in time Saddam Hussein cannot pay for anything—let alone the huge military establishment that is bleeding his country's economy dry.

We sustained our fight against the Soviets for 40 years after Stalin took over Eastern Europe. We contained Stalinism, and in time, an isolated and decaying Soviet Union has been going through a process of caving in. Iraq, a far less powerful nation than the Soviets, will be ground down even more surely, and far more quickly, if we only have the patience to stay with our original policy.

I have heard Senators and others argue that coalition is weak or fragile and that we must move now before it falls apart. That says little for a New World order. The President says little for vital interests at stake.

I would suggest respectfully that every parent in America with a child in the desert must ask: If our allies, the coalitions, cannot stay the course of peace, then why should we be forced to run the course of war?

Some say look at how he survived a 7-year war with Iran. If he can do that, he will survive the sanctions. It is true, Saddam Hussein forced the Iraqi people to endure untold human sacrifice in the 8-year war he waged against Iran. However, there are major differences. During that war, it was Iran which was, for the most part, cut off from the outside world, not Iraq. And it was during that war, that the Soviet Union, France, China, the United States, and other Western nations provided Saddam Hussein the guns and butter to wage the campaign against Iran. Billions of dollars of aid flowed from the gulf state Arabs into Saddam Hussein's coffers.

Today, Saddam Hussein does not enjoy any of that luxury. The sanctions have effectively denied to Iraq foreign exchange earnings from oil. In addition, the sanctions have effectively cut off Saddam Hussein's military pipeline.

Each day—this is by CIA and all other observers' estimates—the sanctions are in place is a day in which Iraq's military capabilities undergo further degradation. Radars start breaking down; computers in aircraft, tanks and antiaircraft batteries blow. They cannot be replaced the same way ours can. A steady deterioration sets in that, with patience on our part, can leave the Iraqi military with a large number of personnel, but with an unreliable arsenal that cannot hold up in the heat of sustained battle.

As a former soldier, I would far rather exercise patience as a means of gain-

ing the maximum military advantage possible, than to force a hasty confrontation which is almost certain to result in more body bags and casualties than we would have had to endure if such patience had been exercised. Those who want the President to have an unfettered hand may be willing to overlook this reality. But the hearings have shown that the American people are not.

Most amazingly, until November 8, the administration on numerous occasions urged the American people to be patient—that sanctions would take time to work. We were told that the economic sanctions would make Saddam Hussein's position untenable.

The August 9, 1990, New York Times carried an analytical piece quoting various administration sources that the economic embargo would cut off Iraq's supply of military spare parts and ammunition, making it impossible to sustain long supply lines and perhaps eroding Hussein's political statues at home.

A senior administration official was quoted as saying: "The embargo is the key." He, and other officials warned that it would take months for such a strategy to play out.

On September 5, 1990, Secretary of State James Baker, in testimony before the Senate Committee on Foreign Relations, stated:

Iraq's import-dependent economy is beginning to feel the strain, and international pressures will continue to grow over time as shortages mount.

The Secretary made a very important and unequivocal point:

Time is on the side of the international community. Diplomacy can be made to work.

The Secretary concluded his remarks by stating the administration believed:

\*\*\* this coordinated and comprehensive international isolation of Iraq is the only peaceful path to meeting objectives set by the President. Our efforts, however, will take time and that is what we ask most of the American people: Stand firm. Be patient. And remain united so that together we can show that aggression does not pay.

Thus, the fundamental question Congress is legitimately asking is why, all of a sudden, did all the talk of patience and time being on the side of the international community vanish so quickly? We have a right to still ask that question. To date, we have not received a believable explanation.

Mr. President, it has been said again and again on this floor but it bears repeating: You only go to war when it is imperative to protect vital national interests—when it is the last alternative available to you—when there is none other. Until we reach that point, no one should send our young people into battle to die.

Have we reached the point where we can tell the American people that there is no other moral choice but to send

their sons and daughters, their husbands and wives, their grandchildren off to war in the Arabian Desert?

If ever there was a time to heed the counsel of former President Dwight D. Eisenhower, it is now. For in matters of war, President Eisenhower said that we have to have the courage of patience.

I would ask another question, Mr. President. I have not heard one single person within the administration suggest that somehow at this point in time we are losing this effort and Saddam Hussein is winning it. There is no one who suggests that Saddam Hussein is winning anything today. In fact, all we are told is, well, we do not think the sanctions are going to drive him out of Kuwait.

But, tragically, we will never know the answer to whether or not they will drive him out, and some family that might lose a son will never know the answer of whether there was another way because we were not willing to find out whether that other way might work.

So if Iraq is not winning and we are not losing, Mr. President, then why the rush to send our men and women to war? What happened to the very patience that the President and Secretary of State Baker asked of the American people as a requirement necessary for the success of the President's policy?

The answer is regrettable I think. We are asked to authorize the President to go to war now, not because the President's original policy—which we all supported—has failed. We are asked to authorize war because the President put 430,000 troops in Saudi Arabia and it may be impossible to maintain them in a high state of readiness if they are not engaged soon.

There are other unanswered questions about this war. It will cost American money, it may damage our weakened economy further and its impact on energy prices is impossible to predict. But we should ask, can we really afford what we are possibly embarking on?

In the long run, such a war could lead to renewed terrorist attacks on Americans as a result of our having killed innumerable Arab civilians. Is America prepared? And what of the war's impact in the Middle East generally? What of the grave risks of new instabilities that could lead to still further wars, involving many nations in the region, including Israel. Is the liberation of Kuwait in a few days so imperative that all those risks are worthwhile at this moment?

As we approach this historic vote, we must ask ourselves the most important and fundamental question we are ever called upon to answer in good conscience: If it were my son, my daughter, or grandchildren, am I convinced that our Government has done every-



thing possible, short of war, to bring about the outcome we all desire?

Did our leaders exercise enough patience. And if it were my son, or daughter, or grandchild, killed in battle on January 16, or February 16, or March or April, would I firmly believe in my own mind that the sacrifice was justified because vital national interests were at stake and all others options, short of war, had been painstakingly and patiently exhausted.

This question is fundamental to why we are here today, exercising our constitutional responsibility in deciding whether or not to authorize one man—the President—to go to war.

Mr. President, it seems to me that pride and Presidential prestige have far more to do with this vote than the vital interests of the United States.

I am well aware of the dangers of Saddam Hussein to the region and the long-term danger of his arsenal—of nuclear, chemical, biological weapons. But I did not know the United States was in the habit of fighting preemptive wars and, more important, the constant references to Saddam Hussein being a future threat have nothing to do with the U.N. resolutions. Nowhere in the resolution has the United Nations ever agreed to or referred the use of all necessary means to somehow solve the long-term problem.

For students of history there is skepticism about a war solving that anyway. Yes, Saddam Hussein may die. And you may temporarily obliterate the warmaking power against Israel or other states in the region. But as long as the United States, China, the Soviet Union, France, Germany, and others sell weapons and arm the region, the next despot to replace Saddam Hussein will once again build the capacity for war unless there is attention to real peacemaking in the region. Moreover, if we have a war, a predominantly U.S. war, the enmity that will build up will last beyond any of our lifetimes, the hatred that will fester will replace the weapons of today until that hatred is allied with the weapons of tomorrow and they will seek revenge.

We should again heed the words of the great conservative Edmund Burke when he said "A conscientious man would be cautious about how he dealt in blood."

I end my comments coming back to where I began: Are we ready for what this country and our countrymen will witness and bear? Have we come to the moment, each of us, with the values and interests at stake to call on each of us to send our own children to die?

I come back to my plea that we balance the risks of continuing sanctions and making clear to Saddam Hussein that force is a future possibility against the human considerations of today, against the gravity of what we will do to others, and what will cer-

tainly be done to all too many of our own.

It is hard sometimes, Mr. President, to measure fully what that means when we talk about what will happen to them and what will happen to us. I am prepared to accept the consequences of a war should it be absolutely vital and necessary. But the vote here at this point in time is really a vote about what we will accept. All the personal things that will happen to people because none of the others at this point are paramount.

I would like to share with my colleagues something that Dalton Trumbo wrote in a book called "Johnny Got His Gun." It was written after World War I.

Yes, there was an enormous passivism in the air at that time. That is not what we are talking about here. But, nevertheless, what he faced and put before the world then, is relevant today. It is a question about what happens to people. He wrote about a young soldier who went to war who ended up losing his arms, legs, sight, hearing, his smell, his capacity to speak.

After years of lying in a hospital, he finally figured out how to tap his head in Morse code and finally somebody heard his message. Thinking that somehow he might be able to go out in the world and be of use by being a spectacle of what war does, he suggested that they let him out in a glass box for people to see. And among the places he suggested he go was a place like this.

Dalton Trumbo wrote the following:

He would be doing good too in a round-about way. He would be an educational exhibit. People wouldn't learn much about anatomy from him but they would learn all there was to know about war. That would be a great thing to concentrate war in one stump of a body and to show it to people so they could see the difference between a war that's in newspaper headlines and liberty loan drives and a war that is fought out lonesomely in the mud somewhere a war between a man and a high explosive shell.

\* \* \* \* \*

Take me wherever there are parliaments and diets and congresses and chambers of statesmen. I want to be there when they talk about honor and justice and making the world safe for democracy and fourteen points and the self determination of peoples. I want to be there to remind them I haven't got a tongue to stick into the cheek I haven't got either. But the statesmen have tongues. The statesmen have cheek. Put my glass case upon the speaker's desk and every time the gavel descends let me feel its vibration through my little jewel case. Then let them speak of trade policies and embargoes and new colonies and old grudges. Let them debate the menace of the yellow race and the white man's burden and the course of empire \* \* \*. Let them form blocs and alliances and mutual assistance pacts and guarantees of neutrality. Let them draft notes and ultimatums and protests and accusations.

But before they vote on them before they give the order for all the little guys to start killing each other let the main guy rap his gavel on my case and point down at me and

say here gentlemen is the only issue before this house and that is are you for this thing here or are you against it.

That is the only issue before this body.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

#### ORDER OF PROCEDURE

Mr. FORD. Mr. President, so that we might develop a schedule of speakers as relates to this issue, I have consulted with my distinguished friend, the assistant Republican leader, and the Senators on both sides of the aisle, and that is the reason I will make this unanimous-consent request.

Mr. President, I ask unanimous consent that the Senators listed below be recognized in the order listed and for such time as indicated—and some have not given me a time. I hope they will not be too long.

But those in order will be first, Senator MIKULSKI from Maryland, Senator STEVENS from Alaska, Senator BRYAN from Nevada, Senator KASSEBAUM from Kansas, Senator KERREY of Nebraska. I am going to Senator CHAFEE, Senator DODD, Senator WALLOP, Senator SANFORD, Senator PRESSLER, Senator BYRD, Senator GORTON, Senator DECONCINI, Senator MCCONNELL, Senator GRAHAM of Florida, Senator RUDMAN, Senator BIDEN, Senator COHEN, and we have Senator GRAMM and Senator SIMPSON.

At the conclusion of Senator COHEN's statement, the Chair will endeavor to recognize the majority and minority members ultimately. We would be glad to have Senator SMITH from New Hampshire be included, after Senator SIMPSON.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FORD. Mr. President, before we listen to the distinguished Senator from Maryland, it is my understanding that she will need approximately 5 minutes. The Senator from Alaska will need approximately 20 minutes; Senator BRYAN, approximately 10 minutes; Senator KERREY of Nebraska, approximately 15 minutes; Senator CHAFEE, approximately 15 minutes; Senator DODD, approximately 25 minutes; and Senator KASSEBAUM, approximately 10 minutes. So these are in the proximity so we can have some idea of the time. Senator SANFORD, approximately 20-25 minutes; Senator BYRD would be 30 minutes.

Senator PRESSLER, does he know how much time he will be taking? Senator PRESSLER will be 15 minutes. That is the approximate time.

We want to add after Senator COHEN, Senator CONRAD, and then Senator HATCH will be added to the list.

Mr. DODD. Reserving the right to object, may we also inquire of our colleagues how much time they will take as well so we can get some sense of how long we will have to wait here?

Mr. FORD. The Senator from Connecticut, all have been given time limits, Senator MIKULSKI 5, Senator STEVENS 20 approximately, Senator BRYAN 10, Senator KASSEBAUM 10, Senator KERREY of Nebraska 15, Senator CHAFFEE 15, and then the Senator from Connecticut 25.

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

Senator CONRAD and Senator HATCH will be added to the list.

#### THE SUBJECT OF WAR

Ms. MIKULSKI. Mr. President, today I rise to exercise my responsibility as a U.S. Senator, to offer my opinion, to give guidance, and to ultimately cast my vote on this most important subject, the subject of war. Should we or should we not provide an unlimited authority on going to war?

Mr. President, there is no greater responsibility that a Senator can face than the decision about war. In the course of several days, I have agonized over this. I have listened to the President's men, consulted with experts, and listened intently to my own constituents because I know the decisions that we are about to make will affect the lives of American sons and daughters in the desert and the future of the United States of America.

Let me say a word about the troops. Every one of our troops in the desert is a part of my American family. I know they are there at tremendous sacrifice and great risk. They are ordinary men and women who have been called on to act in an extraordinary way. And they have responded quickly and gallantly. They have been willing to face physical hardship, the threat of ghoulish weapons, and financial sacrifice for their families. They have been challenged by the scorching heat of the desert and the looming threat of confrontation. Those men and women have met a great test, a test of patriotism and devotion, and everyone here owes them a great debt of gratitude for the way that they have acted.

Mr. President, we need to keep them in mind and know that however we make use of them there, it has to be the wisest and most prudent course.

Mr. President, there are those now watching this debate on TV who are not friendly to the United States or to its interests. There are Americans who are mesmerized by this discussion, who are also watching these great processes unfold.

I would like to make a comment, if I could, about the very nature of the fact that this debate is being broadcast worldwide, even to the councils of war of those who might wage an attack against Saudi Arabia or against our own troops. First of all, know this: In this country, the mere fact that we are here and that we are willing to do this in an open way and to broadcast across the global village demonstrates the American commitment to democracy.

This is a democratic institution, and it sets a norm for democracy. It also shows that in a democracy, difference is tolerated, and also that difference is not division.

I want those who are watching this debate who are not friendly to us to understand that: where there is difference, there is not division.

Then there are those saying: Where is the debate? When are they going to get into the argument? When are we going to see "Gerald goes to the United States Senate?"

Mr. President, that is not the way this body is conducting itself. I am proud to have been part of this discussion that I have heard. I see that my colleagues here do not want to argue with other Senators. The Senators getting up here today are giving their thoughts, their views, and their conclusions, arrived at in very responsible ways.

We are not here to be glib, to be facile, to engage in a kind of debate that we would do on some other issues. I think that this procedure also shows the sincerity of our efforts and the true test of what leadership is all about.

A word about our President. Right now, I just want to say that I truly believe that he has tried to do his best and has tried to act with intelligence and integrity.

Mr. President, that takes me to where we are in a legislative framework. When I ran for the U.S. Senate 4 years ago, I came in here and said I want to get Maryland and this country ready for the future. I was excited because a new century was coming, a new millennium was on its way, and I was looking forward to it.

A year ago, in January of 1990, I thought we were on the brink of a whole new age. There was a quickening of democracy around the world and a focus here on our domestic issues.

As I sat New Year's Eve in Baltimore, I did not see the dawn of a new age. I feared the dawn of a dark age because of the August 2 invasion of Kuwait by the Saddam Hussein war machine. And though I was shocked at the brutality of it, I had believed for some time that Hussein was a bully. That is why over the past several months I voted for sanctions, even before the invasion, that I hoped would curtail his human rights abuses. That was to no avail. And now he has invaded, and the President has organized a multilateral and multinational effort to stop him.

Where do we go from here? Well, Mr. President, let me say this: I have been doing a lot of thinking and talking with my constituents. They are very clear in that they urge two policies. They urge resolve, and they urge restraint. And that is, essentially, my own view.

That is why I support the resolution offered by the majority leader, Senator MITCHELL, along with such distin-

guished people as Senator NUNN, and my senior Senator from Maryland, Senator SARBANES. Why? Let us talk about the resolution. Let us talk about what we are voting on.

First of all, it begins with "Resolved by the Senate and the House of Representatives." "Resolved." We are taking an act of resolution. The Congress is firmly committed to reversing Iraq's brutal and illegal occupation of Kuwait. Make no mistake, we are resolved in doing so.

We then go on to say that we further resolve that the wisest course is international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait. But we also say we are further resolved in not ruling our declaring war or authorizing the use of force at a later time, if it is necessary.

I think that is pretty plain, and I think that is pretty resolute, to say just where the Congress of the United States of America stands.

We go on to say that the Congress pledges its full and continued support for sustaining the policy of economic and diplomatic pressures against Iraq.

There are those who have made convincing arguments that these sanctions are working. They are working and are eroding the ability of Iraq to conduct its war and are having an effect on destabilizing the internal politics of Iraq.

There are those who feel that economic and diplomatic pressures are kind of wimpy, that this is a soft way to go. I argue just the opposite, that they show resolve and commitment and should be followed.

Mr. President, in the Mitchell-Nunn resolution we also continue to give the President the authorization to use American force—conditional force, yes—but military action to enforce the U.N. embargo, to defend Saudi Arabia against Iraqi attack, and to protect American forces in the region.

So I think we offer a commitment to sustain military options, to a wise course of a continued policy of embargo and sanction, reserving the right for further assertive action.

Mr. President, I think that offers resolve and restraint. I know that the time is late, and I hope that the brevity of my remarks here does not imply that I have not thought about this with a great deal of care.

Having reached my conclusion, I think that this resolution says a lot, not only about American policy, but about American character. It says that we have a commitment. We have a commitment, first of all, to peace, and we have a commitment to use force as a last resort. We have a commitment to being tenacious, even when the times are tough and pose a great burden to our own Nation. We have a commitment to flexibility, with the changing nature of diplomatic initiatives offered by ourselves and also by other nations. It is also a commitment to self-



sacrifice. I hope that the other nations who talk about being part of the coalition stick with us on the same issues of tenacity and self-sacrifice.

Mr. President, when my name is called, I am going to vote for the resolution offered by Senator MITCHELL, which I believe is in the best long-term interest of the United States of America and will get us ready for the future and the new age that I hoped for a year ago.

Mr. President, I took the commuter train from my home into the Senate this morning. And for that hour, moving through a snowstorm, I held a town meeting about our policy toward Iraq and what we should do about Saddam Hussein's invasion of Kuwait. Like most Americans, those men and women were worried about the possibility of war. Some were adamant that we should not go to war at all. Others thought that we should send our troops into Kuwait as soon as possible.

Like my colleagues here on the floor today, they were sober and deliberative—they took the possibility of war seriously, and they were pained by the thought of sending our men and women in the desert into battle.

The question of war worries everyone—from commuters on the train, to my colleagues, to the President of the United States.

I want to say a few words about the leadership of President George Bush. When Saddam Hussein was ready to invade Saudi Arabia, President Bush moved quickly and decisively. His actions stopped Saddam Hussein, saved our Persian Gulf allies, and strengthened our policies of international cooperation.

We were served well by his experience as he moved in short order to begin a sustainable and supportable policy of diplomatic pressure and economic sanctions. I believe that he is a man of intelligence and a man of integrity. And I have continually supported the President of the United States in this challenge.

When the President sent our troops to the desert to protect Saudi Arabia and the entire Persian Gulf from Saddam Hussein's aggression, I stood with him and with them. When he condemned the brutality and belligerence of Saddam Hussein, I agreed. When he worked to build an international coalition, I offered by full support. And with every attempt to negotiate a peaceful solution, I was praying for his success.

And even when I had differences with our President, those differences did not lessen the resolve I share with the President to bring Saddam Hussein to account for his invasion of Kuwait. Because in our democracy, difference is not division.

Today, Mr. President, I stand up to my responsibility to offer my opinion and my guidance. And tomorrow Mr. President, I will support the judgments

made by this body and my colleagues. That is democracy in action. And let those who are listening to this debate understand one thing very clearly: We will stand united.

There can be no greater responsibility than decisions about war. The decisions we are making are about the lives of our American sons and daughters. Every one of our troops in the desert is a part of my American family. They are there at tremendous sacrifice and great risk.

They face personal risk in the desert and financial sacrifice for their families at home. They are challenged by the scorching heat of the desert, the looming threat of confrontation, and separation from the ones they love. And those men and women have met that test.

Every single person I have talked with finds the same thing about these young men and women. They are willing to do whatever is asked by their country. And they are incredibly fit for duty.

They are ordinary men and women called to an extraordinary event. My heart goes out to them and my hat comes off to them. Whatever we decide, our commitment to them must be sustained.

They are very much in my mind as I make my decision about the course I think is best to follow. But in the end, I can only make my decisions by answering one question: What is best for our country?

We cannot be affected by partisan politics. Today, I speak as an American. Not as a Democrat, but as an American who has been agonizing over doing the right thing.

Mr. President, before Iraq ever invaded Kuwait last year, we took a vote on whether or not to impose sanctions on Saddam Hussein. I supported sanctions. And after the invasion, when the President persuaded most of the world to support sanctions and an embargo, I think we began a policy that offers a model for a new world order.

Some argue that we must go to war now to prevent the coalition from falling apart. I disagree. The use of the American military should not be a substitute for the weakness of any coalition. America is not 911 for every problem.

I am angry that our allies have not helped out more. Allies are not cheerleaders from the sidelines. The countries that have the most at stake should share the burden and the risks. The U.N. resolution should not mean that only U.S. sons and daughters will fight.

President Bush gave Saddam Hussein a deadline and he should give our allies a deadline, too.

I am a cosponsor of the Nunn-Mitchell resolution to support the President's original policy of sanctions and embargo. This resolution shows re-

straint and resolve. It is a steely resolve.

We sustain all military options and say to the President that we support all actions in self-defense: to protect our troops, to stop Iraq from invading Saudi Arabia, and to enforce the embargo. And it says that when all other options have been exhausted, we will still be able to use the ultimate last resort—war.

Sanctions are not a wimp-out, a cop-out, or an easy way out. Continuing sanctions calls for great commitment, from us and from those countries that would stand with us.

War must be our last choice. The call to arms must not be sounded out of impatience.

I don't believe that the American people have been truly prepared for the consequences of war. We have heard assurances that a surgical strike will end the war in a few days. But Mr. President, too many of the experts who have led our military say otherwise. It will not be easy.

Two of the world's largest armies are facing each other in an area smaller than my own State. The distance across Kuwait is not much longer than my train ride from Baltimore. A fighter-bomber can fly over in 10 minutes.

With over 1 million troops on the battlefield, there could be 128 men fighting for each square mile of Kuwait. The casualties could be horrendous. The weapons will be grisly and ghoulis.

And the war may not end on the battlefield. We must anticipate that this action could trigger a widespread and lasting wave of terrorism. On airlines, in Europe, and here at home.

That is why we must exhaust the possibilities of sanctions. And in fact, sanctions are working—90 percent of Iraq's imports are now cut off. Almost 100 percent of the exports. Iraq's GNP has gone down 50 percent. The best estimates are that it can go down over 70 percent.

Sanctions can mean an enemy that is worn out and worn down.

I have listened to arguments from all sides. Here on the floor. In briefings from the President, our military leaders, and the CIA. In the past few weeks, as I have moved around my State, I have heard from Marylanders of every opinion.

The agonizing does not end with this vote. I will continue to pray and work for peace. I believe that continuing the sanctions and embargo is the best decision for our country.

The PRESIDING OFFICER. The Senator from Alaska.

#### THE PERSIAN GULF CRISIS

Mr. STEVENS. Mr. President, first let me commend the whips for their action. I do believe it is much better to have some order and understanding of how we are going to proceed. It is the first act of our new majority whip. So

I congratulate both him and Senator SIMPSON for their action.

I think first it would be important for us to remember why we are here. I am one who went to the Persian Gulf during the December period with the Senator from Hawaii, [Mr. INOUE]. When we came back, we visited with the President, and the President once again reiterated to us that he would be happy to have the support of Congress. On January 8, the President wrote to Senator DOLE and made this statement:

THE WHITE HOUSE,  
Washington, DC, January 8, 1991.

DEAR SENATOR DOLE: The current situation in the Persian Gulf, brought about by Iraq's unprovoked invasion and subsequent brutal occupation of Kuwait, threatens vital U.S. interests. The situation also threatens the peace. It would, however, greatly enhance the chances for peace if Congress were not to go on record supporting the position adopted by the UN Security Council on twelve separate occasions. Such an action would underline that the United States stands with the international community and on the side of law and decency; it also would help dispel any belief that may exist in the minds of Iraq's leaders that the United States lacks the necessary unity to act decisively in response to Iraq's continued aggression against Kuwait.

Secretary of State Baker is meeting with Iraq's Foreign Minister on January 9. It would have been most constructive if he could have presented the Iraqi government a Resolution passed by both Houses of Congress supporting the UN position and in particular Security Council Resolution 678. As you know, I have frequently stated my desire for such a Resolution. Nevertheless, there is still opportunity for Congress to act to strengthen the prospects for peace and safeguard this country's vital interests.

I therefore request that the House of Representatives and the Senate adopt a Resolution stating that Congress supports the use of all necessary means to implement UN Security Council Resolution 678. Such an action would send the clearest possible message to Saddam Hussein that he must withdraw without condition or delay from Kuwait. Anything less would only encourage Iraqi intransigence; anything else would risk detracting from the international coalition arrayed against Iraq's aggression.

I am determined to do whatever is necessary to protect America's security. I ask Congress to join with me in this task. I can think of no better way than for Congress to express its support for the President at this critical time. This truly is the last best chance for peace.

Sincerely,

GEORGE BUSH.

Mr. President, that was my conclusion, too, when I returned from those lengthy briefings that the Senator from Hawaii and I had in the Persian Gulf and the nations of that area. I can understand why some of the nations over there who are members of the United Nations do not understand what is going on here, and I would remind the Senate of article 43 of the Charter of the United Nations. It states:

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake

to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights or passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Mr. President, the President has called upon us to support his position in responding to that call. It is a U.N. resolution we are supporting, and he wants Congress to go on record. Congress, it seems to me, should do that.

Incidentally, we went back in our research and found that the former Senator from Ohio, Mr. Taft, in 1945 made some very interesting comments concerning the article 43, and specifically raised the question concerning whether it might be desirable for Congress to reserve some power to consider whether or not this treaty, this charter that we ratified in this Senate in 1945, was inconsistent with the Constitution.

I ask unanimous consent that the text of Mr. Taft's statement be printed in the RECORD.

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

MR. TAFT. I fully agree with the Senator from Texas. In what the Senator has stated lies the great value of the Organization, and it cannot be underestimated. My only point is that I believe the people of America should not feel the force is the main feature of the Charter. If they do, they may be badly disillusioned, and they may turn against the Charter, as well as the Organization, because certain things are not being done which they thought would be done. So much emphasis has been placed on force in public discussions that most of our citizens do not realize how impotent this force is in any major crisis. Force has been grossly overplayed.

#### VETO POWER CAN BE A WEAPON TO PROTECT JUSTICE

So long as action under the Charter is based on expediency and not on justice, I believe that the veto power is necessary. Otherwise it might be possible for the great nations, while fully complying with the definite obligations of the Charter, to act unjustly and contrary to the interest of many smaller nations. Apparently, under paragraph 4 of article 2, boundaries fixed in the treaty of peace are to be frozen in the absence of some voluntary readjustment, for all members pledge themselves to refrain from the threat or use of force against the territorial integrity or political independence of any state. If unjust boundaries are set up in the treaty of peace, any attempt to rectify those boundaries by force would be a violation of the Charter no matter how just that rectification might be. The veto power enables us to judge such a matter and refuse to permit the machinery of the Charter to be

used against a nation fighting, in effect, for the freedom of its own people.

I have also been interested in the problem of whether the obligations of the Charter prevent one nation going to the assistance of another which is attacked by one of the powers holding a veto. Thus, conceivably, Russia might attack Turkey, or France might attack Syria. It is at least doubtful to my mind whether Great Britain or ourselves, for instance, could go to the defense of Turkey or Syria, assuming that the veto power was exercised. I suppose the answer to this is that if one of the five great powers violates the Charter and vetoes action against its own violation, the Charter is for all practical purposes dissolved in failure. Of course, we look forward with hope for unanimous action by the great powers, and a willingness on their part to submit their disputes to peaceful settlement. On this continent we could clearly go to the defense of any American state under the doctrine of collective self-defense in article 51.

#### THE POWER OF THE AMERICAN REPRESENTATIVE

In connection with the veto power, I think it is much more important to fix the powers and duties of the American representative on the Security Council under chapter VII. I believe that we should fix these duties at the same time we adopt the treaty, but I do not greatly object to considering the question at a later time. I do wish to emphasize the importance of this representative's powers and duties. There are three cases in which they affect the vital interests of the American people:

First. There are those cases in which action is sought against the United States itself. I have stated that in my opinion we should always be willing to submit any international dispute to arbitration or adjudication, providing that the boards or courts established are bound to decide the question on principles of justice. This, however, involves authority to arbitrate disputes. That has always been a matter determined by Congress. I should be inclined to pass a statute defining the conditions under which the American representative could agree to a proper submission. I should make the authority as wide as possible.

I agree with the Senator from Minnesota that we should adhere to the World Court with regard to matters which are justifiable. I also believe that we should go further and agree to submit other matters, as well, to arbitration, and direct our American representative to do so. Moreover, we should state the conditions upon which he should do so.

Mr. President, if our representative, in some extraordinary circumstances, should find it necessary to refuse to agree to arbitration, I believe he should be instructed to veto any measures thereupon threatened against us under articles 41 and 42.

The second class of cases involves those in which we are called upon to apply sanctions or supply forces against nations which the Security Council considers to be aggressors. There may be a number of different situations. I do not think we would care to approve the use of force in an oppressive way against a nation struggling for its freedom and with whose case our people sympathize. It is important to determine whether such a cause shall be determined by the President or by Congress.

It may be that we will not care to approve the use of force if it involves an obligation which would inevitably lead to a major war. We should determine whether this is to be decided by the President or by Congress.



There may also be cases in which the threat to the peace is so distant from us that other nations should undertake the police function. Probably this situation would be covered by the supplemental treaty under article 43.

There is this consideration, however, in dealing with the power of our representative to authorize sanctions or force. If we assume certain definite obligations, I am prepared to leave to the President the performance of those obligations. But the veto power given under article 27 makes every individual case a question of national policy and not of justice. There is no obligation of any kind on us to vote for sanctions or force if we consider that it is unwise to do so from a question of our own national policy. Ordinarily, national policy in the field of sanctions and war has been decided by Congress. Under the Constitution, only Congress can declare war. It would seem desirable therefore, that some power be reserved to Congress to direct voting by our representative which may involve a war as distinguished from policing operations or may involve sanctions or vital economic dangers to the United States. I do not intend here to state any final opinion on these questions. I only feel that they are questions which must be decided by Congress when the office of representative is created, and that they are far broader and more important than the problems arising under article 43, which have been debated at some length on the floor of the Senate this week.

I do not maintain it is, and I do not maintain that what the President is doing is inconsistent with the Constitution. I do believe that as I have listened to people here on the floor, I have not heard anyone say we should not be in Saudi Arabia. I have not heard anyone say that the President was wrong to put our forces in harm's way.

There have been some people who criticized the number of troops, whether there should have been an increase in November. That, I believe. And in our briefings in Saudi Arabia and other areas, the Senator from Hawaii and I were told that it was a military recommendation to the President that the threat of force was not credible with the number of troops who were there at the time, so the troops were increased.

Congress in the past has specifically passed resolutions or taken action to authorize the use of force without declaring war. Incidentally, for all of my friends who want to declare war, I would urge them to take a look at some of the implications in existing statutes. For instance, under the Gramm-Rudman law, a declaration of war—OMB advises the Warner resolution is not a declaration of war—causes suspension of the Gramm-Rudman budget restraints.

Under an old statute, a declaration of war could also give the President some authority regarding wage and price controls. Does anyone really realize what they are asking when they ask for a declaration of war at this time. But this is not a declaration of war. We do not have a declaration of war before us because we do not want war. I do not think there is anyone here who wants

war. We want the Nation to be able to respond to the United Nations according to its charter, and to be able to provide forces to support that objective.

Mr. President, in 1899, Congress approved a voluntary group to go to deal with the Philippine insurrection in the Philippines. In 1900, Congress approved sending our forces to China during the Boxer Rebellion. In Cuba, Congress approved in 1902 an amendment that specifically gave the United States the authority to intervene in Cuban affairs. In 1914, Congress passed a joint resolution similar to this one, justifying the deployment by the President of the Armed Forces of the United States against Mexico. We had a similar action in 1915 in Haiti.

In 1926, Congress authorized the President to send members of the United States military to Nicaragua. Again in 1927, Congress dealt with the involvement of our forces in a Chinese civil war. In 1955, Congress passed a joint resolution which authorized the President to employ the Armed Forces of the United States as he deemed necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack. And in 1957, Congress passed a joint resolution to authorize the President to use armed forces in Lebanon.

We have had a series of such involvements. In 1962, during the Cuban missile crisis, Congress passed a resolution to support President Kennedy and to prevent the Soviets from establishing a military presence in Cuba. And we all know about the Gulf of Tonkin resolution in 1964. And in 1965, we had another resolution supporting the President in the Dominican Republic.

In the absence of strong congressional support, the President, in his role as Commander in Chief, may not be understood abroad when voices are raised here at home concerning the power of Congress to declare war. I think that is the reason we are here.

The President kept hearing this, kept hearing it from the Congress, "Remember, you cannot use the force of the United States except pursuant to a declaration of war." But he does not want to declare war. I do not want to declare war. I challenge anyone to stand up here on the floor of the Senate and say that they want to declare war. What we want to do is support the objectives of the U.N. resolution to achieve peace, to try and keep the peace.

Furthermore, Mr. President, if the Congress really wanted to do that, this Congress now should take some action that the last Congress did not do.

The armed services bill was passed out of the Senate and was in conference before the deployment of forces following the Iraqi attack on Kuwait. The defense appropriations bill, that this Senator was involved in last September, contained provisions authoriz-

ing the use of moneys, authorizing the Secretary of Defense to utilize contributions made to the United States, extended the callup authority for reservists and National Guard personnel specifically for this purpose in Desert Shield, and permitted the Department of Defense to spend up to \$1 billion from a special account created for this, the defense cooperation account, for the support of Operation Desert Shield.

In other words, Mr. President, if people here in the Congress wanted to limit the President's authority pursuant to the Charter of the United Nations and pursuant to the action that he had already taken, this Congress had an opportunity last fall and did not take it. This President had the right to assume from everything everybody said that this Congress was behind the President.

The Congress even appointed 20 Members, 10 from each body, to consult with the President, and this President has consulted with Members of Congress concerning this action more than any President in the history of the United States. I challenge anyone to come up with a contrary statement.

I am a member of that consultative group. I know the President has gone out of his way to listen, to expand the group, to include people who were otherwise not included in it by Congress.

Mr. President, it is imperative that we think about why the President seeks this support. We have the largest military force deployed since World War II in the Persian Gulf region. It is there to support the objectives of the United Nations. Having just come back from there, as I said, I can tell the Senate that every single person in the military that I talked to asked me about what Congress was going to do: Was Congress going to make the Persian Gulf Desert Shield operation into another Vietnam, into another Korea, and set down guidelines which would prevent the maintenance of peace?

That is what is going on here, and I am sick at heart to hear so many people say on the floor of the Senate they support our people over there, they support what the President had done, but we should wait. We should wait because they believe the President's request for the use of force to keep the peace ought to wait until the sanctions work.

Wait until the sanctions work. We saw marines that had been in the desert since August. They had been training daily. One of them said to me: Senator, can you imagine what it is like for a marine to be without beer for 4 months? They have been out there, day in and day out, on that desert getting used to it, and they are ready. We have to convince Saddam Hussein that they are not only ready but they can do the job if he does not comply with the U.N. resolution.

We also went to a whole series of areas. We visited vessels on the gulf. We visited with pilots. We visited with the Army people, with the commander over there, General Schwarzkopf, and his very dedicated and capable staff. All of them, even the foreign leaders in the nations we went to, said the problem is that Saddam Hussein is not getting the message. He does not believe you. He listens to the voices from home. He hears these people on CNN who say we are not going to support that, and that the President does not have the authority he says he has.

So the President did ask us to come on board. As Senator Vandenberg used to say, "If you want to be on board at the time of the landing or the crash landing, you have to be on board at the takeoff." The President has asked for us to get on board, to show the Nation is united behind those people who are deployed in the Persian Gulf region. Clearly the resolution that was discussed and presented by the majority leader does not meet the request of the President. Why should we be here and vote for something that does not give the President the authority he needs to carry out the purpose of the U.N. resolution?

One of the things we did on our trip was to go to Israel. I want to tell the Senate that that nation is in dire peril. It has been on alert now for so long it is straining them financially. Clearly they have the strongest threat against them, stronger than even the threat against the U.N. coalition forces. And there is no question that Saddam Hussein and his country have targeted Israel. If there is a nation that is going to be harmed, if the will of the United Nations in getting Iraq out of Kuwait is not complied with, it will be Israel.

I really believe that the problem we face now is to achieve the compliance with the U.N. resolution without the use of force. And how can we do that if these people in charge of Iraq do not believe that we will use the force we have already deployed?

I think it is important for the Senate to realize what we are talking about, how big this country is. Iraq is one-third the size of my State of Alaska. Did the Presiding Officer know that? It is one-third the size of Alaska. It actually has produced and exported less oil in the last 10 years than has been produced and exported from my State in the last 10 years. Yet it has 17 to 18 million people, and its income has been dedicated not to building an infrastructure and educational institutions and docks and taking care of wildlife and tourist facilities. They have dedicated their income to making war. They have dedicated their income to maintaining over 1 million men and women in arms. And they have at least another million in reserve.

I cannot understand anyone in the Senate who received this booklet that

we all received from Amnesty International having any question about the intentions of the Iraqis. We understand command and control. Isolated instances of abuses and atrocities can happen in war, but I challenge my colleagues to read this, read this report of Amnesty International that urges an end to torture and killings and the widespread human rights violations and come to the conclusion that somehow or other this military machine is going to be deterred by economic sanctions alone. It has not been deterred by any concept of economics the world knows. It has dedicated all of its income to building the facilities of war: chemical warfare, biological warfare. It is working on a nuclear capability, and if it were not for Israel, they would have it now.

I believe it is time that we take a look at, really, what can we do, what can we do as Members of Congress to support the U.N. goals of trying to have Saddam Hussein and his forces leave Kuwait without the use of force. To me it is plain; that is, to do what has been asked by the President. I do not believe he had the duty to do that. After we already acquiesced in financing that Desert Shield operation, after we acquiesced in extending the periods of enlistment, extending the authority for calling up the reserves, any President would have the right to assume Congress agreed with what was going on and did not seek to interfere. But because of the voices that have been raised, and they continue to be raised here, I believe it is necessary for us to do what has been requested and that is to give the President of the United States the authority to carry out the objectives of the U.N. resolutions and specifically the one that says that such force as may be necessary may be used to remove the forces of Iraq from Kuwait if they do not withdraw by January 15.

In my judgment, there is ground here for people to have a difference about sanctions in terms of whether, standing alone, they will work. The question is not whether they will work, but whether they will work in time. Can we preserve the coalition that is there now, and can we maintain the support of the American people in the deployment of this many people, the maintenance of this credible force to carry out the U.N. resolution?

I still am of the opinion that if the Iraqis realize that there is no further impediment in the way of the use of the U.N. forces, the forces arrayed under the banner of the United Nations in the Persian Gulf, there will be a peaceful resolution of this. I must confess I am a little more pessimistic since I read the Amnesty International report than I was before, because the extent of those atrocities is just overwhelming. We have been told that Iraq has destroyed the birth and death

record of Kuwait. It has destroyed the passport records. It has destroyed even the driver's license records. It has eliminated Kuwait from the memory of man, as far as they are concerned. It has even barred access to Kuwait. I am informed, by our news media. They are free to go into Iraq but they cannot go into Kuwait.

Is that not a dichotomy since Iraq believes Kuwait is now Iraq?

Why should we not have free access for the press to know what is going on in what we believe is Kuwait and what the Iraqis believe is now part of their nation?

I am of the opinion, Mr. President, that the people who do not vote to support the request of the President are not really supporting our forces in the field. That is what makes me sick at heart.

The array of our young men and women over there is tremendous. They have a morale factor that is just amazing. Everywhere we went, the Senator from Hawaii asked about absent-without-leave statistics, about sick-leave statistics, about reenlistment statistics. It might interest the Senate to know: No AWOL's; the lowest sick leave in the world in the American forces; the highest level of reenlistment in U.S. forces. The morale of these people over there is just tremendous.

Would we like to send them a signal that this Senate is unwilling to give them support? That is the way they are going to read it. I hope they do not have to read about some cliffhanger vote tomorrow on this resolution. This Senator is used to cliffhangers, Mr. President. I sat here and watched the vote on the Alaska pipeline. It was a tie vote broken by the then Vice President of the United States, the only vote he ever cast. It only took 1 vote to authorize that pipeline, and we have exported 8 billion barrels of oil. We understand democracy. One vote can make a difference.

But I wonder, does the world understand it? Does the world understand that the Senate of the United States can come in response to a request of the President of the United States to take and reaffirm what we have done? We went to the United Nations, got the U.N. support. The people are there. Our forces are there. The President has had his people negotiating all over the world to get money to support this deployment.

Now will the world understand a close vote in the U.S. Senate? I do not think the world even understands, as I said in the beginning, why we are here in view of the U.N. Charter. We committed as a nation to deploy forces at the request of the Security Council to meet its objectives. We did.

Now the question is can they be used? Is that force, which is now a credible force, of the nature that is required to



make the threat believable? Can we really say the President may use it? He has asked us for that authority.

I think, as I pointed out in my statement, Mr. President, that the President's request is not irregular; it has been made by Presidents in the past, and Congress, to my knowledge, has never refused. When the President of the United States has come and asked for such an authority, to my knowledge, the Congress has never refused. The Mitchell resolution would not grant him the authority he asks with forces in the field, an overwhelming military force of American young men and women.

From my point of view, Mr. President, there can be no vote that supports those people other than to support the Warner resolution. It is clear; it puts some burdens on the President, but burdens he will live with, I am sure. He will find some way—other Presidents have found some way—to live with them, or explain why he did not.

But clearly this is, I think, the most important vote we will cast in our service here, because if it is cast in a way that sends the wrong signal, those people who want to count body bags and talk about numbers in terms of the casualties that may come from this operation are going to have the chance. Unless there is a clear signal sent by this Congress that we stand behind the President of the United States, behind those who went to the United Nations and got the United Nations on record with its demand to restore Kuwait, to have the Iraqi forces out of Kuwait, then I think the result will be war.

I still believe there is a chance to maintain peace if we act in support of the goals that have been enunciated by our President. Thank you, Mr. President.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

#### THE PERSIAN GULF

Mr. BRYAN. Mr. President, there are few times in our Nations history that this Chamber has considered such weighty issues as we debate here today.

As we ponder the issue of war and peace we are reminded that the armies of Saddam Hussein have marched twice in the last decade across international borders invading neighbors with whom they were at peace. These were invasions of conquest, first against Iran; then on August 2, against the small country of Kuwait.

On the day before his armies invaded Kuwait, Saddam Hussein was reassuring Arab leaders that he was going to settle his differences with Kuwait not by the use of force. Mr. President, He lied.

We have seen such lawless conduct before in this century. In the stormy decade of the Great Depression, Ameri-

cans watched as Nazi Germany first reoccupied the Rhineland.

The world looked the other way, believing that this would satisfy Adolf Hitler. And then, after terrorism and political turmoil, fostered by Berlin, Austria was annexed into the Third Reich.

In the ultimate abdication of moral responsibility, the world learned a new word to equate with appeasement: Munich.

In Winston Churchill's chilling words, we are reminded of the results of that naive attempt to placate aggressors: "Silent, mournful, abandoned, broken, Czechoslovakia recedes into the darkness."

The breakdown of collective security, of free nations failing to confront aggressors, resulted in the most devastating war in history. Millions of people perished as armies marched and countermarched as bombs leveled cities, and the darkest nightmare of genocide became a reality.

American soldiers died a thousand deaths on remote beaches and in snow-covered forests. The cemeteries of Europe and the Pacific are testament to the price America has paid for standing up late to aggressors.

It is argued that Saddam Hussein is no Hitler; that the desert wastes of Iraq are not industrial Germany; that this petty aggressor does not warrant the full measure of our response.

Mr. President, the folly of that argument is clear. Hussein now, today, has under arms more men than Hitler when the German Army marched into the Rhineland.

The Iraqi Army today has more tanks than when the Panzer Divisions crushed France in May 1940. And, most chilling of all, Hussein is much closer today to having a nuclear weapon than Adolf Hitler ever was.

The Iraqi regime has used one of the 20th century's most terrible inventions: chemical weapons not only against Iranian troops in that bloody war, but also against its own helpless people. The photos of the dead Kurdish villagers are a silent, grim reminder of what kind of man we are dealing with in Baghdad.

As clear as this aggression was as brutal as Saddam Hussein's legions were to the Kuwaiti people, the administration did not immediately react with force. President Bush and Secretary of State Baker made an honest attempt to set up meetings directly with Saddam Hussein.

The President offered 15 different dates for Secretary Baker to meet with Saddam Hussein to discuss this issue, all of which were rejected. Finally, Secretary Baker and the Iraqi Foreign Minister Aziz met in Geneva, to no avail.

The question is not who is the aggressor, not who broke the peace, not who cast the first stone, not whose re-

gime is a mortal threat to its neighbors and world peace and not who has attempted negotiations.

There should be no doubt in this Chamber or in this country that once the Iraqi armies crossed the border of Kuwait, they committed an act of aggression.

The question before this body and, indeed, before this country, is what is the most effective way to remove Saddam Hussein from Kuwait, to reverse this act of aggression.

The President has mobilized the international community, through the United Nations, in a policy of tough economic sanctions.

This effort, skillfully led by President Bush, and executed by Secretary Baker, has resulted in one of the most effective embargoes in history.

Export of Iraq's oil has been stopped. This shutdown of Iraqi oil exports has devastated Iraqi international finances and Iraq's ability to purchase critical war material on the open market. Estimates indicate that because of the effectiveness of the sanctions the Iraqi economy has been reduced by 40 percent, or more.

Military and industrial material imports have been reduced to a trickle, and the United States Navy and our allies have already inflicted a grievous economic punishment on the Iraqis for breaking the peace.

The cost, to the Iraqi economy and people has been severe.

Many have argued, most notably in testimony before Chairman NUNN's committee, that sanctions are taking a severe toll on the Iraqis and that these sanctions alone should be given an opportunity to corrode the political will, the Iraqi economy, and the Iraqi military machine.

When two former Joint Chiefs of Staff who served under President Reagan argue that sanctions should be given time to work, that they are taking their toll, those arguments are worthy of taking note.

The President and his principal advisers have argued to the contrary. They do not dispute that the sanctions are hurting Iraq, but they remain convinced that sanctions alone will not do the job. There have also been questions raised as to the long-term staying power of the coalition of nations enforcing the embargo on Iraqi imports and exports.

As to the conduct of our foreign policy, the Constitution delegates to the President primary responsibility. There cannot be hundreds of voices in American diplomacy.

When President Bush and his administration argue that sanctions alone will not do the job, due deference should be paid to that opinion.

It does no discredit to the legitimate role of the Congress or the Senate to say that the President is the chief diplomat and Commander in Chief, and

that his arguments are persuasive and compelling.

Moreover, we should not risk the sending of anything less than a unified signal to Saddam Hussein. This dictator's ability to miscalculate is our greatest danger. To date he has made several deadly miscalculations: Saddam Hussein invaded Iran, hoping for a quick victory, he ended up with an 8-year war.

Saddam Hussein invaded Kuwait thinking they would not fight. Kuwait did fight.

Saddam Hussein believed the Saudis would never invite American forces to its soil, and now he faces a massive American military force.

Saddam Hussein calculated that America would never react, would never move to Saudi Arabia's defense. President Bush launched the swiftest buildup of military force in history in defense of Saudi Arabia.

And now he is calculating that America lacks the will and resolve. That we are divided, that we will not back up the President.

We cannot afford to send that kind of signal to provide him with the false hope that we are anything less than committed to his withdrawal from Kuwait. Endorsing the U.N. resolution which authorizes the use of force will provide the President with the authority to launch a military offensive operation if the President of the United States deems that necessary.

But the U.N. resolution is no order to attack, no ultimatum requiring an immediate offensive. It is up to President Bush to discern if diplomatic movement can continue in the policy of sanctions and containment. And ultimately it will be up to the President to make that awesome decision of launching a military offensive.

We in this Chamber should not deceive ourselves or the American people by believing the rosy scenarios of a quick and bloodless victory.

While we all hope, should President Bush decide to attack, that the conflict will be swift and the cost small, history teaches us that this has seldom been the case. Phrases such as "Home before the leaves fall" and "On to Richmond" echo in the pages of history as a warning to those who hope for quick and painless victory.

President Bush, who himself has experienced the horrors of war, must be trusted to leave no stone unturned in the quest for a peaceful resolution. I trust the President.

As we approach this crisis we should keep two additional points in mind: our dependence on foreign oil and the failure of our allies to stand by our side.

In no small part the invasion of Kuwait, and the world's concerns about Kuwait's future, stems from that region's vast oil reserves. Today we are more, not less, dependent on foreign oil, especially oil from the Persian

Gulf, more dependent than when we suffered the gas lines and shortages of the mid-seventies.

Today we import 50 percent of our oil from abroad, and the estimates are that we will import as much as 75 percent in a decade.

The administration is now, hopefully, at the end of a 2-year process to develop a national energy policy. It is long in coming and apparently still in the throes of internal debate. We should move forward early this year on conservation efforts, including improving automobile fuel economy, that result in permanent reductions in our consumption of foreign oil.

Our level of dependence on foreign oil is a latent threat to our security.

The administration's tenure is half over, and each year we become more dependent, more at risk. To not address our energy dependence now, when the country is galvanized and understands the true costs of such a dangerous dependence, would be a failure equal to a failure to expel Saddam Hussein.

The President and Secretary of State Baker have marshalled the world community in the diplomatic effort. Yet, while there is success in diplomatic unity, there is a real lack of support both financially and militarily to this cause. Countries which have as much at stake or more in the Persian Gulf are conspicuously hanging back. The President should renew the effort to make this truly an international alliance on the ground as well as on paper.

Both Japan and Germany could do more, much more, to offset the massive costs of the military effort.

With the notable exception of the British, who are standing fast with America both diplomatically and on the ground in Saudi Arabia, Western Europe could do much more. I have been to the gulf, and I wish I had seen more foreign uniforms, rather than just the desert fatigues of American military personnel.

Even if one accepts the argument that both Japan and West Germany are proscribed from military involvement, there is no reason not to see more financial and noncombat assistance.

There is absolutely no good reason why there are not German and Japanese field hospitals, supply units, and the thousands of other jobs that would not run counter to any legitimate constitutional restrictions.

This Senator, like the American people, will long remember that the British stood with us while others held back.

We can wish for a utopian world, where only peaceful men and women of good will lead nations. That is the hope of all of us. But as Saddam Hussein has cruelly reminded us, it is a wish as yet unfulfilled. As President Bush moves into this critical phase we should stand united. The signal to Baghdad from

Washington should be firm, and our thoughts should be of our troops in the desert.

I thank the Chair. I yield the floor.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Kansas [Mrs. KASSEBAUM] is recognized.

#### A DEBATE OF ENORMOUS IMPORTANCE

Mrs. KASSEBAUM. Mr. President, it goes without saying that the debate before us is of enormous importance. It uniquely reflects the doubts and divisions that exist in the American public. My conversations these past few days with Kansans who have families in Saudi Arabia have been heartfelt. There are deep concerns and fears. I believe each and every one of us understands those well.

Everyone has hoped that since August the various diplomatic initiatives would have succeeded.

Up to this point, they have not. Earlier this evening the Senator from Massachusetts [Mr. KERRY] made an eloquent statement. I would take exception, however, to his statement that the issue is about closing ranks with the President or meeting a deadline set by the Security Council of the United Nations. It is much more than that.

The basic issue of Saddam Hussein's withdrawing from Kuwait is agreed to by everyone. But what is before us at this particular moment is the question of whether we wait or whether we proceed with the policy that was called for by our allied coalition and the President.

Do we support the efforts of the international coalition to isolate Iraq, or do we in Congress want to stand back and undermine that coalition by setting our own goals and our own force?

For many of us who have argued over the years, we should not go it alone—we should work with the United Nations—the coalition mobilized by the President is a landmark achievement.

It now is clear that the broad and overwhelming domestic consensus of last August has unraveled and, as Winston Churchill once said: "The terrible ifs accumulate."

From the start of this crisis, the President has always demanded "immediate and unconditional withdrawal." The word "immediate" is the nub of our disagreement at this particular juncture.

If we adopt the resolution introduced by the majority leaders and others that calls for a policy of sanctions and patience, the message we send to Saddam Hussein and the rest of the world will be as muddled and ambiguous as the resolution itself. This is an open invitation to disaster.

What we will be saying is that Saddam Hussein must get out of Kuwait—but not right now. Not today or tomorrow.



row, not this month or next, but someday.

To the question of whether the January 15 deadline set by the U.N. Security Council is real, we will be answering with a firm "No." To the question of whether the world coalition opposing Iraqi aggression has real teeth, we will be answering with a "Maybe."

There is little doubt in my mind how Saddam Hussein will interpret such an action. It will be viewed as a victory of astounding proportions. They will have shattered the strongest link in an international coalition of a type that has not been seen since the end of World War II and that may never be seen again.

No one can doubt that Saddam Hussein will be emboldened by such a decision. All of us know the calendar, the religious holidays and weather conditions that constrain us. Saddam Hussein certainly does and he can quickly imagine vast new opportunities that the calendar and our inaction would create.

With the message that he can remain unmolested by the multinational force arrayed against him for now, Saddam will intensify his efforts to destabilize Egypt, Saudi Arabia and other Arab members of the world coalition. He will redouble his efforts to shift the focus from Kuwait to Israel. He will go all out to improve and perfect his chemical and biological weapons, extend the range of his missiles and develop a genuine nuclear capability as rapidly as possible. The possibilities for mischief and genuine mayhem are endless.

Throughout all of this, the forces of 28 nations, most importantly thousands of American troops, will sit immobile beneath the guns of Saddam Hussein's armies—vulnerable at any moment to attack but helpless themselves to carry the fight to the enemy at a time and place of our choosing.

The terrible if's of such a situation are too bitter to contemplate. To grant such freedom of action to a man who has acted in such a brutal and repressive manner is, to me, unthinkable. To cede the initiative to a man with no qualms about gassing entire villages and ordering the torture and execution of children is beyond my comprehension.

Mr. President, I began to realize the danger posed by Saddam Hussein after his indefensible use of chemical weapons against his own citizenry and in the Iran-Iraq War. These incidents constituted the most blatant, confirmed use of chemical weapons since World War I. Saddam's use of chemical weapons was in direct violation of one of the most respected tenets of international law, the 1925 Geneva Protocol banning the use of chemical weapons in war.

I firmly supported the efforts in Congress to sanction Iraq for its use of chemical weapons. His continued disdain for international law is something

we must continue to weigh seriously, as we search for a solution to this crisis.

The pattern of his brutality became even clearer to me this past spring, when I received documented reports from Amnesty International and our State Department about the torture and execution of children inside Iraq. As a member of Congress who was pressing the administration to do more to restrain Iraq prior to the invasion of Kuwait, I believe it is extremely unfortunate that we did not do so.

A man who will torture and execute the children of his opponents is capable of anything. Anything. I urge my colleagues to think carefully about this point. Do not misunderstand the nature of our enemy. Saddam Hussein will do anything and everything to maintain and extend his power.

This is why a policy based solely on sanctions is doomed to failure. Saddam Hussein does not care if we starve a million Iraqis to death. It will simply provide new and even more powerful propaganda for his use against the world coalition.

Mr. President, it also is essential that we not misunderstand the nature of the threat we now face. Saddam Hussein is not interested in merely annexing Kuwait. In Saddam's cold calculations, Kuwait is only the first item in a longer agenda that is intended to gain him actual or effective control of the entire Persian Gulf region. If allowed to proceed, he will bring 70 percent of the world's oil reserves under his personal control.

If that is allowed to happen, Saddam Hussein will hold a dagger against the jugular vein of the entire Western World, including the United States. This is not a question of "cheap oil," as some suggest. It is a question of whether one brutal dictator should be given life-or-death power over the future of our Nation and all our allies.

While this may sound dramatic, I believe it is very real. The danger to the West was clear and real to us all last August and we stood united behind a President who forged the broadest and most diverse international coalition in world history. Today, we are divided and uncertain as we wrestle with all of the terrible if's.

Mr. President, our policy in the Persian Gulf now rests upon a three-legged stool. The first leg is the complete political and diplomatic solidarity of the world community in opposition to Saddam Hussein's aggression.

The second is a near total international embargo against Iraq. The third is the credible threat of the multinational military forces now assembled in Saudi Arabia.

If we now kick the third leg from under our policy, I have little doubt that the other two will follow. If we cannot maintain our own consensus, how will we lead all of those who have

joined us? I strongly support the language of the U.N. Security Council resolution which would give the President the authority to use force after January 15.

Mr. President, the present crisis has provoked an outpouring of thoughtful comments from hundreds of Kansans on both sides of this question. I will conclude by quoting from one of the letters that I have received. It expresses a sentiment which I strongly support:

Anarchism cannot be tolerated. The principle must be made concrete that an attack on one of us is an attack on all of us. The world has no better hope for peace.

I certainly believe that is true. I yield the floor, Mr. President.

Mr. KERREY addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

SOMETHING APPEARED TO BE MISSING

Mr. KERREY. Mr. President, let me, first of all, assert that though I believe most of us share the sentiments as articulated by the President, some of us have been very critical of several things in particular that he has done.

In particular, Mr. President, I have been critical from the first moment, because I believe he improperly rationalized—not to protect Saudi Arabia; that was legitimate. Not to enforce the naval blockade; that was legitimate. But to begin to say that anyone who had an objection to the policy was an appeaser, Mr. President, was to ignore the administration's own participation in appeasement.

In addition, I do not believe that the President of the United States has sufficiently identified the interests that would justify a war. It is the most serious problem we have today. He justified the interest that would cause us to send troops to Saudi Arabia, but not to advance those troops to drive the Iraqi forces from Kuwait.

Four months ago, after listening to public confusion over our actions in the gulf, I declared that something appeared to be missing. And now after listening to 2 days of debate in this Chamber, I must confess that I have the same feeling.

President Bush may eventually, as it appears, get a resolution passed by both Houses of Congress, which will authorize the use of force. Public opinion polls, as well, appear to support this course of action, after Iraq's rejection of the President's attempt at a diplomatic solution.

Still, Mr. President, something seems to be missing, something the polls are not detecting, and that something is a personal, individual commitment to pay the price that would be necessary in this war.

I know and I believe the President is deeply troubled by this debate. He has been enormously successful and right in assembling a coalition of partners to oppose Saddam Hussein's aggression.

My sincere hope and prayer is that the President and others who support granting him the authority to use force now will look at the dissent itself and lack of enthusiasm for this war as evidence that something is wrong.

For in every other instance since the War of 1812, when the President of the United States has asked Congress to declare war, the dissent has been minimal or nonexistent. In the Mexican War, the Senate vote was 40 to 2. In the Spanish-American War, it was 67 to 21. In World War I, it was 82 to 6. In World War II, it was 88 to 0.

Something is missing, Mr. President, on our campuses, when President Bush feels the need to send a letter to college students asking them to consider what is at stake. Something is missing among America's most visible citizens, we here in the Congress.

In the Second World War—and I make this comparison because it is used so often by supporters of an authorization for war—Members of Congress actually resigned to enlist and serve. Vincent Francis Harrington of Iowa, Henry Cabot Lodge of Massachusetts, and congressional candidate Paul Douglas of Illinois enlisted for active-duty service. Other Members, including Lyndon Johnson of Texas, joined the Armed Forces Reserves.

Mr. President, the absence of prominent, enthusiastic volunteers like Joe Lewis, Jimmy Stewart, and Ted Williams should tell us something about our cause and what will happen if we pursue it to the bitter end.

I rise today to support the resolution that is offered by the distinguished majority leader and the chairman of the Armed Services Committee, Senator NUNN, and in strong opposition to a resolution which authorizes whatever force is necessary and authorizes that force is to be used now.

The resolution of the majority leader declares that America is willing to confront the danger of Saddam Hussein. It is not a resolution of retreat. It is not a resolution of appeasement. It is not an isolationist's manifesto, but a prescription for success and a blueprint for a sustainable engagement.

This is a resolution declaring our willingness and our commitment to defend the vital economic interest and to confront a dangerous military dictator whose conventional weapons and weapons of mass destruction we can no longer ignore.

This resolution authorizes the continued use of military force and the continuation of economic sanctions, both of which are a heavy price for American citizens.

Those who stand and say that the backers of this resolution have ignored the lessons of the 1930's ignore the actions that this resolution authorizes. We are not calling for a return to the policy of the United States prior to the August 2 invasion, when the threat of

invasion was greeted with official statements about this simply being an Arab-Arab border dispute.

The message which this resolution sends to Saddam Hussein is powerful. It says that we are, on behalf of the peace and stability of our Arab, Jewish, and Christian allies, sending our sons and daughters to contain Iraq's armies. We have joined the entire world community in opposing Iraqi aggression. We will not buy Iraq's oil. We can live without it. We will not sell Iraq the goods of our labor, either those things their people need to raise their standard of living, or the things that their army needs to threaten us again.

It is a resolution of force, Mr. President, and it is a resolution of force which I am certain can be sustained. This is a debate which unquestionably is made more difficult by our concern for the safety of our soldiers. There is a legitimate fear that leaving them on the sands of Saudi Arabia too long can cause a deterioration of their morale.

But concern for our soldiers' morale should not drive us into an early war, when there is such a clear and present amount of public doubt about what it is we are doing.

No one in this body wants war, Mr. President. All of us hope and all of us pray that it does not happen. To those who have assessed the current situation and have concluded that we need to give the President authority to use whatever force is necessary to drive Iraq out of Kuwait. I do not question your desire to avoid war, and I do not question your commitment to the soldiers we have asked to go to Saudi Arabia.

Rather, I am asking you to consider my strong belief that the battle plan for a quick military victory will be politically unacceptable after the fact, if not before.

I do agree, Mr. President, with those who say that we should fight a war all out if war becomes the final solution. President Bush is right to develop a military plan according to the lessons of Vietnam.

However, it is precisely because of the probable consequences of this total war that we should question—question, Mr. President—whether public support can be sustained for the military strategy that is planned. We have a duty to do more than make a case for the starting of a war. We have a duty to make certain it can be continued to completion.

Mr. President, I want to make it clear that my feeling is that I am far from certain. Thus, I believe it would be better policy for the United States to cease from threatening war if Saddam Hussein does not withdraw from Kuwait. Rather than threatening war, we should declare, just as we did in the cold war, that we are not going to launch an offensive attack under

present circumstances. We will defend—with awesome, sobering power if we are attacked—but we will not initiate this war under the current circumstances. We should tell Iraq and the world we believe the wholesale loss of American and Arab lives is too great a price to liberate Kuwait, and I personally and strongly, Mr. President, have concluded that it will be.

It has become clear to me the purpose of driving Iraq from Kuwait as important and worthy as it is, should no longer be the first principle of our and our coalition partners' policy. Its pre-eminence tends to force us into a corner. We are trapped between a fear of Saddam Hussein's full or partial withdrawal, leaving his threatening military intact, and our fear of the bloody consequences of the war which we are now staring in the face.

Before we go to war there is an urgent need for elected representatives to examine several assumptions which precede the selection of a massive, nonincremental battle plan. The first, that the threat of an attack would make a war unnecessary because Iraq would see our power and withdraw; has become academic. Iraq has not withdrawn from Kuwait and does not appear to be willing to do so.

The second is that Congress' vote of support for the President's request is crucial is demonstrating our resolve. Some have even suggested that the lives of the troops are endangered by any dissent as the suggestion that we should not go to war now somehow endangers the lives of our soldiers more than suggesting that now is the time to go to war.

Further, Mr. President, I believe that personal, bellicose threats are much more likely to have stiffened the resolve of Saddam Hussein than the remarks of those of us who believe the sudden escalation of our commitment was a mistake.

The third and most important assumption is that the battle plan of the Joint Chiefs of Staff will achieve a relatively quick victory. Several facts should give every Member of this body a sobering moment of reflection. Most wars begin with the military claiming to be able to achieve a quick victory. The longest and the bloodiest began with the expectation of an early resolution.

Further, even if Iraq is forced to withdraw from Kuwait in an acceptably short period of time, the loss of American and Arab lives will be shockingly high. Rather than providing the deterrent for future aggressors it is much more likely to deter us from fulfilling our international responsibilities in the future.

Finally, a military victory will not necessarily lead to a political victory. It is my strong belief our political position in the Middle East will be significantly weakened not strengthened if



we select the battle plan of the administration.

Mr. President, as I said earlier in some ways the details of this resolution are less important than the presence of so much dissent before war has begun. I urge those of my colleagues who are bothered by this dissent to consider this: This is not a Congress unwilling to support the use of force. There are no America firsters standing here on the Senate floor arguing against a proposal to lend an endangered ally a hand. No, this dissent springs from the deep doubt and misgivings of our own citizens, doubt which I have heard from even strong supporters of the President's request for new authority.

This is a Congress which has taken the pulse of our friends and neighbors at home. This is a Congress which has considered the cost of a war to liberate Kuwait—both to our own soldiers and treasure and to the Arab people of Iraq—and is saying: Hold on, we may be about to make a terrible mistake.

This is a Congress I believe in considering the Mitchell-Nunn resolution which is doing the right thing, simultaneously supporting most of the policies of the Bush administration and by arguing for delay in implementing a battle plan which may result in a rapid decline of political support. Once we start we cannot stop. Simply put, there is too much doubt for us to start.

If we pass the resolution urged on us by President Bush that authorizes whatever force necessary, we must be more certain of what we are about to do. As the possibility of war becomes more imminent, I have become less and not more persuaded that the unknown price is worth the uncertain gain.

Two days ago we saw the sad and weary face of Secretary of State Baker reporting that nearly 7 hours of meetings with Iraq's foreign minister ended in failure. When we heard Iraq's foreign minister speak; we understood why President Bush's letter had failed to persuade: Iraq is unrepentant and unwilling to acknowledge the facts of their bloody deed.

It was a stunning moment which has sobered America focusing our attention on the reality of what is about to follow. Our mood has changed instantaneously. America's sons and daughters are about to fight, kill and die in a war whose outcome we can only predict as victorious without knowing exactly what victory means.

For most of the past 5 months we hoped that Saddam Hussein would withdraw from Kuwait. As Security Council resolution followed Security Council resolution, we expected a reversal but got instead a rebuff. Today, after moving from a defensive to an offensive posture—after increasing our troop strength so as to have the capacity to launch an offensive strike—Sad-

dam Hussein seems willing to take our blow.

So, as we stand here debating this resolution, the smell of battle is in the air. Notwithstanding the constitutional arguments over who has the authority to declare war and the important question of whether or not economic sanctions will work, I cannot shake the conclusion that it would be a mistake for us to launch a war against Iraq.

Again, Mr. President, I know this is a war which all of us seek to avoid. Some have argued that the best way to avoid the war is to give the President the authority to use whatever force is necessary to drive Iraq from Kuwait. They argue that only by making Saddam Hussein believe we will use force will Saddam Hussein understand we are serious.

The appeal of this course of action is its hope that a completely unified United States will send the strongest and best signal to Iraq.

The tragic weakness of this argument is that it papers over deep and growing unwillingness to pay the price of human life necessary to carry it out, if Iraq does not withdraw. For it is not the congressional Democrats who are trying to obstruct President Bush, it is Americans themselves who are saying: We do not think war is worth it.

The resolution offered by the majority leader accurately expresses the will of the American people. They are not ready for an offensive war the object of which is to drive Iraq out of Kuwait. They want to wait a little longer to see if sanctions will work particularly since we have other options besides this inexorable procession to war.

Mr. President, this delay could do much more than give Saddam Hussein more time. It could give us the opportunity of assisting President Bush develop an alternative strategy which the American people and our coalition partners will support. It could give us the opportunity of reexamining some of the premises of our policy which seem to be forcing a conclusion that Americans do not want.

It is understandable that military commanders with the experience of the adverse effects of gradual escalation would insist that a massive air, sea, and land attack be the course of action. Getting this war over in a hurry has been a top priority. No incrementalization has been the first principle in developing our battle plan.

Unfortunately, this plan has a serious defect which as we approach the fatal hour is coming clearly into view. The costs of American and Iraqi casualties, property damage, economic disruption and mounting domestic deficits will be greater than the prize gained. What works militarily may fail politically because people will recoil in horror at the scene they see before them.

I believe President Bush is personally committed to avoiding war. If war is begun, I believe he is also personally committed to avoiding a replay of the Vietnam war. However, one of the most painful lessons of the Vietnam war was discovering the need to make certain the American people were behind the effort before sending our armies into the field.

Mr. President, the alternatives are not just the extremes of waiting for sanctions to work or going to war to get the job done. Both of these strategies—and many others in between—are based upon the premise that our No. 1 objective should be to drive Saddam Hussein out of Kuwait.

There is another option: Change the objective so that the liberation of Kuwait is a secondary objective to stabilization of the entire area. This does not mean that we retreat from our opposition to this invasion, the obliteration of a sovereign nation and the cruel abuse of the people of Kuwait. Rather, it means that we should stop asking the question will economic sanctions, military containment, and a naval blockade result in the timely withdrawal of Iraq's occupying forces and start asking the question will this international effort enable us to build a more stable region.

I believe it can. I believe it must. There are two good examples of a changed American attitude which provide us with the basis for constructive action.

The first is that prior to the invasion of Kuwait few of us were giving speeches about the dangers of nuclear proliferation, chemical and biological weapons, and the need to stop the conventional arms race. Those who were had to search for a receptive audience. Now, both the people and their representatives actually fear the danger and are prepared to do something about it.

The second is that prior to the invasion few of us saw much of a danger in Iraq's growing military threat or their willingness to apply inhumane, brutal force on their own people. Those who did also had to search for a receptive audience. We owe these brave souls our thanks and our apologies for not seeing the danger sooner.

Mr. President, I believe the best course—the path of strength and wisdom—is to tell Saddam Hussein that we have been patient to no avail. We should tell him he has lost the opportunity to simply withdraw from Kuwait. We should tell him we are not going to declare war and will not initiate the attack under the current circumstances. However, not only do we intend to keep in place our economic sanctions and the warning of swift and certain use of force if his appetite for power leads to further aggression, but we are changing the order of our objectives.

The first priority will now be a reduction of his military power and elimination of his most endangering weapons. We want more than to just have him gone from Kuwait. We want his destabilizing influence on the region gone and we want it gone for certain.

To change directions in this manner will most certainly make the downsizing of our military force a necessity. The offensive purpose will be gone. Still, some force must remain to guarantee that we can protect Saudi Arabia, enforce our economic embargo, and to present a credible deterrent to Iraq's military dictator.

The brave men and women of Desert Shield deserve a hero's homecoming. They have already faced great danger and have done so with impressive speed and intrepidity. They have accomplished the most important goal—stopping Saddam Hussein's aggression—and have done so in a way that has brought honor to themselves and the United States of America. America has demonstrated her resolve. We have sent our best and most precious treasure to stop Saddam Hussein. Now, it is time for us to stop before we do something which in our political stomach and in our human heart many of us believe we will regret.

Led by President Bush the world community has achieved a great victory. We could achieve an even greater one if we will only see there is a better way to peace than through this war.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### CONSEQUENCES OF A UNITED STATES-IRAQ WAR

Mr. PELL. Mr. President, "War is neither inevitable nor necessary to resolve the Gulf crisis." So begins a letter I have just received from former President Jimmy Carter and which I would like to share with the Senate. President Carter has a keen understanding of the Middle East. His efforts at Camp David were the greatest success of American diplomacy in 40 years in that troubled region. Indeed, one might say, the Camp David accords have been our only success.

Therefore, his warnings about the consequences of a United States-Iraq war for the Middle East bear special scrutiny by this body. He makes clear that Iraq must withdraw from Kuwait, but also argues that nothing is to be lost if we accept the idea of a peace conference to deal with the broader Middle East questions including the Palestinian issue.

Mr. President, I ask unanimous consent that President Carter's letter be printed in the RECORD at this point so that all Members might consider the views of this statesman prior to our vote.

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

JANUARY 10, 1991.

DEAR SENATOR PELL: War is neither inevitable nor necessary to resolve the Gulf crisis. Iraq's obduracy and U.S. quibbling over meeting dates and "linkage" have moved us slowly but inexorably toward military action. The devastating consequences will be both immediate in human blood shed and, for decades to come, in economic and political destabilization of the Middle East region. Massive bombing and missile bombardment will be necessary to minimize American troop casualties, with commensurate civilian deaths. In the aftermath of the war, no matter what the outcome might be, an allied invasion will be viewed simplistically as a devastating attack by United States forces against the people of Iraq and Kuwait. Religious sensitivities among Moslem believers in all countries will be further aroused because of the dramatic presence and actions of Western powers in their holy lands. Saudi restraints on dress, Christian and Jewish worship, the display of the American flag, and even official acknowledgment of foreign forces on their soil are clear indications of the extent of this concern. The inevitable Israeli response to an Iraqi attack on their country will cause grave defections among some of our presently staunch Arab allies.

Despite U.S. claims of allied unanimity, it is obvious that many of those contributing to the Gulf military forces are much more amenable to patience as the economic sanctions become increasingly effective and while other peace initiatives can be attempted. French and Soviet leaders have made it clear that they prefer a flexible negotiating approach instead of the delivery of iron clad ultimatums.

There is no reason why the international community should not accept the concept of a peace conference to deal with broader regional issues, including the attempt for a peaceful settlement of the Palestinian question. This has already been endorsed by the United Nations Security Council, and is compatible with the historical policy of the United States government. Israeli concerns about biased conveners can be largely assuaged by U.S.-Soviet bilateral sponsorship, now that relatively good Israeli relations with the Soviet Union have evolved. If necessary to save face, we can continue to deny what everyone knows: that linkage does exist.

Iraq must comply with United Nations requirements on the Gulf issues. Iraqi forces must withdraw from Kuwait. Other disputes, compatible with this bottom line demand, can still be negotiated, preferably among Arab leaders with Western backing. Concerns about excessive flexibility can be assuaged by the understanding that any resulting agreement will be submitted to the Security Council for ultimate acceptance as complying with demands of the international community. Reasonable concessions required by all contending parties are insignificant when compared with the destruction of war. It is not too late.

JIMMY CARTER.

The PRESIDING OFFICER. The Senator from Connecticut.

#### THE PERSIAN GULF CRISIS

Mr. DODD. Mr. President, before beginning with some remarks I would like to take a moment to respond to some comments made by some previous speakers only a few short moments ago.

I regret our colleague from Alaska, Senator STEVENS, is not still on the

floor. In his remarks he suggested that those who will not be supporting the resolution sought by the White House are in some way expressing that opposition to the young men and women who make up Desert Shield, our Armed Forces present in the Persian Gulf.

I regret that comment was made, because I do not think anything could be further from the truth than to suggest that those who may disagree on what course of action we ought to take in this body somehow reflect a lack of support and appreciation for the 400,000 U.S. citizens who are presently defending the interests of this Nation, our allies, and other strategic causes in the Persian Gulf.

I hope in the course of this debate as it goes forward over the next day or so we would keep our attention focused on what the differences are. One of those differences is not a lack of support, appreciation, and confidence in the men and women who are defending this country's interests, who are in uniform in the Persian Gulf.

Second, it was suggested by the distinguished Senator from Kansas [Mrs. KASSEBAUM] that a resolution which suggested supporting continuation of sanctions rather than opting for a military course of action at this particular juncture is one that says that we do not want Saddam Hussein to move out of Kuwait immediately; that we are somehow suggesting delay; that we are really not committed to achieving the goals as articulated by President Bush as early as the first week in August when Iraq's naked aggression toward Kuwait occurred.

I do not believe anything can be further from the truth. I think again there is a commonality of purpose that I heard reflected in speeches by all Senators over the last 2 hours. The common desire of every single Member of this body is to secure the independence of Kuwait, the departure of Saddam Hussein, and the neutralization of the warming capacity of Saddam Hussein, the chemical, biological, and potential nuclear weapons he may accumulate.

So I hope again, Mr. President, as we move forward with this debate we will discuss the issue at hand and try not to create false differences—and I say false because that is what they are—between Members of this body who are asked to choose between two particular approaches over the next several weeks, assuming for a second that Saddam Hussein will not take the advice that is being offered by many—including, I gather, the Secretary General of the United Nations, who is on his way to Baghdad—to remove himself from Kuwait and to avoid the possibility of conflict.

If he does not do that, whether it occurs on January 15 or 16, at some point I suggest that that will be the case. And our collective hope in this body



ought to be that he will listen to wiser counsel and recognize the mistake, the tragedy he has brought on that small nation and reduce the tensions that have caused 400,000 Americans and 27 other nations to place forces in the gulf.

Mr. President, this Chamber is no stranger to controversy or emotional debate. Over the decade I served here there have been numerous occasions where that has happened. However the issue before us is not only controversial and emotional, but it is also historic. In fact, Mr. President, I would not be surprised if future generations were to look back on this debate as a significant date in the history of our Nation's diplomacy, the first challenge in the post-first-cold-war world. And, Mr. President, they will be right.

What we all do here in the next days will echo down the halls of history for years to come. Mr. President, what is before us is not routine legislation. Rather, we are here because the President of the United States has asked this Congress to approve the use of military force in the Persian Gulf. We are being asked to approve nothing less, in my view, than a declaration of war.

The Congress' acquiescence to this President's request could very well, as we all know, send 400,000 of our young men and women into mortal combat. Accordingly, Mr. President, I view this question as the single most important issue that has come before the Senate in my 10 years of service.

The President refers to this debate and this crisis in general as the turning point for a new international regime, perhaps even a new world order. To this end he has asked us to implement the United Nation's resolution authorizing all necessary means to force Saddam Hussein out of Kuwait.

Mr. President, I understand the President's request. I understand why he has made his request. And I firmly believe that the President deserves an up-and-down vote on that request.

Furthermore, Mr. President, I am in complete and total agreement with the stated goals and objectives of the President's policy. The Iraqi Armed Forces must leave Kuwait or be forced out. In fact, I was one of the first Members of this body to support the initial deployment of troops to the region in order to defend against further Iraqi aggression.

Since Iraq's invasion of Kuwait on August 2, there have been few decisions that our President has made with which I would quarrel. The escalation of our troop levels in the gulf by 150,000 men and women on November 8, and the choice of January 15, 1991, as a date of no return, are two such mistakes that I think have been made. However, up to now, Mr. President, I believe that President Bush has managed this crisis creatively and with vision.

The irony is that those who initially doubted the effectiveness of economic sanctions and the ability to amass global consensus against Saddam Hussein have become believers, while the architect of this bold policy, the President, has become his own worst skeptic. At this, the critical moment up to now of the gulf crisis, the President appears to have lost confidence in his own successful strategy: A strategy that has led to the adoption of 12 resolutions by the U.N. Security Council, condemning Iraq:

Achieved unprecedented political unity in the Arab and non-Arab world against Iraq;

Marshaled the military forces of 28 nations in the gulf to prevent further Iraqi aggression; and

Last, imposed an effective worldwide trade embargo and economic sanctions.

Those are no small feats. That is a remarkable set of accomplishments over the last several months. This is not a Chamberlin; this is not 1939. This Nation and others have responded to this crisis and to this threat.

By requesting, however, blank check approval for the use of force at this particular juncture from the Congress, the President appears to me to be saying that these historic achievements have failed.

The President has now done what only a few short weeks ago he cautioned all of us against—he seems to have lost patience.

Even though there is overwhelming evidence that the President's original approach is working, we are told we must now change course and place in harm's way thousands of U.S. service men and women.

Mr. President, I shall vote against this request. Allow me to explain why.

This debate is not about the option of military force as a legitimate means of pursuance of our objectives in the gulf crisis.

I supported the deployment of military forces to the gulf in August.

I would strongly support the use of force to protect our service men and women;

I would strongly support the use of force to protect our allies in the region from Iraqi aggression;

I would strongly support the use of force to enforce the trade embargo; and

Mr. President, I would strongly support the use of military force to remove Saddam Hussein from Kuwait and neutralize his future warmaking capacity if our present strategy of political, military, diplomatic, and economic pressures fail to do the job.

No one, Mr. President, is kicking a third leg out of the strategy of economic, political and military presence to deal with this crisis. All we are suggesting is that those particular efforts be maintained and pursued equally.

However, Mr. President, just as it would be foolhardy to remove alto-

gether the arrow of military force from our quiver, so too would it be foolish to draw this arrow prematurely.

I say this because, of all the available options, military force is the only one which once commenced is almost impossible to stop. To put it mildly, the use of military force in the Middle East is always risky business, with no guarantees of success. It is a leap into the abyss. We learned this painfully in Lebanon.

I accept the fact that we may be with no other choice. But, Mr. President, just as I am convinced we may have to make that choice one day—we do not and must not make that choice today.

Mr. President, those who argue that now is the time to give the President the authority to go to war should have no illusions: I am convinced the President has already made the decision to fight. He has made it clear that he intends to go to war. If Saddam Hussein fails to back down, then we, I say to my fellow colleagues in the Senate and the House of Representatives, are all that stands in the way of that war.

Mr. President, I believe at this point, war would be a tragic mistake.

To forsake the success of the present course of action for the risk-ridden option of war is, in the words of the historian, Barbara Tuchman, "To pursue the unworkable at the sacrifice of the possible."

In this case, what is being sacrificed is the real possibility that the embargo, economic sanctions, and diplomacy are working and with some patience can prove even more effective.

Mr. President, it is of the utmost importance that these efforts be given the opportunity to prove their worth, not merely because of what is at stake in the present crisis, but also because of the new chapter in conflict resolution that President Bush has devised by arranging world participation through the United Nations and the imposition of economic and political pressure.

Now that the threat of nuclear war has diminished and super power tensions are at their lowest level in four decades, the world must face the challenge of how to maintain order.

Mr. President, George Bush has drafted a blueprint in the world's first test of this new challenge. To abandon this inventive plan now may well doom the peaceful resolution of this crisis, but, as importantly, may well dissuade others from following a similar course of political, diplomatic, and economic pressure if we untimely reject their effectiveness.

To assess the vitality of our present position vis-a-vis Saddam Hussein, consider the following:

First, consider the present potency of economic sanctions. In the early days of this debate, the President repeatedly expressed his confidence in the sanctions effort.

Indeed, at a September joint session of Congress, the President of the United States reassured us and the American people that sanctions were working and working well. And, in asking for our patience, the President reminded us that sanctions could take 12 or even 18 months to prove fully effective.

In fact, no case of sanctions in modern history has ever had more than a 16-percent impact on the target nation's gross national product. Already the impact of the sanctions is unprecedented, affecting over 40 percent of Iraq's gross national product, and over 90 percent of Iraq's trade. And their vitality, Mr. President, increases with each passing day.

Second, the door to political and diplomatic alternatives should never be shut.

President Bush insists that he has gone the extra mile. However, it seems to me that when 400,000 troops are sitting in the Saudi desert, there is a heavy obligation to exhaust every option for a peaceful solution to the crisis.

If Foreign Minister Tariq Aziz has rebuffed the United States, then we should try other offers—through the United Nations, through the European Community, through anyone who is willing to continue the diplomatic track.

We must be prepared to fight for a diplomatic solution as vigorously as we would fight for a military solution.

If we practice trench warfare, Mr. President, on the economic, political, and diplomatic front, we may be able to avoid it on the battlefield.

I am also concerned, Mr. President, as to whether we can even achieve our objectives with military action. The course of history in the Persian Gulf suggests we should be skeptical of any presumption of automatic victory.

War in the Gulf will pit Arab against Arab, Arab against American and the real possibility of Arab against Israeli.

Mr. President, a military war with Iraq could very easily get out of control, and that would be disastrous.

Our concern for the coalition's stability has to begin with Israel.

We know that Iraq will attempt to attack Israel in a war.

We know that Israel will respond. But we also know that Syria and Jordan will not permit Israel to pass over their territory en route to Iraq.

The Egyptians have already indicated they would have serious reservations about fighting side by side with Israel.

Mr. President, that raises serious problems. We are firmly committed to the security of Israel, as we should be. But how would we react, Mr. President, if Syria or Jordan, or some other member of the coalition, were to attack Israel? These are serious questions, Mr.

President. They deserve serious answers.

What if, rather than attack Israel, Egypt, and the other Arab members leave the coalition altogether? What then is the future of the multilateral effort to confront Iraqi forces? Remember, there are no Soviet troops in the region, no Chinese troops, no Japanese troops, and no German troops. The British have contributed a small number of troops, and the French only a token force. How do we avoid the impression that this is, once again, an Arab-American conflict? That perception alone would be sufficient to upset in my view, the delicate nature of any postwar balance, even if Saddam Hussein is entirely defeated.

And, Mr. President, it is not enough to concern ourselves with who loses influence in the postwar Middle East region. We must also worry about who will gain.

In the wake of Iraq's defeat, Syria and Iran will certainly attain far greater influence over the events in the Persian Gulf. Are we prepared to face Hafiz al-Assad 5 years from now should he undertake territorial ambitions? Would we be able once again to summon the political will necessary to send half a million troops to the region? These concerns, Mr. President, must also be addressed.

Decades from now, Mr. President, how will future generations view this confrontation with Iraq? Will they read about a glorious military campaign, about bombing followed by limited but effective ground combat? Or will they read about how superior forces were bogged down by sandstorms and a determined enemy? Will they visit the museums to find displays devoted to the courageous leaders who bravely managed this conflict? Or, Mr. President, will they reach out their hand and solemnly trace out on yet another black slab of granite the names of those who lost their lives? Will they remember a nation that acted decisively and effectively in the face of a dangerous enemy or one that lost its patience when patience was most called for? We do not know. No one can answer those questions.

But if we give up on the sanctions and the diplomatic effort now, we will never know whether those efforts would have worked. That perhaps, Mr. President, is the critical point. We have pursued the unworkable at the sacrifice of the possible.

The President reminds us what we do here will constitute the makeup of a new international regime, a new world order for years to come. But if we go to war now, Mr. President, we risk the undermining of that global effort. We will gravely tarnish if not discredit our economic and diplomatic tools. And once again we will have resorted to aggression and conflict rather than diplomacy to solve international disputes.

Mr. President, let us not step into the black abyss of war in the Middle East unnecessarily.

As is the case so often with me, Mr. President, maybe my favorite poet, William Butler Yeats, said it best:

#### THE SECOND COMING

Turning and turning in the widening gyre  
The falcon cannot hear the falconer;  
Things fall apart; the centre cannot hold;  
Mere anarchy is loosed upon the world,  
The blood-dimmed tide is loosed, and every-  
where

The ceremony of innocence is drowned;  
The best lack all conviction,  
While the worst are full of passionate intensity.

With deep respect, I urge the defeat of the Warner resolution.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GORE). The Senator from Rhode Island is recognized.

Mr. CHAFEE. I ask unanimous consent that the Senator from Wyoming go ahead of me and I follow him.

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

The Senator from Wyoming is recognized.

Mr. WALLOP. Mr. President, I thank the Senator from Rhode Island.

#### A DEBATE OF PASSING INTEREST, OF PASSING PASSION

Mr. WALLOP. Mr. President, this is a debate of passing interest, indeed, of passing passion. We hear those on the majority side just expressing themselves in seeking guarantees. Mr. President, while we seek them, there are no guarantees of success. And there is no way on Earth in which a committee of 100 or a committee of 435 in the House or a committee of 535 in the House and Senate or even more can choose the moment in time when success is more likely by one means than another.

In fact, Mr. President, as much as the Senate and Congress may dislike it, only the Commander in Chief can choose that moment and only upon his shoulders rests the chilling aspect of success or failure.

Congress will find a way to excuse itself or to take credit, no matter what happens.

I have heard speaker after speaker, and most recently my friend from Connecticut, suggest that were we only to be patient and not impatient we would know with some certainty the course of events. His suggestion is that were the President of the United States to choose the use of force over the continued use of sanctions, we will never know whether sanctions could have succeeded or not.

Mr. President, I suggest that is the truth. But an even more chilling truth, Mr. President, is that when we have seen that economic sanctions have failed, we will never know if the credible threat of force would have worked and the interests of the United States and its allies might have been served.



So therefore, Mr. President, I rise to oppose the Nunn-Mitchell joint resolution which is today's version of the Boland amendment. It is a political statement and not a policy position. Like the Boland amendment, it is pusillanimous and it equivocates. It says neither yes nor no. It does not oppose war but it opposes war now.

Mr. President, my question to the Senate and to the country is: When will these Neville-ites be able to decide?

The posture of the Nunn-Mitchell, Mitchell-Nunn proposition basically says we the majority will wait until the end of the battle to interpret its results and harvest the politics as the opportunities arise. Should the operation succeed, we have been with you all along.

How many, many times have we heard in here "I support the views of the President, the purpose of the President"? Should it not succeed, we have already heard the threats of impeachment. I ask again: Upon whose shoulders does the most compelling question rest?

Make no mistake, Mr. President, the majority proposal is not a message to the President of Iraq, Saddam Hussein, but to the President of the United States, George Bush.

Last October, just before the end of the 101st Congress, I spoke at length on this floor on this crisis, as some colleagues may recall. I felt then and I still feel that the Persian Gulf conflict is sufficiently serious to justify a formal debate on a declaration of war against Iraq.

I felt then and still feel that the United States has a direct, worthy, and significant national interest to be defended and that we should have debated and clarified those interests at the time.

Mr. President, a declaration of war is not a call to combat. Let me point out to those who may be watching and those who may be listening that some of our allies in this alliance are still in a state of war with Israel. Are they engaged in combat? No, Mr. President, they are not.

Their's is a statement of national purpose of enmity with Israel one with which I disagree and so, too, does this body, and time after time it has made its opinion known.

But in fact, Mr. President, a declaration of war is not a declaration of combat, and this Congress and this country should not suppose it to be that. What I asked for in a declaration of war was an unequivocal statement of American purpose and resolve.

This declaration would not have obligated us to attack Iraq nor made war any more imminent. I believe that a joint resolution to declare it was and still is the proper constitutional vehicle to clarify the U.S. interests at stake and to illuminate the relation-

ships between the means and the ends in the conflict.

Above all, if, tragically, it becomes necessary to engage in combat, a declaration ensures political stability and public support, the lack of which inevitably sews confusion and saps morale amongst our Armed Forces and can lead to disaster at the operational level as it did in Lebanon in 1983.

But the majority's resolution, and frankly, even those others which have been suggested to be more strongly worded alternatives, are mush. Like the Gulf of Tonkin resolution, they contain the seeds of uncertainty and confusion that have clouded every recent war that we have fought.

So I am compelled to ask, Mr. President, why are we doing this now? Yes, I realize the U.N. deadline for the Iraqi withdrawal from Kuwait is only 5 days away, and that is precisely my concern. Our choice of timing in publicly opening this controversial debate could not be worse. We had an opportunity back in the fall to debate this issue and pass an appropriate measure.

In October, the massive buildup of U.S. troops was continuing, and so, too, was it in November and December. We did not need the request of the President of the United States to act. This body managed to provide a view to the American people that we were conscious of what was going on, and we gave ourselves the opportunity to call ourselves back into session.

But sadly, what took place then, what has taken place today, is somehow or another a means of carrying on a debate to express that we have concern, but to avoid being pinned with a decision the likes of which the President of the United States must make and cannot avoid.

Had we, back in October or November or December, authorized the use of force, it would have said to Saddam Hussein that Americans were both determined and united. And what a stronger message that would have been then this subsequent dithering and inaction. Action then would have permitted us to stop at any point short of combat operations without harming our vital interests, had events warranted.

Regrettably Congress, the modern Congress, especially, is designed to evade its responsibilities. We try to have it both ways, or even any number of ways. We want the credit for its successes, but none of the blame for its failures. We would carefully trim our sails to catch the winds of favorable public opinion, but dive overboard rather than truly be held accountable in the eyes and minds of the public. We hold hearings, sometimes interesting, most often meaningless. We carp in the press. We remain silent when we should speak, and we speak when we should remain silent. Is there any wonder that

the executive branch refuses to relinquish its powers to such a body?

So I suppose, indeed, I admit, that there is nothing to be gained in re-criminating over what we have failed to do. Yet it is worth pointing out in passing that nothing is as irredeemable as a missed opportunity.

So we are now at the point where we can no longer evade responsibilities. The march of events and passage of time has brought the Nation to the brink of engagement. Yet, its very imminence vastly increases the sensitivity of what we say and do here in the next few days.

On the floor last week, Senator WIRTH put it very neatly. We are on the horns of a dilemma. Congress has a duty to act. Yet we ought to feel at least an equal duty to give the executive branch the flexibility to conduct the operation safely and to protect the interests of the soldiers, sailors, airmen, and marines who happen to be serving this country's interests abroad.

This dilemma illuminates the dual nature of the debate on the gulf crisis. We are essentially confronting two issues: What one might call the war powers issue or the constitutional issue of executive versus congressional prerogative; and secondly, the policy debate, the substance of American conduct of Operation Desert Shield itself.

Simplified, the policy debate asks, "Should we fight at a time of our choosing after January 15, or should we wait for some indefinite period to let sanctions work, to achieve some indefinite goal?"

Critics of force in the gulf have consistently linked these two issues in complaints about the President's handling of the crisis. They seem to equate Congress' prerogatives to declare war on the one hand, with a condemnation of force on the other. Ironically, the Senate's linkage of these two propositions has assured the administration's continued reluctance to place the issue before Congress, and has perpetuated an incipient crisis right up to the very threshold of hostilities.

I do not intend to discuss the constitutional issue which, Mr. President, is largely irrelevant at this late date, in any case. It remains unresolved. Indeed, in the current climate, it will be impossible to resolve, as it has been proven impossible to resolve hundreds of times in our past.

Mr. President, there is an old-fashioned word called victory. Our experience in Korea and Vietnam seems to have excised that word from our national vocabulary. The victory is what we should be seeking. Victory, therefore, is what President Bush should define.

Any resolutions this Senate, that House, and this Congress passes should—but I regret to say certainly will not—define what constitutes victory, should define our goal, define

what it is that we as a nation have as our perfect and special interest.

Mr. President, should we define that, it will become then our choice to stop at any point along the road that we deem satisfactory. But should we fail to define it, it will be defined by the world, by the press, by the French, by the United Nations, by somebody else whose boys are not committed.

So, Mr. President, I suggest that it ought to be an obligation that the Senate of the United States would willingly shoulder, and I suggest to you that it is an obligation that the Senate of the United States will willingly shirk.

Regrettably, those on the side of saying stay the course, waiting for sanctions, no one asks on that side what must these sanctions do? How will they achieve a successful end? If we have to fight, how will we know when to start and when to stop? What constitutes eventual success? Rather than deal with these fundamental requirements, the majority attempts to ride the issue of Congress' ambiguous warmaking power into the White House and substitute Congress' role for that of the Commander in Chief.

The Mitchell-Nunn resolution spells out the specific conditions or scenarios under which the President may use force. Why, then, do they not also establish the rules of engagement, write operational field orders, and delineate the targets, and determine when they have and have not been satisfactorily hit?

I am sad to say I have seen few arguments from the Nevilleites that would contribute to our victory over Saddam Hussein and defeat his aggression. Indeed, under the guise of constitutional prerogatives, some would forfeit a permanent advantage to Saddam Hussein.

In my view, Mr. President, it is a modern political tragedy that appeasement and compromise and retreat have been identified with the so-called constitutional position. A Nevilleite measure, a new Boland amendment, is not worthy of the Senate, but it does illuminate how prone we are as a body to avoid discussing the demands and the fulfillment of national interests.

This crisis does abound with wild improbabilities. Was there ever a conflict in which we sought to give the enemy such a priceless advantage, advance notice of the earliest date of possible military action? And even worse, in the majority's resolution, advance notice of when we have changed our minds about sanctions of the United States, sanctions versus military force?

Saddam Hussein has had at least until January 15 to dig in safely, reinforce his troops, and continue his rape of Kuwait with impunity. But the majority resolution seeks to offer him even more months of security to strengthen his defenses and manipulate

world opinion, while they attend the day when sanctions may work.

Saddam Hussein, Mr. President, knows himself to be ruthless, knows himself to be tough. He demonstrates it daily, and has over the last decade. He may even believe that he has more resolve than Mr. Bush. He knows he has more resolve than the Congress of the United States, and resolve can be the decisive element of the military equation, despite an imbalance of forces which rests largely on our side.

He may actually think we are bluffing, and that he can face down our bluff. That is why what we do here in the next few days is so critical, because I do not believe the President is bluffing. While I have some concern about the extreme multilateralism that has characterized the President's actions, I commend him for the cool, steadfast, resolute, and clearheaded manner he has displayed. He has in all major respects been an exemplary Commander in Chief.

But this debate stands in startling contrast to the actions of the Commander in Chief, the Secretary of Defense, the Chairman of the JCS, the commanders and troops in the field. The Senate presents a picture of vacillation, and indecision. We stiffen Saddam's defiance based on his misreading of our intentions and our resolve. No amount of repetitive statements on the floor of the Senate of the United States that we stand together on the ultimate goal will persuade Saddam Hussein that there is a credible threat of force that can make our resolve believable.

Saddam Hussein has shown himself to be capable of major miscalculation. Invading Kuwait in the first place and attacking Iran in 1980.

Today we may be witnessing a classic case of further miscalculation leading inexorably to war. The tragic irony is that the majority's appeals to avoid war at all cost may in fact ensure it.

In the final analysis, Mr. President, this Nation cannot afford to let this debate, or even legitimate doubts and questions about the administration's priorities, obscure our obligations and the vital national interests at stake. If we have no vital interest at risk in this situation, we have none anywhere. And if we have none anywhere—in God's name, let us stop equivocating and come home.

Many people have trivialized this crisis by claiming it is merely about cheap oil, that we are going to shed blood merely for the oil companies, or to make the world safe for gas guzzlers. Well, Mr. President, the conflict is in part about oil, but not exclusively. But the oil issue is not trivial. We are tied to the rest of the world, and its economy. If we allow 70 percent of the world's proven reserves, with the global leverage it represents, to fall into the hands of a man like Saddam Hus-

sein, we will no longer be a secure power, much less a great power. And those people who are shouting the loudest now about no war for cheap oil will shout even louder when they are jobless, cold and hungry.

Saddam Hussein sees oil as a weapon, one to be used to fuel his imperial dream. He sees himself as the new saladin to drive out the west from Arab lands, as the new Nebuchadnezzar of a revived Babylonian Empire, stretching from the gulf to the Mediterranean. And the targets of his expansionist military empire will be all our allies in the region—Saudi Arabia first, then the rest of the Gulf States and ultimately, Israel.

This is a test of our credibility and our leadership as a great power. And America is a superpower—perhaps the only one—and with that role comes responsibilities—to ourselves, and to our allies.

The crisis in the gulf is not just about oil and concern for American wallets, or about the ruling families of Kuwait or Saudi Arabia. Sooner or later Saddam Hussein must be defeated in order to guard the principle that aggression across borders—especially in such a critical region—must never succeed.

Senator NUNN has asked us to make a distinction between interests that are truly vital and those that are merely important. That's a legitimate question, and I can cite at least one. Above all, now that we are committed, it is in our interest not to fail.

Turning our backs now on this responsibility will fatally undermine our creditability, our national power, and our ability to defend our interests. And it will unleash an era of international aggression, piracy, and terror. And in due time our failure will leave us beset by threats to our well-being on every side.

Make no mistake about it, Mr. President, if we fail to deal with Saddam now, we will have to later. Only then, when his weapons of mass destruction are perfected, when our allies have melted away, the cost in blood and treasure may be far, far higher. If we succeed now, this may well be the last such crisis we have to face for a long while. If we fail, then Saddam's threat will grow, and there will be others. We will reap a Breughelian world of massive instability, increasing violence, and remorseless exploitation of the weak by the strong.

It is self-evident that sanctions alone cannot work. To suggest otherwise is a delusion. Anything short of a credible threat to use credible force to eliminate the Iraqi threat—present and future—is merely an excuse for inaction.

Those who advocate open-ended sanctions, or more diplomacy, or anything other than force to eliminate this threat have no theory of victory. They cannot explain how economic privation



in a military dictatorship like Iraq can ever translate into a political concession by Saddam. And when asked, the advocates of open-ended sanctions cannot say when they will conclude, they have not worked.

They will not even define the measurement by which their success can be evaluated. The Neville-ites will not define it, for they will have to admit that sanctions will not force Iraq to withdraw from Kuwait.

The success of the embargo also depends on the Iraqi regime's willingness to kill those who dissent. Who can doubt that willingness in light of Saddam's bloody history? To whom will the Iraqi people appeal when the pain of the embargo grows too great? Nor will the embargo survive the self-interest of third parties like Iran, certainly no friend of the United States, or the U.S.S.R.

Finally, sanctions are hurting the rest of the world and its economy in relative terms perhaps as much as they are hurting Iraq. The longer they are in force, the less effective they will become. Consequently, sanctions alone is not a true policy, only an excuse to avoid the difficult choice.

There are other excuses for inaction, Mr. President. Some say that war risks alienating the entire Muslim world and harming United States relations with present Arab allies. Some fear a worldwide Muslim reaction against us. But the Muslim world is not a monolithic entity, and in any case Muslims have never achieved peace among themselves, much less with the rest of the world. But of this I am certain. Muslims, and Arabs in particular, understand weakness and strength. If we do nothing but prolong the stalemate, we risk a far greater likelihood of losing all our friends in the Muslim world.

It is interesting to remember, Mr. President, that some of our Arab allies in the coalition are still technically at war with Israel, our other ally in the region. Yet, they have stood with us loyally, admittedly because it is in their interest to do so. But there would be no United States-Arab coalition without the credible threat of the United States to use force.

The danger to the Arab States who have supported us will be acute without the continued credibility, and reliability, of the American military option. And if we falter, is there any doubt that they will begin to accommodate the true military power in the region—and quickly.

Mr. President, we simply cannot sustain an embargo and a "line in the sand" for an indefinite period. But even if we could, would it solve our basic problem? Of course not. Indeed, an American—non-Muslim—garrison permanently encamped on the holy soil of Islam would soon unite the Arab masses against us. Continued passivity

will cede the initiative to Saddam Hussein.

Under the Nunn-Mitchell resolution, Saddam Hussein can win simply by standing fast, and continuing his clever political and psychological warfare. He can appeal for peace to our antiwar movement. His pan-Islamic propaganda, threats of Jihad against Israel, and linking the gulf crisis with the Palestinian problems will inevitably fracture the coalition. And finally, he can wear down the resolve of the coalition by promises to withdraw from Kuwait, to negotiate, anything to keep the game going. And in time, we will find ourselves isolated—and defeated, the very thing which those who were advocating the Nunn-Mitchell amendment say they seek to avoid.

Mr. President, the threat to our interests is Saddam Hussein, his regime, and its military power, and nothing but their removal will suffice in the present circumstances. Even the liberation of Kuwait, if it does not contribute directly and quickly to the elimination of that regime, will not suffice.

Mr. President, the roman poet Virgil wrote in his epic Aeneid, "The God of war favors bold beginnings." We as a nation began this operation boldly, and today we enjoy major advantages as the fruit of our boldness. We have the psychological edge, worldwide and domestic political support, troops at their peak, and justice on our side.

Yet in Congress we are faced with a failure of both judgment and courage. As Paul Gigot wrote in today's Wall Street Journal, "crises reveal character." This crisis is a true test of our national character. According to the Greek philosopher Heraclitus, "a man's character is his fate." The same may be said of nations. And courage is the core of character, the ladder on which all other virtues mount.

Our soldiers, sailors, marines, and airmen are showing great courage. I think about them often. Some of them are my friends and neighbors from Wyoming, a State with only half a million people, yet which has the second highest number of guardsmen and reservists called up relative to population. But whether from Wyoming, California, or New York—they are all my countrymen. They are also all volunteers, and they are ready.

Our servicemen are not shrinking from the battle, even though some of them will be wounded, and some will die. But I fear the collective courage of this body does not match theirs. If we cannot be worthy of our servicemen, let us at least have the decency to stop invoking their courage to camouflage our own weakness.

Gentlemen cry "peace, peace," but there is no peace. In essence we are already at war. Lives have already been lost, if not in combat, at least in preparation for combat. And we have used

force to enforce the blockade, in itself an act of war.

No, Mr. President the time to act is now, while we have the advantage, while we have the means amassed in the right place, and while we can keep the loss of life at a minimum.

To prolong the crisis bids up the ultimate price. Can we not summon the courage to make clear to the American people what is at stake and what their sons are being asked to fight for? The President has—cannot this body have the courage to do the same?

This is not an easy choice, I grant. But then, leadership and responsibility seldom offer us easy choices. Any course of action that says "yes, but \* \* \*" ignores the harsh reality that the history of conflict allows no "buts." There are only choices, difficult choices. The Senate can achieve no purpose, by failing to choose or postponing choice. Can we make the wrong choice. Of course. But we can never succeed without taking the risk that choosing imposes.

Mr. President, I yield the floor.

The PRESIDING OFFICER. According to the previous order, the Senator from Rhode Island is now recognized.

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

Mr. CHAFEE. Yes.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. SANFORD. Mr. President, I ask unanimous consent that the previous consent agreement regarding recognition of Senators for speeches during today's session be amended to reflect the following addition:

Add Senator LEVIN after Senator GRAMM of Texas, for up to 25 minutes.

Add Senator BAUCUS after Senator PRESSLER, deleting Senator BYRD, and that Senator SASSER be added after Senator SMITH; and that Senators DURENBERGER, MURKOWSKI, HEINZ, DOMENICI, MACK, HELMS, and COATS be added after Senator HATCH, and that Senator HEFLIN be added after Senator HATCH prior to Senator DURENBERGER.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. I wonder if he could repeat that last part.

Mr. SANFORD. And that Senators DURENBERGER, MURKOWSKI, HEINZ, DOMENICI, MACK, HELMS, and COATS be added after Senator HATCH, and that Senator HEFLIN be added after Senator HATCH, prior to Senator DURENBERGER.

Mr. CHAFEE. If he could withhold 1 minute, I have no objection.

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

Mr. SANFORD. Mr. President, might I add a note from the leadership for the information of Senators that if they are not present and ready the Chair will recognize the next Member on the list.

The PRESIDING OFFICER. The Senator from Rhode Island.

## THE PERSIAN GULF CRISIS

Mr. CHAFEE. Mr. President, as we debate this very serious matter, I wish there was emblazoned on the pediment above the presiding officer's head the words, "The objective is to have Iraq out of Kuwait."

That is the U.N. objective. That is the objective of the President of the United States. That is the stated objective of the majority leader and others supporting the resolution that is before us this evening.

The nations of the world have rightfully declared that they will not countenance the savage aggression that Saddam Hussein visited upon a helpless neighbor. If that aggression is tolerated the world, for all of us, even a big nation like the United States will be a far more dangerous place. I deeply believe that. I deeply believe in the analogies comparing this situation to 1934 through 1939 in Europe when aggression went unpunished.

Now, Mr. President, having agreed upon the objective, let us review the situation that confronts us as we attempt to achieve the goal, the goal being, and I wish to keep this before us, the goal being to have Iraq out of Kuwait.

Iraqi forces are solidly entrenched in the country now. Estimates are they have in Kuwait itself about 290,000 soldiers, and available in nearby southern Iraq an additional 240,000, making 530,000 Iraqi forces, a total of over half a million. Facing them are 335,000 American troops, and 245,000 allied troops, close to 600,000 from 28 different countries.

The Iraqi Air Force is estimated to have about 740 fighters and attack bombers. The United States has 1,200 alone, and our allies have something in the neighborhood of 800 more, making 2,000 aircraft.

Leading the Iraqi forces is a proud and skillful leader who, with iron discipline, led his forces through an 8-year war with Iran that is said to have cost him a million casualties, a million civilian and military out of a nation of 17 million people. If you applied those same ratios to the United States of America that would mean that we would suffer losses of close to 15 million people. That is the population of that State of Florida.

Therefore, I think it is easy and logical for us to conclude that we are facing a very determined leader who has clearly shown he is not disposed to blink. He is no fool and therefore we can, I think, expect that he will recognize that the military blows that the allies are capable of delivering against him will eventually overpower him if, if he believes that we will ever resort to using that force.

Let us move now to alternative approaches that are being debated by the Senate. The majority leader's proposal says that we shall continue on the

present course of the sanctions outside of that, it does not do anything. It does not up the current pressure on Saddam Hussein. It does not up it one iota.

As a matter of fact, I think I can say it reduces the pressure because the current situation says to him by January 15 you are going to be attacked, or could be attacked, whereas under this resolution it says, no, we will continue the sanctions and if there is to be the use of force the administration must come back to Congress seeking approval for that use of force.

Therefore, it assures Hussein there will be no shooting until some possible indefinite time in the future when Congress will consider the matter.

Now the resolution in three separate paragraphs discusses the embargo or sanctions, and somehow it seems to me it demonstrates a faith that these efforts will in kind of a painless way permit us to attain our goal.

But two questions immediately arise. First, will the sanctions permit us, or materially assist us, in achieving that goal of getting Iraq out of Kuwait?

Second, when do we say we have given the sanctions enough time?

Note that the first question deals with whether the sanctions will help us achieve our objective of getting the Iraqis out of Kuwait. It does not say will the sanctions produce bread lines in Baghdad, or will the sanctions affect the Iraqi Air Force. No. The question is will they help us get him out of Kuwait? The success of the sanctions must be judged by that standard.

Director William Webster of the CIA stated yesterday in writing the following, and I would call the attention of all to these, that we pay careful heed to these words. This is Director Webster speaking.

I testified on December 5 that there was no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait. Our judgment remains that, even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait.

In other words, unlikely to achieve the objective that we have all agreed upon.

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period.

This is Director Webster speaking.

He continues:

Iraq's infantry and artillery forces—the key elements of Iraq's initial defense—probably would not suffer significantly as a result of sanctions. Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to

extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength. Iraq has a large stock of spare parts and other supplies. On balance, the marginal decline of the combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications.

That is the end of the quote from Mr. Webster.

Mr. President, I try to give as much credence as possible to the viewpoint of those favoring this resolution. Amongst them are individuals for whom I have a great deal of respect. But I find it extremely hard to fathom how this resolution advances or attains our agreed-upon objective.

The supporters say "Give the sanctions a chance" while at the same time saying to Saddam, "We are giving you a further period of grace from even the threat of fighting." During that period of grace, Hussein can strengthen his position in Kuwait. He can carefully conserve or even replenish those items in short supply.

We suddenly apply the Marquis of Queensbury Rules to warfare: No attack without penalty of warning, and meanwhile he proceeds to make all preparations possible against our forces.

Meanwhile, what of our allies? Are they to assume anything other than that we suddenly lost our nerve just as we arrive at the critical date of January 15?

The leader of the United Nations coalition is clearly the United States of America. If our Nation cannot back a U.N. resolution, then these nations associated with us, many of them at a very high economic and a very high political cost, are going to drift away, each, perhaps, making whatever accommodations it can with Saddam.

The second question: When do we say we have given the sanctions enough of a try? It is never answered by the proponents. And, indeed, they cannot answer that question. I suppose if their resolution succeeded, some time in the near future we would revisit this question, with strong voices saying, "Give the sanctions more time," while we face an even stronger entrenched Iraqi force in Kuwait. Should we at that future time decide to attempt to achieve our goal by force or authorize the use of force, our position vis-a-vis the Iraqi's would be most likely less favorable than it is today.

But more important than that, Mr. President, we would have lost the opportunity that we now have, an opportunity that might succeed in getting Saddam out of Kuwait. We now have the ability, absent this resolution, to say to him: The President of the United States, backed by the full support of Congress, says "Get out of Kuwait or we shall use force against you." That possibility does not exist under the pending resolution.



In this life of ours, nothing is certain. We, none of us, know exactly how we should decide this issue. We are given powers of judgment, supported by the experiences that we know of and read of and have personally undergone and we thus arrive at the best decisions we are capable of.

It is my very firm belief, based upon some experience, that to delay here, to postpone, to temporize, would be extremely costly for our Nation in terms of American lives. The best chances for success are not only to defeat this resolution but to endorse one giving the President the authority to use force, should he deem it necessary, which hopefully will not be true.

I would like to make a further point. I very strongly believe that what we do in this instance influences our Nation's standing beyond the immediate boundaries of this situation. The Congress has, ever since the Iraqi invasion of Kuwait on August 2, over 5 months ago, encouraged and supported the President in forging the unique alliance he has put together. We have not just been bystanders. We have actively encouraged this.

We have funded it, Mr. President. We have made exceptions to the Budget Reform Act for it. We have passed a resolution showing our support for what the President has done, and that resolution passed 96 to 3. We have known of this U.N. Resolution No. 678 since it was passed November 29 with the very active support of the United States, 6 weeks ago. We have known of the President's support for that resolution and his intention to implement it.

Now, at the final hour, with 4 days to go before the U.N. deadline, this resolution is before us saying that the President cannot use force without further approval of Congress.

Should this resolution be approved, I do not know what nation in the world would ever believe in the constancy of reliability of the United States in the future.

We would hereafter, it seems to me, be viewed as a country that would refuse to back up its words with its deeds; a fair weather friend; not there when the going got tough.

For these reasons, Mr. President, it is in the best interests of our country that this resolution be defeated. It is my hope we can then all unite behind a resolution in effect supporting the U.N. resolution, giving the President the authority to use force if he deems it necessary, hopefully which will not occur.

This, it seems to me, would convey the clearest and best message to Saddam Hussein, and afford the best opportunity to achieve at the lowest cost in casualties—something that must constantly stay before us—our goal, which is to remove Iraq from Kuwait.

The PRESIDING OFFICER. Under the previous order, the Senator from

North Carolina [Mr. SANFORD] is recognized.

#### THE PERSIAN GULF CRISIS

Mr. SANFORD. Mr. President, this debate may very well have started out to be a debate about the Constitution and the constitutional requirement that this Nation cannot go to war without a declaration by the Congress. But that is not really, now, what the argument is about I am afraid.

The reason I am so much in support of the resolution that has been put in by the leader—the resolution prepared by Senator SAM NUNN—is that I think if we do not vote for this, we are going to war very shortly. So I think we either support this resolution which brings, I think, some sanity to the discussion, or we are going to see this Nation go to a war, and a war that certainly does not need to be fought—the most unnecessary war in the history of this Nation and a war that could have disastrous effects.

There is not much we can do about the President going to war unless we pass this kind of a resolution. As George Will said today in his editorial in *Newsweek* making the point that, were it applied to debate tonight which supports the Nunn resolution, if the President decides to go to war there is not anything the Congress can do except to impeach him or to cut off the funds for the military.

He was quite correct in pointing out that we are not going to cut off the funds for the military, not when our young men and women are over there exposed. And I suspect we are not going to impeach the President while fighting is going on and while war is going on and probably should not anyhow.

But, in any event, I think we either support Senator SAM NUNN's resolution—and I might say here parenthetically that there is no Member of the U.S. Senate more thoughtful, more knowledgeable about the military, more aware of the position of this Nation's leadership in the affairs of the world than SAM NUNN. I am pleased to have an opportunity to be a cosponsor and to support this legislation.

But if we do not pass it, you may be sure we are almost certain to go to war.

It is possible—and I certainly hope it does turn out—that Saddam pulls out of Kuwait. But there is nothing in his history to indicate that is going to happen. And if we do not say "let us be cautious, let us go back to our original plan"—which Senator NUNN says—then we are going to see this Nation dragged into a war that brings pain and suffering and death and loss and added costs of all kinds, not only to this Nation but to other nations. Not only that, but we are going to see that it brings in its wake the kind of turmoil that we will be a generation getting under control.

We will see turmoil in the Middle East, bringing all kinds of results that are going to lead to the instability of that region. We are going to see the State of Israel put in jeopardy. And we ought not to overlook that danger.

I think the aftermath of this war might very well be far worse than the war itself.

I have tried to find out from the administration just how they see the war. "How many deaths?" I have asked. "How much time do you think it would take?"

The answer has not come. The answer has been very vague.

"Oh, we can go in there and bomb for 2 or 3 days and Saddam will give up. Or we can take a scenario that is a little bit more pessimistic, and it might take us 11 days to carry it out. It depends," they said, "on the scenario."

"And how many deaths will there be?"

"It depends on the scenario."

I can tell those gentlemen what their War College says about the scenario. I can tell them what their War College—and surely most of them have attended it—has to say about how you calculate the time of conflict in a war and how you calculate the number of deaths. You take the worst case scenario. The worst case scenario could have us losing thousands and thousands of young Americans.

The worst case scenario could have us bogged down for months and months, and maybe years. So there is no easy way to end this war. This is not an easy war to be fought and this is not a war that ought to be fought.

I grant you that the President has put himself in a position that more or less is the case of painting oneself into a corner. He added the buildup. He turned, without real consultation with the Congress, a defensive operation sent there to defend against further aggression into Saudi Arabia into an offensive potential and decided that he would say this is going to be a demand that you get out or we are going to come in. There was not any consultation with the Congress about that.

It is a game of bluff. If a game of bluff works, well and good, and I hope it will. But if it does not work, then where are we left standing if we have had our bluff called? Then we have to go to war, the administration contends.

The President said after Secretary Baker's meeting that now it is up to Saddam Hussein. I say it ought not be up to Saddam Hussein. We ought not to let Saddam Hussein's stubbornness, his inflexibility, his refusal to move, decide that we are going to make such a tremendous blunder as going to war now would be.

It is not so, Mr. President. It is up to the United States. It is up to us to decide whether there is going to be a war.

As we carry on this debate, I think it is important for us to remind our colleagues from time to time that all of us share a common understanding, and have from the beginning, that we cannot let Saddam Hussein have any of the fruits of his aggression; that he must leave Kuwait.

The debate is really about the best road to reach that goal, and I think, Mr. President, equally important, we are overlooking this, but it was obvious from the beginning, equally important that this debate ought to also be about building now with the use of this experience a mechanism for the resolution of this conflict itself and future conflicts that might arise.

On Wednesday, we learned of the failure of the meeting between Secretary of State Baker and the Foreign Minister of Iraq, and while the results of that meeting are disappointing, they are not surprising. The failure to reach a diplomatic solution has left us in the same position that we were in the day before the meeting, the same position we have been in; nothing has changed.

There is no reason for this added fervor. There is no reason for the United States to succumb to anger and rush to war. There is no reason to say we have been insulted, we have been strong-armed, we have been stiff-armed. Of course we have been, and we have stiff-armed them. That is part of diplomacy. But there is no new justification for the President to send thousands of our young people to their deaths in the Middle East.

Our resolve to see Saddam Hussein forced out of Kuwait has not changed and has not weakened. But the way to do it is what this debate is about and the way to do it is not to go into a deadly war.

Mr. President, it has always been easier to settle an argument with a gun, and it is much more difficult to settle one by other means. People throughout the world have been struggling all of this century and longer to find a way to resolve national differences without war. We finally have the opportunity today to make real and important progress toward a better way of resolving conflicts and at the same time get the job done in Iraq and get it done right.

Probably the greatest development that resulted from World War II was the birth of the United Nations. Until now, that institution has been stymied by the cold war conflict between the Soviet Union and the United States. For the first time, in the Iraqi crisis, we have seen that the United Nations can come together to exert its moral force and can be backed up with economic sanctions and with the military might of its members, including especially the United States, to punish unwarranted acts of aggression.

We ought not to miss the opportunity to establish that this is the way that

aggression ought to be dealt with in the future.

But we have arrayed now in Saudi Arabia the greatest concentration of military might since World War II. The question is: Which way do we go first? That is our debate. That is our fateful decision. Do we resort to the age-old way of war, or do we at least try this new moral force available through the combined weight of the nations of the world?

We can teach Hussein a lesson. We can get him out of Iraq. And I would add that we ought to also insist right now that before we lift the sanctions, he has to destroy all weapons, chemical, biological, nuclear, and the capacity to make them, and give the United Nations a right for on-site inspection, which we have not yet required.

We not only teach Hussein a lesson, we not only can bring him in line with the norms of the world community, but we can teach would-be aggressors the same lesson, not by going to war, but by making the United Nations moral force work, and we can greatly diminish the chance of future invasions of neighboring nations.

The lesson is that acts of aggression will not be tolerated and that those who attempt to engage in them will be isolated and crippled by the moral, economic, and military might of the United Nations.

It is through the United Nations that we have isolated Iraq politically, commercially, and economically. We have sealed Iraq off from the rest of the world. If we continue relentlessly to enforce the embargo, we can cause an economic collapse which certainly will have the capacity to bring Iraq into compliance with the demands of the world.

Strict enforcement of the embargo at the very least will leave Iraq in a much weakened condition, lacking the spare parts and munitions should military force in the end prove necessary.

To go to war now is not only unacceptable impatience, but I suggest a lack of real courage to rush hurriedly into war.

Of course, the embargo would work. It has already started to take its toll. Virtually all of Iraq's exports, mostly of oil, have been stopped. We cut off its money so Iraq is not earning anything from export sales. We have simply cut off his income. Ultimately, Iraq will have no funds to buy goods even if it could find those willing to sell them.

The embargo has also stopped over 90 percent of all imports, cutting Iraq off from most of the supplies it would need, including food, which I might say I do not think ought to be part of the embargo, but it will cut off all of those supplies that he needs to prepare for war.

Obviously, it takes time. We knew that in the beginning. We did not send the military over there to fight a war.

We sent the military over there because we knew it was going to take patience and time if we wanted the embargo to be the new way that we dealt with aggression, the new way that we avoid war as a solution.

There is not any question that it takes time and it takes courage and it takes moral strength and it takes patience and it takes wisdom to make Iraq realize that the embargo can last forever. That is the path I hope our President will take. The risk of the embargo must be weighed against the alternative risk of war.

To those who say that the sanctions do not guarantee an Iraqi pullout from Kuwait, I would remind them that war offers few guarantees other than the almost certain loss of many American lives.

To those who express concern about the ability of the United Nations and the coalition supporting the embargo to stay the course, I find Admiral Crowe's words to be the most telling.

I cannot understand why some consider our international alliance strong enough to conduct intense hostilities, but too fragile to hold together while we attempt a peaceful solution.

Of course, the coalition will hold together and hold the embargo in place.

Mr. President, risking lives in a war is not to be taken lightly. Almost one-quarter of the troops deployed in the Middle East right now have come from places in my home State of North Carolina. I know many of their families, and I know their living conditions, and I know their communities. I know these fighting men that have gone out from those bases to the Middle East are to be commended. They are to be respected. They are to be honored. They have moved into their positions and carried out their duties with the utmost in professionalism. They would, if summoned, serve this Nation with outstanding competence and valor.

However, I do not believe, as I see them and their wives and their children and their parents, I should vote to risk their lives until we have let the economic squeeze of the embargo run its course, because I believe it will work.

Some of the debate today has focused on whether the passage of this resolution will somehow undermine the President and will send a signal to Saddam Hussein that the United States is less than committed in forcing Iraq out of Kuwait. I do not see that reasoning as being valid at all.

The President was right to organize the international condemnation of Iraq's illegal and unwarranted invasion of Kuwait. The Congress and the American people supported those initiatives. The President was right and brilliant in his quick deployment of American forces in August. The President was right to organize the United Nations behind the sanctions against Iraq.



But the President will be wrong if he takes offensive military action right now without playing out the alternative of the embargo. The challenge that the President made to Saddam was his deliberate strategy. It might have worked. I hope it yet does work.

This resolution will not in any way affect that. But that it did not work should not drive us to war, a war that does not need to be fought. We do not now need to save face. We are too strong to submit to that vanity. This is the United States of America. We do not deal in face saving. We have far more important things and principles to save than face.

We can do what we ought to do. We do not need to play that kind of a game. Moreover, in saying to the President, as this resolution does, that Congress has not ruled out going to war, that Congress authorizes the use of military force to enforce the economic embargo against Iraq, to defend Saudi Arabia from additional attack, to protect American forces in the region, it says that Congress willfully supports increasing economic and diplomatic pressure against Iraq. It says that Congress will act expeditiously to consider any future Presidential requests for a declaration of war.

Congress has expressed strong support for what the President has done so far and giving the sanctions more time to weaken Iraq's military power. This resolution leaves the United States as committed as it has ever been since August to the goal of removing Iraq from Kuwait.

Mr. President, let us stand tall and strong and firm. Let us not take the quick and easy way.

Future generations will praise the wisdom of President Bush, for he can make the decision that gives us the great opportunity for building a more stable world. We can make the United Nations work. We can force Iraq out of Kuwait. We can take his destructive weapons of war away from Saddam Hussein, and we can establish a system for resolving international conflicts without sacrificing today so many American lives.

We can win this conflict without paying the terrible price of war.

Mr. President, I thank the Chair. I yield the floor.

**THE PRESIDING OFFICER.** (Mr. SARBANES). Under the unanimous-consent request earlier entered into, the Chair now recognizes the Senator from South Dakota.

PERMITTING THE PRESIDENT TO FOLLOW THROUGH

**Mr. PRESSLER.** Mr. President, I shall support the resolution to permit the President to follow through on the U.N. resolution if that is necessary to expel the Iraqi occupation force from Kuwait.

Mr. President, today in a Los Angeles Times syndicated article, Jeane Kirk-

patrick had an interesting article entitled, "Congress May Regret Power To Declare War."

In this article, Jeane Kirkpatrick analyzes the constitutional role of Congress in war and military actions. She talks about the vagueness of some parts of our Constitution, about the ultimate need for Congress to be involved, and about the fact that maybe Congress in the end will regret the fact that we must be involved.

But we are involved in a process this evening wherein each of us comes to the floor to make our statement on the votes we will have tomorrow. We all seem to agree on two or three key points in this debate.

I have been in the Chamber on and off since about 3 o'clock this afternoon. It seems that every speaker strongly condemns Saddam Hussein, as I do. Every speaker, every Senator shares the President's goals. But then differences are expressed how to best achieve those goals next Tuesday and beyond.

Actually, there is about a 90-percent agreement in the speeches given here today. There is a great deal of overlap. Yet there seems to be a fierce division between the two propositions put forth, one by the Democratic leader and one by the Republican leader.

I support the Dole, et al. resolution because I think that it gives our President the authority to negotiate more effectively. If we were to adopt the Mitchell resolution, the President would lose the power to negotiate effectively. At the very peak of his negotiation with Saddam Hussein, his power would be taken away from him.

There is no conclusion date in the Mitchell resolution. Its indefiniteness would result in malaise. Saddam Hussein would win under those ground rules. He would have no incentive to negotiate with the President of the United States. That is why I believe this body will appropriately reject the Mitchell proposal and adopt the Dole proposal.

Let me say a word about the need for the President to have the power to negotiate. The President notified the Congress in November exactly what he was doing. We gathered on January 3 for swearing in Senators. We could have acted late last year or earlier this month.

But here we are at the very climax, and one proposal is to take the President's power away from him. I am strongly opposed to that. I believe that we should follow the U.N. resolution and keep the President's options open.

That being said, I am against going to war on Tuesday. It is my strongest feeling that Saddam Hussein will agree to withdraw unless this Congress takes the power to negotiate effectively away from the President of the United States. That would be tragic.

Mr. President, about 2 years ago around this date, my wife and I were in Iraq on a private trip funded by a Christian foundation, visiting biblical sites. We visited the restoration of Babylon. We also visited with some Iraqi governmental officials, including Saddam Hussein's son-in-law, who is now number 2 in the Government of Iraq.

I went away feeling that these were very tough, determined, calculating military people and very dangerous people. Events since have proved that they are. Indeed, it is my feeling that had President Bush not acted, Iraq, led by Saddam Hussein, would have taken over not only Kuwait but also Saudi Arabia, and that would have made us vulnerable in terms of the supply of energy.

I think it is our own fault that we have not become energy independent. I have been an advocate of gasohol and a number of other oil alternatives over the years. I think we could do much better in improving our energy independence. But we are not at that point now. So the President had no choice except to act.

As one who served in the U.S. Army in Vietnam, I do not want us to go to war. I do not want to see young people killed. I am sensitive to the concerns of family and friends of the American men and women now stationed in Saudi Arabia and the Persian Gulf. I questioned the wisdom of sending the additional 200,000 personnel to that region some weeks ago. I do not always agree with President Bush's foreign policy, and I have said so on occasion on this floor.

It was my strongest feeling that their places can and should be taken by personnel from other nations, especially those that are far more dependent than we are on Middle Eastern oil. Our wealthy allies simply have not done enough to help.

I have joined with Senator D'AMATO, of New York, in sponsoring a resolution I hope we can bring to a vote that would request Saudi Arabia to pay for the total cost of our defense of that country. Saudi Arabia is making almost \$1 billion extra a week, or \$52 billion a year, from windfall oil profits. This is a situation where American consumers are paying twice—once when they buy the fuel to heat their homes or for their automobiles; then a second time when they pay their income taxes. It is my feeling that our Government could be much more aggressive about asking the Saudis to pay more of the burden. I extend that statement to the Japanese and the Europeans, as well.

I was one member of a group of Senators who visited King Fahd, of Saudi Arabia, last September. I recall that he and his brother and his nephew, who are the crown prince and the Foreign Minister respectively, were somewhat

startled at the directness of the visiting Senators in demanding that more money be paid to help the United States. I think our State Department is sometimes a bit timid and overly polite. But we had all just come from meetings in our home States, and I had just come from a listening meeting in my State of South Dakota. How outraged our citizens were that the United States was paying the bill alone, that we were going it alone, so to speak. We need more help from other countries. We need more help from Saudi Arabia, from Japan, and from Europe. The United Nations needs to have troops there. Indeed, I believe the end of the tunnel would be to have our troops replaced by U.N. troops.

I say all of these things to point out that I have not agreed with every step of the President's policy along the way. I have said so on the floor of this U.S. Senate. But tonight we are near the climax of the President's negotiating effort. To take away from him his only really lever in the negotiations at this time would be a disaster for our country, for the West, for our cause, and it would be a great victory for Saddam Hussein.

I have mentioned that I am very concerned about the failure or refusal of other nations to defray more of our expenses for Operation Desert Shield. I have mentioned the resolution that Senator D'Amato and I introduced last Friday calling on the President to request Saudi Arabia to use its windfall oil revenue gain to pay for the cost of Operation Desert Shield, among other things. So there are aspects of our current policy about which I am concerned.

I hope we do not have war with Iraq. I was disappointed at the inflexible attitude displayed by Iraqi Foreign Minister Aziz in his meeting with Secretary of State Baker the other day. I hear the counsel of Senators who believe we should stick with the policy of economic sanctions indefinitely. But it seems to me the resolution requested by the President should be adopted for the following reasons:

First, it makes the threat of force more credible to Iraq's leaders, thus enhancing the possibility that they will withdraw their 500,000 troops. If this Congress passes the Mitchell resolution, the President no longer has any real negotiating strength. Saddam Hussein would laugh in our face, and I hope that all those who vote for it will think of that.

Second, the resolution requested by the President should be adopted for this reason: It does not undercut diplomatic efforts or economic sanctions as the other resolution would do. In fact, passage of this resolution should strengthen the chances for a diplomatic solution.

Third, it does not assure that United States offensive action against Iraqi

forces in Kuwait will occur. It simply preserves that option while demonstrating the United States and determination to Iraqi leaders as well as our own allies.

In short, Mr. President, we are not today deciding on a resolution to go to war. This is not a declaration of war resolution. We are deciding whether to adopt a resolution that would strengthen the chances for a peaceful resolution of this crisis.

I am personally convinced that the best path to peace, the best way to avoid war, is to defeat the Mitchell resolution and pass the Dole resolution, which supports the U.N. resolution.

In some areas of the media, and elsewhere, it is being portrayed almost as if this were a declaration of war. This is not the case. I disagree with the implication left by some that what we are about to do inevitably hurls our Nation into war.

Mr. President, I have faith in President Bush's efforts to exercise restraint and to make the difficult decisions that lie ahead. Saddam Hussein's inflexible response to 5½ months of diplomacy, sanctions, and threats lead me to the conclusion that he believes Congress will not support the use of force against him. He is gambling on that. We should pass the resolution authorizing force now so he cannot continue to delude himself on that point. We must make our threat credible in order to give diplomacy a chance to succeed.

Mr. President, our Nation is 50-percent dependent on foreign oil. That is a mistake. We need a national energy policy to move us away from that dependency. We need a policy of promoting conservation and energy alternatives—gasohol, solar, methanol, wind, geothermal, and many other types of energy sources. Until we have such a policy, we must protect our access to foreign oil, too much of which comes from the Middle East. That region historically has been dangerously unstable. Leaving Saddam Hussein free to do as he pleases simply adds another major destabilizing force to that already unstable region. By demonstrating resolve now, we may be able to prevent further destabilization from occurring.

Mr. President, to conclude my statement, I strongly believe that we should pass the Dole resolution, which will give the President the authority he needs to negotiate effectively.

If that resolution is defeated, it will diminish the President's power to negotiate with Saddam Hussein. I think peace will exist on Tuesday and in the future if we give the President this negotiating tool. It would be disastrous for the Congress of the United States, at the height of the diplomatic effort, to withdraw from the President the thing he needs most.

Also, I think that we should learn a lesson from this whole episode. We need to develop a national energy policy so we are never again in this situation of potentially being blackmailed, or potentially going to war, or sending troops to the Persian Gulf for the purpose of preserving our energy lifeline. We are a great nation; there is no need for such dependence on foreign energy sources. We have plenty of energy in our own country and plenty of alternative energy sources, if we would just seek them out.

Finally, we all might well learn from reading Jeane Kirkpatrick's article, which I submit for inclusion in the RECORD at the conclusion of my statement.

I think the Congress and the Nation should review the vagueness in some of the provisions of our Constitution regarding the war power and related matters.

Mr. President, I ask unanimous consent to have Jeane Kirkpatrick's article printed in the RECORD.

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

[From the Los Angeles (LA) Times, Jan. 11, 1991]

#### CONGRESS MAY REGRET POWER TO DECLARE WAR

(By Jeane Kirkpatrick)

There is no room for reasonable doubt—the men who wrote the U.S. Constitution deliberately and clearly limited the powers of a president to lead the nation into war. They gave the president broad powers as commander-in-chief to conduct a war without the advice of Congress. But the power to declare a large-scale, planned military action—a war—they vested in the national legislature.

They knew that the effective conduct of foreign affairs requires qualities—unity, secrecy, dispatch—more often found in the Executive than in the Legislative branch of government. But they clearly intended that it be more difficult to wage war than to conduct routine foreign policy.

James Madison's "Notes on the Convention Proceedings" confirm the conscious intention of some members of the Constitutional Convention to "clog" rather than to "facilitate" a U.S. president's power to make war.

Madison tells us that, when a member of the convention argued against vesting the power to declare war in Congress on grounds that its members were too numerous, its proceedings too slow, its meetings too infrequent, that motion was defeated without a roll call vote. Madison also tells us that another member observed of the motion that he had "never expected to hear in a republic a motion to empower the executive alone to declare war."

Many things are ambiguous about the U.S. Constitution. But the Founders' intention to involve the national legislature in a decision to make war is not ambiguous. They quite deliberately intended that the president should have the power to repel sudden attacks and to conduct war once decided upon but that the Congress should declare it. Undoubtedly, they believed it would enhance the democratic legitimacy of the war.



(These powers are wholly independent of the War Powers Resolution, which I have always believed is unconstitutional.)

As is so often the case, the Founding Fathers were wise as well as authoritative on this issue. War is not just another policy decision. It asks ultimate sacrifices. It takes unprecedented risks with the lives of citizens. It is terribly expensive.

But can this Congress, with its Democratic majority, participate responsibly in a decision so crucial to a Republican president? Will partisan passions take precedence over national interests—whatever one may believe those interests to be?

It is a fact that the U.S. constitutional system works differently today because the separation of powers has been reinforced by a divided government. Much of what we call a struggle between the Congress and the presidency has in fact been a bitter partisan tug-of-war.

The fact that the Democrats have, in recent decades, enjoyed a more or less permanent majority in Congress while the Republicans have had a more or less permanent lease on the White House has exacerbated rivalries between the two branches beyond anything conceived by Montesquieu or James Madison.

Is responsible teamwork between a Republican president and Democratic Congress possible? Or have we reached the condition of the French Fourth Republic, of which it was said: "It suffered from a deficiency of motor power and an excess of brakes"? Will U.S. foreign policy and U.S. government succumb to immobilism, the disease that finally killed the Fourth Republic? Is a dominant executive like that found in Britain, France and Germany a prerequisite to strong and effective government today?

There are a good many people in the world who believe that the U.S. government has already become structurally incapable of coping with contemporary problems. This kind of divided government cannot deal with the problem of the deficit, they say. How can it deal with a question as hard as authorizing the use of force?

Congress has the power to deny the Bush Administration the authorization that it has already received from the United Nations Security Council. But it is too late to use that power without doing heavy damage to the U.S. reputation and credibility in the world. Congress knows that.

Of course, Congress is a self-governing body. It could have acted before President Bush asked the Security Council for a resolution authorizing the use of "all necessary means" to drive Iraq from Kuwait. It could have acted before hundreds of thousands of U.S. troops had been dispatched to the Gulf.

Now, the deadline for Congress is the same as the deadline for Saddam Hussein. By the time the debate is finished and the votes cast, many in Congress may regret that the Constitution is so clear on their responsibility for declaring war.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER. Under the unanimous-consent request previously entered into, the Chair now recognizes the Senator from Montana [Mr. BAUCUS].

Does the Senator from Tennessee have a parliamentary inquiry?

Mr. SASSER. No, I do not.

#### THE GRAVE QUESTION OF WAR AND PEACE

Mr. BAUCUS. Mr. President, the other day I got a phone call that

crystalized for me the grave question of war and peace. It was from one of my oldest and very best friends, Jack Mudd, former dean of our law school at the University of Montana. He is one of the most distinguished attorneys in my home State of Montana, and a solid, steady, careful, circumspect, and personally conservative man.

He asked me whether I would vote to authorize the immediate use of force in Iraq. I told him that I would not.

He then said something to me that further strengthened my resolve. He said, "Max, as you know, I served in Vietnam. But there is something else that I have never told you, and it is why I worked in your first campaign for public office back in 1974. I decided to support you because as a Vietnam veteran and based upon what I saw in Vietnam I did not ever want my sons to die in an unnecessary war. I thought that was something you would probably never vote for."

Well, I intend to keep my faith with one of my very best friends, and with the people of Montana, and do what I think is right. I intend to vote against what I am convinced is, at this time, an unnecessary war.

I agree that Iraq must leave Kuwait. Of course, Iraq must withdraw from Kuwait, immediately. Iraq must not retain the fruits of its brutal aggression. Iraq must leave Kuwait; make no mistake about it.

Like most Americans, I also realize that at some point, it may become clear that we could only achieve our objective with military force. That may be necessary. But I also believe that we have not yet reached that point.

Vigorous diplomacy, with the continued application of an economic stranglehold, along with the clear unequivocal resolve of the world community that Iraq will be forced to leave, may well force Iraq to do just that, leave Kuwait, without war and without the bloodshed and chaos that would ensue.

The sanctions that are imposed are unprecedented. They are tight, and make no mistake about it, they are working. They are crippling Iraq's economy. Foreign reserves have evaporated. Iraq's GNP has been cut in half. Saddam Hussein has been put in the position that he cannot sustain, either economically or politically.

Sanctions are also undermining Iraq's military capability.

CIA Director Webster says that, because of the lack of spare parts, Iraq's Air Force will deteriorate in as few as 3 months. Sanctions may do the job peacefully.

Why is that so important? It is so important, because we must ask ourselves what is the alternative. The alternative is war. And we are not talking about Grenada or Panama. We are talking about real, honest-to-goodness war—as many as 20,000 American

deaths; our sons, our daughters, our fathers, and now even our mothers, killed in war.

If history teaches us one thing about war, it is that the ultimate consequences are completely unpredictable. Who really knows what will happen? What if Iraq attacks Israel? And what about Arab nationalism? What about that affect? What if large-scale terrorism erupts worldwide—and for the first time here in the United States—as a consequence of our military action? What happens after we win? Do we occupy Iraq, and at what cost?

In the end, we may have no choice but war. But today that is far from clear. The sanctions and vigorous diplomacy just might work, and if they do, America's interests will be far better served.

I, therefore, support the conclusion in the Mitchell-Nunn resolution that "the continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time and should be sustained."

There is another reason why I support the resolution. As it now stands, America and American troops would bear a disproportionate burden of any military action. This is not, after all, a dispute between Iraq and the United States. It is a dispute between Iraq and the world.

A lot has been said about the international coalition arrayed against Iraq. But if you look at the front lines, you will not see much of an international coalition. Maybe 15,000 British troops, but close to a quarter-million Americans. And only a handful of token representatives from other allies. And in the background, an enthusiastic international cheering section.

The Japanese are more than twice as dependent on Mideast oil as we are. But they have, for various reasons, sent no troops. Neither have the Germans, or many other countries with a heavy stake in the gulf.

As a result, the U.N. resolution authorizing the use of force, to paraphrase the senior Senator from Colorado, is little more than a declaration by other countries they will hold our cost for us while we fight Saddam Hussein. That is not enough.

I believe that, while we give sanctions time to work, we should build a truly international military coalition, in which the burden is shared.

As we prepare to vote, Mr. President, we face a difficult dilemma. If we authorize the immediate use of force, we probably do increase the President's short-term negotiating leverage. But we also increase, dramatically, the likelihood of war.

There is a better course. Congress should state plainly and unequivocally that all Americans are united in our objective.

Iraq must leave Kuwait. We will not shirk from that objective. There must be total, final, unconditional withdrawal. But before giving the President a blank check for war, we should go the extra mile for peace—giving the sanctions a bit more time, intensifying our diplomatic efforts, strengthening the international coalition. If that does not force Saddam Hussein to leave Kuwait, then and only then should we let slip the dogs of war.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair now recognizes under the unanimous-consent request the Senator from Washington.

#### THE PERSIAN GULF CRISIS

Mr. GORTON. Mr. President, on the profound question facing each of us here as Members of this Senate, the columnist Charles Krauthammer wrote:

The choice between containment and war is agonizingly difficult. The outcome for each is highly uncertain. But choosing in contingent circumstances is the essence of policymaking.

Now that choice is ours and only ours to make. We have no more grave or consequential responsibility.

On November 28 the United Nations authorized its members, including the United States—and I quote, "to use all necessary means" to vindicate its authority and force Iraq to withdraw from Kuwait on or after January 15 unless it has already done so voluntarily and in compliance with earlier resolutions of the United Nations.

The President of the United States has now asked us, under the Constitution, to grant him that precise authority.

The majority leader's resolution, while lauding and supporting the goals of the President and of the United Nations, denies the President that authority and only states that the "continued application of international sanctions and diplomatic efforts to pressure Iraq to leave Kuwait is the wisest course at this time."

In the course of their arguments during this debate, proponents of the majority leader's resolution have stated the choice simply and starkly as war or a continued reliance on sanctions.

Because they have misstated the choice we will make, because they have asked the wrong question, they have reached an answer, a conclusion, that is not only wrong but profoundly dangerous to the future peace and security of this Nation, not to mention that of the nations of the Middle East.

The primary goal of the President's policy, as well as of that asserted by proponents of the majority leader's resolution, is the total and unconditional withdrawal of Iraqi forces from Kuwait.

As a consequence, the first proper question to ask, Mr. President, is this: What evidence is there that sanctions,

however effective, will work to secure this goal?

One part of the answer to that question, about which there is no dispute whatsoever, is that a period of almost 5½ months of reliance on sanctions has not resulted in the slightest degree of progress toward attaining that goal. No glimmer of flexibility has been demonstrated by the Iraqi aggressors.

William Webster, Director of the Central Intelligence Agency, testified as long ago as December 5, 1990—and I quote, "that there is no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait."

Our intelligence services tell us today that sanctions will not adversely affect the strength of Iraq's ground forces during any foreseeable period of time. There is no discernible crack at this point in the position that Saddam Hussein and the Government of Iraq have taken ever since the onset of their aggression.

On the other hand, all must admit that certain positive results of sanctions are equally clear. No one disputes the proposition that exports from Iraq have been cut off almost completely. In addition, Mr. President, 90 percent of Iraqi imports have been blocked. Certainly the standard of living of the people of Iraq is lower today than it was before sanctions were imposed. But these results, gratifying as they may be, are not the goal of our policy. Iraqi evacuation of Kuwait is that goal.

If we examine the history of Iraq since Saddam Hussein's ascension to power, we note that he waged an 8-year war against his eastern neighbor, Iran. That war dramatically lowered the standard of living of the people of Iraq and killed and wounded hundreds of thousands of its citizens, young and old. This sacrifice did not change Saddam Hussein's course of action for a period of 8 long years, nor did it undermine his power over a nation he rules with an iron hand. We should not, therefore, underestimate the ability of Iraq to absorb pain.

During his entire history in office, Saddam Hussein has used the bulk of his substantial oil revenues to build up his armed services rather than the infrastructure of his nation and the standard of living of the people of his country. These deprivations have been accepted by the Iraqi people for decades.

Why should we expect that economic sanctions alone will cause Saddam Hussein to loosen his hold on Kuwait this year, next year, or ever? Nothing in his record or in history leads rationally to such expectation. Will a leader who will accept war rather than withdraw do so because his people line up at food markets? The question answers itself.

Mr. President, the bottom line is that there are no rational grounds upon which to believe that sanctions, standing alone, will change the mind and course of Saddam Hussein and will gain for us agreement on his part to withdraw from Kuwait.

The case for sanctions, Mr. President, is based upon vague and foolish hopes, on self-delusion, and on an all too natural desire to avoid hard questions and harder answers.

But, Mr. President, the debate does not end here. The case for the majority leader's position, as stated in its best and in a proper light, is better than that stark contrast between war and sanctions. In fact, it is better than it is outlined in the resolution which he has presented to this body.

It was articulated most thoughtfully by the distinguished senior Senator from Georgia [Mr. NUNN] in these words—and I quote him:

I continue to support President Bush's original strategy—economic sanctions, a continued military threat, and patience.

But, Mr. President, the majority leader's resolution, as drafted and supported by the Senator from Georgia, destroys utterly and without hope of salvation the Senator's own position.

If the majority leader's resolution passes, there will be no "continued military threat." It will disappear as certainly and completely as last year's snows. We will be left with sanctions alone and, inevitably, at some time thereafter, with nothing at all except the face of defeat.

This is not to say that the policy of sanctions accompanied by a credible threat of force was hopeless from the beginning. Perhaps we might have acted differently in August or taken a different course of action in November, and it is possible that acting differently on one of those occasions would have had different results, though this Senator doubts it.

But what is past is past, and to change course today would most certainly be disastrous to us, disastrous to our allies, to Kuwait, to Saudi Arabia, to the promises of a real and effective United Nations, disastrous to the cause of security and, yes, disastrous to the cause of peace.

The proponents of the majority leader's resolution, of course, do not agree that the course they propose eliminates a credible threat of force. Their resolution is studded with bellicose language, with threats, with statements of high purpose—at every point except for its operative language.

But, Mr. President, when will those threats be carried out? When will the resolution's sponsors determine that sanctions have failed? Its proponents studiously and totally avoid those questions. Do they seriously assert that the United Nations coalition will continue to be nurtured and strengthened in its support for the use of armed



force at some vague and unspecified future time when those proponents of a sanctions-only approach may finally be satisfied with the obvious truth of the failure of sanctions? They do not, Mr. President.

When will that future date arrive? During the Moslem month of Ramadan? During the pilgrimages of late spring and early summer? In mid-summer? When desert temperatures soar to 130 degrees? On the second anniversary of the occupation of Kuwait? Next winter? When?

For all that vague and indefinite period of time, will we maintain our armed forces in Saudi Arabia? We know that to be impossible.

The Senator from Georgia believes in a policy of rotation. For an extended stay, of course, that is the only possible course of action. So in order to have a rotation, we will withdraw tens or hundreds of thousands of men and women from the Middle East.

How many will stay, this Senator asks the proponents of patience; 200,000, 50,000, 20,000?

Do the backers of the majority leader's resolution assert that Saddam Hussein will accede to the United Nations resolutions with that number of troops on its borders after it has faced down the threat it faces today? Will they tell us in seriousness that our forces will all at some future time reembark for Saudi Arabia? Be serious. We know that will never happen.

By that vague and unspecified future date, is it not almost certain that some of our allies will have made the decision that Iraq is really not so bad after all; that the occupation of Kuwait after all took place a long time ago and very far away, and that those nations' business communities are being hurt by continuing to abide by sanctions?

Will we not long since have found that our Arab allies, those immediately threatened by Saddam Hussein, will have rightly questioned our willingness to stick to our principles? Will they not, of necessity, have been required to make the best deal possible with their powerful neighbor, Iraq? Will they not have been forced to retain a mere shadow of their sovereignty by giving Saddam Hussein control over some 60 percent of the oil of the world? Will they not have acknowledged him by that time to be the dominant factor, the leading individual in the Arab world?

Do the proponents of the majority leader's resolution believe that if we allow Saddam Hussein to succeed now, this week, that we will not face him again, that we will not have to deal with a more powerful Iraq after it dominates the Arabian Peninsula, after it has perfected chemical and biological weapons, and after it is closer than it is today to nuclear capabilities? Do they believe that by then he will have

become an advocate of justice and peace and security?

Critics of the President who wish to depreciate the U.N. resolutions tread on dangerous ground. They risk the destruction of a dream pursued by enlightened statesmen for centuries, the dream of a world body that can act decisively to stop aggression, a world body capable of establishing the rule of law and of making it unacceptable and unprofitable for nations to swallow other nations by force.

After World War I, that dream was embodied in the League of Nations. But in 1935, as Benito Mussolini marched into Ethiopia, the League of Nations could not agree on effective measures to counter that aggression and those it did promulgate were ignored by its members.

Much as some critics today judge Kuwait to be unworthy of our full commitment, many then in the West then judged Ethiopia to be a barbarous nation unworthy of our concern.

In 1935 Adolph Hitler noted the impotence of the League of Nations and correctly judged that it could safely be ignored. He remilitarized the Rhineland in the next year, believing correctly that no one would risk the lives of some of their soldiers to stop him. Six million Jews and 30 million other lives paid the price for that failure.

Perhaps Saddam Hussein and Iraq are not as powerful or significant a threat to world peace and order today as was Adolf Hitler or even Benito Mussolini in the late in the late 1930's. But to the people of Saudi Arabia, Egypt, and Israel, Saddam Hussein poses the same threat as Hitler did to Czechoslovakia, Poland, and Belgium.

We cannot guarantee, Mr. President, that if the U.N. resolution, of which we here debate the enforcement, is respected, and that if Saddam Hussein either chooses or is forced to withdraw from Kuwait, a new world order of peace and security will be the inevitable result. But we can come close to certainty that if this historic effort on the part of the United Nations fails, the United Nations will suffer the fate of the League of Nations and that there will be no new world order with which we are comfortable.

This Senator has been convinced for some time, and has stated repeatedly, that it is almost impossible to expect any movement on the part of Iraq, as the result of the resolutions of the United Nations, any sooner than the last 48 hours or perhaps the last 24 hours before the expiration of the January 15 deadline.

Saddam Hussein is a skilled practitioner of brinksmanship. He has clearly not yet been persuaded that the United States or the United Nations are serious. He believes that we will pass a resolution like that proposed by the majority leader and that we will back away from this confrontation. He be-

lieves firmly and completely in his own ability to come out of this confrontation as a winner and as the acknowledged leader and ruler of the Arab world.

We will succeed in reaching our goals, Mr. President, without the use of our armed services in conflict, only if we act in accordance with the U.N. resolution. Only when it appears to Saddam Hussein that he is certain to lose his military power and perhaps his regime, his life, and his country, will he consider a last-minute retreat. And only through the passage of the President's resolution can that threat of military force be made believable.

There is no possibility at any time in the foreseeable future and no real argument that at any time in the immediate future, were we to pass a resolution like that of the majority leader, that it will be crowned with any kind of success in reaching our goals whatsoever.

The real choice, Mr. President, is not between sanctions and war. An honest examination of this question tells us that waiting, that depending on fruitless sanctions, is almost certainly a prescription for an even more costly war in the future, more costly in both lives and treasure to the people of the United States than anything which we can imagine during the course of the next few weeks or months.

No one can fail to agonize over the choice we must make. No one wishes for or desires war. Today's peace demonstrators and those who speak for sanctions-only in this body are every bit as sincere as men and women who demonstrated for peace in London in 1938.

The government of those citizens of London deferred to their pleas, and as a result sentenced them to a worse and more destructive war by far than the war they avoided.

A short time after those demonstrators appeared on the streets of London, but before World War II began, the slogan of many of those same people was, "We will not die for Danzig." They were no more and no less serious than those who say today that they will not send their constituents to the Middle East to die for cheap oil or hollow ideals or principles.

But, in fact, Mr. President, the people who lived for a short time by that slogan died with their sons and daughters and mothers and fathers in far greater numbers because of that slogan, than would have been the case had it never been invented.

The solution to the problem before us is made more difficult by an apparent paradox. The only chance for success without war is to prepare for war on Tuesday or later next week. As this Senator has already said, only the serious threat of destruction has any chance of compelling Saddam Hussein to relinquish his control over Kuwait.

It is this paradox, I believe, that makes it all the more difficult to gauge the public mind on this issue. We are all against war, asked whether or not we should wage it or stay out of it. But the American people also support us in our desire to achieve our vital objectives which, alas, requires the threat of war.

Mr. President, several Members of both this body and of the other body have presented us with perhaps the most agonizing of all choices. They have asked themselves whether or not they would be willing to send their own sons and daughters into battle in this confrontation. Reaching the conclusion that they would not, they are unwilling to send any of their constituents into that situation.

Mr. President, I am one of the few Members of this body who is likely to face that choice in reality. I have a son-in-law, the father of my two grandchildren, who flies A-6's off aircraft carriers for a living. He has told me that if war breaks out in the Middle East, he wishes to be part of it; that it is his duty and his career.

I have found it somewhat ironic, Mr. President, that most of the debate about the tactics of this war emphasized that we had best start only by air strikes, risking rather fewer in the way of lives than we might should we engage in an infantry or a tank attack. But it is exactly one of those few lives that my family will risk if we back the President in our vote tomorrow to follow those tactics.

I honor my son-in-law for that choice, and I support him in that choice, because I believe with all my heart that to back the President today will save more lives, more American lives, than it will destroy.

Mr. President, the cause of peace is not served by the majority leader's resolution. That resolution serves the cause of defeat, the cause of the abandonment of a noble idea and of a lawful and peaceful world order, and serves the cause of a worse war at a future date.

The approach of those who would recommend economic sanctions and patience is fatally flawed, for if we flinch now, there will be no military option in the future. But more important, those who counsel patience must realize that if the threat of extinction does not move Saddam, neither will any other threat.

We do not have the luxury of the choice between sanctions and war. To paraphrase Winston Churchill, we may choose sanctions and patience today, but we will have war tomorrow.

Mr. President, the true cause of peace is served by the President of the United States. The true cause of peace in this body will be served by supporting a resolution to back the policies of the President of the United States.

Mr. DECONCINI addressed the Chair.

The PRESIDING OFFICER. As Members know, the Senate is proceeding under a unanimous-consent request entered into earlier in the evening with respect to the recognition of Senators.

Pursuant to that unanimous-consent request, the Chair now recognizes the Senator from Arizona.

#### THE GULF CRISIS

Mr. DECONCINI. Mr. President, I rise today to join my colleagues in debate on probably the most difficult decision that Members will ever have to face as Members of Congress.

The responsibilities of our office require us to make many difficult and painful decisions. Some of them are pure political decisions, but none so difficult or awesome, in this Senator's judgment, as the decision to commit our great country to war.

It is not a decision which any of us take lightly. Nor is it a matter for partisan wrangling.

I have enormous respect for my colleagues on both sides of the aisle, and both sides of this issue. I do not believe any one of us is basing our decision on whether we are Democrats or Republicans or liberals, conservatives, moderates, or what have you. We are talking about a decision which could require men and women to make the ultimate sacrifice for their country—and for each one of us in this room, as well. No, Mr. President, party loyalties are not fueling the real passion of this debate.

It is the knowledge that we as individuals must make a decision which will profoundly affect the national security of our country and place hundreds of thousands of American lives at risk.

What are we asking ourselves to do and how do we justify asking ourselves to step up and vote on these important two resolutions that will be before us?

Our debate here today represents a maturity of our democracy, a democracy which wisely does not place the burden of such far reaching decisions, such as war, just with the President of the United States. Rather, it vests the power in the branch of Government which is most closely affiliated and associated with the people, and that is the Congress.

I see the people in my State and throughout this Nation wrestling with the issue, very intensely, as to what should we do under these circumstances. All of us, particularly our men and women in the armed services deserve to be assured that no decision will be taken before Congress, together with the President, have explored it thoroughly and deliberated thoroughly. We are all agreed that Saddam Hussein and his outrageous acts of aggression cannot be allowed to stand. All of us are horrified and repulsed by the horrible atrocities he has committed against his own people during the war with Iran, as well as the citizens and

those who were not citizens but legally living in Kuwait.

He must be expelled from Kuwait, and the nation of Saudi Arabia must be protected from similar aggression or other neighbors as well. But what we are asking ourselves today is whether war now is the best way to achieve these particular aims and objectives that our Nation has firmly established. Can we compel Saddam Hussein to withdraw without war? That is really the question here. I and many of my colleagues are not convinced that every alternative option to war has been exhausted as of the date we vote tomorrow, perhaps, on these resolutions. Let there be no mistake, Mr. President. I have the greatest pride and confidence in the ability of our Armed Forces. I have no doubt that we can win and we will win, God forbid if we have to go to war. We can win an armed conflict against Iraq. Military superiority is not the solution in and of itself. Military superiority is a tool which, if used effectively, can prevent war and preserve peace. The more powerful the military might of a nation, the greater that nation's responsibility to use that power wisely.

President Bush has at this disposal an extensive array of diplomatic, economic and military tools. He has used the former expertly so far. He has deftly and patiently worked with our allies and friends in the international community to build a united international front through the United Nations against Hussein. His astute understanding of the policy of pressure through sanctions and diplomacy backed up by a deadly and massive armed presence has sent Hussein the strongest of messages. It is my belief that the President's policy has, in fact, been so effective that I am hopeful that the continuation of this skillful application of pressure will ultimately force Hussein to withdraw from Kuwait.

Some are arguing that unless Congress gives the President the power today to use the tool of last resort—armed force—we undercut his ability to continue to effectively apply pressure. But I would argue, Mr. President, that if Mr. Hussein does not know that Congress will not hesitate to authorize the use of force, he is badly misjudging the U.S. Congress. I know this Senator is fully ready to give President Bush the authority to use force once I am convinced that sanctions and diplomatic efforts have failed.

We must ask ourselves before we commit to war, where war will lead us? What kind of regional order will result through the premature and massive use of force? I am not willing today to ask our men and women to risk their lives for an action which in the end could further destabilize the region; increase the threat of terrorism and Moslem fundamentalist radicalism, and necessitate a prolonged military presence



perhaps requiring even further military action.

Before we plunge into a difficult conflict which can have no simple ending—we must know—and the American people who will be fighting and dying must know, what kind of solution we are seeking. The complex problems of the gulf region do not lend themselves to simple solutions. We must find a course which will enable our Arab allies to find their own way to peace in the region.

Again, I stress my support for the President's policy to date, which my distinguished colleague from Georgia, Senator NUNN, characterizes as sanctions, continued military threat, and patience. While it is essential that we remain committed to use force if it proves necessary, I do not believe the case has been made to use force now. We must remain committed to patience, to the search for a long-term solution, and avoid the needless spilling of the blood of Americans and many, many others.

The international embargo which the President has so skillfully put together is proving successful contrary to what some would have us believe. Such distinguished military experts as the former Joint Chief of Staff, Admiral Crowe and former Secretary of Defense Schlesinger have urged that we give sanctions more time. Why? Because by most objective standards the sanctions have been extraordinarily effective. Iraq's production has dropped to 40 percent and its main source of hard currency, oil exports is virtually at a standstill. In fact, its entire import/export flow has come to a halt. I am not going to repeat the facts and figures which so many of my colleagues have cited during this debate. Suffice it to say that 5 months is not enough time to weigh the effects of this formidable economic embargo. Why not pursue this current course and in the process further weaken both the economy and the war machine of Saddam Hussein. When and if war comes, we can win it. We can take that action. But would it not be preferable to achieve our objectives without war?

By not agreeing to the use of force today we do not remove this as an option, Mr. President. The diplomacy of searching for peaceful solutions to this crisis can be reversed at any time—we can always declare war—and we will not hesitate to use force if it becomes clear that force is our only remaining course. There are procedures incorporated in the Mitchell resolution to expeditiously consider any request by the President for a declaration of war. But until we have greater clarity of vision that war will result in a secure peace and until we have truly exhausted all economic and diplomatic means, I cannot in good conscience vote to give the President the authority to

pursue military action from which there is no turning back.

I do not believe we have exhausted the call. Let me be clear that this is no criticism whatsoever of Secretary Baker or the President's efforts thus far.

Mr. President, with respect to the order of speakers this evening, on behalf of the two leaders, I ask unanimous consent that Senators MURKOWSKI, SASSER, MACK, and DIXON be listed in the time slots previously allotted Senators RUDMAN, BIDEN, GRAMM of Texas, and BAUCUS, respectively.

The PRESIDING OFFICER. Is there objection to the request? Without objection, it is so ordered.

Pursuant to the unanimous-consent request, the Chair now recognizes the Senator from Kentucky.

#### HUSSEIN'S AGGRESSION UNCHECKED

Mr. MCCONNELL. Mr. President, no graver issue will ever confront this Congress than whether we commit our young people to battle, our conscience to combat and our Nation to war. Since August 2, we have struggled to define the question we should debate. Some argue congressional versus Presidential constitutional responsibilities are at stake. Others have focused on whether clear enough goals have been defined by the President to compel us into war. And still others have said that while we share the goals, the means to achieve them are the crucial matter.

This confusion of the issues is understandable given our Nation's history and tremendous sacrifice of life in war.

There is a healthy fear and respect for what the future may bring if we are forced to engage Iraq in war.

From my corner of the world, I have a profound concern about what may happen since more than 18,000 soldiers based in Kentucky have deployed to the Persian Gulf. I feel a responsibility for every one of those men and women and their families anxiously waiting at home.

But, it was in listening to those families and, in particular, reading a letter from a young soldier from Fort Knox that what is at stake, what is important became clear to me.

This young soldier had read about antiwar protests in Louisville and sent me a copy of a letter he wrote to the Courier-Journal. He said:

I am glad to see freedom of speech is alive and well at home. That is why I, and tens of thousands of other Americans are scattered all over the Persian Gulf \*\*\* to protect your rights, to protest as only Americans can do. But, it saddens and sickens us to read and hear all these protesters who say we are over here for oil \*\*\* Time out America! Whatever happened to principle, \*\*\* Are we going to exit this century in the same way we entered it? Are we going to be a selfish, self-centered isolationist nation? This is not Vietnam! We in the military have all volunteered. \*\*\* Every man and woman over here is homesick, lovesick and ready to go home at any time. But, we all know we are

standing our guard for principle and the American way of life and will be here till our job is done.

Lieutenant Korty, I applaud you. You have your eye on the threat. The threat to you and to our Nation. A tyrant is on the move and 28 nations have committed troops and resources to stop him. The United Nations has passed 12 resolutions condemning the invasion and illegal occupation of Kuwait and has had the courage to call for the use of all means necessary to expel Saddam Hussein's forces.

The issue before the Senate is whether we stand by Lieutenant Korty—in principle—and the United Nations—in fact—and affirm the commitment they have collectively and willingly made to restore the legitimate government of Kuwait, assure regional security through the unconditional withdrawal of Iraq and establish, now and for the future, that ruthless aggression does not pay.

In an appearance before the Senate Foreign Relations Committee, Secretary Baker testified:

Iraq's unprovoked aggression is a political test of how the post-cold war world will work. \*\*\* The Iraqi invasion of Kuwait is one of the defining moments of a new era—an era full of promise but also one replete with new challenges \*\*\* It is an era in which new hostilities and threats could erupt as misguided leaders are tempted to assert regional dominance before the ground rules of a new order can be accepted.

I would add, the invasion is more than a political test—it poses a serious economic threat. Prior to the August invasion Iraq and Kuwait accounted for 13 percent of world oil export trade and 7 percent of production. With a paralyzing grip on these resources, Hussein now threatens 60 percent of the globe's proven reserves located in the gulf. If Hussein's aggression is allowed to stand unchecked, he is well positioned to threaten and intimidate the region's producers into higher and higher prices.

The consequences of this control could be catastrophic. At home, we could face sharp increases in the price of gasoline driving up the cost of farming, industrial production, and simply getting to work in the morning. While we would certainly survive, Hussein's stranglehold on the world oil supply could jeopardize democratic progress in Eastern Europe and development in Central America, Asia, and Africa could be irreversibly damaged.

Intimidation, aggression, illegal invasion, and brutal occupation must not be appeased nor accommodated as we build the post-Cold War world. As East-West tensions diminish, we have a unique opportunity and obligation to work with the Soviet Union and other nations to foster peaceful democratic change, preserve the security of our friends and promote economic prosperity.

The stakes are high but our goals are clear. The Senate must now decide to grant the President the means to join the international effort to accomplish our objectives.

Before we take this step, we should ask—as many of my colleagues have done—are sanctions and diplomacy working? Iraq continues to occupy Kuwait and shows absolutely no signs of leaving. Secretary Baker summed it up after 6½ hours of talks with Secretary Aziz. He saw no flexibility and no signs of Iraqi willingness to agree to the unanimous international call for withdrawal.

While I continue to hold out hope for the Secretary General's mission this weekend—and any other effort made by members of the coalition—intensive diplomacy and sanctions have produced no results—none—to date.

The next question that obviously follows is will sanctions work with more time? Nothing about this invasion and this dictator would suggest sanctions alone will work. Hussein is a leader who has committed unprecedented and unspeakable atrocities against his own citizens and his Arab brethren. He is personally responsible for millions of deaths. He has defied all human understanding and gassed villages of women and children. He has anticipated the consequences of sanctions, and as William Safire recently said, "He knows what's coming and he's not caring."

CIA Director, Judge Webster, assessed the impact of sanctions this way:

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months even if effective sanctions can be maintained. \*\*\* Our judgment remains that, \*\*\* economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime threatening popular discontent in Iraq. \*\*\* Saddam has taken few actions that would indicate he is concerned about the stability of his regime. Assessing the populace's flash point is difficult, but we believe it is high because Iraqis have borne considerable hardship in the past. During its 8-year war with Iran, for example, Iraq endured a combination of economic difficulties, very high casualties, and repeated missile and air attacks on major cities without any serious public disturbances.

So, if we can fairly say the sanctions alone have not worked so far, and in the best judgment of experts will not work over the next year, the question must be put to sanctions proponents: How long are you prepared to wait? Until another nation falls? Which one? Frankly, one of the most disturbing aspects of the majority leader's legislation is its explicit authorization for use of force in certain circumstances. We can use force to defend our troops, enforce the embargo and defend Saudi Arabia. What about Oman, Bahrain, the UAE? Each of these nations is in peril and yet is very clearly excluded from the perimeter of defense defined by the majority leader's bill.

Just after the invasion, many Members accused the administration of failing to make clear our intention to protect Kuwait from the Iraqi threat. The legislation before the Senate so narrowly defines our security commitment that it all but invites Hussein to march on the smaller gulf nations.

I ask those who urge us to wait, at whose peril? Hussein has laid waste to Kuwait. A tyrant responsible for two invasions, and more than a million deaths is not concerned about sanctions and economic hardship. He is not concerned about any additional loss of life. He is clearly counting on our loss of interest.

The President of the United States has asked this Congress to fulfill our constitutional obligation and grant him the authority to use force. No other President who has asked Congress for the authority to go to war has been refused.

As the internationally determined deadline nears, diplomacy must continue. Every effort by every member of the coalition should be encouraged. I pray for a peaceful solution to this crisis.

President Bush is our leader and the leader of an international coalition has asked us to authorize the means necessary to accomplish this goal. Voting to support the President's request is a vote of confidence in the credibility of a threat that leaders of the world have determined may produce peace and avoid war.

To refuse President Bush and reject the declared, collective will of the United Nations protects a tyrant and rewards aggression. If we refuse the President's request today, who will believe we will enforce sanctions tomorrow?

Mr. President, I am not impatient for war. I am impatient for peace. As Lieutenant Kory knows, peace depends on the protection of principles. He has willingly assumed his responsibility. Now we must assume ours. We must grant the President of the United States the vote of confidence he has requested to use all means necessary—diplomacy and force, if need be—to expel Iraq from Kuwait.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the unanimous-consent request, the Chair now recognizes the Senator from Florida.

#### THE MAKING OF THE DECISION

Mr. GRAHAM. Mr. President, few issues in any of our political careers have had the human power that the decision that we are called upon to make tonight and tomorrow has.

In the last few weeks, I have had an opportunity to visit with many of the people most directly affected by the decision that we will make. Five weeks ago, I was at Eglin Air Force Base in northwest Florida. This is the base center for the Air Force special oper-

ations. Many families in that community have a loved one deployed into Saudi Arabia. I met with the spouses and the children of several of those families and heard the distress, the pain of the separation, and of the uncertainty.

Three weeks ago, with the majority leader and others of our colleagues, I had the opportunity to visit Saudi Arabia, and to visit in the desert with some of our troops—young men and young women of great courage and bravery, well equipped, well prepared, well led, ready to assume any responsibility. But they were clearly young men and women who had a high degree of anxiety about what they would be called upon to do and what the consequences would be.

One young man, who I happened to meet as he was digging out a bunker in a complex of tents, called up to me and indicated that he was from Florida. In fact, he had been a student at the University of Florida, and he greeted me with the "Go Gator" statement. This young man from Clearwater, FL, told me that he had dropped out of school in order to join the Army, both in terms of maturing himself in life, and economically preparing himself better to continue his education. Now he was prepared to make a sacrifice for the Nation, beyond that which he probably contemplated when he enlisted.

Finally, Mr. President, just last Sunday I was in Tallahassee in preparation for the events of the inauguration of our former colleague, Lawton Chiles, as Governor of Florida. A lady I knew for over 20 years came up to me, and I could tell she was upset. I asked her if we could step into a private room to talk, and she broke down. She told me that her youngest son, her second son had now been called to Saudi Arabia to join an older brother who was already there on the U.S.S. *Saratoga* as a sailor. Her youngest son is now going to be in Saudi Arabia as an infantryman based close to the Kuwait line. She wanted to know, "Are they going to kill my boy?"

Mr. President, we do not get asked questions like that very often in the issues that we are called upon to decide. I cite these personal examples to indicate the depth of humanity, the depth of personal feelings that America has invested in this issue.

Therefore, it makes the responsibility that each of us hold an especially solemn one, one in which we must try to bring the full strength of our personal experience and our capacity and judgment to bear. In doing so, Mr. President, I have felt that the present is needed to be evaluated in the context of the past and the future, almost in the way that Charles Dickens helped explain the true meaning of Christmas present by elaborating the significance of Christmases that had passed and



Christmases which might come in the future.

I think the past of this, which I will define as that which occurred prior to the invasion of Kuwait, is unfortunately characterized by a failure of strategic vision. Some very basic things are occurring in this region of the world to which we have not been appropriately attentive. Just to cite three, an emerging fundamentalism, not just religious but cultural fundamentalism, the rejection of Western values. This movement of fundamentalism is especially troublesome, as it has attracted such a large number of younger people throughout this region. The enormous disparity between rich and poor, which are fueling basic animosities, and the fact that, in part, through the United States participation, the Middle East has become the parking lot for the military weapons of the world. We end up with a relatively small nation of 15 million people with a 1.3 million army, with 5,700 tanks and over 700 combat aircraft, enormous disproportion of military strength, and incredible need for those weapons.

We make a basic mistake, I suggest, if we think that what we are dealing with is one man—Saddam Hussein. I see Saddam Hussein not as the cause of those fundamental events, but rather as the guileful person who has taken advantage of those and other fundamental factors occurring in this region.

We also, domestically, have contributed to the past. We have accommodated Iraq over a period of more than a decade, accommodated in terms of covertly assisting them in the war with Iran, within the shadow of the invasion of Kuwait, continuing to extend substantial economic assistance to Iraq.

We also have contributed to the past by our failure to have a sustained commitment to a rational national energy policy, failure which has made us increasingly hostage to the circumstances in the Middle East and the personalities of today's and tomorrow's Saddam Husseins.

Looking to the future, I would suggest that as we attempt to assess how we should respond to the current crisis today we should ask ourselves what do we want to have as some of the consequences not just of the next 30 or 60 days but over the next decade in this region and what do they say about U.S. policy around the world in this new post-cold-war era.

First, I would suggest that it is imperative that we develop some new national security arrangement. It may not be and will not mean precisely what NATO has been in Europe for the last 45 years, but I believe the NATO example, one of the most successful political and military alliances in the history of Western civilization, has some instructive lessons.

Some of those include the fact there was a predetermined allocation of responsibility, a predetermined basis upon which those responsibilities would be financed. NATO did not run the danger of having a U.S. Secretary of the Treasury with a tin cup arriving at the capitals of the various member nations attempting to solicit funds for an engagement that was already underway. Those decisions were made before, not after the conflict began. We need to have a thoughtful security arrangement for the new post-cold-war era.

Second, within our own constitutional system we need to reexamine the relationships between the President and the Congress. I am not going to have a debate today on whether a declaration of war is required in these circumstances. I happen to think it is. But I think the reality of the circumstances in which we find ourselves tonight is that any effective participation of Congress as the representatives of the people in shaping policy has been rendered formality by the occurrences of the last several months, at least since November 8 when the level of U.S. military in the region moved from defensive to an offensive posture.

Our capacity to sustain that level of military became stretched when our ability to have a rational rotation policy was terminated. Effectively we were on a path accelerated by a U.N. resolution with a January 15 date that has led us inexorably to where we are tonight.

I believe that we need to reexamine this relationship between the executive and Congress, and I would suggest we attempt as a Congress to play a role of strategic adviser setting forth in advance what are going to be the standards which the United States will consider its vital interests to have been affected and where those vital interests justify the sacrifice of American lives for their protection. That decision should be made prior to, not after or during a crisis as it is being done now.

Third, we need to play an even more constructive role in bringing peace with dignity and respect into a region which since biblical times has been racked with war and hatred and dissension, an extremely difficult task, a task that has eluded man over the millennia, the one to which we must in the aftermath of this crisis recommit ourselves.

We must also look for how we can play a more effective role in eliminating or moderating, mitigating these enormous economic disparities which as long as they exist are going to be fueling discontent and creating the tenor for a Middle Eastern populous demagog to inflame.

Finally, and in brief summary of just some of the items that will be on the post-crisis agenda, enormous conflict is on the horizon over natural resources in this region, particularly water. Here

the United States in my judgment could play a particularly important role in applying some of its technological capability as well as its political good offices to try to shape a controversy before it becomes the core of yet another set of conflicts in this region.

With that said about the past and the future, Mr. President, I would like to talk about today. This has been a rollercoaster week: I have heard that phrase applied by others and I will adopt it. A week ago, with several colleagues, including Senator NUNN, Senator LEVIN, Senator BOREN, and others, I participated in some of the early drafts of the Mitchell-Nunn resolution which is now before us.

I think it is a very constructive contribution to the debate and to the resolution of this process. It set out some important principles, one of which was that the Nation is committed to the proposition that Saddam Hussein's aggression will not be allowed to stand. That, I think, is a message which, whatever surface division may be read into the debate of the last several days, there should be no misunderstanding the Nation is united behind that principle that his aggression will not be rewarded, that we authorize the use of force in three specific important areas, that we stated that we felt diplomacy and economic sanctions were the wisest course and should be pursued, but recognize the possibility they might not be able to accomplish our objectives and therefore set up an expedited procedure in which the President could ask for authority to commit American forces to the removal of Saddam Hussein from Kuwait.

At least two significant events have occurred since last Thursday and Friday. One of those events occurred on Tuesday. The President requested the authority to use force. I have been asking the President to make such a request for several weeks. Upon our return from Saudi Arabia, on the 20th of December, when with colleagues I met with the President, when it was my opportunity to make some comments I used my time to emphasize the importance that I attached to the President going to the Nation and explaining why the U.S. vital interests were at stake and then at the conclusion of that education of the American people asking their representatives for authority to commit force. I am very pleased that the President has done so.

The second significant thing occurred a few hours later on Wednesday with the breakdown of the meeting between the United States Secretary of State and the Iraqi Foreign Minister. Not only did that tend to crush optimism that diplomacy could be the means by which we would achieve our objective because the discussions failed, but the style of failure was so dispiriting.

It would have been hard to have scripted the press conference of Foreign Minister Aziz in a way more calculated to inflame, to raise fundamental questions as to intelligence and value and sensitivity among the international community and particularly among the citizens of our country than the performance that he gave Wednesday night in Geneva. It raised basic questions as to whether diplomacy could reach our objective and whether the economic sanctions were having their intended effect of moving Iraq toward a policy of greater openness.

Now in this rollercoaster week we come to the end. The end unfortunately is going to be handled with sharp differences. I say unfortunately. There are some positive signs. Clearly it is a strength of our democracy that we can have the kind of debate that we have experienced since Wednesday. There are few places in the world which would have the consideration of war and peace so openly and with such passion debated. That is a great strength of our system.

However, Mr. President, I regret that I believe at the conclusion of this process we are going to have a very divided Congress. A matter of a handful of votes here and in the House of Representatives will determine the course of action the Congress will permit.

I believe that that narrow division is not going to contribute to the sense of unity of the Nation, to the strength of the message to Saddam Hussein, nor to the capacity of the President, should he assume the role of Commander in Chief, to effectively carry out his responsibilities.

It has been my hope, and I have spent some time over the last 2 days toward this end, that we might be able to shape a position that would not command unanimous support—that is impossible—but would command a sufficiently large majority that we could say yes, there is a unity within the Nation for a course of action.

I still have faint hopes that that might happen, but I fear that our choices are going to be those that are before us in the two resolutions.

With that said, I am going to support the resolution which will give the President of the United States the authority to use force. I am going to do so because I believe that the President of the United States deserves to have a presumption of correctness of his actions, and that he especially deserves to have a presumption of correctness as it relates to matters of our national security and relations with other nations.

I am reluctant to draw universal conclusions from a short visit to the Middle East, but that reluctance will be overcome to this extent; that I came away with the sense that this was an extremely complex fabric of interrelated and divergent issues, factors,

personalities, history, and culture that we were dealing with in this crisis. It is not just the simple issue of a large and powerful state invading, pillaging, and occupying a weak neighbor. And that the institution of the Presidency was in the best position to integrate, evaluate, assess options and implications of those options, and reach a judgment which was in the national interest.

Although, frankly, there are some events which have caused me concern about the institution of the Presidency, such as the failure to go effectively to the American people over the last several months, as Franklin Roosevelt did in the months before World War II and explained why we were about to undergo this very bloody war, I still believe that the President continues to warrant our support. I am prepared to invest my confidence in the judgment of the President.

I hope the decision that we make will be a wise one. I pray that the actions that we take contribute to peace; contribute to peace for the two sons of that mother in Tallahassee and contribute to world peace for the sons and grandsons of that mother in Tallahassee, so that we will be able to discharge our responsibility to our Creator for peace on Earth, and so that we can hope for a world without mothers' tears.

**THE PRESIDING OFFICER.** The Chair now, under the unanimous-consent agreement, recognizes the Senator from Alaska.

#### THE AUTHORITY TO ACT

**Mr. MURKOWSKI.** Mr. President, our President, George Bush, must have the authority to deal effectively with Saddam Hussein. This is, really, Mr. President, the question before us. It is not a question whether sanctions will or will not get Iraq out of Kuwait.

Without the authority to act on the United Nations resolution, the President will have in effect one arm tied behind his back. We must give the President the authority that he needs to work toward a resolution of the Persian Gulf situation and to bring an end to Saddam Hussein's brutal occupation of Kuwait.

This is truly an historic moment in this body. This is a time for statesmanship. But, above all, it is a time for doing one's duty. And the duty of Congress is to give the American people, the President, and indeed the world, and especially Saddam Hussein, a clear answer to the request for that Presidential authority. This is not a partisan issue. We are not here to make debating points or to elaborate about unknown contingencies. Our duty is to vote to give the President the authority he seeks or to vote against his request.

As a State legislator recently stated, "The problem with Congress is that it forgets that its job is to write the music, not to conduct the orchestra."

Let us be sure we write and not conduct.

Listening to the extended debate, I feel a sense of pride in the intelligence and perspective which has been displayed by my colleagues. Yet, I heard a fair amount of discussion that really has nothing to do with the central issue that is before us: Whether we will exercise congressional authority to either grant or deny the President's request. Using our authority does not mean giving the President a convoluted and unworkable answer, such as I see in the Mitchell resolution, the indecision of which has to give Saddam Hussein some degree of comfort.

Supporting the President at this time does not mean that we must have war. The President has the responsibility to exhaust all alternatives before using force to remove Saddam Hussein from Kuwait. And, Mr. President, our President Bush does not take that responsibility lightly. He personally knows war and knows firsthand of its consequences.

I have recently met with the President, as well as Secretary of State Baker and Secretary of Defense Cheney. I have every confidence that the President will do all in his power short of war to remove Saddam Hussein from Kuwait.

Iraq's brutal, unprovoked aggression against Kuwait has been broadly condemned both here and abroad. Twelve U.N. Security Council resolutions are a powerful testimony to the outrage felt around the world, and Members of this body have been eloquent in their condemnation of Saddam Hussein's actions. Senators are unanimous in their determination to achieve Iraq's speedy and unconditional withdrawal from Kuwait, and Members praise the skill with which President Bush has assembled an international coalition to achieve that objective.

In the 5 months since the invasion, the international community, led by the United States, has imposed an unprecedented land and sea embargo on Iraq. Never before have such comprehensive economic sanctions been imposed and never before has enforcement been so universally effective. All Members of Congress have hoped, and still hope, that the combined diplomatic and economic pressures, supplemented by massive military deployments, will persuade Saddam Hussein once and for all that he must withdraw.

The vast majority of Alaskans who have contacted me share this view. At the same time, Alaskans show overwhelming support for the President. Of course, it was with deep disappointment that we learned that the diplomatic effort Wednesday in Geneva met with no success. Iraq continues to defy international law while proceeding with its bloody demolition of the nation of Kuwait.



It is particularly ironic that officials involved in the ruthless aggression in Kuwait refused to deliver President Bush's letter to Saddam Hussein because, we were told, it was not polite enough.

Earlier today, we had a disruption in this Chamber, with demonstrating and shouting: "No blood for oil." Mr. President, as an Alaskan Senator, I firmly believe that the United States has become too dependent on foreign sources for our energy. We have not done enough and must clearly do more to solve our domestic energy needs at home.

A full debate on energy dependence and alternatives, such as exploring for oil in Alaska's Arctic, must await another day. For now, let there be no mistake that blood has already tragically been shed for oil in the Mideast.

In a graphic report which I have before me, Mr. President, Amnesty International describes torture and death suffered by Kuwaitis at the hands of Iraq's occupation army. This list, Mr. President, of some 38 methods of torture and brutality include such practices as beatings designed to systematically break one bone after another, beatings administered while the victim is suspended from a ceiling fan, gouging out of eyes, castration, cutting off tongues and ears, rape, denying incubators to hundreds of premature babies, and every brutality that sick minds can devise. This, Mr. President, is happening in Kuwait today.

I ask unanimous consent that a summary of these gross human rights atrocities, as indicated by the Amnesty International report, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. MURKOWSKI. Mr. President, on January 8 of this year, President Bush specifically requested that Congress support the use of all necessary means to remove Iraq from Kuwait. This is the issue, Mr. President, and this is the challenge before this body: Is the Congress prepared to give the President the necessary authority he requests as the Commander in Chief of the Armed Forces to compel Saddam Hussein to abide by the terms of the U.N. resolution?

Let us examine for a moment, Mr. President, the two principal measures before this body to see which one responds best to this critical situation. In the opinion of the Senator from Alaska, the pending Mitchell resolution provides the President only partial and conditional support and denies what he has requested. It only authorizes force in three specific circumstances: To enforce the embargo, to defend Saudi Arabia, and to protect American troops. It pledges full support for the continuation of increasing economic

and diplomatic pressures against Iraq; it reaffirms the Congress and the congressional power to declare war; and, finally, it sets forth a fast-track procedure to expedite consideration of a request by the President to declare war.

The Mitchell resolution will not give the President the strength he needs to convince Saddam Hussein that our military power is a real threat. Why? Because if we adopt this resolution, Saddam Hussein will then surely be convinced that the President's threat of military force was and is hollow.

Also troubling are the procedural provisions of the Mitchell resolution, which requires the President to seek a declaration of war that will be considered on a fast-track basis. I fear, Mr. President, that under the procedures in the pending resolution, we may be unintentionally giving Saddam Hussein the time, the inclination, perhaps, to launch a preemptive strike against our forces or against others in the region, including perhaps Israel. We simply cannot be in a position in this modern age of warfare to telegraph our military signals to our adversary.

Mr. President, a resolution that both responds to the President's request and preserves a proper constitutional balance between the executive and legislative branches will be introduced in the Senate. I am an original cosponsor of this joint bipartisan resolution, which gives our President the direct authorization to enforce the U.N. resolution. It also requires that he make a determination before using force that he has used, indeed, all the appropriate diplomatic and other peaceful means to obtain Iraqi compliance with the U.N. resolution. This determination must be given to the Speaker of the House under the resolution as well as the President pro tempore of the Senate.

The resolution further authorizes force to provide periodic reports to Congress on the President's attempts to obtain Iraqi compliance. Implicit in the joint resolution is the urging by Congress that the President exhaust all means, short of war, to move Saddam Hussein out of Kuwait. The resolution, however, does not bind our President's hands. It explicitly grants the President what he seeks and what he needs before the 15th of January.

Mr. President, the Congress can respond to this request in three ways: First, we can deny the President's request and destroy the President's ability to act effectively as leader of the international coalition, which has become so effective.

Second, we could provide partial and conditional support, as the Senate majority leader proposes. The result, in the opinion of the Senator from Alaska, will be a crippled Commander in Chief whose ability to lead will truly be jeopardized. The Senate would signal Saddam Hussein that his effort to split the international coalition

arrayed against him was succeeding at the very heart, Mr. President, of the U.S. Congress.

Equally as serious, this would also send a message to the men and women of the Armed Forces in the Persian Gulf that they were being asked to risk their lives for a cause that Congress did not fully or conditionally support. I shudder to think of sending this message to those brave men and women soldiers in the field.

The third and only responsible action is to provide President Bush the support that he has requested, and, by doing so, we are not expressing a preference for a military action. We will be giving our Commander in Chief the ability to credibly threaten armed forces as the best hope of persuading Saddam Hussein to withdraw peacefully from Kuwait. But if the President determines force must be used, he will then have the authority to act.

Mr. President, I believe sanctions will be pursued as one element of our strategy. As a former businessman, I have a keen appreciation of the powerful consequences that result when the income of an enterprise is cut off. The Iraqi economy is almost entirely dependent on one product, and that is oil. It accounts for 95 percent of Iraq's foreign exchange earnings. The sanctions have now completely stopped Iraq's oil export of some 3 million barrels a day, representing a cash flow of at least \$60 million a day to Iraq.

Saddam Hussein has tried to justify his invasion on the ground that Kuwait was strangling Iraq by opposing an increase in the OPEC oil price. What Kuwait was allegedly doing cannot be compared to what the sanctions are doing. This is, indeed, real strangulation.

Iraq's financial assets abroad have been frozen and remain so despite vigorous attempts by the Iraqi Government to gain access to those accounts. Iraq's foreign exchange reserves are, of course, nearly depleted. Imports are almost equally vulnerable. Three-quarters of Iraq's food supply, key weapons systems, military spare parts, critical manufacturing products, like ball bearings, are all important.

Mr. President, as vice chairman of the Intelligence Committee, I have reviewed the best information available concerning the effect of these sanctions. That information is, to some extent, incomplete and ambiguous because of the difficult sources of information in Iraq. Members of Congress, certainly, may have honest differences of opinions over what efforts sanctions will have in a particular timeframe. But let us recognize that so far sanctions are, indeed, doing what they were specifically designed to do, and that is to stop Iraq's oil exports and to dry up Iraq's cash flow.

It is clear that sanctions are having a major impact which will grow with

the passage of time. By the fall of this year, we can expect the impact to be debilitating across almost the entire spectrum of the Iraqi economy. Will that be enough to persuade Saddam Hussein to withdraw from Kuwait? It is the contention of the Senator from Alaska that no one really knows that answer. Hussein himself may not even know. But we know one thing, that the threat has not caused him to back down over the 5 months that the sanctions have been in effect. While sanctions may at some point ultimately force a collapse of Iraq's economy, they probably will not, standing alone, drive out the ground forces that Saddam Hussein has already deployed in Kuwait.

This is our and our President's immediate dilemma. Since August, Iraq has only met one of the four conditions for a peaceful settlement, and that is the fortunate release of the hostages. Saddam Hussein has not withdrawn his troops or restored the Government of Kuwait to its rightful place or contributed to any peace or stability in the region. Ironically, such reliance on extended sanctions may actually undermine sanctions as a viable alternative.

Mr. President, without giving our President the authority to act, Saddam Hussein, sometime shortly after January 15 will, in the mind of this Senator, proclaim to the world that he has stood up and defied the United Nations, the United States, and this Congress. His reward for naked aggression will be the continued rape and pillage of Kuwait and its people, as we stand by and wait for extended sanctions to bring him down.

What kind of a message will be sent to the fragile coalition of Arab States who now support the U.N. resolutions and how have courageously condemned Saddam Hussein? If we tell these nations that our President will not be given the authority he seeks, then how can we possibly expect them to bear the responsibility they have so bravely undertaken to stand up to the bully of the region? Without a strong coalition in the region, the sanctions cannot be extended. Mr. President, they could and very possibly will collapse.

The world is, indeed, watching the actions of this Congress, and if we blink and do not come up to take our turn at the bat, the belief that there is an opportunity for a newer world order is threatened at its very core.

Some may think Saddam Hussein is a madman, but he is cunning and he has a clear objective to gain power by controlling the world's exportable oil reserves. If President Bush had not taken strong decisive action in August, Saddam Hussein could easily have controlled 42 percent of the proven oil reserves of the three Arab States, specifically his own, Iraq, Kuwait, and Saudi Arabia.

Mr. President, I often reflect on the meeting that I had in Mosul in northern Iraq last April with Saddam Hussein, along with Senator DOLE, Senator MCCLURE, Senator SIMPSON, and Senator METZENBAUM. The message from Saddam Hussein at that time was very clear, that the Western World has taken the Arab States too much for granted, depending on the Arab States to supply cheap oil to the industrialized nations.

He believes and enunciated to us the conviction that the Arab world must unite under strong, disciplined leadership and work collectively to control the supply of Mideast oil, which would result in higher world oil prices.

Mr. President, we had no doubt about who he had in mind to provide that leadership. That is why we must fulfill our duty to address the question the President has placed squarely before us in his letter.

Will the Senate grant the President the authority he seeks? I am confident that we must at this critical juncture before January 15 make sure that President Bush has every ounce of authority he can use to enforce the U.N. resolutions.

Mr. President, I have not come to this conclusion without considerable thought. I have met with and heard from hundreds of Alaskans in the months since Iraq's aggression in August 1990. Alaska's sons and daughters are now serving in the Mideast and their courage is a constant reminder to me of the burden I face in casting my vote.

As a father of six children, all at an age and capability of serving our Nation's military needs, my responsibility is a very personal one. Alaskans share a special bond with our military, yet Alaskans never want our military power to be used irresponsibly.

None of us in this body want that result either. By our debate the past few days and by our upcoming votes, we must demonstrate to Saddam Hussein and to our citizens at home that we understand this is a most solemn and serious moment in our history and the history of this body. We stand united with one voice and that voice is to stop aggression.

Mr. President, yesterday, as this historical debate in Congress began in earnest, a young man from our State Capitol, Juneau, AK, dropped into my office. He wanted to know of my views on the debate, where I stood on authorizing the use of force in the Persian Gulf. We explained to him the position that I have outlined and shared with you, that we hope and pray to God that a peaceful resolution is found to this crisis, but that the President and our troops in the gulf must be fully supported by the Congress and the American people in delivering a message to Saddam Hussein.

Then he offered his view on the debate. He said he was in the U.S. Air Force and was being sent to the gulf on Wednesday next. He said he went willingly and proudly to defend American values and American beliefs. And he asked solemnly and emphatically that I vote in this body to support his mission and that of his fellow troops already in the gulf states. He asked that we in Congress do our part to support them as they serve their Commander in Chief, President Bush. Mr. President, that is what I intend to do.

I yield the floor.

#### EXHIBIT 1

IRAQ: AMNESTY INTERNATIONAL URGES END TO TORTURE AND KILLINGS; MAJOR REPORT DETAILS WIDESPREAD HUMAN RIGHTS VIOLATIONS

WASHINGTON, DC.—Amnesty International has called on the Iraqi government to follow the release of hundreds of Western nationals by ending the imprisonment, torture and killing of thousands of people in Kuwait.

In its first comprehensive report on human rights violations in Kuwait since the invasion on August 2, Amnesty International details how Iraqi forces have tortured and killed many hundreds of victims, taken several thousand prisoners and left more than 300 premature babies to die after looting incubators from at least three of Kuwait City's main hospitals.

The report catalogues 38 methods of torture used by the Iraqi military, including cutting off people's tongues and ears, shooting them in the limbs, applying electric shocks to their bodies, and raping them.

"The Iraqi forces' brutality in Kuwait has shocked many people in the past four months," Amnesty International said, "but such abuses have been the norm for people in Iraq for more than a decade."

Amnesty International said it welcomed the release of the Western nationals, but feared that the plight of thousands of victims of gross human rights violations in Kuwait and Iraq might now be forgotten. The organization called on governments to appeal to Iraq to stop the gross human rights violations.

Most of the abuses detailed in the report took place in the first three months after the invasion, when dissent among Kuwaitis and other nationals was widespread and its suppression ruthless. Reports of violations continue to reach Amnesty International almost daily, although the severity of the early suppression appears to have crushed much of the opposition that led to arrest, torture and killing.

The organization said it has collected compelling evidence supporting earlier reports of the killing of premature babies by Iraqi soldiers. "We heard rumors of these deaths as early as August," the organization said, "but only recently has there been substantial information on the extent of the killings."

The organization's investigation team interviewed several doctors and nurses who worked in the hospitals where the babies died. All had seen the dead bodies and one doctor had even helped to bury 72 of them in a cemetery near the hospital. In some hospitals, unofficial records were kept of the number of people who had been killed, including the babies.

Amnesty International's report—released today—has been submitted to all members of the United Nations Security Council, which has requested information on the human



rights situation in Kuwait, and to the Iraqi government.

The organization, which takes no position on the disputed territory, again called on the Iraqi government to allow the International Committee of the Red Cross into Kuwait to provide protection and assistance to all people in need.

The 82-page report was based both on medical evidence and on in-depth interviews with more than 100 people from about a dozen countries. Since the invasion, Amnesty International investigators have traveled to Bahrain and Saudi Arabia to talk to victims and the doctors who treated them, relatives and eyewitnesses. They have interviewed dozens more in several other countries.

"Time and again, we were told that the most common way soldiers killed people was to take the victim to his family's doorstep, have his relatives identify him, and then shoot him in the back of the head," Amnesty International said.

Some people were killed because they resisted the "Iraqization" of their country by carrying Kuwaiti money or refusing to pledge allegiance to Saddam Hussein. Others were killed simply for refusing to help soldiers loot medical equipment or while trying to flee the country.

The investigators also talked to scores of people who had been arrested in their homes or on the street. Most of these arrested were Kuwaitis, although many from other Middle Eastern, Asian, European and North American countries were also held.

The team collected the names of some 1,000 people who were arrested, but believes the true figure to be much higher. Thousands of people—some as young as 13—are reported to still be held in Iraqi and Kuwaiti prisons, detention centers and homes; other were killed shortly after their arrest, in police stations, before firing squads, or at their homes.

#### METHODS OF TORTURE AND ILL-TREATMENT

The following are details of allegations of torture and ill-treatment which have been made to Amnesty International since 2 August, some of which are supported by medical evidence and photographic material (see Appendices C and D). These reports are entirely consistent with methods of torture and ill-treatment known to have been used in Iraq over many years, and some of which are also supported by medical evidence [see in particular Amnesty International's report entitled "Torture in Iraq 1982-1984", published in April 1985, and the organization's annual reports.]

It should be noted that not all of the methods listed below are said to have been widely used since 2 August. Those methods which have been alleged only in a few cases brought to Amnesty International's attention are marked with an asterisk (\*).

1. Beatings on all parts of the body, involving punching, slapping, delivering Karate-style blows and kicking with heavy army boots. Implements used for beating include canes, metal rods, whips, steel cables, hosepipes, rubber truncheons and rifle butts.

2. *Falaqa*: prolonged beating on the soles of the feet. Sometimes the detainee is then forced to walk or run.

3. Suspending the detainee by the feet, or by the arms which are tied behind the back.

4. Beating the detainee while suspended from a rotating fan in the ceiling.

5. Breaking of the arms, legs or ribs; dislocating elbow and shoulder joints.

6. Lifting the detainee high up in the air and then dropping him, sometimes resulting in the fracturing of bones.

7. Applying pressure to the fingers with a clamp-like instrument.

8. Slashing the face, arms or legs with knives.

9. Extracting finger and toenails.

10. Boring a hole in the leg, apparently with a type of drilling tool.\*

11. Cutting off of the tongue and ear.

12. Gouging out of the eyes.

13. Castration.\*

14. Hammering nails into the hands.\*

15. Piercing the skin with pins or staplers.

16. Shooting the detainee in the arm or leg at point blank range, followed by deprivation of the necessary medical treatment.

17. Rape of women (including virgins) and young men.

18. Inserting bottle necks, sometimes when broken, into the rectum.

19. Tying a string around the penis and pulling it tightly.\*

20. Pumping air using a pipe through the anus, particularly of young boys.\*

21. Applying electricity to sensitive parts of the body, including the ears, lips, tongue, fingers, toes and genitals. Sometimes the detainee is doused with water prior to the administration of electricity. The electrical instruments used include electric batons as well as wires fitted with clips (like those used to recharge car batteries but smaller in size).

22. Burning various parts of the body, including the genitals, with domestic appliances such as electric irons, with heated metal rods, or with a naked flame.

23. Extinguishing cigarettes on the eyeballs or on various parts of the body, including the genitals, nipples, chest and hands.

24. Pouring hot and cold water alternately over the detainee.

25. Placing the detainee in a cold, air-conditioned room for several hours, and then immediately into a heated room.

26. Pouring an acid-like substance onto the skin.\*

27. Pouring caustic substances onto the eyes, causing blindness.

28. Plucking facial hair, particularly the beard, with pincers or pliers.

29. Placing heavy weights on the detainee's body.

30. Spitting into the detainee's mouth.

31. Exposing the detainee to the sun for several hours at a stretch without water.

32. Subjecting the detainee to mock execution. This includes holding the head below water to the point of near suffocation; going through the motions of execution by firing squad; and holding a gun to the head or in the mouth and pulling the trigger.

33. Forcing the detainee to watch others being tortured, or to hear their screams.

34. Raping or torturing the detainee's relatives in his or her presence; threatening the detainee with such acts.

35. Threatening the detainee with torture methods such as the electric chair [*al-Kursi al-Rajja*], or with death by immersion in an acid bath.

36. Deprivation of medical treatment.

37. Deprivation of sleep, food, water, fresh air and toilet or washing facilities.

38. Degrading the detainee by using obscene language or insults.

The PRESIDING OFFICER (Mr. KERRY). The Senator from Tennessee [Mr. SASSER] is recognized.

#### A SOMBER MOMENT FOR THE SENATE

Mr. SASSER. Mr. President, the issue that we are discussing and debating this evening is the most important issue to come before the Senate in the

15 years that I have served here. I think it is no exaggeration to say that the issue we are addressing this evening is one of war or peace for this country and, moreover, an issue of life or death for perhaps thousands of our countrymen in Saudi Arabia and the Persian Gulf. So this is, indeed, a somber moment for the Senate and a somber moment for the country.

My mind goes back to a time 6 or 7 years ago and the location was a rural county in my native State of Tennessee. It was a gray, wintry afternoon, and I was attending the funeral of a young marine sergeant who had been killed in Beirut, Lebanon. The little chapel was filled to overflowing. Following the services, I followed the funeral procession out to a small family cemetery set in the trees on the edge of a cornfield on what I took to be the family farm. Back in Tennessee and other areas of the South, we call such farms "the home place."

After the final words were said and the honor guard of Marines had departed, I lingered at the edge of the little plot among the trees, and looked back. And there were four figures left standing by that open grave on that gray, wintry afternoon. There was a young wife clutching an American flag, and three little boys with blond hair. They stood there like stairs, and the oldest one was about 8 years old, I would say. They were looking across that open grave, and out into the distance. And I shall never forget that scene because when all of the bands quit playing, and all of the speeches were made, that was the face of war brought home. That was the face of terrorism haunting the rural county in middle Tennessee some years ago.

I suspect that some would be moved by this story, and I was moved that afternoon. But they might also say that we have to be clear and hard-headed, and not softhearted when it comes to the vital interests of our country.

I was interested to hear the distinguished chairman of the Armed Services Committee this morning. Senator NUNN addressed the issue most eloquently of what constitutes the vital interests of the United States. And the speech of the distinguished Senator from Georgia was well reasoned, it was knowledgeable, and it was typically convincing. He wisely delineated the differences between a vital interest and what is an important concern.

I thought, while listening to him, that surely in hindsight what happened in Beirut, Lebanon, a few years ago was not something that affected the vital interests of the United States. I reflected back on all of the other military conflicts of recent years, perhaps the most significant is Vietnam. We were told that was in our vital interests as a nation, that if South Vietnam fell, all of Southeast Asia would be sub-

jected to communism; that the neighboring countries would fall one by one pursuant to the domino theory.

But now, 25 years later, and after tens of thousands of young Americans have perished, and perhaps hundreds of thousands of Vietnamese, would anyone dare to come on the floor of this Chamber and argue that South Vietnam and its sovereignty and independence was absolutely necessary to our vital interests as a nation? Indeed, that it was worth the cost? I think not.

But others will argue, well, this is a different situation because we need the oil in the Middle East to fuel our industry and to fuel our economy. I would simply reply that there is plenty of oil without that of Kuwait and without that of Iraq.

Our friends in Saudi Arabia and the other gulf emirates are making up the difference. And in so doing, they are increasing their profits dramatically as a result. By some accounts, our friends, the Saudis, alone have increased their profits to the tune of \$15 billion over what they were before the invasion of Kuwait, a total of \$15 billion in additional profits since August alone.

So I say what is the hurry? Why the rush to war? That is what it is all about. The administration to its credit with the bipartisan support of the Congress and pursuant to the sanctions of the United Nations imposed an economic blockade on the aggressor nation, Iraq. We put a blocking force in Saudi Arabia to contain the aggressive intents of Saddam Hussein and to protect the oil that is necessary to all the industrialized world. That policy is working. As a result of the economic blockade, we are told that the gross national product of Iraq has plummeted by some 50 to 60 percent in the space of slightly less than 6 months.

Think how devastating that must be. The gross national product of that country, all that it produces, has contracted by slightly over one half in just a few months. Why, we here in the United States are concerned because our gross national product has simply not grown in the last few months. It has not dropped any in real terms. It simply failed to increase. And we are worried because we are in a recession because of it, in a recession simply because our gross national product has been stationary or stagnant. Imagine if it contracted by some 50 or 60 percent in just a few months. That is what has occurred in Iraq.

Our intelligence experts advise us that we have been successful in coordination with the naval power of some of our allies in halting 95 percent of the exports of Iraq and 90 percent of its imports—and distinguished and highly experienced experts such as the former Secretary of Defense, and former Director of the Central Intelligence Agency, James Schlesinger, who declared that this is the most effective

economic blockade in history, other than those imposed in wartime.

Simply stated, the Iraqis cannot sell the only commodity of substantial value they have to the outside world. They cannot export their oil, and they are running out of foreign exchange.

In layman's terms, Saddam Hussein is simply going broke. Iraq has no money to buy anything or shortly will have no money even if they could access the world marketplace which they cannot do.

We can reasonably anticipate—and it has been predicted by experts—that these sanctions will become increasingly effective and economically devastating as time goes by. Even now, it is being reported in the popular press and confirmed by the intelligence agencies that there is food rationing, that food for private sale has been confiscated by the Government of Iraq, that medical supplies are running low, that even chlorine to purify the water supply is running out.

But perhaps more importantly, shortages in vital military necessities are developing. Truck tires are not to be had. Transmission fluid is in very short supply. Vital lubricants to fuel the engines of war are drying up. What about the parts of the sophisticated weapons, such as the Mig fighters Saddam purchased from the Soviet Union or the French F-1 Mirage fighter jets that he purchased some years ago? Because of lack of parts and lack of technicians, the Iraqi Air Force is slowly being ground to a halt.

In World War II we lost hundreds of airplanes and thousands of air crews while we bombed the industrial facilities of our enemies all to deny them the fruits of their own industry. I would submit that we are denying the Iraqis the same vital components but we are doing it by a bloodless blockade which is infinitely more effective than any aerial bombardment that we carried out in any war to try to reduce our enemies' ability to sustain itself in war.

By summer, the Director of the Central Intelligence Agency has indicated that the gross national product of Iraq will be reduced by 70 percent from its starting point last August.

The distinguished chairman of the Armed Forces Committee stated in a piece that he wrote for the Washington Post, correctly, that Iraq will be an "economic basketcase" by this summer. The Director of the Central Intelligence Agency has testified openly that as time goes by, Iraq will get progressively weaker due to the effectiveness of these sanctions. So we have to ask ourselves: Why the rush to judgment?

If time weakens our adversary, if we are essentially carrying out a successful but bloodless siege on this country of Iraq, why not weaken our foe to the

fullest extent? Why this rush to "get it over with," as some are saying?

Well, I submit that this attitude is certainly not shared by the field commander, General Schwarzkopf. He has so stated publicly that time is on our side.

Well, some would admonish us that we have to carry out the U.N. resolution to use force after January 15. If we do not, we will lose the opportunity. If it is not done, we are told that it will show a lack of resolve on the part of the United States, and the coalition will simply fall apart. Well, one might ask, where are all of the other United Nations members who voted to allow the United States to bear any burden and pay any price in the Middle East?

We are pleased to have the support of our stalwart British friends. We are pleased to have the support of a small French contingent. But among the other Europeans, there are no Italian troops there; there is no financial assistance from Italy, although the Italians get 65 percent of their oil out of the Persian Gulf.

How about our friends the Japanese, with their powerful \$3 trillion economy that allows them now to be the bankers of the world? This powerful economy depends on Middle Eastern oil for 66 percent of their oil imports. What have they done? They sent a small group of physicians to the Persian Gulf earlier, but now this team has gone back home. Our friends the Japanese pledged \$4 billion early on. As of November 30, only 10 cents on the dollar of that pledge has been received.

The Pentagon will not provide the Senate Budget Committee with current figures on allied contributions, so that must mean it is not good news on future contributions of the Japanese.

What about the Germans, the new economic colossus that stands astride Europe? They have sent no troops, and they propose a contribution of \$880 million, only one-half of which has been received. That is a mere pittance when contrasted with our projected cost of \$1 to \$2 billion a day, if there is indeed a war in the Middle East.

Well, one might say, surely the Kuwaitis will be generous and forthcoming, since their very nationhood is at stake here. They manage an overseas financial empire with assets in excess of \$100 billion. Well, on examining the books, we find that our friends the Kuwaitis abroad have pledged \$5 billion and paid one-half of that to date.

Interestingly enough, the annual interest income on their investments abroad exceeds their Desert Shield pledge by over \$1 billion. One might ask if perhaps they could even sell some of these overseas assets so they might contribute more. Well, not so, says the governor of the Central Bank of Kuwait from abroad. He says, "We are not interested in liquidating. We do



not think we need extra funds for the period."

So, clearly, there is not much that is equitable about this arrangement. Our share of the cost and burden simply do not match, I submit, our share of the international risk.

I say that, fundamentally, we are in the process of embarking on a course of preserving, at great cost to the United States, a stable world order for others to take advantage of. We may be unwittingly accelerating the decline of our own country vis-a-vis those other nations that are competitors and trading adversaries around the world. And while we are fighting off the threats to the new world order, at a cost of untold billions of dollars and perhaps thousands of American lives, the rest of the industrial world will be marshaling their resources to pursue new markets and to strengthen their economies.

The irony here is almost overwhelming. We are poised to fight a war to make the world safe for other countries to thrive and prosper in. Sometimes I wonder if some of our allies have seen further into the future consequence of the war than we have been able to see ourselves, because we are too wrapped up in the confrontation. Perhaps they see the consequences clearer than we do, in human terms, in economic terms, in geopolitical terms.

At the very least, we owe it to ourselves, and we owe it to our constituents, to take a careful and unflinching look at what war might bring us. By all estimates, the cost in American lives of war with Iraq will not be trivial.

I have seen few reliable analyses that estimate American casualties at less than 5,000, and that is for a so-called quick victory scenario. For an engagement that extends to several weeks and perhaps months, the Center for Defense Information projects American casualties as high as 45,000. Sources at the Department of Defense have been quoted by the Washington Post and the New York Times as forecasting casualties in the 10,000 to 30,000 range.

Of course, the cost of deploying troops and material of this magnitude 9,000 miles from home will resonate through this economy for many years to come.

Certainly, no one doubts that budgetary issues, fiscal issues are much less important than the lives of our young men and women. But I do believe that we have an obligation in this Congress to also examine the economic consequences of our policy.

In just a few weeks, the Pentagon will be here asking for a supplemental appropriation of \$20 billion for Operation Desert Shield. That is a sum that will wipe out half of the deficit reduction that we achieved at such great cost and with such great anguish in the difficult budget agreement last fall.

Half of it is gone already. While that is a sobering loss indeed, a full-scale shooting war will cost us from \$1 billion to \$2 billion a day, and that means just 20 days of warfare will completely wipe out the \$41 billion in deficit reduction we have achieved this year.

By the way, while I hear all this talk about what we must do in this area, and how it is so vital to do this or do that, I have heard no one propose steps to pay for this war effort. When the President's Chairman of the Council of Economic Advisers asked about the cost and how to defray it, he responded, I thought quite honestly, well, the plans were to temporarily borrow the money.

So simply put, the direct impact on Federal revenues and outlays in terms of the operation itself and the long-term economic consequences could be staggering. Add that impact to the recession we are already experiencing, add that to the weakness of our financial system, and I am not sure we have any way of predicting what a shooting war could mean for this Nation's economic future.

Finally, Mr. President, before we proceed militarily in this very tense and unpredictable region, I think we ought to consider the geopolitical implications of what we are about to do. When it comes to a war in perhaps the most volatile region of the world, winning a military victory is only the beginning. What do you do after you win that victory?

If we reduce Iraq to rubble, we may very well set loose forces in that region that no subsequent diplomacy will have a hope of controlling, forces that could create a complex web of commitments and responsibilities that we cannot yet imagine or even calculate.

About the only certainty is that we are not going to be hailed as heroes or liberators in many corners of the Arab world.

And moreover, we may very well create a power vacuum that a fundamentalist Iran or a terrorist Syria will be only too happy to fill. The precarious balance, or should I say imbalance, that prevails between Israel and the Arab States will almost certainly be upset.

Well, the President has spent much time putting in place a force structure sufficient to defend Saudi Arabia, and I applaud his efforts in that regard, in defending Saudi Arabia. Much time has been spent calculating how to arrest the threat posed by Saddam Hussein. But have we really considered the aftermath of war? Have we really stopped to consider the shape and the velocity of the myriad forces that we could very well be unleashing? A chorus of experts say we have not.

Again, former Secretary of Defense James Schlesinger told the Senate Armed Services Committee in late November:

I believe that the direct cost of combat, including that of a probable scorched-Earth policy in Kuwait, will be the lesser part of the total cost. The Middle East would never be the same. It is a fragile, inflammable, and unpredictable region. The noncombat costs of a recourse to war are likely to be substantial.

James Webb, former Secretary of the Navy, posed this question to that same committee: "Are we prepared for the inevitability of yet another Arab-Israeli war, and the immediate shifting of alliances that would accompany it, with our troops at risk?"

Mr. President, President Bush has said repeatedly that he wants a "stable and secure gulf." We all want that. The terrible irony is that all of our efforts and all of our sacrifices at the conclusion of a military conflict may very well be profoundly destabilizing, and may bring everything to this region except security and stability.

Indeed, victory through armed conflict may instead bring a seething and long-lasting hostility in the Middle East toward the United States and toward our interests in the region.

There are many consequences of war, and not many of them are good. There are grave human costs, extensive economic and fiscal consequences, and as yet unknown geopolitical factors.

But the fact is for the American people all of these perspectives are best served by a peaceful, diplomatic solution; a solution that could perhaps be driven by the work of these economic sanctions. If we do not give them time, how will we ever know if they could work?

Mr. President, in the past 5 months my office has been inundated with letters from the families and friends of our young soldiers in the gulf. I know I am not alone among my colleagues in this.

Recently, I received a letter from a woman in Lenoir City, TN, who said she had three brothers who served in World War Two, a son who served in Vietnam, and now she has her grandson in Saudi Arabia. This woman has seen three generations of her family serve this country honorably. She is well acquainted with the wrenching emotions, and the deep sorrow that war brings to families.

And yet, she made a point of saying to me that "this is my first protest letter." She is not a complainer—there is a record of service in her family that we all should admire. And yet, her Nation's response to the crisis at hand has moved her to write her "first protest letter."

She went on to say to me:

I love my country, but I love my grandson more. Please, do all you can possibly do to get him and all the others home and out of danger.

And she enclosed a letter written to her from her grandson in the Saudi Desert. It's a letter full of courage, pride, and honesty.

He writes:

Most of the time everyone tries not to think too much about what is going on and trust our leadership. We just do our job and talk about going home.

I pray that this courageous young man's trust in our leadership is well placed. I hope that we have the wisdom not to let him down.

Mr. SARBANES. Mr. President, will the Senator yield?

Mr. SASSER. I am pleased to yield to the Senator from Maryland.

Mr. SARBANES. Mr. President, I commend the very able Senator from Tennessee for a very powerfully reasoned and cogently argued statement. It was a very strong and powerful eloquent address. I simply thank the Senator for his contribution to this debate.

Mr. SASSER. Mr. President, I thank the distinguished Senator from Maryland for his very kind remarks and comments.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky, the distinguished majority whip.

Mr. FORD. Mr. President, on behalf of the leadership, I ask unanimous consent that the placing on the list of speakers occupied by Senators COHEN, MACK, and SIMPSON be replaced by Senators MACK, SIMPSON, and SMITH, respectively.

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

Mr. FORD. Mr. President, I might observe that the distinguished Senator from Illinois [Mr. DIXON] has been eliminated from the list for this evening.

The PRESIDING OFFICER. I thank the distinguished majority whip, and according to the unanimous-consent request, the Senator from Florida [Mr. MACK] is recognized.

#### THE PERSIAN GULF CRISIS

Mr. MACK. Mr. President, hundreds of thousands of young American men's women's lives are placed on the line in Saudi Arabia today. The thought that thousands of lives could be lost, thousands of lives could be lost in action, is staggering to the emotions. I know that all of the Members of the Senate on both sides of this issue must feel that emotional pressure.

During the day, I had the opportunity to take several calls from constituents around the State of Florida: One father telling me of a conversation that his son had with some of his fellow students at school; one indicating that if the draft, for example, were ever reinstated, that he would take his own life as opposed to running to Canada. He would take his own life, he said, to make a statement. I do not happen to believe that anybody is seriously considering reinstituting the draft. But it is a sign of the kinds of emotional turmoil this debate is causing.

I had another call from an individual who referred to himself as a hawk, who said that in his heart he wanted to avoid conflict but that he knew that it was necessary if after the 15th of January there were still Iraqi troops in Kuwait, that force would have to be used.

Another individual had said to me: You tell the President and you tell the military leaders and you tell your colleagues in the Senate that if war comes about, do not tie the hands of our soldiers behind their backs. Give them the flexibility to win.

So there are strong emotions. During the day I also had the opportunity to read a letter that was sent to me by one of my constituents. She had been asked by a group to write letters to our soldiers in Saudi Arabia. It was not addressed to anyone in particular. The letter ended up being assigned to one of our airmen to write back. It is a rather lengthy letter. I just want to read a portion of it.

As an airman in service to my country for the past 16 years, I would ask that you let your Congressmen and your Senators know of your support for us here in the desert. In order to do our job, we need the total support of the people. So, if Congress tries to vote, then vote yes with the President. There is nothing worse for us than the attitude that we will fight to lose, or just to a draw; i.e., Korea, Vietnam. If we fight, it must be to win and to win totally; i.e., World War I, World War II.

The people must understand that there are no civilians in a war. You are either front line soldiers, sailors, Marines, or airmen of the rear support personnel, the doctors, the lawyers, the bankers, the cooks, the mechanics and so forth.

I am going to try to answer at least one of the "Any Soldier" letters per day to show our thanks for your support. No need for you to answer this letter unless you wish to. I have plenty of family and friends that I will be hearing from. I just wanted you to know that your card reached someone and that someone wants to say thank you.

The airman is not the only one who thought that it was important that there be solidarity, that there be one voice, in essence, coming from our country. Several editorials from around my State, one in the north part of our State, one in the middle. From Orlando, the Orlando Sentinel:

In light of failed peace talks between the United States and Iraq, Congress has a clear responsibility: Authorize President Bush to use military force to back up the United Nations' goal of removing Iraq from Kuwait. Such a blessing by Congress wouldn't be the same thing as a declaration of war; conflict wouldn't be imminent. Rather, lawmakers would be giving Mr. Bush the flexibility he needs to use force if that is the only option left. Also, they'd show Americans are speaking with one voice.

And from the Jacksonville Times Union:

The best chance of a peaceful solution exists if Saddam fully believes that he will be attacked if he fails to withdraw. The more doubt he has on that score, the less chance there is that he will withdraw. As one ob-

server said earlier, it is not U.S. firepower that Saddam questions, it is U.S. willpower.

The central thrust of the argument against giving the President authorization to use force is that we ought to let sanctions work, we ought to give them time to work, that we should give them a year to work. I must say that the idea of waiting for sanctions to work is an appealing one to those who would do anything, in many cases almost do everything, to avoid conflict, because it allows them to rationalize that they have a plan to solve the problem. But the reality is that waiting a year for sanctions to force Saddam Hussein out of Kuwait just will not work. There is absolutely no evidence that sanctions would work. Those who take that position do so based strictly on hope.

I am going to take just a couple of moments to read several statements from a letter from the Director of the Central Intelligence Agency, Director Webster, because there has been a lot said during the debate today about sanctions. For example, we heard just a few minutes ago that Iraq's economy was devastated; a loss of some 50 percent in less than 6 months. I would not disagree with that statement about a 50-percent reduction in that 6 months. But the key question is not whether they are having an economic impact. The key question is will those sanctions in fact force Saddam Hussein to withdraw his troops from Kuwait? And the answer that we get over and over and over again from the Central Intelligence Agency is: No, it will not. It will not do it now. It will not do it 6 months from now. It will not do it 1 year from now.

In his letter to LES ASPIN, chairman of the Committee on Foreign Affairs in the House, several comments. First:

I observed that the sanctions were effective technically and that they were being felt economically and eventually would be felt militarily in some areas. I also testified that there was no evidence that the sanctions would mandate a change in Saddam Hussein's behavior, and that there was no evidence when or even if they would force him out of Kuwait.

Another comment:

but disruptions in most sectors of the economy are not serious yet.

Further on:

The ability of Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next 6 to 12 months, even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period.

I want to restate that last point: "This is especially true if Iraq does not believe a coalition attack is likely during this period."

What he is saying there is that Saddam Hussein could easily and clearly and correctly conclude, if the Congress denies the President the authority to use force, and he will conclude, that the United States is prepared at least a



year to wait for sanctions to work. Therefore, he will not have to respond. He will not have to keep his troops at high alert. And the suggested impact of the sanctions would in fact be lessened. The letter goes on to say:

On balance, the marginal decline of combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications.

The area we keep hearing that the sanctions will have the greatest impact is Iraq's Air Force and air defenses. So again the letter refers to that:

Iraq's Air Force and air defenses are likely to be hit far more severely than its Army, if effective sanctions are maintained for another 6 to 12 months. \*\*\* It would have only a marginal impact on Saddam's ability to hold Kuwait and southern Iraq. The Iraqi Air Force is not likely to play a major role in any battle for Kuwait.

So the area where it will have its greatest impact, that is with the Air Force and air defenses, is an area in which, frankly, he is the weakest, and we believe that we can overcome those forces in a very short period of time. I do not think that many dispute that point.

Again, further on in the letter:

Our judgment remains that, even if sanctions continue to be enforced for an additional 6 to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq. \*\*\* Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain sanctions, especially if the threat of war recedes significantly.

Mr. President, I ask unanimous consent that the Director's letter be printed in the RECORD at this time.

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

CENTRAL INTELLIGENCE AGENCY,  
Washington, DC, January 10, 1991.

HON. LES ASPIN,  
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is in response to your letter of January 9, 1991, in which you ask for an updated assessment of the impact of sanctions in Iraq and on the policies of Saddam Hussein subsequent to my testimony before your committee in December. In that testimony, as you accurately noted, I observed that the sanctions were effective technically and that they were being felt economically and eventually would be felt militarily in some areas. I also testified that there was no evidence that sanctions would mandate a change in Saddam Hussein's behavior and that there was no evidence when or even if they would force him out of Kuwait.

You now ask me to: (1) address the impact of the sanctions on the economy and populace of Iraq on the operational effectiveness of its military if left in place for another six to 12 months; (2) address the question of how Iraq's defensive abilities might be affected by the sanctions on the one hand and by having additional time to prepare on the other if sanctions are allowed to work for another six to 12 months; and (3) address the likelihood that sanctions, again if left in place for another

other six to 12 months, could induce Iraq to withdraw from Kuwait.

UN sanctions have shut off nearly all Iraq's trade and financial activity and weakened its economy, but disruptions in most sectors are not serious yet. The impact of sanctions has varied by sector. The most serious impact so far has been on the financial sector, where hard currency shortages have led Baghdad to take a variety of unusual steps to conserve or raise even small amounts of foreign exchange. For the populace, the most serious impact has been inflation.

The ability of the Iraqi ground forces to defend Kuwait and southern Iraq is unlikely to be substantially eroded over the next six to twelve months even if effective sanctions can be maintained. This is especially true if Iraq does not believe a coalition attack is likely during this period. Iraq's infantry and artillery forces—the key elements of Iraq's initial defense—probably would not suffer significantly as a result of sanctions. Iraq can easily maintain the relatively simple Soviet-style weaponry of its infantry and artillery units and can produce virtually all of the ammunition for these forces domestically. Moreover, these forces will have additional opportunity to extend and reinforce their fortifications along the Saudi border, thereby increasing their defensive strength. Iraq's armored and mechanized forces will be degraded somewhat from continued sanctions. The number of inoperable Iraqi armored and other vehicles will grow gradually and the readiness of their crews will decline as Baghdad is forced to curb its training activities. Iraq has large stocks of spare parts and other supplies, however, which will ameliorate the effect of these problems. On balance, the marginal decline of combat power in Baghdad's armored units probably would be offset by the simultaneous improvement of its defensive fortifications. While the military, especially the army, has been protected from the impact of sanctions by stockpiling and minimal usage, during a military action the impact would be more profound as equipment and needed parts are expended.

Iraq's Air Force and air defenses are likely to be hit far more severely than its Army, if effective sanctions are maintained for another six to twelve months. This degradation will diminish Iraq's ability to defend its strategic assets from air attack and reduce its ability to conduct similar attacks on its neighbors. It would have only a marginal impact on Saddam's ability to hold Kuwait and southern Iraq. The Iraqi Air Force is not likely to play a major role in any battle for Kuwait.

In December, during my appearance before the House Armed Services Committee, I noted that while we can look ahead several months and predict the gradual deterioration of the Iraqi economy, it is more difficult to assess how or when these conditions will cause Saddam to modify his behavior. Our judgment remains that, even if sanctions continue to be enforced for an additional six to 12 months, economic hardship alone is unlikely to compel Saddam to retreat from Kuwait or cause regime-threatening popular discontent in Iraq. The economic impact of sanctions is likely to be increasingly serious, with conspicuous hardships and dislocations. Nevertheless, Saddam currently appears willing to accept even a subsistence economy in a continued attempt to outlast the international resolve to maintain the sanctions, especially if the threat of war recedes significantly. He probably continues to believe that Iraq can endure sanctions longer than

the international coalition will hold and hopes that avoiding war will buy him time to negotiate a settlement more favorable to him.

We have seen little hard evidence to suggest that Saddam is politically threatened by the current hardships endured by the populace. Moreover, Saddam has taken few actions that would indicate he is concerned about the stability of his regime. Assessing the populace's flash point is difficult, but we believe it is high because Iraqis have borne considerable hardship in the past. During its eight-year war with Iran, for example, Iraq endured a combination of economic difficulties, very high casualties, and repeated missile and air attacks on major cities without any serious public disturbances.

Sincerely,

WILLIAM H. WEBSTER,  
Director of Central Intelligence.

Mr. MACK. Again, the central argument against authorizing the President to use force has to do with sanctions. I have said over and over, it is the opinion of the Central Intelligence Agency that these sanctions will not have the kind of impact that those who support the sanctions idea are suggesting.

One additional point. All during the debate today the impression has been given that to not use force now and to give sanctions an opportunity to work has no risk related to it.

In other words, we could go ahead and try this 6- to 12-month extension of time without really having to worry there is not any risk. All we are trying to do now is wait and see if it would work, no risk attached. I disagree with that, and I would like to raise several points to make my case.

The first consequence is that there will be other international decisions, or other decisions on international foreign policy that this Nation will have to make, and our decisions will be affected by our attempts to keep the coalition together. I would use several examples to indicate that that already has occurred. Not long ago, Syria used its military power to impose on the country of Lebanon its idea and its solutions for government in Lebanon. If the coalition had not been in place, if it had been months before that coalition had been put in place, Syria never would have invaded Lebanon, the United States would not have, in essence, turned its back on that use of force.

A second point: The United States voted several times now to condemn Israel in the United Nations. I suggest that that vote for condemnation never would have taken place if it had not been for us trying to hold that coalition together.

A third point: We have been reading in the last several days, the last several weeks, that Soviet forces are now in the Baltic States and in other republics. We have also seen where they have taken over printing presses in some of the republics. And we also understand that censorship is now finding its way back in to the Soviet press. I suggest that the comments we have made to

the Soviets during this period of time have been somewhat tempered because of our attempt to keep the coalition together.

So the first point to indicate that waiting for sanctions to take place does have risk is that we are going to be forced to make during this next year many decisions with respect to foreign policy that we might make differently because of our attempt to keep that coalition together. There is risk in waiting.

Second, America will be seen as a paper tiger. Some might hear that comment and say, "So what? Who cares whether America is looked at as a paper tiger?"

I suggest it would be much more difficult for us in the years ahead to try to put together any plan, to try to encourage any allies to participate with the United States if we fail today to carry forward on the plan that the President has proposed, that the international community has suggested and the U.N. resolution supported.

Or to say it another way, let me just read again from another article. This is an op-ed piece by former President Richard Nixon:

If we succeed in getting Mr. Hussein out of Kuwait in accordance with the U.N. resolution and eliminating his capacity to wage war in the future, we will have the credibility to deter aggression elsewhere without sending American forces. The world will take seriously U.S. warnings against aggression.

The third point I would make where there is risk is potential aggressors around the world would conclude it was safe to use aggression to reach their foreign policy objectives because the message that the United States and the coalition is not prepared to use the force would encourage them, other leaders, who may feel they can get away with aggressive action, to use those tactics to meet their foreign policy objectives.

A fourth point: Israel will find itself facing an international conference on the Middle East tying directly the Palestinian issue with that of Iraq and Kuwait, a position we say we will not accept. I suggest if that were to occur as a result of the unraveling of the coalition, as we wait for sanctions to work, that will create a difficult problem in the Middle East. It will be bad for Israel; it will be bad for the Middle East; it will be bad for the United States.

Think about the leaders who have taken key roles in the establishment of the coalition, who have worked with the United States and the United Nations in the adoption of these resolutions. If we now tell them that we are not going to support their efforts, not only will it be a long time before we can convince other leaders to work with us, but I suggest at the same time we may see those leaders facing a great deal of instability in their own country.

Most everyone believes that if you do not deal with Saddam now, you are going to have to deal with him later. I think that is a valid argument. We are all concerned today about biological and chemical weapons. Many fear that before too long, we will have to deal with the issue from a nuclear perspective as well.

So waiting for sanctions to work clearly has risks associated with it.

Mr. President, I will conclude and reiterate that no one wants war. The thought of thousands of Americans being killed in the desert is staggering. Our hearts tell us to avoid war, but our minds and history tell us that appeasement, concession, and weakness bring on war. The central point is that to make the world safe for true peace, we must stand up to aggression today. To tell those who would contemplate aggression that they would fail, we must stand up against aggression today. Therefore, I ask my colleagues to vote against the Mitchell-Nunn resolution and to support the President. I thank the Chair.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

#### WAR MUST BE A LAST RESORT

Mr. CONRAD. Mr. President, the question we face in this body is the most somber of all. The question before us is do we authorize the President of the United States to take the Nation to war? Before I vote to send American men and women into battle, I must be firm in the conviction that we have exhausted all other possibilities, pursued all other avenues and have no other options. War must be a last resort.

There is clearly broad support in the country for the President's position that Saddam Hussein must leave Kuwait. But the question before us is how best to accomplish that goal. The decision we make has profound implications for the future of our country.

Each of us has a constitutional responsibility to the people we represent to analyze the options open to us. Do we authorize the use of force now or do we give the economic sanctions and the international blockade more time to work? If we go to war, make no mistake, it will be an American war. It is estimated that U.S. troops would suffer 90 percent of the casualties.

I noted with interest the article in the Philadelphia Inquirer about the body bags that have been ordered for Desert Shield: 16,099. When one company official asked the Department of Defense about the unusual number, the defense supply officer said the order was based on a computer model of how many United States deaths might result if a shooting war broke out in the Persian Gulf. This is the order that has been placed with one company. Perhaps other orders as well.

Mr. President, we also know we will pay most of the bill. Let us remember

that it is always easier to start shooting than to stop shooting and that wars rarely follow the course we expect. We may anticipate a lightning strike, an overwhelming and quick victory. We may be wrong.

Remember the Soviet experience in Afghanistan. They had overwhelming military superiority. Their population is many times that of Afghanistan. Yet, when they thought they would have a short operation, they found themselves bogged down for 10 long years. When they left, they found they had lost 50,000 lives and were at the brink of bankruptcy.

Mr. President, the Middle East is a special place. It has been a cradle of conflict for over 2,000 years. Do we really think that we can march in to that part of the world and make it right with a single military action? I suggest that it is a special arrogance that assumes that we can somehow bring peace to a part of the world that has not known peace since before the birth of Christ.

I graduated from high school in this part of the world. I graduated from high school at Wheelus Air Force Base in Tripoli, Libya. I know firsthand that their concept of time and conflict differs dramatically from ours.

What happens when the war is over? Have we enhanced the peace and stability of the region? Have we furthered our own political and economic interests? What nation becomes the dominant power in the Middle East?

Will it be Iran, the country that considers the United States to be the great Satan? Will it be Syria? Assad, the leader of Syria, our ally of convenience today, is the tyrant responsible for murdering our marines in Lebanon, the man who ordered the brutal killing of thousands of his own people in the small town of Hama.

Indeed, Zbigniew Brzezinski painted a grim picture of the postwar possibilities when he testified before the Senate Foreign Relations Committee December 5. Let me quote what Brzezinski said:

Considerable anxiety is justified that subsequent to the war, the United States might not be able to extricate itself from the Middle East caldron—especially if in the meantime, the Arab masses have become radicalized, and hostile to the Arab regimes that endorse the U.S. military action.

How will that affect the U.S. global position? I would think it likely that with the United States embroiled in the Middle East mess for years to come, Europe and Japan, both free to promote their own agendas, will pursue the enhancement of their economic power.

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

So at the cost of a terrible loss of life and untold billions in military expenditures, would we see a Middle East even more unstable and a weakened global



position for the United States? Will we be called upon to serve as the world's policeman in a hostile and unstable region?

Let us not forget that 45 years after World War II, the United States maintains 300,000 troops in Europe and 50,000 in Japan. That 40 years after the Korean war, 50,000 Americans remain stationed there to keep the peace.

Do we want the same thing to happen in the Middle East? Will we have to maintain a large occupying force in the Persian Gulf? In the new world order, with the United States becoming an unpaid mercenary force expected to keep the peace while other nations consolidate their economic strength, a dangerous path has already been set.

The Japanese and the Europeans are far more dependent on Middle East oil than we. Yet American troops stand at the front lines. Our allies cheer us on as we go off to war.

Not only do we risk American lives but we pick up the tab. We pay billions for the military deployment while our allies have failed to deliver even the minimal financial support they promised. What is worse, we continue to pay their defense bills not only in the gulf, but in their own backyards. We still provide the lion's share of the defense umbrella for Western Europe and Japan to the tune of over \$100 billion a year.

I do not believe that war is our only remaining option. I do not believe the American people see it as the only course of action. If there is one thing we have learned in this century, it is that we do not succeed when the country is divided. The cohesion and unity of purpose that led our Nation to victory in World War I and World War II was not present in our less successful effort in Vietnam. And this issue has already divided our people.

I understand there are misgivings. Some say this is simply a fight over oil. And indeed 67 percent of the world's known reserves are in the Persian Gulf. We must ask if those oil fields were fig fields would we have sent six carrier battle groups, 1,200 warplanes, and 400,000 troops?

At the same time our people question this commitment, they also understand that we must take some action. They understand that Hussein's aggression cannot go unpunished and unchecked. But they are wary of war.

We tell them today that there is no other option than war, that we have exhausted all alternatives to a peaceful solution? I do not think so. In the past 2 months I have had literally dozens of meetings on this crisis all across my State.

The message I have received in every town and city has been simple, and clear. Consider war a policy of last resort. Be patient and give sanctions a chance.

I am concerned that the speed and size of our military buildup is pushing us toward war. We are setting artificial deadlines, artificially increasing the tensions in the gulf, and creating an artificial momentum for war.

Gen. David C. Jones, former Chairman of the Joint Chiefs of Staff and a native of my home State of North Dakota, issued a well-founded warning in November. He said "My main concern with this latest scheduled reinforcement is not that we might choose to fight but rather that the deployment might cause us to fight prematurely and perhaps unnecessarily."

General Jones is right. We must not think that simply because the troops are ready to fight that we must fight. We must resist the momentum and retain our ability to choose the right time to fight if we must fight at all.

There are still good alternatives. There is still time. I support the continuation of the policy the President announced after the invasion of Kuwait. We must continue to provide a defensive shield to protect Saudi Arabia, and we must continue a strong military threat and, most importantly, we must give the international sanctions a real chance to work.

Iraq provides a textbook case of a country where sanctions should work. It is landlocked. It is surrounded by hostile neighbors. And it is dependent on a single export, oil, and is heavily dependent on the imports of spare parts and military equipment to keep its war machine going.

We already have solid proof that sanctions are beginning to bite. The Iraqi economy has already been cut in half. This afternoon we were told that in 6 months the Iraqi economy would be reduced by 65 to 70 percent. That is stunning in light of the pain that is being caused by a 3-percent downturn in this country.

Indeed, the experts tell us this is the most successful peacetime blockade ever imposed. CIA Director Webster testified in early December that in the few months the embargo has been in place all sectors of the Iraqi economy have felt the pinch of sanctions and many industries have largely shut down.

More than 90 percent of imports and 90 percent of exports have been shut off. The cutoff of Iraq's oil exports and the success of sanctions have also choked off Iraq's financial resources. Recent reports indicate that the export situation has worsened for Iraq with over 95 percent of exports stopped.

What will the coming months bring? Again, according to Director Webster's testimony:

Iraq will have depleted all of its foreign currency reserves by spring. \*\*\* Iraq's economic problems will begin to multiply as Baghdad is forced to shut down growing numbers of facilities. Economic conditions will be noticeably worse.

And on it goes.

Probably only energy-related, and some military industries will still be functioning by spring. Critical commodities such as sugar and edible oils will be in short supply.

As we strangle the economic strength that sustains Iraq, domestic pressure on Hussein will build. There is reason to think he could face growing political turmoil and instability at home. We should let Saddam Hussein stew in his own juices.

In a recent Washington Post piece Winston Lord argued that we should stay the course on sanctions. The former Ambassador to China points out that it defies common sense and history that Hussein is popular and secure. While Lord warns we should have no illusions that Hussein can be dislodged quickly or easily, he nonetheless reminds us of what last year's events in Romania proved: even a dictator who rules through terror cannot forever withstand the opposition of his people.

Since the sanctions have already clearly had a measurable effect, this is not the time to undercut. We know when the sanctions were put in place that it would take time to judge their effectiveness. Why should young men and young women die because we do not have the patience to see whether the sanctions will work?

We should not let our natural desire to see Saddam Hussein brought down tempt us into acting against our own long-term interests.

I think Admiral Crowe had it right when he said in November "We should give sanctions a fair shake before we discard it. Posturing ourselves to promote stability in the long-term is our primary national interest in the Middle East. Our dislike for Hussein seems to have crowded out many other considerations."

Some argue that the problem of sanctions is they did nothing to damage or knock out Hussein's chemical, biological, and nuclear capabilities. As Israel proved in 1981, those facilities are vulnerable to a targeted air attack.

Some argue we cannot keep the international coalition together long enough for the sanctions to work. Perhaps every country will not stay the course. But as long as Iraq's hostile neighbors, Saudi Arabia, Syria, Turkey, and Iran maintain the embargo, as long as the United States maintains control of the seas, economic sanctions will continue to be effective.

I might add, Mr. President, that it seems to me that a massive military assault would put far greater strains on the coalition, especially the Arab members, whose alliance with us is already uneasy.

We need to keep the pressure on. We need to keep the sanctions in place. We need to keep the threat of war dangling over Saddam Hussein's head. But let us be patient, confident and strong, secure

in our position. We are a great Nation, with great power. We know we can win this war, if it must be fought. But there are alternatives to war still open to us. We should pursue them.

Now is the time for patience, persistence and quiet strength, the steady strength of real leadership.

Mr. President, I ask unanimous consent for certain attachments to be printed in the RECORD.

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

[FROM THE BISMARCK TRIBUNE, JAN. 11, 1991]

**U.S. BETTER OFF WITH BLOCKADE THAN WITH WAR**

Sen. Kent Conrad and Rep. Byron Dorgan have both taken the hard line against Saddam Hussein and his invasion of Kuwait.

The two North Dakota Democrats say Saddam must pull back to Iraq and stay put.

That is not to say either man endorses the use of force, come the Tuesday deadline upon which the Iraqis risk a massive military assault unless they obey United Nations directives to leave Kuwait.

On the contrary, both Conrad and Dorgan say the U.S. and its allies should continue the blockade of Iraq. They say—and we agree—that the U.S. has Saddam by the throat. Keep up the economic pressure of the blockade and sanctions, and there is every reason to believe he'll collapse.

It will take time and require patience, a quality we Americans are notoriously lacking, but it is an infinitely preferable alternative to war.

Most analysts seem to think a war with Iraq will be relatively short. No war in history was ever expected to be long. 'Home by Christmas' has been the expectation of American GIs from Lincoln's 90-day volunteers to the Green Berets who first went to the aid of South Vietnam.

And when we win, what then? Everyone can go home, except us. We'll have to stay behind to maintain this manufactured peace, accepting many years of Arab resentment, and whatever that may mean in the continuation of bloody terrorism. Have we forgotten our Marines in Beirut?

No thanks. Let's keep up the stranglehold until Saddam cries uncle, or his people finally put him out of our misery. Then we will have peace.

[From the Grand Forks Herald, Dec. 30, 1990]

**BUSH HAS TO KNOW THAT COMPROMISE IS BETTER THAN A WAR**

George Bush cannot be serious when he says that there can be no compromise with Saddam Hussein. Such a position leaves no room for negotiation and little hope of a peaceful solution to the standoff in the Persian Gulf. It also means war, and that means casualties, probably numbering tens of thousands of American dead.

The sand that Saddam wants, and the oil under it, aren't worth the sacrifice.

And there should be no mistake; The oil is what the war is about.

The sovereignty of Kuwait is a secondary issue. A well-crafted compromise can restore Kuwaiti independence.

Freedom, at least as Americans understand it, is not an issue in the Gulf. Americans serving there aren't free to observe their religious holidays nor enjoy their favorite beverages.

Saddam has been as stubborn as President Bush, of course. The world is waiting for a

signal of flexibility from him. As the U.N. imposed deadline approaches, the danger of war increases, and so does the necessity of a reasonable, negotiated solution.

This is a situation that calls for a calm assessment of options.

A negotiated settlement, including some territorial concessions, is better than war.

The areas that Saddam most covets are uninhabited. If there were no oil in the desert, there would be no people, either. The issue of who controls the oil is an old one. Saddam did not make up the dispute as a pretext for his invasion.

Other territories that could be included in a compromise are two uninhabited islands. They are worthless to Kuwait, but they would allow Iraq access to the sea. An Iraqi port could help stabilize the situation in the Middle East by giving Iraq an opportunity to compete with other Gulf oil producers.

The need to preserve a balance of power in the Middle East is a compelling reason to avoid war. Without Iraq, the path from Tehran to Jerusalem is open—unless President Bush is prepared to leave an army of occupation in Iraq. This is a long-term commitment that the United States should not undertake. In that direction lies bitter opposition from much of the Arab world, which could turn against the United States as quickly as it rushed to the United States for protection from Saddam.

The danger to the United States does not lie only in the Middle East, however. It's impossible to predict what might happen in the Soviet Union. No doubt there are elements there that would embrace the Iraqi cause. If they should come to power, the world could face a superpower confrontation that could lead to a much wider, bloodier war.

It's worth seeking a solution even if the confrontation extends beyond the Jan. 15 deadline.

There is a good chance that the patient application of force, coupled with effective sanctions, with force Saddam to assess his own position. He knows from Bush's repeated warnings that the United States can level his homeland. He also knows that his own military power can deliver a terrible blow. It would be wrong to back down in the Gulf, but it would be tragic to rush into a war without regard to the consequences—in lost lives and lost opportunities.

As the new year dawns, it is crucial that Saddam and Bush both realize that.

The PRESIDING OFFICER. The distinguished minority whip is recognized, the Senator from Wyoming.

Mr. SIMPSON. Mr. President, the hour is late. The list of those who still want to speak tonight is long. Because there are several Members here waiting to speak this morning, at this hour, I will be brief in my time.

The arguments have been fully made. The occupant of the Chair was very forceful in his arguments. I listened to those carefully earlier in the day. It is a serious, serious discussion with serious differences among men and women of good will. I will not make it any more dramatic than it is.

I would say this: The word "war," the very word itself, is what is freezing us and appalling us, frightening us, terrifying us. It should. Because if war comes, it is going to be totally different than any other kind of war in the history of mankind, with at least

one weapon absent, and that would be the atomic bomb—certainly the most appalling of all the weapons of war that was ever visited upon the world.

I always remember that Harry Truman said something to the effect that he made that decision with all of the thoughtful and prayerful consideration he could muster, and then he never looked back.

In that particular awesome blast, many, many people were killed. It was always said that many lives were saved because of the bomb. The ruthlessness, death and destruction toward the end of that war and prior to the bomb are clearly documented in history.

I remember that World War II started when I was 9, so I carefully charted that one on my wall. I remember that, as a kid, the people who went to serve in my hometown sent me artifacts and memorabilia of war, pieces of Zero aircraft, and things from the woods of Germany. I remember that.

In Korea, I was 2 months shy of my 17th birthday and could not join the National Guard. That Guard unit was activated, and many of my friends went to Korea. I served in the armed services, in the Army of occupation in Germany. It was not a time of combat. I served in the 2d Armored Division, "Hell on Wheels."

I did not see combat; I did not seem to miss it in my life either. But I remember all the instruments of it, because we practiced with them all day long. Live ammunition, armored personnel carriers, 81-millimeter mortars. That was my bag.

During the Vietnam conflict, I was raising my babies and practicing law in Cody, WY. It was kind of a faraway dream for me until they brought a couple of boys home that were on my Bankers League baseball team.

And then we had Grenada, a successful effort. And then, most recently Panama. Those events have all been well described and documented.

And now we have this. I did not want to read, and yet I did read the report—and I know it has been referred to in debate—of Amnesty International, on Iraq and occupied Kuwait. In detail, it sets out human rights violations since August 2, 1990.

I want to say I recommend that to you I do not know that I do. But I hope you might look at it out of curiosity to see what these people do to their fellow man and woman. I am talking about Iraq. Here it is, documented; carefully. It is hideously documented. Some have read from it today. I hope you might look at that.

The report sets out what they do to people in Iraq who they do not agree with or who do not agree with them. It is not visionary or dream world stuff. It is real stuff. Amnesty International is not some captive organization of the administration, or some rightwing outfit or leftwing outfit. It is an outfit



that I have supported with my own personal funds for some years because of what I think they do, and do so well.

Take a look at that, and then see how callously they regard human life, something we really do care about in these United States. Apparently, they really do not care about it, no matter how much they talk about their babies and the people who will starve, and the things that will happen with the embargo. In some respects, the embargo is working. However, it will not work to drive Iraq out of Kuwait. It will bring, economically, the country to its knees, but it will not take the army out of Kuwait. And that is a critical fact of this situation.

I happen to have met with Saddam Hussein in April of last year, along with four other of my colleagues, and I spent about 3½ hours with him. I spent a lot of time with Aziz and Assad, their Ambassador Al-Mashat. Ours was perhaps a naive mission. We thought that peace was breaking out all over the rest of the world and we ought to encourage it over there.

So we talked with Assad and Mubarak, King Hussein, and the representatives of the Government of Israel, which was in some turmoil then. We all came away with a very clear view that Saddam Hussein is one tough, unblinking-eyed cookie. He sat there in his beautifully tailored suit and his silk foulard and beautiful leather shoes, and never really said very much. I and others said to him "If you really are not doing all these things, why do you not let the Western media in here to look around?"

Then I said some things about the Western media, which I would not retract one whit of, which put me in bad with the Western media. I said, "They are arrogant and cynical, and all of them think of themselves as 'wizards' in this area of the world, but you have to let them in and let them look around."

He did not think that was necessary.

We were in Mosul. I said, "Let them look around this Kurdish area where you did things that were reported to the world." Of course, he would not have any of that.

After spending time with Hussein and the Iraqi Ambassador, when we returned, we felt like we had been lied to through the teeth. We were lied to not only as to what they were going to do regarding the world, but even as to the specific we asked Hussein about.

So, I urged him to let the media in, but you will not see any media there. You will not see the ability for anyone to know what is going on in Kuwait except what comes out of the documented testimony of those who have been available to Amnesty International. No one will know all the horrors that have gone on in that country, except we do know of some which have been documented like the looting, and the mur-

der, and the rape, and the torture. Those are not my imagination. They are real clearly documented by others.

It was not my comment, but I remember it was several years ago in this body that one of my colleagues said a rather startling thing. He said there are some things in the world that are worse than war, which is really quite a disturbing statement. He then went on to say, that things worse than war are all things that come from defeat. They are called slavery, torture, bondage, loss of freedom. You might want to take a look at that Amnesty International report because that is what happened to the people of Kuwait who did not agree with this particular man. He runs the shop, and if you challenge him, you are gone. It is a very effective way to govern. You challenge and you disappear. So there are not going to be many voices of dissent. Do not look for a new regime there. Those are some of the things that we should think about.

And then I thought of another one. I always enjoyed the alliteration of it. "Those who cry 'appease, appease' are jailed by those they seek to please." And that happens all throughout the world and it has in the past.

So here we are. A tough, tough decision. I am a legislator. I have no desire to seek any higher post. I love to legislate. I love to try to resolve tough legislative problems—the kinds which, I say are filled with emotion, fear, guilt, and racism. I love to try to bring some reason to them. This is the toughest decision I have ever been involved in in 25 years of legislating. But this is it. School is out. The "chips" are "on the table." The bluffing stops. Lay your "poke" on the line—"right on the bar." "Shoot out the lights." High noon—all of things from the wild West. The bad guys will lose again, and, hopefully, without great loss of human life. But this guy cannot stay in Kuwait while the world does nothing. It will be like that simplistic ad, "Pay me now or pay me later," and that is where we are with Saddam Hussein.

So as we hear the old refrain of "maybe the lion and the lamb will lay down together," it reminded me of a story about the zookeeper in another country. He called the National Zoo in Washington and said, "We have the most extraordinary thing to show you. We have a lion and a lamb that are in a cage together and they live together in there, and it is the most extraordinary thing." The guy at the National Zoo said, "I am flying over to see it immediately." He went over there, and the lion and the lamb certainly were in the cage together. He said, "I cannot believe this. How does this happen? Can you explain it to me?" He said, "Yes, we just replace the lamb every hour."

And that is what we will be doing in the world every year if we leave Saddam Hussein in the saddle.

He is watching right now, but I just say to him, as I should have said had we known all the great panoply of human events that were to take place: "The world is aligned against you. It is a unique revulsion by the world community which will never happen again and you know it. The waiting game will not be part of the scenario." Saddam knows that waiting is the one thing that could "save his bacon."

Saddam should know that this Congress and this President are dead serious. This crafty, arrogant, canny egomaniac will not be allowed to prevail. He will pay and he will pay dearly. It is not just the United States that will do him in. It is the world aligned against him. This choice is all his to make, nobody else, period.

Mr. President, it is a matter of crucial importance to this Nation and to the world that the resolution of the majority leader and Senator NUNN and others be defeated—that it not be perceived by the world or by Saddam Hussein that it represents the will of Congress.

Although the supporters of the resolution offered by the majority leader have said that they support the goals of our involvement in the Persian Gulf, that is, they agree that Saddam Hussein must withdraw completely from Kuwait, the clear fact is that passage of the Mitchell/Nunn resolution would have precisely the opposite effect.

The Mitchell resolution says that it does not rule out the authorization for use of force if sanctions do not bring about the result of getting Iraq out of Kuwait.

The effect of that language, however, is to encourage Saddam Hussein to stay right where he is, because he will believe that the United States does not have the political will or the moral courage to resort to the use of force.

We, as the Congress of the United States of America, must speak clearly on this point, and Saddam Hussein must hear that we support our President and that force may be used against him if he does not comply with the will of the world.

Let us be clear at the outset that we are not talking about going to war when we speak of authorizing the President to use U.S. Armed Forces pursuant to U.N. Security Council Resolution 678.

As my colleague the senior Senator from Wyoming has so carefully observed one has only to look at the case of Israel and the Arab countries to see that a declaration of a state of war does not necessarily mean open conflict. Most of Israel's neighbors are in a state of war against Israel, and yet there is no fighting.

We are talking about making sure that Saddam Hussein knows that the President has the backing of the country and that Americans are united with the civilized world community in our

resolve that his blatant and blood-thirsty aggression against his neighbor will not be tolerated.

What dangers do we face if we do not support the President and send a strong message to Saddam Hussein?

Saddam Hussein will draw encouragement and succor from that fact, and he will be able to take his troops off the high alert they have maintained.

The international coalition arrayed against Saddam, now standing shoulder-to-shoulder with the United States, will begin to crumble.

This is a particularly dangerous potentiality with other countries in the region, some of which have faced down tremendous popular support for Saddam Hussein in order to join the coalition.

As Saddam becomes an even greater hero for what will be perceived as a moral victory over the United States, these countries will have great difficulty in standing strong with the coalition.

It is human nature to side with the victor, the hero, the strongman. It is safer that way. And read the Amnesty International report to see what happens to those who disagree with Saddam. And if Saddam Hussein is perceived that way by the people of the region, it will become more politically difficult for our allies in the region to maintain the opposition to Saddam.

We must realize that what we do here will in every way affect Saddam Hussein's decisionmaking.

If he sees that we will not authorize the use of force to get him out of Kuwait, he will certainly remain.

Sanctions alone will not affect that decisionmaking. They will not affect military preparedness for many, many months, if ever.

They will hurt the Iraqi people—there is no doubt about that. And they are an important element of our approach. But they are not sufficient to affect the way Saddam Hussein makes his decisions.

If, however, Saddam Hussein sees that we are serious, that the American Congress stands with the American President in saying that Saddam Hussein will be removed from Kuwait by force of arms if necessary, then we may still avoid war.

It is ironic, but I feel deeply and sincerely that only by authorizing the use of force can we avoid it.

Supporters of the Mitchell-Nunn resolution say they support our goals, but our policy has three essential parts: diplomatic/political initiatives, economic sanctions, and the credible threat of force.

The Mitchell-Nunn resolution removes the third prong of that policy, and renders it thereby ineffective.

President Bush has done one superb job of handling the crisis precipitated when Iraq invaded Kuwait on August 2.

He has worked diligently with and in consultation with other world leaders and used the venue of the United Nations to consolidate international response.

He has approached the unquestionable goal of securing Iraq's withdrawal from Kuwait by undertaking a three-pronged approach which involves the use of economic sanctions to isolate Iraq and weaken it; diplomatic initiatives to solidify world opinion and undertake to convince Saddam Hussein of the resolve of the world community; and the credible threat of the use of force to enforce the will of the civilized nations of the world.

But this is not just a matter of supporting our President. We all support his stated goals. It is a matter of assuring that Saddam Hussein gets out of Kuwait, and the only way that is going to ever happen is that he believes, deeply and sincerely, that force is a real and credible option for use against him.

The U.N. Security Council has adopted 12 resolutions since the Iraqi invasion in what must surely be an unprecedented show of united world response to brutality, aggression, and lack of respect for the rule of law.

Our forces went to Saudi Arabia to act as a deterrent and to provide defense if necessary. Those forces have been joined by a multinational force which includes troops from 28 nations. We must now be very clear that those forces may be used against Saddam Hussein.

The multinational force includes troops from Britain, Egypt, Syria, Morocco, and France. Other countries providing military support or assistance include Australia, Bangladesh, Belgium, Canada, Denmark, Greece, Gulf Cooperation Council, Italy, Japan, Netherlands, Niger, Norway, Pakistan, Senegal, Saudi Arabia, Soviet Union, Spain, Turkey, and West Germany.

There is currently broad support for containing Iraqi aggression, and reversing its takeover of Kuwait.

In short, world opinion is united in condemning Saddam Hussein's actions. I daresay it is unprecedented to have as united a response as we have seen to this naked aggression.

Now we are faced with a very sobering prospect. The United Nations has authorized the use of all necessary means to bring about the withdrawal of Iraq from Kuwait if that has not occurred by January 15.

By endorsing that option—the use of force—we would be telling Saddam Hussein, in no uncertain terms, that the use of military force against his illegal and immoral invasion of Kuwait is a very real and substantial threat to him.

We would not be ensuring that that option would be used. But we want to be certain that Saddam Hussein under-

stands that it is an option and that we will not hesitate to resort to it.

Unless Saddam Hussein understands that he faces the military might of the assembled international force and that it can be used against him, I fear that he will believe that his invasion of Kuwait will stand.

Saddam Hussein precipitated a crisis. The world community has come together to oppose him. World leaders are consulting together and working together to defuse the situation.

We cannot respond to Iraq with unilateral actions, however dearly we might wish to. World opinion would assuredly then turn on us.

Iraq's withdrawal from Kuwait and the assurance of peace and stability in the region are crucial.

Economic sanctions are but one aspect of the international community's response, which also includes diplomatic isolation of the aggressor and the credible threat of the use of force.

Healthy debate about our goals and how to achieve them must take place, but it must not undermine or be perceived to undermine the international coalition arrayed against Iraq's aggression.

We must be clear that debate about how to achieve our ends must not appease Saddam Hussein's aggression, and it must not lead him to believe that the international coalition will hesitate to use force if he fails to comply with the U.N. resolutions.

Conflict is not inevitable at this point. But the credible threat of the use of force must be a part of our strategy. If it is not, and if the Mitchell-Nunn resolution passes, conflict becomes even more assured.

The President has continued to pursue diplomatic options and to seek all possible means of assuring peace. James Baker has met with Foreign Minister Tariq Aziz for 6½ hours, and he saw no signs of flexibility in the Iraqi position.

It unfortunately does not appear that Saddam Hussein will awaken to the realities of his situation until he knows that the international coalition will move against him militarily if necessary.

And he will not know that until this Congress puts itself squarely on the record that the president is authorized to carry out U.N. Security Council Resolution 678.

The United Nations was set up and conceived to function just as it has in this crisis—to be a forum for international debate and enforcement of international law.

That body has functioned with unprecedented speed, near-unanimity, and force in condemning Iraq's actions and in authorizing concerted international action in response.

Having met with further Iraqi intransigence, we must focus our attention as a legislative body and as a nation on



endorsing, supporting, and encouraging the actions of the United Nations.

The United Nations has authorized the use of force if Iraq does not comply with its resolutions by January 15. It has not mandated such force, nor has it made the use of force inevitable.

Support for the President and for the United Nations is not an assurance that war will occur. In fact, it is the best chance ever we have to assure that war does not occur.

Let's not tie the President's hands, give encouragement to Saddam Hussein, and undermine the functioning of the United Nations.

I trust that we, as the Congress of the United States, will be able to stand firmly by the President of the United States and the world community and say to Saddam Hussein, "You must behave as a civilized member of the international community or face the consequences." And he must know that the consequences will be grave and he will pay dearly.

The PRESIDING OFFICER. The Senator from Michigan.

#### ORDER OF PROCEDURE

Mr. LEVIN. Mr. President, as if in morning business I ask unanimous consent that resolutions by Senators DOLE and BRADLEY be in order for introduction today.

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

#### COMMENDING THE SECRETARY GENERAL OF THE UNITED NATIONS

Mr. SIMPSON. Mr. President, I ask unanimous consent to proceed to the immediate consideration of a Senate resolution submitted earlier today by Senators DOLE, PELL, and MITCHELL to commend the Secretary General of the United Nations.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 11) to commend the Secretary General of the United Nations.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate proceeded to consider the resolution.

PEREZ DE CUELLAR: MISSION OF PEACE

Mr. DOLE. Mr. President, I am pleased to submit this resolution, commending U.N. Secretary General Perez de Cuellar for his 11th hour mission to Iraq.

We all want peace. And we all support every reasonable effort to achieve our goals—the goals the United Nations has endorsed on a dozen occasions—by peaceful means.

That is why President Bush has gone the extra mile, and then done it again,

and again—to search out avenues to achieve our goals without war.

That is why Secretary Baker went to Geneva, where he was stiffed by Iraqi Foreign Minister Aziz.

Secretary General De Cuellar will make one last try.

I am not optimistic he will succeed, where so many others have failed.

But he deserves our commendation and best wishes as he undertakes this trip.

The United Nations has spoken loud and clear on what must be done to bring an end to the Persian Gulf crisis.

The United Nations has spoken loud and clear that member nations may use all necessary means to achieve our goals.

Now the Secretary General's initiative speaks loud and clear about his personal commitment to make sure that we have exhausted all peaceful alternatives.

Mr. President, time is running out for Saddam Hussein. Let us hope that he listens and heeds the words of Perez de Cuellar. The next message he hears from the nations gathered behind the U.N. banner may be a very different message indeed.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 11) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

#### S. RES. 11

Whereas it is in the interest of all parties to explore every reasonable avenue to achieve a resolution of the Persian Gulf crisis without war.

Whereas the United Nations has played a central role in efforts to achieve the total withdrawal of Iraqi forces from Kuwait.

Whereas the United Nations Security Council has passed 12 separate resolutions calling for the accomplishment of those goals.

Whereas the United Nations Secretary General Perez de Cuellar has announced his intention to travel to the Persian Gulf, including to Iraq, to make a last effort to convince Iraqi President Saddam Hussein to withdraw his forces from Kuwait before January 15, 1991.

Resolved, That the Senate commends the Secretary General for his initiative.

That the Senate hopes that the Secretary General's mission will lead to a peaceful resolution of the Persian Gulf crisis, to include the total withdrawal of Iraqi forces from Kuwait.

Mr. SIMPSON. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### CALLING UPON PRESIDENT GORBACHEV TO REFRAIN FROM FURTHER USE OF FORCE

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 12, submitted earlier today by Mr. BRADLEY, for himself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. HELMS, Mr. D'AMATO, Mr. KOHL, Ms. MIKULSKI, Mr. KASTEN, Mr. GLENN, Mr. RIEGLE, Mr. DIXON, Mr. WARNER, Mr. THURMOND, Mr. SIMON, Mr. GRAHAM, Mr. DODD, Mr. MOYNIHAN, Mr. DECONCINI, Mr. METZENBAUM, Mr. MCCAIN, Mr. MACK, Mr. LUGAR, Mr. AKAKA, Mr. BRYAN, and Mr. SARBANES.

The PRESIDING OFFICER. The resolution will be stated by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 12) calling upon President Gorbachev to refrain from further use of force against the democratically elected Government of Lithuania, Latvia, or Estonia.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate proceeded to consider the resolution.

#### RESOLUTION ON THE USE OF FORCE IN THE BALTICS

Mr. BRADLEY. Mr. President, the Senate, and indeed the entire Nation, is engaged in a debate over America's role in defending a small nation in the Persian Gulf that is fighting for independence and resisting the aggression of its brutal neighbor.

I would like to take a moment to address a similar situation that has long existed in Soviet relations with its Baltic neighbors and has now reached a critical point.

The democratic aspirations of the people of the republics of Lithuania, Latvia, and Estonia are no less important than the sovereign rights of the Emirate of Kuwait.

These nations have been fighting for their freedom since Stalin's invasion more than 50 years ago. Gorbachev's moves toward democratization and decentralization seemed to offer the prospect of righting this grievous wrong. Now, by deploying troops in the Baltic republics and threatening to use them to replace a democratically elected government with rule by Presidential decree, Gorbachev has taken steps in the opposite direction. These same threats and coercive political tactics have been applied to other Soviet republics that have made progress toward democracy and market economies such as Moldavia and the Ukraine.

President Gorbachev's threat is directed not only at the republics, but at all democratic reformers in the Soviet Union. We are seeing the fulfillment of Foreign Minister Eduard Shevardnadze's warning that "dictatorship is gaining ground" in the Soviet Union. Gorbachev's message to

Lithuania uses language reminiscent of his Stalinist predecessors, warning that the democratic government seeks to "reestablish a bourgeois regime and order," and the message inflames otherwise minor grievances to create a pretext for aggression.

Faced with this ultimatum, the democratically elected Government of Lithuania has turned to us pleading for a "firm, concrete and determined response of the democratic countries" to protect their small nation's advances toward freedom. In appealing to all free nations yesterday, they warned of offensive action by "Soviet troops, KGB, and ultra-conservative pro-Moscow organizations" against Lithuania's free press as well as its government. Just this morning, I heard the first reports of actual shooting and casualties from this Soviet-instigated strife. Now that this attack has begun, we must respond to this appeal.

Particularly disturbing is the coincidence of dramatically heightened pressure on the Baltic republics with the escalation of tension in the gulf. President Gorbachev is counting on the world's preoccupation with the crisis in the gulf to muffle the world's outrage over his aggression. As I said yesterday regarding the use of force in the gulf, it would be a sad irony if the price of Soviet support for freeing Kuwait turns out to be American acquiescence in Soviet aggression against other small, illegally annexed, nations.

The resolution I am submitting today calls on President Gorbachev to refrain from the further use of coercive tactics in Lithuania, Latvia, and Estonia.

I urge my colleagues to give the people of Lithuania their wholehearted support.

I ask unanimous consent that President Gorbachev's ultimatum to Lithuania and Lithuania's appeal to democratic nations be printed in the RECORD following my remarks.

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

#### TEXT OF PRESIDENT GORBACHEV'S ULTIMATUM TO LITHUANIA

The situation which has developed in the Republic, and its sharp aggravation during the past few days forces me, as the President of the USSR, to appeal directly to the Supreme Soviet of the Lithuanian SSR.

It is necessary to face the truth and to see the real reasons of the current situation. They are conditioned by flagrant violations and deviations from the constitutions of the USSR and of the Lithuanian SSR, by violations of the people's civil and social rights, and by hiding behind the mask of democracy seeking to implement policy, the goal of which is to re-establish a bourgeois regime and order.

The responsibility for this lies with the Republic's Supreme Soviet, who, in ignoring constitutional laws, resolutions of the Supreme Soviet of the USSR and of the USSR Congress of People's Deputies, and decrees

and appeals of the President of the USSR, goes against the interests of the people.

Essentially, the situation has reached a dead-end. The need to find a way out of the situation requires taking speedy steps. Union authorities are getting many appeals from social political organizations, manufacturing collectives, and citizens of all nationalities. People are demanding that constitutional order be re-established, and that their security and living conditions be properly guaranteed. They have lost faith in the policies of the present authorities. They demand that Presidential rule be established.

I propose to the Supreme Soviet to immediately restore the validity of the USSR constitution and of the constitution of the Lithuania SSR, and to revoke the anti-constitutional acts adopted earlier.

#### TEXT OF LITHUANIA'S APPEAL TO THE DEMOCRATIC NATIONS

We appeal to you with an urgent request—help the Lithuanian people to defend democracy and freedom in the Republic of Lithuania. Following Soviet President Gorbachev's ultimatum of January 10, 1991, Soviet troops, KGB, and ultra-conservative pro-Moscow organizations have begun a large scale offensive against our freely elected, legitimate parliament, government buildings, offices, and radio-TV. A real threat exists that Soviet troops will attack Lithuanian Parliament and other strategic objects in this city. Lithuanians are responding to the urgent appeal made by Lithuanian's authorities by gathering in large numbers around the Parliament in order to defend it.

Only a firm, concrete and determined response of the democratic countries could safeguard the independence and democracy in Lithuania and the other Baltic States of Latvia and Estonia.

#### RESOLUTION OPPOSING THE USE OF FORCE IN THE BALTIC STATES

Mr. MACK. Mr. President, I would like to commend the Senator from New Jersey and the Senator from Kansas, the Republican leader, for sponsoring the resolution before us, which urges the Soviet Government to refrain from further use of force to suppress democracy in Lithuania, Latvia, and Estonia.

It is critical that the United States send a crystal clear signal to President Gorbachev: if he crushes democracy in the Baltic States, the honeymoon is over. No more cozy relationship. No more aid. No more loans. No more détente. No more business as usual.

Now is the time for Congress and the administration to make absolutely clear what the consequences of crack-down will be—before it happens and to prevent it from happening. Because I believe that if President Gorbachev has to choose between his relationship with the West and crushing democracy in the Baltics, he will choose not to use further force against those elected governments.

Let no one delude themselves into thinking that silence on this issue will "help Gorbachev" or avoid a takeover by "hardliners" in the Soviet Union. Our job is not to sustain President Gorbachev, even if that were possible. Our job is to stand up for freedom and democracy, whether it is threatened by Gorbachev himself or his successor.

Whoever is in charge of the Soviet Union must know that the United States will not and cannot continue the current warm relationship with any Soviet Government that crushes the democratically elected governments in the Baltic States.

Yes, we are preoccupied with the crisis in the gulf. But we are not so preoccupied that we will ignore a bloody crackdown in the Soviet Union. Our message to the Soviet Union is this: the day of the dictator is over. The time for democracy is now. The cause of freedom will prevail.

#### RESOLUTION CONDEMNING THE USE OF FORCE IN LITHUANIA

Mr. HELMS. Mr. President, the attention of the world is focused upon the situation in the Persian Gulf. There have been hours of debate in this Chamber regarding the appropriate response to Iraq's destruction of the independence of Kuwait.

I regret, but am not at all surprised, that the Soviet Union has taken advantage of the fact the world's attention is focused elsewhere to take military action aimed at snuffing out the last remnants of Lithuanian freedom.

Earlier today, I received confirmation from the State Department that Soviet troops have opened fire upon Lithuanian civilians participating in a vigil being conducted in Vilnius in protest of the Soviet occupation.

The tragic confirmation follows reports from the Associated press indicating that tear gas has also been used against these civilians and that the Soviet military has closed the Vilnius airport and seized the radio and television towers. Last night, Lithuanian press reported that four Lithuanian young men were rounded up by Soviet paratroopers for refusing to serve in the Soviet occupation army.

Just as the U.S. Government refused to ignore the destruction of Kuwait's independence, we must now not ignore Gorbachev's attempt to snuff out Lithuania independence.

For this reason, I am pleased that the Senate is considering and agreeing to this resolution which calls upon Gorbachev to refrain from using coercive tactics against the people of Lithuania. I am proud to be an original co-sponsor of this resolution.

President Landsbergis has attempted to reach Mikhail Gorbachev and the Communist leadership in Moscow. My understanding is that no official in Moscow will even take his calls, much less respond to his appeals for negotiation and peace. Some telephone lines have been cut to prevent Lithuania from appealing for Western help.

Beginning this coming Monday, or perhaps earlier, the elite paratroopers sent by General Yazov of the Red Army, no doubt on orders from Gorbachev himself, are scheduled to hunt down more young Lithuanian boys who



justly refuse to serve in the Soviet Army occupying their homeland.

Obviously, the military and the hard-line Soviet Communists are prepared to preserve the prison known as the Soviet Union at any price. The Prime Minister of the Republic of Moldova was in Washington this week negotiating for grain purchases. He was compelled to come here after Moscow had informed his Republic that its failure to sign the proposed union treaty would result in a denial of 1 million tons of grain currently intended to be dispatched by Moscow for the people of Moldova.

During his visit to Washington last December, President Landsbergis predicted that discord would be sown in Lithuania by the KGB and small numbers of pro-Moscow forces at which time the military would be brought in with the excuse of restoring order. How prescient was his prediction.

At that time, President Landsbergis asked the United States for protection. Unfortunately, no one listened then. Hopefully, people will listen now.

The only hope for avoiding further violence is for the United States to take a strong stand. The United States should extend diplomatic recognition immediately to the freely elected Lithuanian Government and make the summit planned for February contingent on freedom for the Baltics.

In addition, President Bush must make it clear to Gorbachev that the Soviet Union will lose grain concessions and all other trade benefits unless they turn their guns away from the people and Government of Lithuania.

Mr. President, America's stand in the gulf is strong because it is based on strong moral principles. If we fail to extend these same principles to our politics with respect to the Soviet Union, it diminishes our stance in the eyes of Saddam Hussein and the rest of the world. Now is the time for America to keep vigilant and stand with the people of Lithuania as they face down the guns of the Soviet Red Army.

LITHUANIA: STOP THE CRACKDOWN MR. GORBACHEV

Mr. KASTEN. Mr. President, I rise today in support of the Bradley resolution. The following is a letter that I will send to President Bush urging him to press President Gorbachev to stop the crackdown in Lithuania, Estonia, and Latvia and to allow these peoples the right of self-determination.

JANUARY 11, 1990.

The PRESIDENT,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: Several Baltic leaders have reported an escalation in the number of provocations and attacks by Soviet Interior Ministry troops upon their citizens as well as their government institutions. This dramatic increase in hostilities between the Soviet central government and the independent republics demonstrates President

Gorbachev's desire to remove the elected governments in Estonia, Latvia, and Lithuania from power.

On January 3, 1991 the Department of State issued a statement illustrating how dangerous the situation has become for the survival of democracy in the once sovereign nations of the Baltic region. Specifically, Deputy Press Secretary Richard Boucher deplored the seizure of Latvia's main printing plant and the Lithuanian Communist Party Central Committee building.

Furthermore, the world listened in dismay as Soviet Foreign Minister Eduard Shevardnadze said recently that the Soviet Union is moving toward a "dictatorship" of some kind. To support the gravity of his statement, KGB chief Vladimir Kryuchkov announced that he will "use all means at his disposal" to combat "anti-communist" forces in the Soviet Union and abroad.

These are serious deviations from the path of democratic restructuring in the Soviet Union—deviations that can only hurt our improved relationship with the Soviet Union. Therefore we urge you to warn President Gorbachev that if aggression continues in the Baltic countries United States-Soviet relations will suffer.

Finally, we feel that the actions the Soviet central authorities have taken in response to the peaceful and democratic Baltic independence movements have been grossly inappropriate. We hope that you will make the resolution of the Baltic issue part of your discussions with President Gorbachev during your upcoming summit meeting with him in February.

Sincerely,

ROBERT W. KASTEN, Jr.

CLOSE WATCH ON THE U.S.S.R.

Mr. DOLE. Mr. President, I rise in support of the resolution being offered regarding the rapidly worsening situation in Lithuania. For the last few months, the primary focus of the United States and the world undoubtedly has been on developments in the Persian Gulf. And, since the Congress has returned, it seems that there has been little discussion of anything other than Iraq.

It seems to me that there are those who think that the Congress is not paying attention to events outside the Persian Gulf. This impression runs the risk of sending a very dangerous signal to foreign governments that they can get away with taking brutal actions against their populations without any reaction from the United States and from the U.S. Congress.

Mr. President, I am here today to say that this perception is absolutely mistaken. This Senator—and I know there are many others—is closely watching events outside the gulf. And this Senator expects the United States—the executive branch and certainly the Congress—to react to those events as necessary.

At the top of my list of concerns beyond the Persian Gulf is the situation in the Soviet Union. Developments over the past month have become increasingly worrisome to those who want to see peaceful democratic and economic reform come to the Soviet Union.

Despite the deepening crisis in the Middle East, Mr. President, I did not miss the announcement early this week by the Soviet defense ministry that Soviet troops would be sent to seven republics: Latvia, Lithuania, Estonia, Moldova, Georgia, Armenia, and the Ukraine. Yesterday, I did not fail to notice the reports of the arrival of troop enforcements in Lithuania and Latvia, who like the other five republics I mentioned, already have a strong Soviet military presence within their territory. And, I am fully aware of Gorbachev's message to the Lithuanian Parliament which threatened Presidential rule if the Lithuanian Government did not back down from its declaration of independence, as well as Gorbachev's threats of military actions against Estonia and Latvia in the event that Soviet draft laws are not complied with.

Mr. President, to date the United States has firmly supported President Gorbachev and his policies of reform. But, this support is not and cannot be unconditional. Yes, we want political and economic reform in the Soviet Union; yes, we want glasnost. But, political oppression and military aggression such as we have seen in the last few weeks do not represent reform or glasnost, but abandonment of that path, and regression into the Soviet Union of the past, the Soviet Union that Gorbachev claims to have rejected.

Mr. President, I am also extremely concerned by something I learned first hand from a meeting with the Prime Minister of the Republic of Moldova 2 days ago. Prime Minister Druc told me that Gorbachev has indicated that the only republics that will receive grain and feed purchased with the \$1 billion in credits from the United States are those republics that agree to sign the Union Treaty. In other words, Gorbachev is trying to use our grain credits to blackmail Moldova, the Baltic republics and any other republic that does not agree to sign the Union Treaty. Gorbachev has offered the people of these republics two options: sign or starve.

Mr. President, the United States must not be a party to oppression and blackmail. And, in my view, we must do more than just issue statements and demarches to the Soviet Government. We need to let the Soviet Union know that just as there are tangible benefits to be gained from relations with the United States if there is real economic and political progress, that there are also losses and costs to the Soviet Union if it reverts to the policies of the past.

So, I believe that unless Gorbachev puts an immediate end to the threats, blackmail and aggression, that the United States should not deal with him in a business-as-usual manner. Moreover, it is my view that the United

States needs to develop policy options—other than the usual public statements—which result in real costs to the Soviet Union if it continues these repressive policies. And, while I have been a strong advocate of the recent decision to provide \$1 billion in grain credits to the Soviet Union, I believe that we should suspend grain credits to the Soviet Union until we receive concrete assurances from Gorbachev that feed and grain purchased with our assistance will not be used as a means of coercion, rather than it will go to the hungry people in all the republics, as it was originally intended.

Mr. President, the crisis in the gulf looms large, but we must not overlook crises in other parts of the world, especially in the Soviet Union. If we do, we could inadvertently end up on the wrong side, against political and economic reform and human rights.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 12) was agreed to.

The preamble was agreed to.

The resolution with its preamble, is as follows:

#### S. RES. 12

Whereas President Gorbachev has deployed Soviet troops to Lithuania and begun to use force to impose his rule in place of the democratically elected government of Lithuania;

Whereas the United States has never recognized the forcible annexation of Lithuania, Latvia, and Estonia into the Soviet Union;

Whereas these Baltic nations have been at the forefront of economic reform and real democratization among the people of the Soviet Union; and

Whereas the government of Lithuania has responded with an urgent appeal for the immediate support of all democratic countries to protect the independence and democracy of Lithuania and the Baltic States: Now, therefore, be it

*Resolved*, That the Senate calls on President Gorbachev to refrain from further use of coercive tactics against the democratically elected government of Lithuania, Latvia, or Estonia. Such coercive tactics are unacceptable among the community of democratic nations and especially so at a time when the world, including the Soviet Union itself, is united in opposition to the forcible annexation of another small nation, Kuwait, by its brutal neighbor, Iraq.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

#### U.S. POLICY IN PERSIAN GULF

Mr. LEVIN. Mr. President, we stand on the brink of war, a nation united in support of our troops in the gulf, united in our firm dedication to removing Iraqi forces from Kuwait, but divided on the contention that war at this time is the wisest way to achieve that very certain result.

The Iraq of Saddam Hussein is a nation that grows weaker every single day. Every single day that the unprecedented international embargo continues, the punch of this bully gets weaker. And as a result, every single day, the opportunity to save the lives of American men and women in uniform grows as victory in battle, should it come to that, is a victory over a steadily weakening enemy. We owe it to our troops and to the success of their mission and the success and continuance of our international coalition, to pursue the course of sanctions. That is why I have cosponsored S. 1, which is before us and, indeed, why I helped draft it.

Since none of us has a crystal ball, we are left with a calculation; an equation when it comes to the option of war. And the divisions we see in the opinion of our people are sharply reflected in the best military, political, and diplomatic minds of our Nation. And the equation being weighed throughout our society is this: Is the abandonment of economic sanctions to the option of war worth the price we will surely have to pay in lives, and in billions of dollars, especially if what results is not simply the restoration of Kuwait, but also a deadly new resurgence of anti-American extremism and terrorism and such massive regional instability as to require a long-term United States presence in the region.

I think the costs at this time outweigh the benefits. All Americans are united in support of our troops, but to me that means bringing the troops home alive by accomplishing our goals in other ways if possible. It means not waging a war when perhaps half of our society still sees an alternative to war, an alternative that saves American lives.

One of the lessons of Vietnam is that we should not wage war without a consensus of our people. We owe it to our military forces and to their loved ones to send them to battle and possibly to their deaths only if the American people believe the objective is worth the likely price to be paid, only if achieving the objective militarily does not create a new set of worse problems in the region, and only if that objective cannot be achieved without American blood being spilled.

There is no consensus among the American people to wage a war against Iraq at this time. The proof of that is widespread. A New York Times-CBS News poll taken January 5-7 found that 47 percent of the people believe we should wait longer for the embargo to work if Iraq does not withdraw by January 15, while 46 percent believe we should start military action then. That poll reflected virtually no change in public opinion from an identical poll a month earlier. A recent Washington Post-ABC News poll found that while 63 percent of the people felt that the

United States should go to war with Iraq to force it out of Kuwait at some unspecified point after January 15, even that vague formulation resulted in only 44 percent favoring going to war and 53 percent opposed "if it meant 1,000 American troops would be killed in the fighting"—surely a highly realistic possibility.

Further proof of the lack of consensus is the fact that some of the most respected military and national security figures of recent history, free of political constraints because they are not part of the current administration, urge us to continue to pursue economic sanctions as the wisest and best way to force Saddam Hussein out of Kuwait. President Reagan's former Chairman of the Joint Chiefs of Staff, Adm. William Crowe, said in testimony on November 28, 1990, that—

The embargo is biting heavily \*\*\* it is dead wrong to say that Baghdad is not being hurt; it is being damaged severely. That goes for the Iraqi military as well, which depends on outside support. \*\*\* It is the most effective peacetime blockade ever levied.

Granted that the embargo is not working as rapidly as many would prefer; but if we wanted results in two or three months, clearly ask quarantine was the wrong way to go about it. Most experts believe that it will work with time. Estimates range in the neighborhood of twelve to eighteen months. In other words, the issue is not whether an embargo will work, but whether we have the patience to let it take effect.

Former Defense Secretary Frank Carlucci said that "war possibly would create more problems that it would solve."

It is not just former Secretaries of Defense and former Chairmen of the Joint Chiefs who feel this way and whose statements so clearly show the lack of an existing consensus to initiate an early offensive. Listen to the statements of the current commander of our forces in the Persian Gulf, Gen. Norman Schwarzkopf, relative to the merits of pursuing economic sanctions versus initiating an early military attack:

If the alternative to dying is sitting out in the sun for another summer, then that's not a bad alternative. (L.A. Times, November 29, 1990).

And he further said:

At the present time, I think time is on the side of the world coalition. I really don't think there's ever going to come a time when time is on the side of Iraq, as long as the sanctions are in effect, and as long as the United Nations coalition is in effect. (L.A. Times, November 29, 1990).

One of the clearest proofs of a lack of consensus in our country will be our vote—for unless two-thirds or more of this body gives the green light to initiate an attack, the consensus which should exist before war is waged will not be present.

If 57 of us, for instance, were to vote tomorrow to authorize the President to wage war now and 43 vote to pursue economic sanctions for a longer time,



the President would then have congressional authority to wage war, but he could not claim that a consensus would exist to wage such war.

Why is there this lack of consensus to wage war now, both throughout the country and in this Chamber? Because the costs of waging war at this time outweigh the benefits.

The first cost is human—the casualties. The Pentagon claims it cannot give a range of casualties. If they cannot, how can the President have considered the costs and benefits of initiating a military offensive?

The Pentagon may perceive a gain in public support for the "wage war now" option by refusing to estimate a range of casualties, but that gain is likely to be short-lived. If significant casualties occur—and hundreds of casualties would be considered significant in my view—the support for waging war now will dissipate and the President could be in a position where he is without the necessary public support to conclude the enterprise after it has begun.

The second reason for a lack of consensus is the short- and long-term economic costs. While it is difficult to estimate the economic costs of waging war versus the costs of maintaining economic sanctions, it is clear that the cost of the former is greater than the cost of the latter.

Even a short war could be followed by the cost of occupying territory in the gulf. Maintaining the peace in Europe—with few guerrilla or violent actions against us—still costs us more than \$100 billion a year even though World War II ended 45 years ago and even though the cold war has concluded.

The long-term costs of a Middle East war are almost incalculable but we would surely dig ourselves even deeper into economic uncompetitiveness if we plunge into a costly war and perhaps an even costlier postwar period.

A third reason for a lack of consensus about waging a war before economic sanctions are given a longer chance to work is the fear of war's aftermath.

This will be a predominantly American war. It is likely that the attack on Iraq itself, presumably mostly by air, would be almost entirely American and that an attack on Iraqi forces in Kuwait would be predominantly American. Victory may or may not be swift on the battlefield but its aftermath almost certainly would not be. More likely, the aftermath will be a volcanic explosion of radicalism and fundamentalism which will engulf the region with an unpredictable outcome, and a reign of terrorism which will be felt worldwide.

Former Secretary of Defense James Schlesinger made this point eloquently in his testimony before the Senate Armed Services Committee on November 27, 1990:

I believe that the direct cost of combat will be the lesser part of the total cost. The Middle East would never be the same. It is a fragile, inflammable, and unpredictable region. The sight of the United States inflicting a devastating defeat on an Arab country from the soil of an Arab neighbor may result in an enmity directed at the United States for an extended period, not only by Iraq and its present supporters, but ultimately among the publics of some of the nations now allied to us. To be sure, there are no certainties, yet that risk must be borne in mind. Moreover, the United States will be obliged to involve itself deeply in the reconstruction of the region in the aftermath of a shattering war. In brief, the non-combat costs of a recourse to war, while not calculable in advance, are likely to be substantial.

Mr. President, if we knew economic sanctions would not succeed, the costs and risks of the wage war now option might be acceptable. But it is far too early to know that. Only 23 weeks have elapsed—far too short a period for sanctions to destroy Iraq's economy effectively. We should remember that the original course that President Bush steered us on—the right course, I believe—was to send troops for defensive purposes—that is, to deter Iraq from attacking Saudi Arabia and to use a worldwide, ever-tightening noose of economic sanctions to drive Iraq out of Kuwait.

On September 11 before the Congress, the President said, "I cannot predict just how long it will take to convince Iraq to withdraw from Kuwait. Sanctions will take time to have their full intended effect." On October 27, the President said, "I am told that the economic effects are taking hold." And CIA Director Webster told the Congress on December 4 that the economic sanctions and the embargo have dealt a serious blow to the Iraqi economy. Director Webster further stated that Iraqi ground and air forces at current or near-current levels of readiness could probably not be maintained for longer than 9 months under noncombat conditions.

Our commanding general in the gulf, General Schwarzkopf, said on October 28 that:

\*\*\* it took some time before we got the ships out and really started enforcing the sanctions. And now we are starting to see evidence that the sanctions are pinching.

So why should we say, "OK, gave them two months, didn't work. Let's get on with it and kill a whole bunch of people?" That's crazy. That's crazy.

You don't go out there and say, "OK, let's have a nice war today." God Almighty, that war could last a long, long time and kill an awful lot of people. And so we've just got to be patient. (Atlanta Journal and Constitution, October 28, 1990).

It has been urged that the world's support of sanctions could deteriorate over time. It is true that it will take real effort to maintain a tight economic noose around Iraq until it comes to its senses. But the uncertainty about perfection relative to continuing economic sanctions should be com-

pared to the much greater uncertainty of unity relative to the use of military force. Few countries with troops on the front lines are committed to attack Iraq itself, but just such an attack may be critical to the success of military operations to free Kuwait. Admiral Crowe stated this well in his testimony before the Armed Services Committee:

\*\*\* I cannot understand why some consider our international alliance strong enough to conduct intense hostilities but too fragile to hold together while we attempt a peaceful solution. Actually, I sense more nervousness among our allies about our impetuosity than about our patience.

Mr. President, as we consider whether or not we should initiate offensive actions against Iraq, we must also examine the best evidence we have about the impact sanctions will have on the Iraqi military.

The question that we must ask is, "Will the Iraqi military grow weaker than they are today if we continue the sanctions policy?"

As we have seen from our own experience in the desert, one of the critical elements of military readiness and preparedness is the stocking of spare parts. This issue has been a special concern of mine as chairman of the Conventional Forces Subcommittee of the Armed Services Committee. The desert environment takes a heavy toll on military equipment and spares are very important in order to keep tanks, planes, helicopters, and other mechanical systems in service.

The Iraqis, who are dependent on the Soviet Union and France for many spare parts and military equipment, are currently not receiving these vital supplies as a result of the economic embargo.

Allowing the sanctions to run even for a full year would cause a degradation of Iraqi air and ground forces. To initiate early conflict with Iraq means our forces would face the Iraqi military at a near-current state of strength. On December 12, CIA Director Webster, in his statement before the House Armed Services Committee stated that, "Under noncombat conditions, Iraqi ground and air forces can probably maintain near-current levels of readiness for as long as 9 months." In a recent letter, he phrased that as 6 to 12 months, in his analysis. Judge Webster testified that Iraqi air forces will feel the bite of the sanctions more quickly "because of its greater reliance on high technology and foreign equipment and technicians." As an example, he stated that major repairs to the Iraqi F-1 aircraft, perhaps the best all-around fighter that Iraq possesses, "will be achieved with significant difficulty, if at all."

Regarding ground forces, Judge Webster testified that—

The embargo will eventually hurt Iraqi armor by preventing the replacement of old fire-control systems and creating shortages of additives for various critical lubricants.

Shortages will also affect cargo trucks over time.

As former Defense Secretary, James Schlesinger, told the Senate Armed Services Committee in December, "the original estimate was that the sanctions route would require a year."

When I asked Mr. Schlesinger in the hearing on where the estimate of 1 year came from, he stated that it was "an official estimate" that was not made public.

It seems clear that through a policy of disciplined economic sanctions, the United States and its allies can put a great deal of pressure on Saddam Hussein to withdraw from Kuwait and increase the possibility that this crisis can be resolved peacefully, without our waging war. At the very least, if the embargo does not force the Iraqis out of Kuwait in a reasonable period of time, the United States and its allies will face a less potent military force if the time comes to force them out.

If we are to have a new world order, and the world needs a true regime of collective security, it must be based on international participation. Economic sanctions have that kind of participation—a military offensive will not.

The proposed offensive has been Americanized. The administration changed its policy in early November from one of reliance on a world wide tight net of economic sanctions to squeeze Iraq out of Kuwait and relying on our military forces to defend Saudi Arabia to a policy of threatening imminent attack, and also to the rhetoric of waging war.

We named our training exercises "imminent thunder" and we put troop rotations on the shelf. We got the United Nations to set an early authorization date for using all necessary means which we have frequently characterized as a deadline to be followed by military action. We said the U.N. resolution was Iraq's last chance, and then this week's meeting in Geneva was called Iraq's last chance. We talked about kicking ass, and Saddam Hussein returning to Baghdad with his tail between his legs.

Maybe the threat of massive force and our rhetoric will still work.

But it now appears that the choice will come down to either pursuing economic sanctions for a longer period with waging war as a last resort or waging war shortly after January 15.

Congress must weigh the costs and the benefits, both short term and long term of the wage-war-now option.

Congress must do what the administration has not done: Estimate the range of the American casualties that would result.

Congress must do what the administration has not adequately done: Look at the uncertainties of war. Contrast the 5-day war claims of some spokesmen with the more sober assessments of our military leaders. Gen. Schwarzkopf said that "war could last

a long, long time," and that "the most dangerous thing a commander could do, or that a country can do, in planning for battle, is assume away the capabilities of the enemy." Gen. William Odom, Director of the National Security Agency under President Reagan, has said that, "We have no military precedents against which to judge what is actually required to defeat the Iraqi forces" and that "the Arab-Israeli wars will look small by comparison."

Congress can do what has not been done by the administration: Take to heart the words of our own commander of our own forces in the Persian Gulf, Gen. Norman Schwarzkopf. I quoted his words earlier and I do so again because he says in one line what I have taken far longer to say less well:

If the alternative to dying is sitting in the Sun for another summer, then that's not a bad alternative.

Only 2 of the 535 Members of Congress have children with our forces in the gulf. One is Representative JERRY COSTELLO of Illinois. In yesterday's paper he reminded each of us of the stakes involved:

I can tell you this, that if every member of Congress had a son or daughter in the Middle East, if the President had his son or his daughter in the Middle East in combat now, it might change their attitude to some extent when it comes to the issue of either war or pursuing options that take patience and time.

Mr. President, the 400,000-plus sons and daughters, fathers and husbands, and mothers and wives, who are poised to wage war in the gulf, are our family. The issue we face is how best to protect our Nation and those who serve it so courageously. Pursuing economic sanctions, while keeping the waging of war as a last resort, is the wiser course for those whose lives are on the line, and even more importantly, for the Nation that they serve and love.

Both sides in this Senate debate agree on a number of things. We agree there must be no reward for aggression. And I hope we agree there must be no linkage of Saddam Hussein's certain departure from Kuwait to any other issue where he seeks an advantage. I think most of us agree that the threat of military action should be maintained. Where we differ is whether economic sanctions, if effectively pursued for a longer period of time, could achieve our goal without waging war now.

I have concluded that the relentless imposition of economic sanctions for a longer period is the wiser way to achieve the desired result. It would avoid the casualties of war, and the costs of war and the postwar period. It would avoid the uncertainties that would follow military victory, uncertainties which could lead to an avalanche of fundamentalism, radicalism, and terrorism that would engulf the region we seek to stabilize.

Before we unleash that mad Middle East genie from its bottle, we should stay longer on our original course, tightening the noose of economic sanctions net until Saddam Hussein sees he has nothing to gain and everything to lose from his occupation of Kuwait.

Saddam Hussein will lose either way. Our way, though, holds out the hope that Saddam Hussein does not take the entire Middle East and thousands of Americans down with him.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BRYAN). Who seeks recognition? The Chair recognizes the Senator from New Hampshire [Mr. SMITH].

Mr. LEVIN. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. SMITH. Yes, I yield.

#### STAR PRINT—SENATE JOINT RESOLUTION 1

Mr. LEVIN. Mr. President, I have been asked by the majority leader to indicate to my colleagues that the text of Senate Joint Resolution 1 has been star printed due to a printing error at the Government Printing Office. The error is on page 3, lines 20 to 21, where the term "majority leader" is incorrectly indicated instead of "minority leader" that was correctly included in the text filed at the desk yesterday. Correctly printed copies of the text will be available tomorrow, which I assume now means today.

I thank my friend and I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. SMITH].

#### THE GULF CRISIS

Mr. SMITH. Mr. President, this is my maiden speech on the floor of the U.S. Senate after having served 6 years in the House of Representatives. There is little that I would not do for the opportunity to make these remarks under less serious conditions and more happier times; if I had to pick and choose, it certainly would not have been in this environment.

Thomas Paine, in an often used, perhaps overquoted remark 200 years ago said, "These are the times that try men's souls." And Congress, the President, the relatives of American service men and women and the service men and women themselves, certainly they most of all, are keenly aware of the enormous burden which the world events have placed upon all of us.

There have been some very eloquent remarks made in the past several days of debate. Most of them seem to be focusing on going to war or not going to war. That is what we are debating about or should be debating about with the two resolutions before us. This is not a declaration of war that we are debating.

I do not know of anyone in this body who wants war. I do not know of any-



one in America who wants war. I certainly do not. The President does not. Nobody in America wants war. Yet we have heard today on this floor that President Bush is leading us into war. Wrong. Saddam Hussein is leading us toward war.

President Bush got us into this position, it was said. Did President Bush invade Kuwait? Why is President Bush the issue tonight that divides us? That does not unite us and it plays into the hands of Saddam Hussein. So this is not about a declaration of war. It is about preserving the military option for the Commander in Chief—preserving, not necessarily using, the military option.

Nobody who has fought in a war would make or take the commitment of U.S. troops in combat lightly. It is interesting, as I have talked to people today on both sides of the aisle, my colleagues, those who have been involved in war seem to be even more sensitive than those who have not. I served in Vietnam in the United States Navy. I can assure you that I approach this debate as my other colleagues do with the realization that we may never make a more important decision than the one we are facing tonight.

I agonized a long time over how I was going to vote, and I also agonized over the ramifications of this vote.

I personally, in my own involvement in Vietnam—my mother was widowed at the end of World War II, like thousands of other women, and I did not have a father due to a war—watched my brother crying in the arms of my mother when he went to war, and I watched my mother cry when I went. So I know a little bit about the separation of power and what it means.

There are two sons in New Hampshire who have already given their lives in the Persian Gulf, and we still are not at war. Capt. Michael Chinberg of Durham, NH, died last Tuesday, when a plane he was piloting crashed during a night training mission. Captain Chinberg has been married only 4 months. But, as he said, he lived a lifetime in those 4 months. We certainly all extend our condolences to his wife and family.

Last October, Gary Dillon, a Marine helicopter pilot from Concord, NH, gave his life for his country when his helicopter disappeared over the ocean during a training flight.

They were tragic deaths to young men, young men who understand the risks they were facing and willingly took those risks because of the great cause in which they felt they were involved.

I would like to read from a newspaper clip on Captain Chinberg. His father said, "My son loved what he was doing. He was doing what he wanted to do. He was a patriotic guy." That is from his father, Dale Chinberg, of Durham.

Captain Chinberg was a patriotic family man who believed in duty, honor, and country. Despite the family's personal tragedy, Mr. Chinberg supports President Bush's policy in the gulf. Listen carefully to what he says. "I don't have much good to say about what is happening over there. I think Hussein should be dealt with, and I support Bush's stand and I think we have to do that sort of thing."

I believe that the American people also understand the truth. They also understand sacrifices. But we do not conduct foreign policy by polls. We have had polls quoted all day and yesterday.

In this morning's Washington Post column Charles Krauthammer discusses the fact that 6 months before Pearl Harbor 79 percent of Americans opposed entering World War II. Today there are few Americans who would not concede that World War II was inevitable as we look back.

Furthermore, if the United States had moved earlier and more decisively to confront Hitler, it may be that many American lives could have been saved. How many lives? We will never know. How many lives were lost because we waited as long as we did?

Sometimes, maybe most times, the only way to avoid war is to be prepared for it. I did not say fight it. I said be prepared for it; to be prepared to fight.

This rule is particularly true when the world is confronting a madman. Saddam must know that we are prepared, that we have the resolve, that we have the will. We are not showing him that tonight if we part ways with the President at this hour, at this time.

I think we need to look a little bit at Saddam Hussein. Frankly, as most Americans, I am sick of hearing the man's name. I wish he would go away. But let us find out who he is. Let us find out a little bit about what makes him tick. We have not heard a lot about him in terms of what he is.

He is a nasty man; that is not disputable. He is a man who waged a genocidal war which resulted in the deaths of a million of his own people. That is pretty much inflicted. If Iraq were the size of the United States geographically and demographically, that would be the equivalent of 15 million Americans.

Here is a man whose troops have been cited by Amnesty International for atrocities ranging from castration to eye gouging and other tortures, murder of babies, old men, women, and children.

That is Amnesty International. It is documented. It has been cited here tonight in other remarks. I will not go any further.

Here is a man who repeatedly purged the highest ranks of his military, his trusted advisers, by mass murders of his own senior officers. Does that

sound familiar? Do you remember Stalin, Hitler? And where necessary, he, like Hitler and Stalin, covered up these murders by contrived mishaps. In most cases, the only transgression of these men was their convenience as scapegoats for Saddam Hussein's inability to achieve his impossible goals.

Here is a man who has at his disposal, at his fingertips, as we speak, chemical and biological weapons. Many countries have them in their arsenals. He has used them. He used them against Iran, and he used them against his own people.

Here is a man who is attempting to secure nuclear weapons, and may indeed have the ingredients to make them now, and probably would have them made now, had it not been for the fact that in 1981, Israel conducted a preemptive raid. I believe, and I think I am not the only one, if he had nuclear weapons, he would use them probably against Israel or anybody else that he could reach with them. He has repeatedly threatened his neighbors, including Israel.

If he will use chemical and biological weapons, why not nuclear? Against such a ruthless character, normal means of diplomatic suasion lose their effectiveness. History should have taught us that the only means of stopping a man such as this is to confront him with a show of force which he cannot ignore.

The issue we are debating tonight as we speak, again, is not war. The issue we are deciding is will economic sanctions standing alone, economic sanctions standing alone, stop Saddam Hussein without the threat of force coupled with it? That is the issue that we are debating tonight. We should not be off on a tangent about a declaration of war, and body bags, and all of those horrible things. That is not what we are talking about tonight.

We are talking about—again I repeat—will we give the Commander in Chief, the President of the United States, the option to couple threat of military force with economic sanctions to remove Saddam Hussein from Kuwait? That is the issue.

Let us look at history. I am a history teacher. I read a lot of history, and I have read a lot of it. On March 2, 1938, when Adolf Hitler was meeting with the Chancellor of Austria to prepare for the elimination of Austria from the face of the Earth, the Prime Minister of Great Britain rose on the floor of the House of Commons to make the following statement:

What happened was merely that two statesmen had agreed upon certain measures for the improvement of relations between their two countries.\* \* \*

When Hitler postponed his invasion of Czechoslovakia to meet with Prime Minister Chamberlain, the whole House of Commons, in the words of Howard MacMillan, "burst into a roar of cheer-

ing, since they knew that this might mean peace." Throughout the House Chamber, dissidents were urged to "Get up. Get up," with shouts of "Thank God for the Prime Minister."

And then following the Munich agreement, effectively ceding Czechoslovakia to Hitler's troops, Chamberlain, in a speech which, in view of history, has proved to be something less than prophetic, predicted that "Now that we have got past (the obstacle of Czechoslovakia), I feel that it may be possible to make further progress along the road to sanity."

As the crowds cheered the latest concessions, Chamberlain predicted, quite erroneously, that he had achieved "peace in our time."

How many people died after he achieved "peace in our time"?

The point is that sometimes the best way to achieve peace is to prepare for war, to prepare for war. Sometimes actions which with good intentions purport to favor peace only make war bloodier and more inevitable.

John F. Kennedy, in 1962, in a high-stakes game, caused Khrushchev's missiles to be taken out of Cuba. He did what he had to do. Many of us lived through it. We know what it felt like.

It may be that Saddam Hussein will opt for peace if he is confronted with the near certainty of defeat. But he is not going to be confronted with the near certainty of defeat if we decouple military options from economic sanctions. World equivocation may encourage him to continue his inflexible position, and I believe will encourage him to continue.

More important than the specifics of any legislation being debated on the floor today is the importance of sending Hussein a message, a united message, that the United States is not divided; that it is united behind its Commander in Chief, and prepared to do whatever it takes to achieve a real and lasting peace in the Middle East, not ruling out anything. Not ruling in anything, but not ruling out anything; not ruling out sanctions, not ruling out a military option—which brings us to the current problem of Congress' role, and more importantly, what Congress should do, irrespective of what it has a right to do.

There is a lot of talk about declarations of war. I have not seen anybody introduce one, nor have I seen anybody be more specific to the President about what he did do, as the silence was kind of deafening as the President began to conduct his policy.

Congress has the constitutional right to declare war. Nobody disputes that. Why not give the President a chance to avoid war? That is all we are asking with the Warner-Dole resolution: Give the President of the United States, the Commander in Chief of the United States of America and the leader of the free world, the opportunity to avoid

war—avoid it; the opportunity to avoid it.

Let us make no mistake about the issue before us. To my knowledge, there is nobody in this body who does not share the goal of removing Saddam from Kuwait. We have all said it. If you want to remove him, you have to have the guts to stand up to him and remove him. The reason is not because of any love, my love. Why am I supporting this? I have no love for the Emir of Kuwait. Personally, I would not shed one drop of American blood, not of my kids or anybody else's kids, for one drop of oil or for any sheik anywhere in the world, not one drop. I would not put one American in harm's way for oil or for a sheik. That is not the issue.

The reason is, again, in the words of Charles Krauthammer, "Kuwait happens to be that place that a heavily armed, utterly ruthless, endlessly ambitious, highly dangerous regional thug made his first grab for the gulf, an Arab hegemony." Ignore Kuwait, he said, and "in a very few years, even Americans will be forced to notice when Saddam, on the move again, reappears on the American radarscope, this time with intercontinental ballistic nuclear missiles." How many Americans will die then? Where will those who have timidly spoken on this issue be then? To those in this body who honestly feel that they have solutions that conflict with the administration's military planners and security advisers, I understand that. You may be right. You may be wrong. They may be right; they may be wrong. Give the President a chance to get peace, to avoid war. That is what we elected him to do, to be the Commander in Chief.

Communicate what you feel, if you have that wisdom, to George Bush; do not communicate it to Saddam Hussein. That is what you are doing when you decouple. We are now debating a declaration of war. Again, I repeat, we are trying to avoid it. We are telegraphing our self-imposed limitations to our enemy. We only enhance the likelihood that American men and women are going to die in that desert, or that we will be stuck in a prolonged quagmire like Vietnam.

I am glad we are having this debate, because it gives us an opportunity to tell Hussein and the world that America is united behind its Commander in Chief and will do what is necessary to bring about a permanent, lasting peace in the Middle East. But for the Senate to send that signal tonight, it is essential that it make the right choice from the two principal resolutions or proposals before us. The Mitchell proposal, so-called, would put the Congress on record as publicly limiting the President's options. Well-intended they are, I understand that; but it is publicly limiting the President's options.

Economic sanctions, Mr. Saddam, that is all you have to worry about, no

threat of military force. Take your time and see if you can work out a deal so you can get some of the smuggled goods in from Iran and Jordan and Turkey and other places and maybe from some Soviet ships. Work it out and do not worry about the military option, do not be concerned about your troops up on the front, because we are not going to attack you. You can divert your goods to your soldiers, starve your people back at home, do not worry about that, get the goods in to the soldiers. There will be no attack.

The President would be publicly enjoined from exercising other options, the President. While the Mitchell language was drafted with all the best intentions, its adoption would be suicide both for American interests and troops. I cannot believe that intelligent men and women cannot understand that. By decoupling sanctions from military force, the Mitchell language guarantees that the sanctions are going to fail, because it would guarantee that the sanctions would not be backed up by military options.

Why broadcast that to Saddam? The longer this coalition must be maintained, the greater the chance of divisions. The longer the embargo continues, the greater the chance that economic strains are going to lead some countries to demand more money to offset the damage, or perhaps reinstate trade with Iraq black marketeers. A scaling down of U.S. forces will reduce our offensive capability to wage a successful war and the option of taking military action, if sanctions fail.

Holding the military option in abeyance while continuing economic sanctions for an extended, unspecified period will blunt the crisis perception of the gulf. It will blunt the crisis perception of the gulf. Do not broadcast to Saddam what we are going to do. This is not the time to publicly hamstring the President of the United States. You can disagree with him. That is not the issue. To do so, to publicly hamstring the President, would give a guarantee to Saddam in a way that will allow him to prolong and tailor his intransigence. In addition, it will give him the time to prepare for chemical and biological attacks, time he desperately needs, an assault on Israel, and perhaps an even worse contingency. That is the last thing any of us want.

Now—particularly now—America's leadership needs to speak with one voice, through the President of the United States. We need to make it abundantly clear to Saddam Hussein that he can seek no refuge, intended or unintended, anywhere in the world, especially in the Halls of the U.S. Congress. We cannot afford another broadcast to Saddam of our strategy, our troop placements, our military intentions, and yet, we have done that blunder after blunder after blunder. The Mitchell resolution is one more blun-



der. Efforts by Members of Congress to discuss specific elements of American combat strategy have been all over the press in recent days. Air strikes now, followed by troops moving here, and all of these detailed things. If we do this, they do that, we do this. All kinds of strategies are being discussed by very prominent Members of Congress who are in the know. He knows that. Public advertisements of troop movements, great fanfare.

Can you imagine in World War II, if that had happened? It was unheard of. Announcements by American generals concerning the readiness or nonreadiness of American forces; that is unheard of. And now this, the Mitchell resolution, which says, Saddam, do not worry, we are going to put the sanctions and leave them on, unlimited. Take your time. You have all the time in the world. We are not going to attack you.

A man who is aiming guns and poison at American troops should not be spoonfed information concerning our troop dispositions, intentions, and limitations. This is why at this time a resolution of the Republican leader, Senator DOLE, and Mr. WARNER and others, including Senator ROBB, represents the only legislative alternative for protecting American interests and American troops and pursuing the No. 1 goal, ousting Saddam Hussein from Kuwait.

This resolution allows the President of the United States to continue economic sanctions as long as it appears they could have an effect. It does not tell the President he cannot put on sanctions. It does not tell the President to take them off. Nothing of the kind. The President may decide to leave them on, but only he knows it, or perhaps he shares it with Congress in confidence out of the public debate. But Saddam does not know it. It does not rule out anything. The President could continue to rely on sanctions for a day, a week, a month, or a year. By making it clear that the United States retains a broad range of options, the Dole language increases the likelihood that sanctions will achieve their goal and that peace would be attained without further loss of American lives.

This resolution does not forfeit the ability of the Commander in Chief to protect American troops from direct and indirect threats. Again, it does not broadcast to Saddam our battle plan, our options. It retains our military option. I would like to quote from today's Washington Post, which I do not like to quote from too often:

It is no longer seriously disputed that Saddam Hussein is a menace to regional peace and global order and had best be reined in sooner so that he does not become an even greater menace later. This is what the American government has attempted to do. Now comes the squeeze. Can there be any question as to how Saddam Hussein would read a congressional vote that denied President Bush the authority he seeks to use force in

conformity with international mandate and national policy alike? Does anyone think he would not take heart from such a vote?

A war in the gulf could have incalculable and horrible effects, and we are not calling for the country to launch an attack. But we do support putting in the hands of the president—a president who personally knows something about war—the authority to make a more plausible threat in these eleventh-hour circumstances of President Hussein's pre-deadline countdown. Our judgment is that Congress, by deciding to authorize the president to conduct war, materially improves his chances of achieving peace. It is a risk, and we would take it.

Congress by deciding to authorize the President to conduct war materially improves his chances of achieving peace. It is a risk and we should take it. That is the essence of the whole debate.

Is Saddam Hussein another Adolf Hitler? We hear him compared to Hitler all the time. The fact remains to be determined.

What we do know is he is a chemical, biological, and nuclear clear and present danger to the world. That is why we are here. Not because of sheiks, not because of oil, not because of anything other than the fact that he is a clear and present danger to the world with nuclear, biological, and chemical capabilities. That is why we are here.

We are here because we want to send a clear and united message to Saddam Hussein, and we can do that by supporting the proposal brought to the floor, on behalf of the President and in behalf of our troops frankly, by the distinguished minority leader, Mr. DOLE, and Mr. WARNER.

I want to conclude with a couple of thoughts for focus here. We are not debating the declaration of war tonight. It may sound as if we are but we are not. We are trying to prevent it.

Stand with the Commander in Chief. Have the courage to stand with him who was elected by all the American people. Stand with him, and stand with our sons and our daughters in the Persian Gulf. Do not give Saddam a reason to doubt our resolve. Stand together. Let us discard Saddam Hussein on the garbage heap of history along with the other despots like Khrushchev, Stalin, and Hitler. That is where he belongs, and that is where we are going to put him sooner or later.

A final quote, David Broder:

Through the strain, the fatigue and gloom, one principle stands clear: The president, speaking for an international coalition and armed with the authority of the United Nations, has defined U.S. policy from the only place in government where it can be set. The best hope of salvaging peace is a strong statement of congressional support for his policy, so that Saddam Hussein can understand the terrible alternative he faces.

And then the United States must be prepared to pay the price world leadership requires.

In conclusion, to our Commander in Chief, the President of the United States, George Bush, I say God bless

you for the heavy burden that you are carrying as we speak. I deeply regret, and I am somewhat outraged frankly, that some in this body have chosen to make you the target of their emotion and their frustration rather than Saddam Hussein. To all of our brave men and women in the gulf and their families I say thank you, thank you, and God watch over you.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Under the previous order the Senator from Alabama [Mr. HEFLIN].

Mr. HEFLIN. I yield to the distinguished Senator from Minnesota for a brief remark.

The PRESIDING OFFICER. The Chair will recognize the Senator from Minnesota [Mr. DURENBERGER].

TRIBUTE TO SENATOR SMITH

Mr. DURENBERGER. Mr. President, I recall when I made my maiden speech on the floor of the Senate I did not realize there was such a thing as a maiden speech, and I also did not realize that by staying to 1:30 in the morning I was going to be privileged to hear my new colleague, the junior Senator from New Hampshire.

I want to take a minute to congratulate BOB SMITH. I do not know where he learned it but he has a lot of feeling. Mr. President, I grew up as the son of a coach, and BOB SMITH is that, I know his background, and that is where the feeling comes from.

He comes from a State that was once represented by Daniel Webster, who has the only original desk still in the Chamber. I guess what we heard here this morning was the kind of oration that would do honor to Daniel Webster.

He succeeds in this place a very, very close friend of mine, Gordon Humphrey.

And when it comes to principle, and when it comes to personal commitment, that speech that we just heard has both. And I think those of us who will be serving with BOB SMITH in the next few years heard an indication of what we will hear for the first 6 years that he serves in this U.S. Senate. He is going to bring all that feeling and that tradition of ability, and especially that sense of principle that we have come to appreciate so much from our colleague from New Hampshire, and I thank him for the opportunity of being here.

Mr. SMITH. I thank my colleague.

Mr. DURENBERGER. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama [Mr. HEFLIN].

RESOLUTIONS ON THE PERSIAN GULF

Mr. HEFLIN. Mr. President, I believe that the President and the vast majority of the American people, as well as the Members of the Senate and House of Representatives, hope and pray that a solution to the Iraq-Kuwait issue can be reached without war. I was disappointed but not surprised that the

Geneva diplomatic endeavor failed to resolve these issues. However, I am still hopeful that Iraq will withdraw from Kuwait either because of their fear of the mass destruction of their country and/or as a result of diplomatic endeavors.

The upcoming votes are grave and important responsibilities and I will not be swayed by any partisan arguments. This is a not a Republican or Democrat decision. When men and women's lives are at stake, the decision is a moral one, and we should be guided only by our conscience.

These times weigh heavily on the minds of all Americans. Neither the President nor any Member of Congress takes this grave responsibility lightly. No one can suggest that the decision to approve the use of force is an easy one, but in my judgment we must present a united front in support of President Bush, just as our allies have remained united behind economic sanctions and have endorsed the use of force to stop this aggression by Saddam Hussein.

I guess that Saddam Hussein's state of mind is such that he will not reach a settlement with American diplomats. That does not mean, however, that agreement cannot be achieved by diplomats of other nations if Hussein realizes the consequences that can result to his country from war with the United States and its allies.

There are many efforts still under way to bring about a peaceful solution to this Middle East crisis. A number of other nations, including Arab nations, are directly or indirectly pursuing efforts toward peaceful solutions at this time.

If Congress were to declare war at this time, it would mean that all efforts to bring about a peaceful resolution would immediately terminate and war would be certain. By declaring our support for the President, we leave open many options for a resolution of this conflict. Further, if a declaration of war were to be enacted by Congress, a major military tactic—the element of surprise—would be lost.

In addition, I think that it is reasonable to expect that a declaration of war would cause Iraq to immediately go on the offensive. This declaration could cause American forces substantial problems. Saddam Hussein could scatter future battlefield areas with chemical and biological destruction, which could linger for a long period of time. I do not think that Saddam Hussein would hesitate to fire numerous missiles at Middle East areas which could cause incredible death and destruction as well as irreparable harm to our alliances and allies.

I am a firm believer that the Constitution provides Congress the authority to declare war. However, Congress has recognized that every military action should not necessitate a formal declaration of war when hostilities

exist, or where circumstances indicate our imminent involvement in hostilities.

This recognition was formalized in the War Powers Resolution. There were numerous reasons for the passage of the resolution, one of which was to show that Congress does not require a formal declaration of war for every military action.

In my judgment, it would be a mistake for Congress to formally declare war at this time under the existing circumstances even if there were no hope for a peaceful settlement. For the same reasons, it would probably also be a mistake to formally declare war at a later date, if force has not then been used.

President Bush has approached this matter in a rational and intelligent manner. My opinion would be different if the United States had been the sole country to take a stand against Hussein. Rather, wisely, I think, the President engaged the nations of the world to form a coalition and, importantly, the consensus on what needs to be done about Hussein's naked aggression against a member nation.

The U.N. Security Council in the adoption of Resolution 678 has brought tremendous pressure upon Iraq. It is designed to exert every pressure for peace. It is a carefully drafted resolution that reflects the view that war should only be undertaken as a last resort. The passage of such resolution was indeed a remarkable event and should not be taken lightly by Saddam Hussein or the Congress of the United States.

The nations of the world passed this resolution because they realized that we cannot allow Saddam Hussein to continue to run roughshod over the Middle East. These countries recognized the danger which Hussein represents to this region and decided that they must act now.

World attention is now on the U.S. Congress. The adoption of a resolution which fails to give the President the power to use force at this time will be construed as a weakness, not only by Saddam Hussein but also our allies. In my judgment, it would be a tragic mistake for the Congress to show a lack of resolve. I do not think there is any question that Saddam Hussein would consider it a victory and would adopt a position that would be destructive of any possibility of a peaceful solution. He would become a hero immediately among many Moslems and his position would be strengthened. Delay would be his ally.

It is important to think of the consequences if Congress denies our Commander in Chief the authority to use force. This denial could damage the chance for a peaceful solution, as well as affecting our ability to achieve the goal of removing Iraqi troops from Kuwait. I will not list all the other pos-

sible consequences at this time, but numerous Senators, in their speeches, have made reference to many of them.

On the other hand, a congressional approval of force will affect Saddam Hussein's state of mind. If peace is to be obtained without war, then we must generate in the mind of Saddam Hussein and the people of Iraq every possible fear of the consequences of war involving the United States. The Iraqis must realize the terrible destruction they will face if invaded. They must realize that it will be far different from the Iran-Iraq war. In that light, I wish that CNN would display to the Iraqis the vivid pictures of destruction that occurred to many of the cities of Germany in World War II. If Saddam Hussein were to see films showing the horrible death of Mussolini, I believe he would begin to spend many sleepless nights. Every effort to show the devastation of war on his country if invaded by American forces must clearly be brought home to Saddam Hussein and his people.

I have confidence that the President wants a peaceful settlement and does not want any Americans killed. I believe he will use the threat of war as a means to achieve peace. But if a peaceful solution cannot be obtained, the immediate future is the time to act. Delay will bring much more harmful consequences. I would much rather America's Commander in Chief has the element of surprise as a tactical weapon instead of Saddam Hussein.

I will vote to authorize every possible action including the use of force to resolve the Iraq-Kuwait issue. I hope and pray that it can be resolved without a war.

I must add one more remark. I have been contacted by a number of Alabamians asking, "If war occurs, will it be another Vietnam?"

If efforts for a peaceful solution fail, and we do come to blows with Saddam Hussein, I pledge my support for giving our military complete authority to fight to win as quickly as possible with "no arms tied behind our backs." The undeniable lessons of Vietnam are clear—we must never again enter armed conflict unless we as a people and as a nation are prepared to win and win completely. To settle for less would be a betrayal of the faith the American people place in their Government and their elected representatives. I therefore urge that we support the President regarding his initiatives to enforce U.N. Resolution 678, and pray that in the face of a unified international community, Saddam Hussein will rethink his position and withdraw his military forces from Kuwait.

**THE PRESIDING OFFICER.** The Chair notes under the unanimous-consent agreement the distinguished Senator from Utah [Mr. HATCH] is next. The Chair notes his absence from the floor.



The Senator from Minnesota [Mr. DURENBERGER] appears next on the list. The Chair recognizes the distinguished Senator from Minnesota.

A SOLEMN MOMENT OF CHOICE

Mr. DURENBERGER. Mr. President, there has never been a time in my service here in the U.S. Senate when I felt a heavier burden of decision than I do at this time. The issue before us can be plainly stated. Shall we in the Congress authorize the President to use military force to achieve the objective of expelling the forces of Iraq from Kuwait? The consequences of how we decide will be as historic as war and peace, and as personal as a man or a woman in our Armed Forces coming home alive or dead.

This is a solemn moment of choice, one for which few of us on either side of this debate can say: I am sure I am right. But we must choose.

No matter how long we study this issue, consult with experts or debate on this floor, it will all boil down to a single word, yes or no. And then we will each live a lifetime with the consequences.

As a part of the historical record of this debate and for my constituents in Minnesota to hear today or read at some point in the future, I want to be clear why this U.S. Senator chose as he did: To give the President of the United States the authorization to use force.

It should be clear what we are dealing with in this debate. War is hell. It destroys lives and it destroys values. And it perpetuates its own destruction.

We are here on this floor, not to debate how the United States should go to war, but how best to avoid prolonging the war we are already in with Saddam Hussein and Iraq. And there are no objective observers here on this floor, nor any iron-clad analysis on either side of the issue. Those of us on whom this decision rests are not judges, we are representatives. We are elected to listen, to learn and to use the best judgment we are capable of. There are no easy answers, either in process or in substance.

There should be no quarter given in this debate to partisanship or political self-consciousness of any kind. To the degree that it is possible, the Members of this body must believe that we are a government of laws and not of men and women, and relegate politics to the furthest corner of our minds.

Mr. President, as I reached my decision, four issues were of primary importance to me.

First, we are at a crossroad of history. This is the first international crisis in my lifetime which does not occur in the context of East versus West. Symbolically, the Berlin Wall is down and so are the blinders which have obscured our view, and the view of millions around the world for more than a generation. This is, therefore, a formative time, a time in which events be-

come precedents when actions become norms of behavior; when mistakes are lessons, not lethal to our objective.

The values we project at this time, as Americans and leaders of the world, are crucial to the future of international relationship. I believe we are participating either in the formation of a new world order, or of an age of increasing disorder.

Second, our national purposes in this matter are both clear and noble. International failures of our past have been characterized by goals and by leadership which were unclear, unsupportable, or both. I have lived here through Nicaragua, El Salvador, Panama, Angola, Lebanon, and Afghanistan, and I can go on. It is proper for us today to press beyond the slogans to see what substance lies behind them to determine if the cause that is articulated is real or illusory.

I have concluded that we are not proposing to fight a war for oil or for political ideology. We are not proposing to fight a war for the sake of war, in other words, for national ego. I believe instead that the President of the United States is asserting a central value of our Nation in pursuit of a strong national interest. It just so happens that this national interest is also the national security interest of every nation of this world: aggression tolerated is aggression encouraged.

The principle behind the nation Iraq and the nation Kuwait is far more important than those two countries are. And the future consequences far more important than the present circumstances. Aggression resisted today is aggression prevented tomorrow.

Just as the family is the building block of all society so the sovereignty of nations is the foundation of an orderly global community. I would not often hold Kuwait up as a shining example of what a nation should be. But there can be absolutely no question that they have a right to be returned to their seat in the family of nations.

The Ambassador of India to the United States, Mr. Abid Hussain shared the following proverb with me yesterday:

Many tigers learned to be man-eaters only because someone failed to save the first man the tiger tried to eat.

Let me say that again:

Many tigers learned to be man-eaters only because someone failed to save the first man the tiger tried to eat.

Yes, lives are put at greater risk as soon as we pass the resolution that the President favors, but lives are already at risk at the hands of "Saddams" present and future. We have a rare opportunity to save lives by changing the tigers.

Why does it need to be the United States which puts its people on the line? Simply because that is the burden of world leadership. The world looks to us, and we should be proud that they do.

My third major point is that we need to choose the strategy that has the best chance of avoiding war and achieving our national purpose at an appropriate cost.

I do not hear anyone saying that Saddam Hussein should be ignored. I do not hear any critics of the initial deployment of United States troops which halted his aggression at the Kuwait border. The nub of this debate is how do we accomplish what we all desire; and that is that he withdraw from Kuwait as soon as possible.

The resolutions before this body represent two alternative strategies.

The Mitchell-Byrd-Boren resolution supports a strategy with the following elements: a defensive posture with respect to Iraq; continuation of economic sanctions; and pursuit of settlement options in whatever diplomatic forums become available.

I would say that that is much the same posture the President of the United States was in prior to November 8.

The alternative resolution reflects the strategy adopted by the President on November 8, and subsequently by the United Nations on November 29. Along with defense, sanctions and diplomacy, the international community strategy adds two critical elements: The first is the credible threat of the use of offensive military force; the second is a deadline.

In any conflict, whether it is a war or a labor negotiation, knowing your adversary is always the key. Everything I know about Iraq tells me that a policy of sanctions alone, without the threat of credible force and the political will to use it, will never do the job.

I was fortunate to have the opportunity to visit Iraq 16 months ago on a private trip through several developing nations in Africa, Asia, and the Middle East. I spent a considerable amount of time with Foreign Minister Aziz and even more time with his deputy, Mr. Nizar Hamdoun, and several other members of the Iraqi leadership as well.

I came away from those meetings knowing that each of them believed, as Saddam Hussein believed, and with some justification, that American policies changed with the direction of the wind. They saw us as being incapable of concerted, consistent action of any kind; the offer of friendship was traditionally from an unreliable undependable friend. It is that calculation which encouraged them to invade Kuwait, and which keeps them there today. They began to unlearn their lessons about the United States of the 1990's when George Bush dispatched tens of thousands of troops to the gulf. Each day that goes by helps convince them that we do mean business. But we cannot allow the pressure to subside.

Our colleague from Pennsylvania, ARLEN SPECTER, has spent more time with the Iraqi leadership than the rest

of us here in the Senate put together. His judgment is the same as mine: the Iraqi's expect us to be distracted or to lose our resolve and give in. We simply cannot allow them room for such a further miscalculation.

That means they need to understand what we are prepared to do, and, just as importantly, when we plan to do it. As long as Saddam Hussein has any reason to believe that we will vacillate or delay or we will divide, he will not make a decision. If we want Saddam to decide to leave Kuwait, we need to put him in a room with only one exit.

Mr. President, as I speak, the Sun is up in Baghdad. It is just about 10 in the morning. It is also 3 days before January 15.

I say to my friend Nizar Hamdoon and Tariq Aziz, this is not the United States you spoke of. This is a truly United States.

Our strategy has not been without its failures. A policy which is designed explicitly to send a message and to raise Saddam Hussein's anxiety level to the breaking point cannot help but unnerve the American people in the process. That is a reality, and that is why we see some division on this floor. Many Members of this body, this Senator among them, have questioned the timing, size, purpose and effect of the November 8 augmentation of U.S. forces. As legitimate as these questions are, raised by the Senator from Georgia and others, we simply cannot undo that decision here on this floor, Mr. President, without undoing the strategy of the international community. That is too high a cost to pay.

The issue of the proper strategy for dealing with the Iraqis boils down to this: If there is a way for Saddam to avoid a decision on leaving Kuwait, he will take it. What the international coalition has tried to do, through direct diplomacy, through international economic sanctions and through authorizing the use of force and through setting a deadline, is reduce Saddam's many options down to a single one: withdraw from Kuwait, or face dire consequences.

The Mitchell-Byrd-Boren resolution backs the United States off that firm stance in favor of something defensive and indefinite. With this adversary, that is something we cannot afford to do.

The final issue, which is always critically important in a democracy, is who is in charge and who will decide.

In my view the resolution supported by the administration in the House and here answers that question in a manner that accommodates both the constitutional requirements and the practical needs of this situation. The Warner-Dole resolution is a congressional authorization of the use of force to achieve the objectives contained in Security Council Resolution 678. It does not require the use of force; it simply

allows the President to make that determination after a number of conditions are met. Let me repeat that: it is an authorization of the use of force, not a requirement to use force.

The Congress retains its rights to cut off funds if necessary in the future, and gains substantive powers by virtue of the invocation of the War Power Resolution in the measure before us.

And it is the supreme irony, but true I believe nonetheless, that by making war in the gulf legally more likely, this resolution will make it less necessary. Without it, we become the paper tiger Saddam has told us we are and he becomes the man eating tiger. With it we become an adversary he dare not ignore any longer.

We are not permitted the luxury of academic speculation in this debate. Steps have been taken which cannot be taken back. Decisions have been made by the President and the international community that cannot be reversed. And whether we like it or not, time is running.

The choice at this time boils down to this: should we get in line with the community of nations behind a strategy designed to force Saddam to decide to get out himself? Or do we abandon that course in favor of a defensive, indefinite alternative?

Would we rather see Secretary General Javier Perez de Cuellar in Baghdad today with solid international backing? Or with a U.N. resolution with a gapping hole in it?

Would we rather credibly threaten the use of force now or allow Saddam Hussein to dictate a timetable which can only benefit him?

Mr. President, I believe we are on the verge of a New World order.

I believe our national purposes in the gulf promote a safer world for today and especially for tomorrow.

And I believe we need to approach Saddam as a genuinely United States and a United Nations.

The only way we can do that is to defeat the resolution before us and then ask every Member of this body to endorse an alternative like Warner-Dole.

I received a petition this morning from 52 young people in St. Paul, MN. It begins with a very articulate statement about their concern for misplaced priorities, and the need to "stop spending billions on war and redirect money toward health care, education and the environment." It continues, "We the youth who would be sent to war, believe that human life is more important than a full tank of gas. We refuse to take orders to kill the youth of other nations from powerful elders who are safe behind the lines \* \* \*. The U.S. Government can set a positive example by withdrawing troops from Saudi Arabia and stop the current war for oil and power in the Middle East." They abhor war and support meeting basic human needs.

As I said earlier, defeating this resolution and supporting the President does put American lives at greater risk. They have been at risk since we made the decision to defend principle and the people of the gulf from Saddam Hussein. But in my judgment the alternative to Nunn-Byrd-Boren has the potential to free many more lives in the future from the inevitable risks of a world that rewards aggression.

About 1,000 miles from the Iraq-Kuwait border, outside the spotlight of international attention, are close to 2 million Sudanese who will probably not be alive a year from now. Why? Because their government chooses not to feed them, and we were too busy to see or help. What we are trying to do is build a world where we will have the resources and the caring to value human life everywhere above everything else.

Mr. President, to the young people who wrote that letter, I must say what we are trying to do is build a world where we will all have the resources and the caring to value human life everywhere above everything else.

For the sake of the thousands of lives and futures that are at stake, I hope to God I am not wrong in my judgment today. But I conclude that a vote of "aye" to the international community and the President of the United States is the best way to end this crisis soon and without bloodshed, and to build a better world for the young of America and of all the nations of this world.

Gen. Omar Bradley said that the best way to win a war is to avoid a war. President Eisenhower believed that the United States should never start a war. We are not here to debate how we should go to war. The war started 162 days—3,888 hours—ago. We are here to find out how best to get to peace. Let's hope that in the next 72 hours Iraq and Saddam Hussein will show us how.

The PRESIDING OFFICER. Under the unanimous consent order, the Senator from Pennsylvania [Mr. HEINZ] is now recognized.

#### THE PERSIAN GULF CRISIS

Mr. HEINZ. Mr. President, our debate today is the most important debate Congress has undertaken at least in my experience and probably within the last quarter of a century. The subject and outcome of this debate is most probably a life or death matter both for thousands of young men and women in the sands of Saudi Arabia who await the results of our deliberations as well as for the millions of people in the Middle East and elsewhere who are threatened by Iraq's occupation in Kuwait and subsequent expansion of Iraqi military and economic power.

I do not know of a single Member of this body who is not approaching this task with some anxiety and no little deep concern, Mr. President. For most of us this is the first time as legislators that we have been so starkly con-



fronted by the reality of a major conflict and the burden of decision obviously weighs upon our shoulders as well it should. So let us take one moment to consider how it is we have come to so dangerous a pass.

I think we agree, Mr. President, on the facts of the case. Saddam Hussein invaded Kuwait, eradicating a sovereign nation, gaining control of one-fifth of the world's oil reserves, and threatening the rest of his neighbors in the Persian Gulf region. This invasion came quickly on the heels of failed regional negotiations, negotiations that in retrospect were apparently only a facade for military actions planned long in advance by Iraq's leadership.

The realization that the subjugation of Kuwait was, in Saddam's mind, inevitable, should lead us to ask exactly what this conflict is about.

#### BORDERS

First, it has been argued both in Iraq and elsewhere, that Kuwait is historically part of Iraq. There is some basis for this in fact, but only if we realize that none of the borders in the Persian Gulf are accurate. They are all—and this includes Iraq's borders—the result of often unwise colonial decisions taken long before most of the region's residents were even born. Indeed, if we were to look back at historical claims, we might just as easily argue for the redrawing of maps in Asia, Africa, Latin America, and even Europe and North America, including the United States.

Saddam, however, chose to press his claims through force. This, Mr. President, has always been a dead-end: The first major attempt to resolve border disputes in the modern era was called World War I, while the most recent was the Argentine-British war over the Falklands. From Alsace-Lorraine to the Sudetenland to Biafra, and now to Kuwait, war over borders has produced nothing but death and destruction, and in the end the original issues remained unresolved.

#### ECONOMIC JUSTICE

We have also been told that the Kuwaiti Emirs tempted fate by wielding disproportionate wealth and power in a region where so many are poor and dispossessed. Well, Mr. President, who can deny that the regime in Kuwait was authoritarian? Who can deny that it, like many of the other traditional regimes of the region, exhibited fabulous wealth, while others went hungry? And who, Mr. President, would deny the understandable anger of the have-nots when faced with the stunning opulence of the haves?

But here again, Mr. President, we confront a paradox. Can we honestly believe that Saddam Hussein intended to liberate the suffering masses of the Middle East from the economic grip of wealthy sheikhs and emirs? Saddam has inflicted immense suffering throughout the region, taking more

than a million lives in both Iran and Iraq in a 10-year war for treasure and glory, and now through the brutal pillage of a small nation whose most grievous offense was in their refusal to accede to Iraqi economic and territorial demands that had little to do with justice and everything to do with conquest.

#### PALESTINIANS

Finally, Mr. President, Saddam has stooped to the most cynical rationale for his invasion, namely, that he was fighting to force a negotiated settlement of the Palestinian issue. Of course, this was not the original rationale for taking Kuwait, and his sudden discovery of the Palestinians is an obvious diversion that I will return to in a moment. For now, suffice it to say that Saddam has butchered hundreds of Kuwaiti Palestinians without regard to their status, revealing the true hollowness of his professed desire to use Kuwait as leverage for a Middle Eastern peace conference. He may speak the language of Arab internationalism, but his actions are the actions of an Iraqi nationalist aiming for regional hegemony.

#### SADDAM'S TRUE MOTIVES

If Iraq's invasion of Kuwait was not motivated by border disputes, if it was not a crusade for economic justice, if it was not undertaken on behalf of the Palestinians, then what lies behind this barbaric act?

Mr. President, it seems that there can be but one motive for Saddam Hussein's actions, and it is the most chilling motive there can be.

Power, Mr. President, sheer, undiluted power. The pursuit of power for its own sake is the mainspring of Iraqi policy, and power—not Islam, not justice, not borders—is Saddam Hussein's only religion. And because the pursuit of power is by definition unlimited, Saddam's aspirations are unlimited, and this is why I say that this is the most chilling possibility we could face. You see, Mr. President, ideologues and fanatics at least have a creed. They have a set of goals—insane ones, perhaps, but goals nonetheless—and so therefore there is a way to communicate with them.

But those who seek only power, Mr. President, are the most dangerous species of the genus tyrant. They are interested only in one aspect of every discussion: Does the outcome increase or decrease my power, my ability to control the lives and destinies of others? It is the growth of power for growth's sake. It is the ideology of the cancer cell, deadly and implacable.

It is here that civilized discourse breaks down. I agree, Mr. President, with Zbigniew Brzezinski's belief that Saddam and Adolf Hitler are a poor comparison, but I disagree with his comment that Hitler was far worse than Saddam. Hitler was a murderer with a cause. A deranged, evil, insane

cause, to be sure, but a cause laid out for all to see in the pages of Mein Kampf. Saddam is far worse: His murders are done for his own sake, for the greater glory of Saddam, and this makes him more dangerous than we realize.

It has been reported that Saddam Hussein's favorite movie is "The Godfather." I can understand that, Mr. President. Like the fictitious Don, who knelt before the church altar blessing himself while his gunmen slew dozens of his enemies, so too does Saddam mouth the sacred words of Islam while his soldiers destroy the lives of any who would oppose him in the Gulf. No doubt Saddam admires the Godfather's detached pursuit of power and money, buttressed by bullets and terror.

Finally, Mr. President, we must confront the reality that the lust for power means that Saddam's ambitions will make him a chronic problem. This is not the last we will hear from him.

In sum, we know the enemy. We know what he has done. We know why he has done it. Let me turn now to a question that the American people are asking us every day: what are we doing? Why are we involved?

#### AMERICAN MOTIVES

Mr. President, I do not for a moment doubt that we all agree about why the situation in Kuwait distresses us so. Let me state it clearly, for at times in our debates it has become obscured.

First and foremost, Mr. President, the occupation of Kuwait is a moral issue. It is a moral offense of monumental proportions, for a world in which states are erased from the map by arms is a world based on the law of the jungle. It is a repudiation of the very basis of civilization. It does not matter that in this case that aggressor was Iraq and the victim Kuwait. It was wrong when Germany invaded Poland, when Japan invaded Manchuria, when North Korea invaded South Korea, when China invaded Tibet, and when the Soviet Union invaded Afghanistan. It is wrong, transcendently wrong. To allow the world to devolve into a street fight, where the fastest gun or the sharpest knife wins.

I want to be absolutely clear about this, Mr. President. I am certain that the President, the Congress, and the American people are reacting to the invasion of Kuwait first and foremost out of a sense of moral outrage. This overriding moral principle is the reason that millions live in freedom today in Korea, in France, in Eastern Europe and elsewhere.

Of course, I am painfully aware, Mr. President, that many past injustices have not been attacked as vigorously as the subjugation of Kuwait. Around the globe tyrants have managed to protect their crimes from the anger of the international community. On some occasions, we were unable to respond. On others, we were, for various reasons,

unwilling. In large part, we in the West were restrained from undertaking action against international aggression due to the specter of nuclear war that haunted us during the dark days of the cold war.

But the cold war is over, Mr. President, and for the first time in modern history we have reached a point where the entire international community—and it is now a community, rather than opposing blocs—has chosen to isolate and punish an unrestrained aggressor. There is no motivation higher or more powerful that has guided us and our allies in the present crisis.

Some are concerned about access to strategic resources, and understandably so. An attempt to strangle the world economy is as blatant an act of aggression as any other, and there should be no shame in proclaiming our unwillingness to see one unprincipled dictator control the economic well-being of a large part of the world. Millions of people in the developing countries can afford such gangster-style profiteering far less than we can.

Oil is an issue for a different reason than the inconvenience or economic hardship of paying an extra 50 cents a gallon at the pump. The presence of oil in the region only adds to the danger that emanates from Iraq's unbridled appetite for power, and in the end the acquisition of such a valuable resource will serve only to fuel Saddam's ambitions to rule the Persian Gulf, and eventually the entire Middle East, to mold it in his image.

To Saddam Hussein, oil is power, and it should be clear to us now that power is the drug to which he is addicted, and the drug that induces in him the most dangerous and threatening behavior.

And so the need to confront Iraq's aggression is clear. The question is how? Our answer so far has been the imposition of sanctions, and this choice, with all of its attendant dangers and opportunities has served to frame our debate today.

The choice of sanctions was the obvious and appropriate response to the invasion of Kuwait. Sanctions have a long, if checkered, history and tradition, and the imposition of airtight economic sanctions has been an impressive achievement, of which the United Nations may be justifiably proud.

But we must now ask if sanctions are the right tool for the right job. Let us consider generally the case for primary reliance on sanctions.

First, it has been argued that there is no better method by which to weaken an opponent than by sustained sanctions. There is much to recommend this interpretation. Sanctions against countries as diverse as Iran, South Africa, the U.S.S.R., and Germany all produced both changes in behavior as well as a clear weakening of military potential.

Second, it has been correctly pointed out that few nations have undergone sanctions as comprehensive as those in place against Iraq. Although almost every previous embargo in modern history had it loopholes and leaks, the economic noose around Iraq is a ring of iron, supported by dramatic incidents such as the landing of American, British, and Australian marines on the decks of Iraqi freighters foolish enough to ignore warnings to halt.

Third, few countries are as dependent on a single commodity for their economic well-being as Iraq is on oil. Even if other items were to slip the embargo, the end of Iraq's oil profits will have a heavy impact on the standard of living in Iraq, and eventually, one would assume, on Iraqi military potential.

Yet, despite these advantages, and despite my original high hopes for the success of sanctions, I have become convinced that the embargo will not succeed for several compelling reasons.

First, let us assume that the coalition can be held together for at least a year—an extremely optimistic assumption in itself, but one we will accept for the moment. CIA Director Webster himself has testified that there will be no appreciable erosion in Iraqi military capabilities for at least—at least, Mr. President—1 year. In fact, intelligence estimates now suggest that the longer Iraqi troops remain in Kuwait, the better dug in, and the more prepared to repel an attack and inflict heavier casualties, they will be.

Mr. President, this can only mean that an eventual attack to dislodge Iraq from Kuwait will produce more casualties if undertaken 6 months or a year from now than the same attack conducted soon. It would be a horrifying irony, Mr. President, if the very measures we undertake to save allied and American lives in turn end up costing yet more lives. It is true that sanctions may hurt the Iraqi Air Force in the short term. But Iraqi Air power was never our primary concern. More to the point, there is no evidence that sanctions will weaken Iraqi infantry and armor forces. To quote Director Webster:

The key elements of Iraqi defenses would probably not suffer significantly as a result of sanctions.

But even if there is room for disagreement about the economic and military effectiveness of sanctions, the larger question revolves around our ability to maintain sanctions for so long a time. The administration, through the United Nations, has created a dynamic coalition composed of economically and culturally diverse nations, many of whom are traditional friends, many more of whom are traditional enemies. We cannot expect this remarkable group to maintain itself while diplomats wrangle and Kuwait effectively disappears.

Traditional diplomacy has not worked and will not work with a Saddam Hussein. If we are unwilling to send a message both to Saddam and our allies that we are prepared to enforce Security Council Resolution 678, then I believe the coalition will falter as well.

This is hardly an indictment of our allies, Mr. President. The embargo is, in many ways, much more painful for the international community than for Iraq. In particular, it is unreasonable to expect that the front-line states, for whom the embargo will produce the most pain and political dislocation, can hold on for a year or more. Rather than destabilize Iraq, the economic hardships imposed by the embargo will destabilize our most trusted partners in the coalition like Turkey and Egypt even sooner. One can only guess at how long countries like Iran and Syria can be relied on.

Third, while it is true that Iraq is dependent on oil exports, it is equally plain that the world is dependent on oil imports. Continuing the embargo, in my view, will do relatively little to Iraqi military potential, but much to destabilize the international economy. How long can the embargo hold, Mr. President, with oil prices on a roller coaster and the economies of the developed world on the verge of recession or even depression, all because of one man?

At this point, Mr. President, I would like to point out several of the conclusions presented in Prof. Gary Hufbauer's study of sanctions that supporters of the embargo have often cited. Hufbauer himself admitted that sanctions were far more effective before the 1970's; since that time, the world has become much more economically interdependent, and thus sanctions are often as painful for those imposing them as for the target nation second, Hufbauer points out that sanctions work best where aims are limited. Turning back an invasion is not a limited aim, Mr. President. And even in cases where sanctions have met with limited success, the average period of an embargo was 3 years.

Mr. President, it is not 1970. Our aims are not limited. And the international economic coalition against Iraq does not have 3 years.

Even if all these other criteria could be met, however, it is important to remember that Iraq has one more advantage over the international community where sanctions are concerned. Mr. President, we must understand that we are trying to impose sanctions on a totalitarian nation, the type of state that is best suited to weathering an embargo. Consider for a moment how sanctions work: They produce pain. When the pain of economic deprivation, the theory goes, outweighs the pain of giving in to the demands of the sanctioners, then the enemy will acqui-



esce, or even be overthrown by their own people.

But totalitarian governments are different, Mr. President. War with Iran was far worse than any sanction; yet, Saddam survived. And therefore the odds overwhelmingly favor that he will withstand this embargo, because he will gladly inflict pain on Kuwaiti and Iraqi civilians rather than bow to economic pressure. Ten years of war and bloodshed did not dissuade Saddam from his ways, and I fear we delude ourselves if we think a 6-month or 1-year embargo will succeed where the Ayatollah's armies failed.

Both history and common sense tell us that embargoes and sanctions work only where the leaders have some semblance of conscience, where they are not willing to feed soldiers at the expense of feeding children. Iraq, I am sorry to say, is not that kind of state.

If sanctions cannot work, is there another option, between sanctions and war? Some abroad have grasped at Saddam's call for a Mideast peace conference. Let me state for the record why I cannot support what I described earlier as a transparent and cynical move.

### III. A MIDEAST PEACE CONFERENCE?

While it is tempting enough to dismiss this idea merely because Saddam Hussein proposed it after the fact, I have serious reservations about such a conference that I would like to share.

My greatest objection to a Middle East peace conference lies in its manipulation as a diversion. The issue before the world at this moment is the occupation of one sovereign nation by another. If Iraq wishes to negotiate about its demands on Kuwait, then let them withdraw their forces and come to the table without holding an entire nation hostage.

And if the purpose is to turn world attention from an illegal invasion to the longstanding disputes between the Arab nations and the State of Israel, then we can only respond by insisting that Kuwait, not Israel, is the issue. There will be all the time in the world to discuss and negotiate the future of the Middle East, but only after Kuwait is free and restored. We cannot and must not allow Saddam to hide international aggression behind the facade of compassion for the Palestinians and the veil of Saddam's crocodile tears.

I hope that no one believes Saddam Hussein is committed to a genuine dialog on Middle Eastern peace. When he calls for a conference, he is calling for a platform from which he can turn international attention to Israel, not a forum in which the disputes of all Middle Eastern States may be discussed. Would such a conference, for example, involve negotiation over Jordan's ancient claims to the holy sites of Islam in Saudi Arabia? Or the status of Lebanon, or Syria occupation of it, or any one of a dozen other troubles that have

afflicted the Middle East for decades? Of course not, Mr. President, and so we must recognize Saddam's ploy for what it is, and dispose of it accordingly.

The central issue that has brought us here tonight; namely, whether to approve the President's request for authorization to use force, if necessary, to compel Iraq's expulsion from Kuwait, does indeed raise issues that are literally life and death. And this vital question has finally come to where it should finally be decided: here on the floor of the U.S. Senate.

### IV. THE ROLE OF CONGRESS

Our deliberations here tonight are all the more painful, Mr. President, because we are so close to the fateful edge of conflict. Congress has a vital role—a role as essential as it is inevitable—to play in that decision. I believe that it is unfortunate that we shirked that responsibility for months. There is more than enough blame to go around: we in the Congress wanted to play a waiting game, and the President supported that game, since it provided him with the latitude he needed and wanted in dealing with the United Nations and with Iraq.

But we are paying the price for that irresponsibility now, for we are forced to debate this issue under the threat of apparently imminent hostilities, with nerves on edge around the dinner table of every American family. We should have been here on this floor when the first troops landed in Saudi Arabia; we should have been here when that troop strength was doubled. And we were not. And that lack of leadership and institutional courage forces upon us as a consequence a last-minute and unpredictable decision.

And look at the result. Now that we are finally where we ought to be, our debate is too little about the merits of the case against Iraq, and too much about the power of the Presidency. And to what effect?

Too often on the one side, this debate has taken on the character of a second-guessing contest, with the rule that whoever makes the first move loses. And the Congress, by not going squarely on the record, dares the President to go first. The other side in this debate has often suggested that this is a test of congressional loyalty to the President.

Well, we do not owe obedience to the President, or any of the other partisans playing games on either side of the aisle. Rather than engaging in partisan politics, we owe obedience to our consciences, and we owe our energies to the defense of our Nation's interests and the safety and security of this and future generations. To act on any other criteria, when so many lives are at stake, would be at best cowardly, and at worst, criminal.

### V. THE NUNN-MITCHELL RESOLUTION

Mr. President, what are we being asked to decide in the Nunn-Mitchell

resolution? In effect, this legislation says that yes, we support the policies of the administration in every aspect except the use of force. That means we supported the buildup of troops. That means we supported the January deadline. That means that we supported the efforts to negotiate at the eleventh hour.

But after that, the resolution says nothing, except that we will then invite the President to set off another round of delay and recrimination in the future, should the use of arms then be requested. This resolution is a dodge, for it says nothing about the unity or disunity of the U.S. Government. It is a copout, with one exception, which specifically says that we would all like to argue about this again at some later date.

This is as unwise and counter-productive a course as it is dangerous. The message that such a statement would send to Saddam Hussein is the most dangerous one possible, in effect admitting that we and the American people—despite every poll to the contrary—do not support the course taken by the United States and the world community for the past 5 months.

Mr. President, I believe that Saddam will quit Kuwait if we convince him that we are united in our determination. If he senses weakness and disunity, he will remain where he is, confident that he can outlast us.

And if we give him the encouragement, outlast us he will, Mr. President. With the adoption of the Nunn-Mitchell resolution, we would grant him a winning hand just as he was about to contend with the stark reality that his own life was now at stake. The right vote, the vote to minimize or eliminate the risk of going to war, the vote of conscience, is to vote against Nunn-Mitchell and instead to vote to tell Saddam Hussein that the game is over, and that an accounting for his actions can no longer be postponed.

Once he sees that there is no profit in attempting to divide the United States or the alliance, I believe that the war we all hope can be avoided will be avoided, and that Saddam will do what all bullies finally do in the face of resolute force, and accede to the just and legitimate demands of the world community of civilized nations.

Mr. President, I suppose you could ask what if I am wrong and Saddam Hussein refuses to yield? Well, then it should be clear to us that he was not willing to give up his ambitions under any circumstances. In that case, armed conflict will be a reality sooner or later. An inescapable confrontation will be forced upon us, possibly when we are least prepared for it, by a ruthless and even more arrogant Saddam Hussein. And if that is the case, then it is best we do what must be done before Iraq eradicates Kuwait, before Saddam digs in for a long war, before the Iraqi

missiles are well-stocked with chemical, biological, or even nuclear bombs.

And so I shall oppose Nunn-Mitchell and support the Warner-Dole resolution. I do not take this decision lightly, Mr. President. Like all of us here, my heart is heavy, and my mind is troubled. I see again and again the faces of the young soldiers I met in Saudi Arabia and the Persian Gulf.

I think of them. I pray for them and their families. But if we fail to call a halt to Saddam Hussein, then we will need to pray for all of us.

This vote may be our last chance, short of war, to accomplish this vital task. So I urge my colleagues to join with the President and the other nations of the world, to tell Saddam Hussein that we will not be divided.

Mr. President, we are not by this course of action that I urge, telling or encouraging the administration to go to war. We are giving the President the power he needs to do everything possible to avoid war. We are telling Saddam Hussein that we live by our principles and will defend them as one Nation. Anything less will not mean the end of this conflict but only the beginning of a series of conflicts that one day, sooner or later, will drag us into the bloodshed we have sought to avoid.

Mr. President, I yield the floor.

#### WHETHER OR NOT TO GO TO WAR

Mr. GLENN. Mr. President, after the failure of diplomacy in Geneva this week, the winds of war are blowing in the sands of the Middle East. But before we fan those winds by turning our Desert Shield into a Desert Sword, I believe that this Congress and this country must answer some very important questions. Indeed, the current Persian Gulf crisis poses for this Nation—its Government and its people—one of the most fundamental questions a nation can face—whether or not to go to war.

The issue is not whether Congress will or should support the President's actions. The issue is whether the President's actions will be supported by the American people. History clearly teaches us the folly of going to war without the support of the American people. A national consensus on this question is absolutely necessary, and this decision is not for leaders alone. Presidents do not go to war. It is the nation that goes to war, and the people must understand and support the decision if we are to avoid disasters of the past.

Central to the decision to go to war is not whether the President has "had it" with Saddam Hussein, but whether the American people "have had it" and will support whatever actions are undertaken thereafter to achieve our national goals. The public must understand what vital national interests are at stake, and agree that those interests are sufficiently threatened to justify a military response. We cannot ask the

men and women of our Armed Forces—including an estimated 20,000-plus Ohioans—to put their lives on the line with any lesser justification.

Let me say that I believe the United States does have strategic interests at stake in the gulf, and I have thought so for some time. Whether we like it or not, we cannot avoid the fact that our economy, and the economies of virtually every nation in the world, is largely dependent on petroleum as an energy source.

Approximately 70 percent of the world's known reserves of this vital commodity are located in the Persian Gulf. This is not merely a question of the price of oil. While we might grumble I believe most Americans would pay more per gallon for their gasoline if that were all that would be required to avoid a war in the gulf. Perhaps our grumbling would finally result in a true national energy policy which we lacked during the last oil crisis and unfortunately still lack today.

It is a question of reliable access to this vital commodity, and our inability to accept a situation where a tyrant hostile to U.S. interests controls that access and can manipulate it to serve his own interests. This is not a comely concern. It was spelled out in unequivocal terms of vital United States national interest in the Carter doctrine of the 1970's when there was a potential Soviet threat to the region. That, too, followed a 42-year-long commitment of Bahrain-based United States naval forces in the gulf.

Other U.S. interests at stake in the gulf include the future nature of U.S. relations with the entire Moslem world for at least the next several decades, the future of the United Nations as a vehicle for ensuring international peace and stability, and the future of U.S. and international efforts to control the spread of weapons of mass destruction.

There is no doubt that this country has deep and abiding strategic interests in the gulf region. But the crucial question—the one that we should debate and the one the American people must answer—is whether these vital interests are threatened, and whether that threat can best be overcome through quick resort to war or through a patient continuation of the sanctions and embargo we already have in place.

I support the original objectives enunciated by the United Nations and endorsed by the President, namely a complete Iraqi withdrawal from Kuwait, restoration of the Kuwaiti Government, release of all hostages, and the enhancement of security and stability in the region. I believe most Ohioans and most Americans support these objectives.

When the decision was first made to send U.S. forces into the gulf, their mission was clearly defined and widely supported by both the Congress and the

American people—to defend Saudi Arabia and deter further Iraqi aggression against vitally important oil reserves. To date that mission has been an unqualified success.

I also supported the President's November decision to double the size of the United States deployment insofar as that action enhances the security of our forces deployed in Saudi Arabia and ensures their maximum effectiveness should combat start. However, I am extremely concerned by the administration's apparent intent to use offensive military force before we have exhausted all peaceful economic and diplomatic means to achieve U.N. and U.S. objectives.

Evidence of this preference for a near-term offensive military option is headlined by the administration's increasingly pessimistic statements about the effectiveness of the economic embargo and the ability of the international coalition to hang together over the long haul.

I simply have seen no concrete evidence that the embargo is not working. All indications suggest that the embargo is beginning to bite and is likely to have a much more profound effect over time as Iraq exhausts its reserves of hard currency and its stockpiles of components and spare parts necessary for the maintenance not only of its civilian economy but also its military machine. No one can guarantee that the sanctions will achieve our objectives. But never before in modern history have we had a case that coupled a country uniquely vulnerable to economic isolation with an embargo observed by virtually the entire world community.

In making a decision about which course of action best serves our national interests, another question we must answer—and try to answer now—is not so much when a war should start, but how that war will end. What will be the nature and scope of America's commitment? Will United States troops be needed or asked to occupy Iraq? If Iraq were reduced to rubble, how would that power vacuum be filled and by whom? Until we get some satisfactory answers to questions like these, it is clear to me that it will be much easier to start a war in the Middle East than it will be to end it.

Further, war in the gulf could well destroy much of the region's oil refining and pumping capacity—and would likely drive the price of petroleum through the roof. If you think the economic costs of keeping our troops waiting in the desert are high, I can assure you that they are nothing compared to the direct and indirect costs of war.

So I say let's give the sanctions a chance to work, let the censure of the world be brought to bear concretely on the Iraqi regime. I find it curious that the administration appears to believe that this unprecedented international



coalition would bear up in the face of an all out war in the gulf yet cannot persevere in the pursuit of peaceful means for resolving this crisis. Ultimately, if the sanctions do not bring about the desired result, and a decision is made that military force is necessary, the least an extended embargo will have achieved is to weaken the military capability of the opponent, sapping his will and ability to fight.

While there is no guarantee that sanctions will work, we will never know unless we let the scenario play out. As the former head of the Joint Chiefs of Staff, Admiral Crowe, said in a recent hearing of the Senate Armed Services Committee, if we were not prepared to wait, economic sanctions was the wrong policy from the outset. I do not believe it is the wrong policy, and I am not prepared to face the loved ones of any Ohioans deployed in the gulf if I cannot honestly tell them that this Nation will fully explore and completely exhaust all peaceful means for resolving this crisis.

In sum, the American people must understand and concur that vital American interests are at stake in the gulf, and that these interests are sufficiently threatened by Iraqi aggression to demand a United States response. Further the American people must understand and support whatever means this Nation elects to employ to protect those vital interests up to and including offensive military action to dislodge Iraq from Kuwait, if that is the ultimate decision. Without such public support, we cannot sustain that action.

To date I believe the American people have given their assent to our defensive deployment in Saudi Arabia, and to the imposition of the economic embargo. However they, as well as I, have grave reservations about the wisdom, and the necessity, for an offensive military action which we initiate, on January 15 or anytime thereafter, before we have exhausted all peaceful alternatives.

Some have said that we must rally around our President at this time of crisis, and that is a powerful argument. However, in good conscience, I cannot back a policy I believe is ill advised—when thousands of American lives hang in the balance—just for the sake of displaying a united front.

As a veteran of two wars, I know combat and it is hideous. And when it comes to the 400,000 men and women we have sent to the sands of Saudi Arabia, I want to make one thing very clear. I want to say to Saddam Hussein and to every mother, father, sister, brother, spouse, friend, and fiancé of our troops in the gulf that, while this Senator does not want war, if war comes and the shooting starts, our Government will do whatever it takes to support and protect our people and bring them home as quickly as possible. The men and women of our Armed Forces have

been my first concern since this crisis began, and they will continue to be.

Saddam Hussein will find little comfort in the Democratic proposal. We—the President, the Congress, the American people, and indeed the entire world community—are absolutely united on the bottom line—Iraq must get out of Kuwait. Our debate is over what means to employ and when. The Democratic proposal does not rule out the use of force, it does suggest that force be the last resort, after all other avenues have been exhausted.

For all these reasons, I intend to vote to keep sanctions in place—while keeping our military option in reserve—and against the kind of blank check that the President would view as congressional acquiescence to a quick and precipitous resort to war.

If there is to be war, it is the American people who will pay for it.

It is the American people who will die in it.

And it is the American people who should have a say on it.

#### THE CRISIS IN LITHUANIA

Mr. MOYNIHAN. Mr. President, I am deeply concerned about the recent events in and concerning Lithuania. President Gorbachev has demanded that Lithuania immediately accept the authority of the central Soviet government or face direct rule from Moscow. Now Soviet troops have stormed buildings in Lithuania. The historical analogies are ominous. Lithuanian politicians have noted that Stalin gave the Lithuanians 24-hours to capitulate in World War II. But I think the more exact analogy is to 1956. The world was distracted by a crisis in the Middle East. The Soviet Union saw a chance to crush a Hungarian move toward neutrality and it took it. Zbigniew Brzezinski has written in his classic work "The Soviet Bloc" that "the final Soviet decision to intervene [was] facilitated by the Anglo-French attack on Egypt. \* \* \*". In recent testimony before the Committee on Foreign Relations, Dr. Brzezinski expressed his concerns that the Soviets might again yield to the temptation to clean house while the world is preoccupied with the gulf crisis. It appears that his gloomy prediction is beginning to come true.

How tragic and ironic. President Gorbachev's Nobel Peace Prize is newly minted. It has only just reached him. I urge him to live up to the confidence and trust which the Nobel Prize Committee placed in him in bestowing this honor and reverse this misguided decision.

I would also note that during the last Congress I introduced legislation to provide to Lithuania \$15 million in humanitarian assistance. I argued that this aid would provide critical moral and material support for Lithuania in its negotiations with the Soviet Union.

With its reserves depleted by the Soviet blockade the Lithuanians were negotiating with Soviet officials with a knife against their throat. But the Bush administration said "No", the negotiations are going well, this would upset them. Well, obviously the negotiations were not going well. President Gorbachev has turned to threats, including the implicit threat of military force. I will reintroduce my legislation in the new Congress, but I fear that aid will not reach Lithuania in time to have any affect on the current crisis.

I urge President Bush to make clear to the Soviet Union in the strongest possible terms the opposition of the United States to the use of force in negotiating with Lithuania.

#### COMMITTEE CONSIDERATION OF CERTAIN MILITARY NOMINATIONS

Mr. NUNN. Mr. President, the Armed Services Committee has approved six military nominations related to our commanders in Operation Desert Shield. I now report them favorably to the Senate, and I hope the Senate will consider them expeditiously even though the Senate received them just a few days ago.

Senator WARNER and I, and the committee wanted to accommodate the request of several of the Services to accelerate its consideration of these nominations because these nominees are commanders of major combat organizations in the Persian Gulf or are in the process of being deployed there in Operation Desert Shield. We asked the Services to ensure we covered all pending nominees in this category and these are the ones that have been identified to us.

For example, Brig. Gen. James M. Myatt, one of the nominees, is the commanding general of the 1st Marine Division, the initial ground combat element of the Marine Corps deployed in Operation Desert Shield, and one of the largest combat elements over there.

The committee's action in accelerating these nominations is not intended to reflect adversely on other pending nominees who will be considered by the committee in the regular order.

The committee prefers to consider all nominations on a list at the same time, but that was not possible given the timeframe. The committee's action does reflect my view and those of other members of the committee that our men and women in uniform who are deployed deserve our full support. In this regard, I will be joining others next Monday in introducing legislation to benefit our troops in the field, such as implementing the savings plan we passed last year, delaying the Federal income tax filing deadline without penalty, and several other provisions. I will have more to say about these initiatives next Monday.

I have also said that should war occur, and I pray that it does not, I will vote to provide our troops with whatever they need to prevail. As far as I am concerned, there will be no cutoff for our troops if the battle starts.

Mr. President, Senator WARNER and I have asked the majority and minority leaders to expedite consideration of these nominations, and I am certain they will do so.

#### TRIBUTE TO JOSEPH A. GRAZIANO, WILLIAM F. MCGUIRE, AND ALLAN W. WHITCOMB

Mr. KENNEDY. Mr. President, each year, thousands of people fall victim to the ravages of fire, including many brave men and women who risk their lives fighting fires. It is my privilege to pay special tribute to three firefighters from Massachusetts who gave their lives in 1990—Joseph A. Graziano of Braintree; William F. McGuire of Lawrence; and Allan W. Whitcomb of Assonet.

These men were dedicated members of a profession that poses the greatest risks and sometimes demands the greatest sacrifice. It is a profession that tests the limits of human emotion, endurance, commitment and courage. The following prayer, offered at services to fallen firefighters, reflect the dedication of those engaged in this extraordinary form of service to their community.

##### A FIREFIGHTER'S PRAYER

Give me concern,  
A willingness to seek out those in need  
Give me courage,  
The boldness of spirit to face and conquer  
fear,  
To share and endure the ordeal of others in  
need.  
Give me strength,  
Strength of heart, to bear whatever burden  
might be placed on me,  
And strength of body to  
Deliver safely all those placed in my care.  
Give me wisdom to lead,  
The compassion to comfort, and the love to  
Serve unselfishly wherever you may take  
me.  
And please Lord, throughout it all, be at my  
side.

I extend my deepest sympathy to the families and friends of Joseph Graziano, William McGuire, and Allan Whitcomb. I ask unanimous consent that a series of articles may be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Fall River Herald News, Aug. 24, 1989]

#### ALLAN WHITCOMB, 64, DIES, WAS FIRE CHIEF IN FREETOWN

FREETOWN.—Fire Chief Allan W. Whitcomb, 64, died Wednesday after being stricken while collecting rocks at a sand and gravel pit for the fire department's annual clambake.

Whitcomb, in his fifth year as chief, was transported by medical rescue to Charlton Memorial Hospital in Fall River where he died in the emergency room.

Deputy Chief Wayne Haskins said Whitcomb was scheduled to retire in October, and had announced his retirement plans last week.

"We're at a loss for words," said Haskins, who served as deputy under Whitcomb for the last five years. "He was the kind of guy that everybody had to like. He was just a helluva guy. He was good to me and to his men."

"He did what every firefighter dreams of—he worked his way through the ranks," Haskins added.

He said the department is planning "a full fire department funeral" on Saturday. Burial will be in the Assonet Cemetery, South Main Street.

The deputy said town flags are being flown at half-staff and will continue to be flown that way until seven days after the funeral.

Whitcomb, who lived at 75 High St., Assonet, was the husband of Anne F. (Lord) Whitcomb. Born in Manchester, N.H., he was the son of Violet W. (Berglund) Doyle, formerly Whitcomb, of North Scituate, R.I., and the late Arthur Whitcomb. He moved to Freetown in 1956.

He was appointed fire chief on Sept. 17, 1984 by selectmen. His appointment became effective 12 days later, the day after his predecessor, Fire Chief Richard Buttermore, retired.

He served on the town's fire department for 30 years and was a call firefighter from 1959 until 1974 when the first full-time department was formed.

He was promoted to lieutenant in 1974 and named captain in 1976, then acting deputy chief in 1981. He had served under five different fire chiefs.

A registered emergency medical technician, he was a member of the Bristol County Auto, Theft and Arson Task Force; a member of the Bristol County Fire Chiefs Association; the National and Massachusetts Fire Prevention Association; and the Freetown Firefighters' Association.

He was also a member of the Fraternal Order of Eagles, Lakeville, the King Philip Lodge, A.F. & A.M., Fall River, and a 32nd degree Mason and member of the Scottish Rite Bodies, Valley of Fall River, and Azab Grotto, Fall River.

Whitcomb saw active duty in the U.S. Navy during World War II and was a member of the United Church of Assonet.

Besides his widow and mother, he is survived by a daughter, Carol A. Carrier of East Freetown; a brother, Arthur C. Whitcomb of Clairemont, N.H.; a sister, Darle Hill of Foster, R.I.; two grandchildren; and several nieces and nephews.

Arrangements are with the Hathaway Home For Funerals, 1813 Robeson St., Fall River.

[From the Eagle Tribune, Mar. 21, 1990]

#### SCHOLARSHIPS OFFERED TO FALLEN OFFICERS' CHILDREN

(By Sally Gilman)

LAWRENCE. Full four-year scholarships to Emerson College are waiting for three children of a Lawrence firefighter who died in the line of duty.

The college notified Rilla McGuire, widow of Lawrence Firefighter William McGuire, that its free tuition program will be available to her children if they are interested in attending Emerson when they are ready for college.

The college said it is also checking on the children of Lawrence Patrolman Thomas Duggan, who died Friday, three days after he was beaten with an aluminum baseball bat in a vacant lot on Lowell Street.

"We are waiting to get all the information on how best to proceed with the Duggan family," said Brendan Donahue, Emerson's director of community and government relations.

As part of its commitment to Lawrence, Emerson College in 1987 announced it would pay full tuition to academically qualified children of Lawrence police officers or firefighters killed while on the job.

The McGuire children are the first to qualify for the program. Their father died of injuries he suffered while fighting a house fire at 8 Temple St. in December 1989.

Patrolman Duggan's children are Melissa, 21, and Thomas 23, both of Lawrence, and Becky, 13, and Kelley, 12, both of Methuen.

Both men were 18-year veterans of their departments.

[From the Braintree Forum and Observer, Mar. 29, 1989]

#### AS THE COFFIN LEFT THE CHURCH, A TAPE PLAYED "YOU ARE MY HERO"

(By Cathy Conley)

Some 400 firefighters from throughout New England lined Hawthorn Road, standing in brilliant sunshine.

A dirge, like a heartbeat on a drum, could be heard in the distance.

As the sound came closer a color guard rounded the corner and began slowly marching toward St. Thomas More Church.

The fire chief's car with red lights blinking was next followed by two flower-draped fire trucks, Engine 1 and Engine 4.

Then came a cortege of almost 200 Braintree firefighters and police officers.

They had come to bury a fallen comrade—an officer who died in the line of duty.

Joseph A. Graziano, 49, was stricken with a heart attack at the East Braintree Fire Station March 15 after responding to a car accident.

He died March 23 at University Hospital without regaining consciousness.

He and three other firefighters went to the scene of an accident on Elm Street in which an alleged drunk driver smashed truck head-on into a car occupied by an elderly couple.

The husband Arcangelo Bellino, 74, died shortly after the accident.

Firefighter Graziano worked at removing the man from the wreckage and then administered CPR to his wife Frankie.

He restored her breathing but she died two days later.

"He was the picture of health. He had passed the fire department physical with flying colors in October," said his friend Captain Richard Hull.

"But he was busting himself when he was out there. When there are people laying there and they're hollering, you've got to get them out," he said.

As the funeral car slowly passed, the firefighters they snapped to attention and saluted.

Pallbearers Deputy Chief Richard Golden, Captain Arthur Dalton, Lt. Stephen Flaherty, Officers David Linscott, John Malone and David Buker gently hoisted the flag-draped coffin up the church stairs while a bagpiper played "Amazing Grace."

Fr. William Williams called it a "very sad day."

"For a week his family softly called—wake up Joe. Wake up Joe." They kept calling his name.



"Thursday Jesus called his name. And we lost a good man, a good father, a good husband, a good brother, a good son," the priest said.

Captain Hull eulogized his friend. "You have lost a husband and a father. We have lost a brother, a companion, a pal," he told the family.

He recounted an anecdote when Joe started a collection agency on Washington Street on a shoestring.

He couldn't afford a mailbox so he cut a hole in the door.

"What he didn't realize was the door was hollow and all the mail was slipping inside.

"It was weeks before he received his first piece of mail," Captain Hull said.

Arthur Graziano also eulogized his brother.

His daughters Suzanne and Mary Joe played a tape of "You are my Hero" as the casket was slowly carried out of the packed church.

An endless motorcade then went down Adams Street and up Commercial to the East Braintree Fire Station.

The motorcade then backtracked to Washington Street and passed the Central Fire Station where another fire truck paid tribute.

Then it was on to Blue Hills Cemetery.

The cortege of Braintree firefighters led the mourners to the graveside service.

Firefighters William Coppens and Russell Monahan folded the flag on his coffin.

It went from the hands of Captain Hull to Fire Chief Carl Vitagliano to Joseph's widow Mary Anne Graziano.

And Firefighter Joseph Graziano was finally laid to rest to the sound of a sole bagpipe.

Chief Vitagliano called him "quite a guy."

A firefighter with the chief since 1970, Vitagliano said. "I never saw him angry. I never saw him lose his temper. I never thought of it before but he just never got mad.

"He was always positive. You couldn't have a bad day if he was around. He wouldn't let you," the chief said.

Firefighter Graziano was the second Braintree firefighter in five years who has been stricken with a heart attack after responding to an emergency.

In 1983 Firefighter John McDonnell also collapsed and died at the Central Fire Station just after coming back from a fire, the chief said.

Captain Hull called Officer Graziano "the friendliest man I never met.

"Everybody knew him. He just couldn't pass a coffee shop without going in and he talked to everyone.

"Over 1000 people came to his wake and I think every one of them mentioned how friendly he was.

"We sure are going to miss him," Captain Hull said.

[From the Lawrence Eagle-Tribune, Dec. 19, 1989]

#### **COLLAPSE SURPRISED FIREFIGHTER** (By Hilde Hartnett)

LAWRENCE.—Firefighter William McGuire spent Sunday afternoon in the middle of one of his favorite activities—handing out gifts to children at the Firefighter Association's annual Christmas party.

At work a few hours later, he and other members of the crew of Ladder 4 were called to help clean up after a fire at 8 Temple St. The danger was supposed to be over.

But minutes after he arrived, Firefighter McGuire, 42, was buried under a pile of wood

and gravel when a third-floor porch broke loose from its supports.

He was in critical condition at Massachusetts General Hospital this morning. The water-soaked debris crushed his chest, and doctors estimate he may have gone without oxygen for 10 minutes while his fellow firefighters struggled to free him.

An 18-year-veteran of the fire department, Firefighter McGuire is best known for his love of children. He and his wife, Rilla, have three of their own, one just 4 months old. His 4-year-old son has Down's Syndrome, but his progress has been so remarkable that psychologists at the University of Lowell are tracking him, said sister-in-law Jan Woodhouse. Erin, his oldest child, is 5.

The McGuire home on Edgewood Avenue is a gathering place for neighborhood children, said another sister-in-law, Marilyn Evans. The yard, complete with playhouse, swimming pool and a loping, friendly great dane, is outfitted like an amusement park.

The family Christmas tree is hung with dozens of miniature cradles and the living room walls are decorated with pictures of children.

"He's a great family man," they said. It left three families homeless.

Relatives watched the McGuire's children yesterday as Mrs. McGuire stayed at her husband's side.

Mr. McGuire's parents, Mr. and Mrs. William McGuire, flew in from Florida. The senior McGuire was a Lawrence firefighter for 30 years before his retirement several years ago, Chief Johnson said.

From the hospital yesterday, Firefighter's Union president William Middlemiss had one request from the family: "Keep the prayers coming in."

[From the Eagle-Tribune, Dec. 21, 1989]  
**VETERAN FIREFIGHTER FOLLOWED FAMILY TRADITION**  
(By Jim Patten)

LAWRENCE.—All who knew him say William F. McGuire Jr.'s first love was his family.

After his family, the 42-year-old father of three loved the Fire Department and the camaraderie of shared adventures.

The 18-year-veteran of the department followed a family tradition when he entered the fire service. His father, William F. McGuire, retired 10 years ago after 30 years of service.

And when the younger McGuire married his wife, Rilla, he created an extended Fire Department family. His father-in-law, James Tacy, retired about 15 years ago after almost 30 years with the Lawrence Fire Department.

Pvt. McGuire died yesterday morning after being on life support since he was crushed by debris at the scene of a house fire at 8 Temple St. on Sunday night. He was the first Lawrence firefighter killed in the line of duty since 1969.

Hundreds of firefighters from around the state are expected to attend his funeral at 11 a.m. Saturday at St. Mary's Church.

Fire Chief Raymond Johnson said the officers and men of the department will miss Pvt. McGuire, not only because of his skill as a firefighter, but because of his involvement with department activities.

"He was a very experienced firefighter, a good firefighter. He was very involved with the department and took part in all of the functions of the department," Chief Johnson said.

"He was doing his job. That's why he was where he was on the night of the fire," Chief Johnson said.

Pvt. McGuire was on a second-floor porch, about a step away from Firefighter Jay

Toye, when the third-floor porch and porch roof collapsed and fell on him.

Pvt. Toye, 40, married and the father of two children himself, said yesterday the usual stressful feeling firefighters have while on the way to a fire was missing Sunday night because Ladder 4 had been called in to relieve another fire company.

"They called us to chase sparks and throw debris out that still might be hot. It's just brute labor," he said.

"Billy and I were on the second floor and he told me there was fire on the porch. We both went out there and it looked like the deck had burned away," Pvt. Toye said.

Pvt. McGuire used a hook to knock the porch railings off and two posts were all that remained to hold up the third floor porch above them.

[From the Eagle-Tribune, Dec. 24, 1989]  
**FIREFIGHTER MCGUIRE IS LAID TO REST**  
(By Jim Patten)

LAWRENCE.—About 900 firefighters, some from as far away as New York and North Carolina snapped to attention and saluted smartly as the hearse bearing the body of Firefighter William F. McGuire Jr. passed before them.

The hearse and Ladder 4, to which Pvt. McGuire had been assigned, passed under an archway formed by two extended aerial ladders which reached toward the cold winter sky.

They proceeded on to the Elmwood Cemetery in Methuen, where the 18-year Fire Department veteran was laid to rest yesterday, in sunny, 15-degree weather.

As Pvt. McGuire passed the central fire station for the last time, his boots, turnout coat and helmet displayed on the ramp according to fire service custom, the fire department radio crackled and came alive.

"This is 981 sounding the final alarm of fire for Firefighter William F. McGuire Jr., sounding box 6-5-2, 8 Temple St," the dispatcher intoned.

They were saying goodbye in the best tradition of the fire service.

It was the kind of goodbye Lawrence firefighters have not had to provide since 1975, when another of their number, Leo Turner, died in the line of duty.

Pvt. McGuire died Wednesday morning after being on life support since he was crushed by debris as he helped conduct mop-up operations at the scene of a house fire at the Temple Street address Sunday night.

A few minutes before the procession began, nearly 1,300 people crowded St. Mary's Church on Hampshire Street to hear Fire Department chaplain Rev. Francis Pikor compare Pvt. McGuire's sudden and unexpected death to that of the late President John F. Kennedy.

Shortly after the Kennedy assassination, the poem "A Special Delivery From Heaven" was written Father Pikor said.

A message from the president to his family, the poem exhorted them to carry on as they did before, and that he would always be with them, even though they did not see him there.

"With just a few changes of names and words, this same message comes down to us today. It is signed 'love, your husband . . . your dad.' The real 'Bill' is asking you to keep on going, to keep on loving one another, to keep on trying as you did before. He tells us that he will meet you on heaven's bright shore. He tells us that he is with us, though we don't see him," Father Pikor said.

"This is part of our consolation, part of our faith that Jesus rose from the dead and

promised a new life to all who would believe in Him and live in Him. Really death does not take life away; it merely changes this troubled life into a better, brighter life with God," Father Pikor said.

"He was kind and charitable. He did his part for his country, family, and his neighbors. The gathering at this Mass proves all of this," Father Pikor said.

"And now for his departure from this world into eternity, he performed his last act of charity and love last Sunday at the Relief Inn Christmas party for the little children which were always part of his life. He wrapped up gifts and passed them out to the children," Father Pikor said.

"The tragic end came shortly after that, making a sacrifice of his life while on active duty," Father Pikor said.

Father Pikor ended the service by reading a poem written 50 years ago by William J. Cantwell Sr.

Entitled "His Last Alarm," The verses offer a tribute to departed firefighters.

They read in part:

"When duty called, he never shrank.  
He was fearless of all harm.  
His 'Supreme Chief' has pulled the box.  
He has answered his 'Last Alarm.'  
That voice we loved is forever still.  
His work upon Earth is done.  
He has answered the call of his 'Chief' above.

And has gone on his last run.

In addition to Mayor Kevin J. Sullivan and other local dignitaries, Massachusetts Secretary of Public Safety Charles Barry, and Stephen Cohen of the Massachusetts Fire Academy also attended the services.

Fire Chief Raymond Johnson said members of the department and the family were gratified by the large turnout.

"We were very pleased they came on a day like today, so cold, and during the holiday season," Chief Johnson said.

#### JOHN J. McNALLY, JR.—A MASSACHUSETTS LEADER FOR SMALL BUSINESS

Mr. KENNEDY. Mr. President, a good friend and native son of Massachusetts has recently retired as district director of the Small Business Administration of Massachusetts, and I would like to bring to the attention of my colleagues his distinguished record of service.

John J. McNally, Jr., of Webster, MA, served in various capacities in the administrations of President Kennedy, President Johnson, President Ford, and President Bush. As a lifelong advocate of small business, John McNally's impressive positions of responsibility have included director of the Economic Development Program of the Small Business Administration for New England; Chief Advocate of the Small Business Administration for the Northeastern United States; and appointment as chairman of the first Performance Standard Review Board for the SBA. Mr. McNally has also been active in community affairs. He served as president of the Webster-Dudley Chamber of Commerce, and was honored by that organization as Man of the Year in 1975.

On a more personal note, John was a valued friend of my brother, President

Kennedy, whom he served as Staff Assistant and Assistant Press Secretary. John has remained a close personal friend over the years, and I salute his dedicated service to our commonwealth, to our Nation, and to small business.

#### TRIBUTE TO SOUTH CAROLINA SENATOR MARSHALL B. WILLIAMS

Mr. THURMOND. Mr. President, I rise today to pay tribute to South Carolina Senator Marshall B. Williams, who recently became our Nation's longest serving State senator. He has served the State of South Carolina with dedication, ability, honor and integrity for over 39 years. We are proud of him and his lovely wife Margaret.

First elected in 1952, Senator Williams has been consecutively reelected ever since. For the past 2 years he has served with distinction as president pro tempore of the South Carolina Senate. A man of commitment, intellect and high ideals, Senator Williams is a model of excellence to generations of young and aspiring public servants. The Palmetto State is indeed fortunate to have as talented and honorable a man as Marshall Williams at the helm of the State senate.

Mr. President, I ask unanimous consent that an article regarding Senator Williams be printed in the RECORD at this point.

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

ORANGEBURG SEN. MARSHALL WILLIAMS IS NATION'S LONGEST SERVING SENATOR  
(By Tucker Lyon)

In 1989, veteran Orangeburg Sen. Marshall Williams was sworn in as president pro tempore of the Senate, an honor traditionally reserved for the state's top-ranking or longest serving senator.

Now, two years later, Williams has the added distinction of being the longest-serving senator in the nation.

"I'm the most senior senator lawmaker in the United States. I don't know about the House," Williams said. "The woman doing the federal, national legislative (handbook) said one other had served the time I was, but he was not offering for reelection . . . She said I'd be the senior one after the election."

Another state record he holds, Williams believes, is a key to his longevity.

"I went without opposition 32 years, from 1952 to 1984, longer than any person's ever been in South Carolina," he said. "I don't know about the rest of the country."

Although four others before him—Sol Blatt in the House and Edgar Brown, Rembert Dennis and Marion Gressette in the Senate—had served longer than Williams's 39 years in the Senate, he notes that they all at times had opposition.

"That's probably why I'm still up there. If I'd had opposition during those years, I might have lost somewhere down the line," the Democrat said. "Harry Truman said it's like a card game, if you play enough hands, you'll lose some."

Since his days as a college student, Williams also has the rare distinction of never having lost an election by the people.

In 1946, when he made his first bid for public office, Williams says he was "a country boy" who ran for the House as a way to make himself known and bolster his law practice. The countrywide Democratic primary election was for the four House seats.

But thanks to the grateful regard afforded returning veterans of World War II, Williams and three fellow young Turks—Jimmy Brailsford, Hugo Sims and Charlton Horger—swept the entire old guard House delegation, he said.

"I'm sure I'd have had a much harder time being elected the first time if I wasn't a veteran in 1946," Williams concedes.

Once elected to the House and again following his 1952 election to the Senate, Williams says, he carried out his intention "by going to about everything I was invited to, from family reunions to speaking at clubs."

And, the 77-year old lawmaker said, "I really held the only office that I would have wanted. I never wanted to sacrifice my law practice."

The senator's one brush with opposition came in 1984, when stricken by a stroke days before the filing period, he was challenged by a Democrat and a Republican.

Because "politics have definitely changed," particularly with escalating costs in large media coverage areas, Williams thinks his record of longevity will be difficult for up-and-coming politicians to match.

"I was amazed that Richland Republican Sen. John Courson had to raise \$147,000 to run for the Senate. I never heard of such a thing," Williams said. "When I ran and had opposition, we raised \$21,000 and didn't spend all of that. I know he's in an area where you have to buy television coverage and a lot of ads in the paper . . . but that just blew my mind."

Asked the secret of his success, Williams says he makes it a practice not to get mad with anyone over politics and "I respect through the years the opinion of other people, especially when it's from their experience."

But it was the late Wallace Betha, Williams says, who really put the finger on the senator's success.

"He said I was elastic enough to keep up with the times," Williams said. "My family had a lot to do with that . . . my children, grandchildren and now great grandchildren."

#### REMARKS BY GOV. CARROLL CAMPBELL AT HIS INAUGURATION

Mr. THURMOND. Mr. President, I would like to take this opportunity to bring to the attention of my distinguished colleagues the fine remarks made by the able Governor of the great State of South Carolina, Governor Carroll Campbell, on the occasion of his inauguration to a second term.

As I am an admirer of the Governor and feel that he has done an outstanding job in office, I wish him the best of luck as he leads South Carolina into the future. I look forward to working with him in any way I can to promote the welfare of our State.

Mr. President, I ask unanimous consent that Governor Campbell's speech be printed in the RECORD.

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



## 1991 INAUGURAL ADDRESS

There are no words adequate to express my appreciation for the great honor you have bestowed upon me. I want you to know I will do my best to be deserving of your trust.

Inauguration day is a celebration of new beginnings—a day to reflect on the past and ponder the unlimited opportunities which await us.

I intend to do a little of this in a few minutes.

But this is also a day when all South Carolinians are dwelling on the present. A half world away sons and daughters of South Carolina and America are preparing for war while praying for peace.

We know that history will be written in the next week, but we do not know what it will say. We do know, however, that the current situation is unacceptable.

This morning I signed a proclamation designating the next 7 days as prayer week in South Carolina. I am asking people of all faiths to pray for God's protection of our troops, and for God's guidance for our President as he seeks a solution to the Persian Gulf crisis.

Now I want to share with you a letter I received from a South Carolina son, Private First Class Thomas S. Doar the fourth from Hartsville of the 37th Engineers Battalion in Saudi Arabia.

Writing about his education in South Carolina schools, he says, quoting, "I often was spellbound in my U.S. history classes by the part South Carolinians played in not only the formation of a State, but a nation as well. From Rutledge to Calhoun to Byrnes to Thurmond, these are just a few of the historical figures (who) simultaneously forged and strengthened the United States of America."

He continues, "it was the education I received in South Carolina that has caused me . . . to feel like I, too, am playing an important part in our Nation's history."

And he concludes by writing, "For me, it is a responsibility and a reward."

A responsibility and a reward. So writes Pfc Thomas Doar from the sands of Saudi Arabia.

It is to this soldier and the other Americans in uniform that we dedicate this inaugural ceremony in thanksgiving for their courage and devotion. God bless America and her sons and daughters in uniform.

Four years ago I shared with you my belief that the overriding purpose of government is to help people help themselves.

A government that aggressively creates opportunities but steadfastly resists guarantees.

A government that encourages independent initiative and discourages debilitating dependency.

A government that empowers, not enslaves.

This philosophy works.

Personal income in South Carolina has grown at an average annual rate of eight-point-two percent since 1987, improving our standard of living and giving us the resources to educate children and increase services to our citizens.

And not only did we avoid a general tax increase, we cut taxes on the working poor and took steps to prevent backdoor tax increases through inflation.

Two weeks ago the board of economic advisers reported that South Carolina is still adding jobs while the nation is losing them. While a downturn is expected, the report indicates continued growth. Indeed, we have added more than 200 thousand new jobs.

South Carolina's record setting economic expansion and job creation validate our strategy of putting more people to work instead of putting higher taxes on working people.

"The supreme end of education," said Samuel Johnson, "is expert discernment—the power to tell the good from the bad, the genuine from the counterfeit, and to prefer the good and the genuine to the bad and the counterfeit."

Such is our quest for excellence in education.

Achieving excellence requires different strategies from achieving minimum standards. Centralized control must give way to local innovation.

We recognized with the target 2000 legislation that the real vitality of South Carolina education rests right there in the classroom with the teachers and principals and parents who know their children best.

They are the potters molding the clay, the artists painting the picture. The State's job is to support them. Their job is to understand the needs of their children and creatively find ways to meet those needs, even if it means painting outside the numbers.

Our children will get quality education to the extent that the State funds it and local educators use it to benefit the children.

In this regard 1991 presents some tough choices. The budget is tight and the needs great.

Let the special interests shout from the State house dome if they must. But let us be sensible enough not to raise taxes and wise enough not to retreat from pursuing excellence in the classroom.

A short time ago, I received a letter from a worker who participated in my initiative for work force excellence. Referring to her fellow employees at a major plant, she writes, "I found them to be excited about the opportunity to develop their skills and continue their education. Everyone enrolled in the program seems to have a different outlook on life."

This is the power of education. If the leadership of South Carolina, unified in purpose, can help people capture a new outlook on life, there is no limit to what we can accomplish.

Four years ago I talked about a clean and safe environment.

Again, South Carolina is united behind the effort to cleanse our schools and streets of drugs.

The Safe Schools Act, which took effect nine days ago, reaffirms that schools are for building up. But there's also a place for those who would tear down. It's called prison.

Just as the fight to protect our children continues, so must we continue our vigilance to protect our natural resources.

Hurricane Hugo again reminded us that our environment is fragile.

Poet T. Benton Young captured the South Carolina we all love when he wrote, "a quiet, calm and peaceful place, here each life can set its pace, with hope that time will not erase the special beauty, charm and grace so loved in South Carolina."

We cannot permit time to erase the special beauty of the wetlands. We cannot permit other priorities to thwart efforts for sensible solid waste and recycling programs.

And we shall not allow one judicial opinion to let other States off the hook in meeting their responsibilities for hazardous waste.

In the last four years not one hazardous waste facility has opened in South Carolina. We have enough capacity to meet our needs.

We have not sought, nor do we seek, to dodge our responsibility, and we will not allow other States to dodge theirs.

It is not too much to ask States which voluntarily signed the regional agreement on hazardous waste to honor their word and maintain their integrity. We shall pursue fairness, preferably through cooperation. But if forced, we will not duck confrontation.

But we have our own integrity to deal with in South Carolina. Revelations of corruption have hurt.

Our image has been tarnished. Public confidence has been damaged, and it isn't over yet.

The thing that troubles me most is the effect it must be having on our children. The very soul of our State is shaken if they perceive their elected leaders as dishonest.

I want to make three points.

First, I proclaim that the vast majority of legislators and other public officials are men and women of integrity who have chosen to serve with grace and dignity in the public square.

Second, all the laws in the world will not guarantee honesty. You only need to look at the Bible to see this. If certain people choose willingly to violate God's laws, then we cannot expect universal conformity to man's laws.

Third, we do not need reform to make bad people good. But we need reform to mirror the integrity of the good people in public life and free them to do the people's business without a cloud of suspicion and doubt.

There will be much debate over the substance of reform. I commend Senator Williams, Lieutenant Governor Theodore, Speaker Sheheen and Representative Wilkins for their work in setting the stage for debate.

I think I can speak for them and other legislators in promising the people that we will not quit this year until honesty and ethics have again been exalted and restored to their rightful position in the affairs of state.

Addressing ethics, however, is only a partial answer. Much of State government is not directly accountable to any elected official. We in essence have four branches of government: the executive, legislative and judicial branches, and the bureaucracy.

Failure to restructure government, failure to bring horse-and- buggy government into the space age, will perpetuate a system that answers to nobody, listens to nobody and serves nobody other than its own special interests.

Soon I will submit for the general assembly's consideration a plan to restructure State government.

There will be those who will measure its merits in terms of power—who gains and who loses.

Let me be clear: the only gains we should concern ourselves with are those that make government more accountable.

And the only power to fret about is the power of the people because it is their government, their taxes, their future.

I have provided a general outline of some of our accomplishments and challenges. But I do not want to end without stating my unequivocal optimism for the future of South Carolina.

I can't help but be optimistic when one of modern history's worst natural disasters left our people unbowed.

I can't help but be optimistic knowing how we all pulled together in that tragic time and came out stronger.

Ladies and gentlemen, if Hugo couldn't destroy our spirit, then recession, difficulties and even scandal do not stand a chance.

Let us look to ourselves for unity and purpose. Let us look to God for strength and assurance. And let us move confidently to fulfill our responsibilities.

Thank you, God Bless America, our military, and all of you.

#### TRAGEDY AT CALHOUN, TN

Mr. SASSER. Mr. President, on December 11, 1990, the worst highway tragedy in the history of my State occurred on Interstate 75 near Calhoun, TN. I rise today to recognize the agencies, organizations and individual volunteers who acted swiftly and courageously to assist those in trouble and to avert further tragedy.

This accident unfolded rapidly as motorists, suddenly engulfed in blinding fog, found themselves trapped in wreckage and fire. The pileup stretched a mile in both directions. Eighty-three vehicles were involved, 12 persons died, and 50 more were hospitalized with injuries. I am convinced that many more individuals would have died if not for the heroic actions of individual motorists and emergency personnel who acted quickly to help crash victims and to warn those approaching this area.

Emergency response teams from seven counties and medical professionals worked tirelessly to save the lives of victims on site and at area hospitals. Rescue teams worked for hours in the burning wreckage to free other survivors knowing that their own lives were in danger.

Community support in the aftermath of the tragedy was outstanding. Volunteers worked around the clock to provide adequate food and shelter, to answer phone inquiries and to contribute any support services needed by victims, rescue workers, medical professionals and others.

Mr. President, the response was phenomenal and deserves special attention. Our heart-felt sympathy goes to the families who lost loved ones. At the same time, we should express our gratitude that so many more lives were saved by the courageous efforts of many individuals.

I would like to recognize for a job well done the following agencies, organizations and individuals who participated in the response to this accident:

Alert Care Emergency Medical Services, American Red Cross, Athens Area Amateur Radio Club, Athens Community Hospital, Athens Fire Department, Athens Police Department, Athens/McMinn County Emergency Management, Athens/McMinn Hazardous Material, Bacon Construction—Cleveland, Baptist Med Flight—Knoxville, BFI, Bowaters Emergency Medical Services, Bowaters Security, Bradley County Emergency Medical Service, Bradley County Emergency Management, Bradley County Hazardous Materials, Bradley County Rescue, Bradley County Sheriff's Department, Bradley Memorial Hospital, Calhoun Police, Calhoun Rural Fire, Calhoun School, Calhoun Transport Service Reef Truck, Charleston Volunteer Fire Department, Chat-

tanooga-Hamilton County Rescue, Clearwater Rural Fire, Cleveland Area Amateur Radio Club, Cleveland Community Hospital, Cleveland Fire Department, Cleveland Police Department, Dallas Bay Volunteer Fire Department, Daniels Construction Co.—Cleveland, Dr. Rodney Dunham—Woods Memorial Emergency Medical Services, Dr. Jerry DeVane—Bradley Memorial Emergency Medical Services, Eastridge Fire Department, Erlanger Hospital, Erlanger Life Force Helicopter, Etowah Rescue, Etowah Rural Fire, FBI Team, Hamilton County Emergency Management Agency, Hamilton County Emergency Medical Services, Highway 58 Volunteer Fire Department, Hillsview Rural Fire, Knox County Rescue Team, Loudon County Emergency Medical Services, McMinn County Fire/Rescue, McMinn County Government—County Executive Ron Banks, McMinn County Sheriff's Department, McMinn County School Department Bus Drivers, Meigs County Emergency Medical Services, Meigs County Rescue Team, Memorial Hospital Emergency Medical Services, Monroe County Emergency Medical Services, Monroe County Rescue, Olin Chemical Group, Polk County Rural Fire and Rescue, Redbank Fire Department, Riceville Rural Fire, Dr. Iris Snider—McMinn County Coroner, St. Paul's Episcopal Church—Dr. Brody, Tennessee Emergency Management Agency, Tennessee Funeral Directors Association: Executive Director Joe Scudder and Fred Berry, Jr.—Disaster Committee, Tennessee Highway Patrol, Tennessee Public Service Commission, Tennessee Department of Transportation, Tri-Community Fire and Rescue, Tri-State Mutual Aid, Union Grove Rural Fire, UT Life Star Helicopter, UT Medical Center, Dr. Benny Waller—Medical Command Officer, Woods Memorial Hospital, Woods Memorial Hospital Emergency Medical Services, All Area Wreckers.

Mr. President, I thank you and my colleagues for joining me in this public tribute. It is the least we can do for those who gave so much of themselves.

#### TERRY ANDERSON

Mr. MOYNIHAN. Mr. President, I rise to inform my colleagues that today marks the 2,127th day that Terry Anderson has been held captive in Lebanon.

In our debate, a number of Senators have invited us to imagine our own children at war in the Persian Gulf. To use that ruler to measure the importance of what is at stake.

I suggest that we spend a moment imagining a son or brother held hostage. Chained to a wall. I ask that you store this image, and recall it as we debate the larger issue here. The establishment of a new world order. An international order that can no more tolerate aggression against an individual than aggression against a neighboring nation.

#### THE LITHUANIAN TRAGEDY

Mr. DECONCINI. Mr. President, I am deeply disturbed by the unfolding tragedy taking place in Lithuania and the use of Soviet military force against the people of Lithuania even as we speak.

We understand that three persons have already been wounded and that one fatality has been reported. These acts by President Gorbachev and his military are contrary to the spirit of perestroika and reflect a mentality we thought had ended with the cold war.

These actions by President Gorbachev do not mark the values of a Nobel Peace Prize winner. They reflect a cynical attempt to use force at a time when the world's attention is turned to another serious crisis.

The Lithuanian people and their Government present no threat to the Soviet Government. They are not shooting anyone. They simply want their freedom and their nationhood back.

The Soviet Government has already condemned the Hitler-Stalin secret protocols that turned the Baltics over to the Soviet Union. But Gorbachev appears to be returning to Stalinist policies on the Baltic States.

This is truly a set-back for United States-Soviet relations, and I believe the President should postpone the summit and send Mr. Gorbachev an urgent message telling him that we will not pursue a policy of business as usual. We must urge Mr. Gorbachev to call the troops back from Lithuania and allow the democratically elected Government of Lithuania, and the Governments of Latvia and Estonia to carry out their lawful duties.

I ask unanimous consent that a news release of a statement I made several days ago be printed in the RECORD.

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

#### CSCE COMMISSION CHAIRMAN HITS ADMINISTRATION CAUTION ON BALTICS

WASHINGTON.—Sen. Dennis DeConcini (D-Ariz.), chairman of the U.S. Commission on Security and Cooperation in Europe ("Helsinki Commission"), today expressed deep concern over Moscow's reported threat to send paratroops into the Baltic States to round up draft resisters.

"It's time for the Bush Administration to back up its rhetorical support for Baltic self-determination by taking a tough stand on forced Baltic conscription into the Soviet Armed Forces," DeConcini said.

Since 1940, when the Soviet Union invaded and seized Estonia, Latvia, and Lithuania, the United States government has considered the Baltic States occupied countries.

DeConcini said that because the 1949 Geneva Convention, which was ratified by the United States and the Soviet Union, prohibits occupying powers from compelling citizens of occupied countries to serve in its armed forces, Baltic citizens should not have to serve in the Soviet Army.

The Soviet Defense Ministry's latest threat to use compulsion against the Baltic States caps a series of alarming events and trends," DeConcini said. "Baltic good-faith efforts to negotiate independence with President Gorbachev and the Soviet authorities have foundered because of Moscow's recalcitrance."

Calls have issued from Moscow to dissolve the duly elected parliaments of the Baltic States and to rule Lithuania, Latvia and Estonia by presidential decree. Last week, spe-



cial "Black Beret" forces of the Soviet Internal Affairs Ministry took control of the press building in Riga, Latvia.

"All signs indicate that President Gorbachev has lost any inclination to work out differences with the Baltic governments and has opted instead to force them into line," DeConcini said. "Foreign Minister Schevardnadze's warnings that 'a dictatorship is coming' grow more convincing every day.

"Moscow's unwillingness to negotiate seriously with the Baltic States has, unfortunately, been encouraged by a confused U.S. policy," DeConcini added. "Since Lithuania declared the re-establishment of independence in March 1990, and Estonia and Latvia declared their intentions to proceed on the same course, the Administration has tiptoed, backtracked, and sidestepped on the issue of Baltic independence.

"The issue of forced conscription provides us with an opportunity to put some teeth into our 50-year principled stand of refusing to recognize the forcible Soviet incorporation of Latvia, Lithuania and Estonia. We should make clear to President Gorbachev that Soviet use of force in the Baltic States will have a powerful and immediate impact on U.S.-Soviet relations and that our cooperation in other regions, including the Persian Gulf, does not mean that we have given Moscow carte blanche in the Baltic."

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON DEVELOPMENTS WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

I hereby report to the Congress on developments since my last report of July 13, 1990, concerning the national emergency with respect to Libya that was declared in Executive Order No. 12543 of January 7, 1986. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) ("IEEPA"); and section 505(c) of the International Security and Develop-

ment Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c).

2. Since my last report on July 13, 1990, there have been no amendments to the Libyan Sanctions Regulations, 31 C.F.R. Part 550 (the "Regulations"), administered by the Office of Foreign Assets Control ("FAC") of the Department of the Treasury. Additionally, since July 13, 1990, there have been no amendments or changes to orders of the Department of Commerce or the Department of Transportation implementing aspects of Executive Order No. 12543 relating to exports from the United States and air transportation, respectively.

3. During the current 6-month period, FAC approved only one license application authorizing the renewal of a patent. Twenty licensing decisions were made prohibiting transactions in connection with Libya.

4. Various enforcement actions mentioned in previous reports continue to be pursued. In October 1990, based upon violations of IEEPA, the U.S. Customs Service seized \$3 million in funds at a New York bank and \$800,000 at a bank in Florida. The U.S. attorneys for the respective jurisdictions utilized 18 U.S.C. 1956, the Money Laundering Control Act, to effect the seizures. This marks the first time that this statute has been used to effect seizures based upon an IEEPA violation. This continuing investigation centers around an alleged conspiracy to invest Libyan funds in various U.S. businesses and technology.

In November 1990, FAC blocked a letter of credit in the amount of \$332,124, drawn on the account of a U.S. manufacturer to pay a South Korean firm for the shipment of industrial equipment to Libya. The funds have been placed into a blocked account, and the investigation into the actions of the U.S. firm continues.

5. The expenses incurred by the Federal Government in the 6-month period from July 13, 1990, through December 14, 1990, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the Libyan national emergency are estimated at \$407,603. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the Customs Service, the Office of the Assistant Secretary for Enforcement, the Office of the Assistant Secretary for International Affairs, and the Office of the General Counsel), the Department of State, the Department of Commerce, the Department of Justice, the Federal Reserve Board, and the National Security Council.

6. The policies and actions of the Government of Libya continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. I shall continue to exercise the powers at my dis-

posal to apply economic sanctions against Libya as long as these measures are appropriate, and will continue to report periodically to the Congress on significant developments as required by law.

GEORGE BUSH.

THE WHITE HOUSE, January 11, 1991.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. NUNN from the Committee on Armed Services:

The following-named brigadier general of the U.S. Marine Corps for promotion to the permanent grade of major general, under the provisions of title 10, United States Code, section 624:

James M. Myatt.

I nominate the following-named captains in the line of the U.S. Navy for promotion to the permanent grade of rear admiral (lower half), pursuant to title 10, United States Code, section 624, subject to qualifications therefor as provided by law:

UNRESTRICTED LINE OFFICER

*To be rear admiral (lower half)*

Capt. David S. Bill III, xxx-xx-xxxx U.S. Navy.

Capt. Arthur K. Cebrowski, xxx-xx-xxxx U.S. Navy.

Capt. John J. Mazach, xxx-xx-xxxx U.S. Navy.

Capt. Bernard J. Smith, xxx-xx-xxxx U.S. Navy.

Capt. Ernest F. Tedeschi, Jr., xxx-xx-xxxx U.S. Navy.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WARNER (for himself, Mr. LIEBERMAN, Mr. STEVENS, Mr. ROBB, Mr. HEFLIN, Mr. DOLE, Mr. SHELBY, Mr. DANFORTH, Mr. MURKOWSKI, Mr. BOND, Mr. BURNS, Mr. CHAFEE, Mr. COATS, Mr. COCHRAN, Mr. COHEN, Mr. CRAIG, Mr. D'AMATO, Mr. DOMENICI, Mr. GARN, Mr. GORTON, Mr. GRAMM, Mr. HATCH, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Mr. ROTH, Mr. RUDMAN, Mr. SEYMOUR, Mr. SIMPSON, Mr. SMITH, Mr. SPECTER, and Mr. THURMOND):

S.J. Res. 2. Joint resolution to authorize the use of U.S. Armed Forces pursuant to U.N. Security Council Resolution 678, placed on the calendar.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOLE (for himself, Mr. PELL, Mr. MITCHELL, and Mr. WARNER):

S. Res. 11. Resolution to commend the Secretary General of the United Nations; considered and agreed to.

By Mr. BRADLEY (for himself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. HELMS, Mr. D'AMATO, Mr. KOHL, Ms. MIKULSKI, Mr. KASTEN, Mr. GLENN, Mr. RIEGLE, Mr. DIXON, Mr. WARNER, Mr. THURMOND, Mr. SIMON, Mr. GRAHAM, Mr. DODD, Mr. MOYNIHAN, Mr. DECONCINI, Mr. METZENBAUM, Mr. MCCAIN, Mr. MACK, Mr. LUGAR, Mr. AKAKA, Mr. BRYAN and Mr. SARBANES):

S. Res. 12. Resolution calling upon President Gorbachev to refrain from further use of force against the democratically elected government of Lithuania, Latvia, or Estonia; considered and agreed to.

#### ADDITIONAL COSPONSORS

##### SENATE JOINT RESOLUTION 1

At the request of Mr. KERRY, his name was added as a cosponsor of Senate Joint Resolution 1, a joint resolution regarding United States policy to reverse Iraq's occupation of Kuwait.

#### SENATE RESOLUTION 11—COM-MENDING THE SECRETARY GENERAL OF THE UNITED STATES

Mr. DOLE (for himself, Mr. PELL, Mr. MITCHELL, and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

##### S. RES. 11

Whereas it is in the interest of all parties to explore every reasonable avenue to achieve a resolution of the Persian Gulf crisis without war.

Whereas the United Nations has played a central role in efforts to achieve the total withdrawal of Iraqi forces from Kuwait.

Whereas the United Nations Security Council has passed 12 separate resolutions calling for the accomplishment of those goals.

Whereas the United Nations Secretary General Perez de Cuellar has announced his intention to travel to the Persian Gulf, including to Iraq, to make a last effort to convince Iraqi President Saddam Hussein to withdraw his forces from Kuwait before January 15, 1991.

Resolved, That the Senate commends the Secretary General for his initiative.

That the Senate hopes that the Secretary General's mission will lead to a peaceful resolution of the Persian Gulf crisis, to include the total withdrawal of Iraqi forces from Kuwait.

#### SENATE RESOLUTION 12—REL-ATIVE TO THE USE OF FORCE IN THE BALTIC NATIONS

Mr. BRADLEY (for himself, Mr. MITCHELL, Mr. DOLE, Mr. PELL, Mr. HELMS, Mr. D'AMATO, Mr. KOHL, Ms. MIKULSKI, Mr. KASTEN, Mr. GLENN, Mr. RIEGLE, Mr. DIXON, Mr. WARNER, Mr. THURMOND, Mr. SIMON, Mr. GRAHAM, Mr. DODD, Mr. MOYNIHAN, Mr. DECONCINI, Mr. METZENBAUM, Mr. MCCAIN, Mr. MACK, Mr. LUGAR, Mr. AKAKA, Mr. BRYAN, and Mr. SARBANES) submitted the following resolution; which was considered and agreed to, as follows:

##### S. RES. 12

Whereas President Gorbachev has deployed troops to Lithuania and begun to use force to impose his rule in place of the democratically elected government of Lithuania;

Whereas the United States has never recognized the forcible annexation of Lithuania, Latvia, and Estonia into the Soviet Union;

Whereas these Baltic nations have been at the forefront of economic reform and real democratization among the people of the Soviet Union; and

Whereas the government of Lithuania has responded with an urgent appeal for the immediate support of all democratic countries to protect the independence and democracy of Lithuania and the Baltic States: Now, therefore, be it

Resolved, That the Senate calls on President Gorbachev to refrain from further use of coercive tactics against the democratically elected government of Lithuania, Latvia, or Estonia. Such coercive tactics are unacceptable among the community of democratic nations and especially so at a time when the world, including the Soviet Union itself, is united in opposition to the forcible annexation of another small nation, Kuwait, by its brutal neighbor, Iraq.

#### NOTICES OF HEARINGS

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LEAHY. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will hold a hearing on agricultural trade and agricultural reform in the Soviet Union as they effect United States agriculture. The hearing will be held on Wednesday, January 23, 1991 at 9:30 a.m. in SR-332. For further information, please contact Lynnett Wagner of the committee staff at 224-5207.

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. FORD. Mr. President, I wish to announce that the Committee on Rules and Administration will meet to organize on Wednesday, January 30, 1991, at 9:30 a.m., in SR-301. At this meeting the committee plans to adopt its rules of procedure and to select members for the Joint Committee on Printing and the Joint Committee of Congress on the Library.

The committee will also consider legislative and administrative items currently pending in its agenda, including an original resolution authorizing expenditures by the Committee on Rules and Administration for the 102d Congress.

For further information regarding this meeting, please contact Carole Blessington of the Rules Committee staff on 224-0278.

#### ADDITIONAL STATEMENTS

##### HONORING AMERICA'S BEST AIRLINE

• Mr. KASTEN. Mr. President, those of us from the Great Lakes region have long been proud of the excellent service

provided by the Milwaukee-based airline Midwest Express.

Yesterday, we learned that the secret is finally out. The January issue of Consumer Reports Travel Letter reveals to all Americans that Midwest Express is—overall—the best airline in America.

Speaking from personal experience, I can say the following: Midwest Express is second to none. And I would like to take this opportunity to congratulate the folks at Midwest Express for this richly deserved honor.

I ask that an article from the Milwaukee Journal on this subject be included in the RECORD at this point.

The article follows:

##### ON TOP: MIDWEST EXPRESS NAMED BEST AIRLINE IN UNITED STATES

(By Tim Cuprisin)

Midwest Express was rated "best US airline overall" in the January issue of Consumer Reports Travel Letter.

The monthly travel newsletter praised the Milwaukee-based airline as the only US carrier providing "acceptable comfort for the traveler on any coach ticket, including the cheapest excursion."

The airline's comfortable seating and premium meals earned Midwest Express an inclusion in the newsletter's "10 Good Transportation Values."

"However small its present market, this niche carrier is a welcome exception to the sameness of most US coach air travel," according to the newsletter. Published in Mount Vernon, N.Y., by Consumers Union, the 85,000-circulation newsletter is aimed mostly at non-business travelers.

Midwest Express President Tim Hoeksema said that maintaining the airline's reputation for service was "something that we work very hard to do."

"When I look at this thing, it just renews to me the fact that people want good service and they want good value," Hoeksema said.

Hoeksema said the airline's status as a "niche carrier," which serves a specific area of the flying market, made it easier to stress service.

"We have a successful basic formula and stick to it," Hoeksema said. "The fact that we're small makes it easier to do this type of thing. It's not all things to all people."

Recently, Midwest became the only US carrier to offer credit card telephones in all planes.

##### BATEMAN PRAISES MIDWEST

Mitchell Airport Director Barry Bateman said Midwest Express was responsible for "putting us on the map."

"Midwest Express is awfully good for Milwaukee and awfully good for Mitchell Airport," Bateman said. "It's very nice to be standing out in the concourse and executives will come in from Boston and New York, and they will remark about what a nice trip they've had. It's a real feather in our cap that Midwest Express is here."

Bateman said Midwest Express was one of the few airlines created after the industry was deregulated that has thrived. He said its success stemmed from its focus on Wisconsin business fliers.

Hoeksema said that the recession and higher fuel prices had forced the airline to spend the first quarter of 1991 preserving its market, rather than expanding. But he said that passenger figures had not dropped much, since about 75% of the airline's pas-



sengers were business fliers, rather than discretionary travelers.

W.B. Leonard, managing editor of the newsletter, said Midwest Express routinely scored highly in surveys of seating comfort.

The airline's fleet of 13 DC-9s has only two rows of two seats each, an arrangement most US airlines limit to first class seating. Most airlines have three seats in a row in coach. •

#### HONORING CHIPPEWA SPRINGS CORP. AND LEINENKUGEL'S BREWERY

• Mr. KASTEN. Mr. President, all Americans are proud of the sacrifice being made by the young men and women who are representing our country in the Persian Gulf. I rise today to applaud some of my constituents who have gone the extra mile to lighten the burden on those courageous young soldiers.

The Chippewa Springs Corp. of Chippewa Falls, WI, together with the Jacob Leinenkugel Brewing Co., has shipped 800 cases of bottled spring water to our military personnel stationed in Saudi Arabia.

Thanks to this important joint project, our troops will enjoy 20,000 16-ounce bottles of refreshing Wisconsin spring water. Truly can it be said of our soldiers: "Blessed are they who thirst for what is right." I therefore extend a heartfelt thanks to the generous Wisconsinites who have made this important donation. •

#### ORDERS FOR SATURDAY

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 8 a.m. on Saturday, January 12; that following the prayer, the Journal of proceedings be deemed approved to date and the time for the two leaders be reserved for their use later in the day.

I further ask unanimous consent that immediately following the prayer on Saturday, there be 3 hours 10 minutes of debate on the consideration of Senate Joint Resolution 1, the Nunn, et al., joint resolution, with the majority leader or his designee controlling 110 minutes and the Republican leader or his designee controlling 80 minutes; that at the conclusion or yielding back of time, the Senate proceed to vote without any intervening action or debate on passage of Senate Joint Resolution 1; and that upon the disposition of Senate Joint Resolution 1, the Senate proceed to the consideration of Senate Joint Resolution 2, the Dole-Warner, et al., resolution, on which there will be 2 hours 10 minutes of debate, with the Republican leader or his designee controlling 80 minutes and the majority leader or his designee controlling 50 minutes; and that at the conclusion or yielding back of time, the Senate proceed to vote without any intervening action or debate on pas-

sage of Senate Joint Resolution 2; and that with respect to the consideration of these two resolutions, no amendments or motions be in order, except for motions to reconsider and to table the passage of these resolutions.

The PRESIDING OFFICER. Is there objection? The Chair hears none, it is so ordered.

Mr. MITCHELL. Mr. President, I want to thank my colleague, the distinguished acting Republican leader, and the Republican leader, with whom I have reached this agreement following many hours of discussion along with many colleagues on both sides who participated in those discussions.

Under this agreement, for the information therefore of Senators, to summarize, the Senate will reconvene at 8 a.m. on Saturday morning—actually now this morning, it just being after midnight now—and we will debate for 3 hours and 10 minutes on the Nunn, et al., resolution. There will then be a vote on that at 11:10 a.m. on Saturday. Assuming that will be an approximately 20-minute vote, beginning at approximately 11:30, or immediately following that vote, the Senate will then debate for 2 hours and 10 minutes on the Dole-Warner resolution, with a vote on that to occur at approximately 1:40 p.m., pursuant to this agreement. There will be no amendments to either resolution. There will be no other matters before the Senate at that time, just these two votes on the two competing resolutions.

Mr. President, if I might, I further ask unanimous consent that the joint resolution filed earlier yesterday by Senators WARNER and DOLE, et al., be considered introduced and that it be placed on the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MITCHELL. Mr. President and Members of the Senate, that is a necessary prerequisite to having it up for consideration later today. So the matter will be concluded with rollcall votes to occur—to repeat once more—at approximately 11:10 a.m. on the Nunn resolution and at approximately 1:40 p.m. on the Warner resolution.

The PRESIDING OFFICER. The distinguished acting minority leader is recognized.

Mr. SIMPSON. I thank the majority leader and express to him we, too, are pleased we could compress this time and meet this schedule. But I want to say, certainly, to those on this side of the aisle that the time will be excessively compressed in the morning hour from the time when the Senate begins its business until the approximate time of the rollcall vote the leader has just described for reasons that I understand remained apparent between the minority leader and the majority leader earlier in the day.

And so I would remind my colleagues that their schedule will be available to them in the morning. There are some times that we were not able to meet in the form of the full time requested. And so I am just saying to those on our side of the aisle that schedule for their remarks will be strictly adhered to in order to meet this schedule and we will continue our statements tonight.

Mr. MITCHELL. I thank my colleague.

#### RECESS UNTIL 8 A.M. TODAY

The PRESIDING OFFICER. The Chair notes there are no other Senators on the floor who are authorized to be recognized. There appears to be no other business before the body at this time.

Under the previous order the Senate will stand in recess until the hour of 8 a.m.

Thereupon, the Senate, at 2:39 a.m., recessed until Saturday, January 12, 1991, at 8 a.m.

#### NOMINATIONS

Executive nominations received by the Senate January 11, 1991:

##### DEPARTMENT OF STATE

JON DAVID GLASSMAN, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

##### DEPARTMENT OF JUSTICE

DONNA M. OWENS, OF OHIO, TO BE DIRECTOR OF THE BUREAU OF JUSTICE ASSISTANCE (NEW POSITION).

##### IN THE AIR FORCE

THE FOLLOWING PERSON FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 583, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED.

##### MEDICAL CORPS

##### To be lieutenant colonel

FORTUNATO T. ELIZAGA, XXX-XX-X.

THE FOLLOWING PERSONS FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 583, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED.

##### MEDICAL CORPS

##### To be lieutenant colonel

DONALD E. BAYLES, XXX-XX-X.  
BENJAMIN A. MALDONADO, XXX-XX-X.

THE FOLLOWING OFFICER FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 583, TITLE 10, UNITED STATES CODE, WITH A VIEW TO DESIGNATION UNDER THE PROVISIONS OF SECTION 8067, TITLE 10, UNITED STATES CODE, TO PERFORM THE DUTIES INDICATED.

##### MEDICAL CORPS

##### To be colonel

EDWARD J. PASQUARELLA, XXX-XX-X.

THE FOLLOWING REGULAR OFFICERS FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 583, TITLE 10, UNITED STATES CODE.

##### MEDICAL CORPS

##### To be lieutenant colonel

ROBERT L. COOPER, JR., XXX-XX-X.

##### DENTAL CORPS

##### To be lieutenant colonel

JOSEPH M. HARVEY, XXX-XX-X.

## LINE

## To be lieutenant colonel

HERBERT A. HARRISON xxx-xx-x-  
BROOKS E. SHELTON xxx-xx-x-

THE FOLLOWING RETIRED OFFICER FOR RESERVE OF THE AIR FORCE APPOINTMENT, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 593, TITLE 10, UNITED STATES CODE.

## RETIRED RESERVE

## To be colonel

WALTER R. LAWRENCE xxx-xx-x-

THE FOLLOWING OFFICERS FOR RESERVE OF THE AIR FORCE (NON-EAD) PROMOTION, IN THE GRADE INDICATED, UNDER THE PROVISIONS OF SECTION 1552, TITLE 10, UNITED STATES CODE.

## DENTAL CORPS

## To be colonel

DENNIS R. FAIRBOURN xxx-xx-x-  
STANLEY E. ZEITZ xxx-xx-x-

## LINE

## To be lieutenant colonel

ROGER A. ENGSTROM xxx-xx-x-  
JOHN A. MATHESON xxx-xx-x-  
DANNY J. WAYTT xxx-xx-x-

THE FOLLOWING STUDENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES CLASS OF 1991, FOR APPOINTMENT IN THE REGULAR AIR FORCE, EFFECTIVE UPON THEIR GRADUATION UNDER THE PROVISIONS OF SECTION 214, TITLE 10, UNITED STATES CODE, WITH GRADE AND DATE OF RANK TO BE DETERMINED BY THE SECRETARY OF THE AIR FORCE.

BRIAN D. AFFLECK xxx-xx-x-  
DANNY P. BERK xxx-xx-x-  
JAY T. BISHOP xxx-xx-x-  
MICHAEL L. BLEDSOE xxx-xx-x-  
DAN W. BODILY xxx-xx-x-  
EDWIN K. BURKETT xxx-xx-x-  
BLAKE V. CHAMBERLAIN xxx-xx-x-  
DAVID R. CONDIE xxx-xx-x-  
RONALD N. DELANUIS xxx-xx-x-  
SCOTT M. DEPUE xxx-xx-x-  
ROY J. DILEK xxx-xx-x-  
FRANK G. DIZ xxx-xx-x-  
BRUCE M. EDWARDS xxx-xx-x-  
IREL S. EPPICH xxx-xx-x-  
DAVID R. FOSS xxx-xx-x-  
PAUL F. FREITAS xxx-xx-x-  
JOHN V. GANDY xxx-xx-x-  
MARK D. GOODWIN xxx-xx-x-  
JAMES W. HAYNES xxx-xx-x-  
MARC A. HESTER xxx-xx-x-  
CAESAR A. JUNKER xxx-xx-x-  
KAREN K. KERLE xxx-xx-x-  
COLIN M. KINGSTON xxx-xx-x-  
DAVID L. KUTZ xxx-xx-x-  
GIAEVITA LANZANO xxx-xx-x-  
VIKI T. LIN xxx-xx-x-  
DON C. LOOMER xxx-xx-x-  
JEFFREY A. MARCHESSAULT xxx-xx-x-  
ANDREW M. M. MORAN xxx-xx-x-  
CHARLES E. MORRIS xxx-xx-x-  
ANJA A. PATTON xxx-xx-x-  
HELEN G. POREMBA xxx-xx-x-  
JOHN A. POREMBA xxx-xx-x-  
RICHARD C. RENO xxx-xx-x-  
PHILLIP C. RIDDLE xxx-xx-x-  
RICHARD S. SABO xxx-xx-x-  
TOM J. SAUERWEIN xxx-xx-x-  
CHUNG M. SIEDLECKI xxx-xx-x-  
ROY G. SOTO xxx-xx-x-  
ERIC B. STONE xxx-xx-x-  
JEFF P. VISTA xxx-xx-x-  
DAVID M. WALKER xxx-xx-x-  
BILL P. WATSON xxx-xx-x-  
RICHARD M. ZWIRKO xxx-xx-x-

## IN THE ARMY

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICER IDENTIFIED WITH AN ASTERISK IS ALSO NOMINATED FOR APPOINTMENT IN THE REGULAR ARMY IN ACCORDANCE WITH SECTION 531, TITLE 10, UNITED STATES CODE.

## ARMY

## To be colonel

JOSEPH S. HUNTER xxx-xx-x-

## To be major

JAMES M. FAGAN xxx-xx-x-

## JUDGE ADVOCATE GENERAL'S CORPS

## To be lieutenant colonel

ROBERT D. HIGGINBOTHAM xxx-xx-x-

## MEDICAL CORPS

## To be major

CAROLE A. BUCKNER xxx-xx-x-

JOHN T. BURGESS xxx-xx-x-  
JAMES COFFEY xxx-xx-x-  
MICHAEL S. DEW xxx-xx-x-  
JEFFREY L. GARNER xxx-xx-x-  
LAWRENCE B. PLACE xxx-xx-x-  
THOMAS M. SEAWORTH xxx-xx-x-  
DONALD L. SINDEN xxx-xx-x-  
CHERYL L. SISLER xxx-xx-x-

THE FOLLOWING-NAMED INDIVIDUALS FOR APPOINTMENT IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 593(A), 594 AND 3353:

## DENTAL CORPS

## To be colonel

RAY D. BERRINGER xxx-xx-x-

## MEDICAL CORPS

## To be colonel

LOUIS R.M. DEL GUERCIO xxx-xx-x-  
GEOFFREY M. GRAEBER xxx-xx-x-  
GEORGE PODGORNYY xxx-xx-x-  
MARTIN C. ROBSON xxx-xx-x-

## MEDICAL CORPS

## To be lieutenant colonel

JAMES E. ANDERSON xxx-xx-x-  
MARCO T. EUGENIO xxx-xx-x-  
EUGENE J. GOLDMAN xxx-xx-x-  
LEO N. HOPKINS xxx-xx-x-  
ROBERT T. JARRETT xxx-xx-x-  
JOHN R. KEARNS xxx-xx-x-  
DAVID KORMAN xxx-xx-x-  
LUCIANO G. LADAGA xxx-xx-x-  
PARVIS PARTOVI xxx-xx-x-  
FRANCIS E. ROSATI xxx-xx-x-  
RAMAN SHANKER xxx-xx-x-  
FRANK J. SUATONI xxx-xx-x-

THE FOLLOWING-NAMED OFFICERS FOR PROMOTIONS IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3370:

## CHAPLIN CORPS

## To be colonel

CRAIG B. ANDERSON xxx-xx-x-  
RONALD C. ANDERSON xxx-xx-x-  
HOWARD B. FAUNTROY xxx-xx-x-  
FRANCIS J. GERBER xxx-xx-x-  
DENNIS G. HAMM xxx-xx-x-  
JAMES T. HENKE xxx-xx-x-  
RICHARD E. LENTZ xxx-xx-x-  
THOMAS L. LOFTUS xxx-xx-x-  
PETER P. MADUS xxx-xx-x-  
PAUL H. MASON xxx-xx-x-  
JAMES L. MCDONALD xxx-xx-x-  
JOHN A. RASMUSSEN xxx-xx-x-  
JAMES E. RENNELL xxx-xx-x-  
DAVID M. RHYNE xxx-xx-x-  
KENNETH ROBERTSON xxx-xx-x-  
JOHN L. SETZLER xxx-xx-x-  
PAUL F. STJAMES xxx-xx-x-  
WALTER R. WADDLE xxx-xx-x-

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTIONS 593(A) AND 3366:

## CHAPLAIN CORPS

## To be lieutenant colonel

THOMAS E. BATSKY xxx-xx-x-  
RICHARD A. BEACH xxx-xx-x-  
ERNEST D. BLISS xxx-xx-x-  
RICHARD D. BROWN xxx-xx-x-  
ANTHONY J. BRUNO xxx-xx-x-  
WILLIAM H. CAMP xxx-xx-x-  
RODNEY B. COLEMAN xxx-xx-x-  
JAMES R. COTTER xxx-xx-x-  
WILLIE F. CROW xxx-xx-x-  
FREDERICK DOWNING xxx-xx-x-  
SIMON H. FELD xxx-xx-x-  
DAVID L. FLEMING xxx-xx-x-  
PETER J. GILHAWLEY xxx-xx-x-  
SAMUEL M. HOPE xxx-xx-x-  
RONALD G. HORTON xxx-xx-x-  
OTIS S. HUGHSON xxx-xx-x-  
ROBERT A. KOEHLER xxx-xx-x-  
IRA I. KRONENBERG xxx-xx-x-  
ALAN R. LACHTMAN xxx-xx-x-  
DONALD I. LINDMAN xxx-xx-x-  
DOUGLAS MCCULLOUGH xxx-xx-x-  
DOUGLAS D. MENDIS xxx-xx-x-  
HARRY L. MORGAN xxx-xx-x-  
WILLIAM S. MORGAN xxx-xx-x-  
DAVID A. PAAP xxx-xx-x-  
JAMES C. PAKALA xxx-xx-x-  
ROBERT J. PALKIEWICZ xxx-xx-x-  
JAMES S. PARK xxx-xx-x-  
THOMAS H. PAUL xxx-xx-x-  
IVAN E. PETERSON xxx-xx-x-  
JOHN A. RAYMAKER xxx-xx-x-  
JOHN C. RIECKS xxx-xx-x-  
JAMES T. SPIVET xxx-xx-x-  
THOMAS E. STOKES xxx-xx-x-  
RICHARD T. TINKER xxx-xx-x-

FRANK W. YOUNG xxx-xx-x-  
EDWARD J. ZANDY xxx-xx-x-

## IN THE ARMY

THE FOLLOWING-NAMED OFFICERS ARE APPOINTED IN THE REGULAR ARMY OF THE UNITED STATES, IN THEIR ACTIVE DUTY GRADE, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531, 532, AND 533:

## ARMY NURSE CORPS

## To be lieutenant colonel

CELIO, MARY P. xxx-xx-x-  
PETERSON, SANDRA xxx-xx-x-

## To be major

BOYETTE, HOWARD xxx-xx-x-  
HEIN, LINDA D. xxx-xx-x-  
LAZARUS, RUSSELL xxx-xx-x-  
ODONELL, TAMARA xxx-xx-x-  
TUCKER, ORIAN W. xxx-xx-x-  
VOLK, MARIBETH C. xxx-xx-x-  
WALL, BETH J. xxx-xx-x-  
WALTERS, RUSSELL xxx-xx-x-

## To be captain

DIAZ, RICHARD P. xxx-xx-x-  
GEORGE, LINDA M. xxx-xx-x-  
HOUGH, CHARLOTTE xxx-xx-x-  
LUTZ, CHARLES W. xxx-xx-x-  
MOORE, CONSTANCE xxx-xx-x-  
PLAWECKI, ROBERT xxx-xx-x-  
ROSKOVENSKY, DENISE M. xxx-xx-x-  
STRITMATTER, FATEMEH I. xxx-xx-x-  
SULLIVAN, THERESA M. xxx-xx-x-

## To be first lieutenant

WANLESS, HOWARD, 417-70-77010

## To be second lieutenant

HOLLY, BRENDA J. xxx-xx-x-  
KORHELY, LINDA M. xxx-xx-x-  
SHIER, TERRY L. xxx-xx-x-

## MEDICAL SERVICE CORPS

## To be major

BROWN, JERRY L. xxx-xx-x-  
GARGAN, THOMAS J. xxx-xx-x-  
GOLDSMITH, JONATHAN xxx-xx-x-  
GUPTA, RAJ K. xxx-xx-x-  
ILLICH, STANLEY xxx-xx-x-  
MCFERRAN, DANIEL xxx-xx-x-  
MCVEIGH, FRANCIS xxx-xx-x-  
POWERS, NELSON L. xxx-xx-x-  
RAHM, RONNIE L. xxx-xx-x-

## To be captain

ARCHIBALD, DONALD xxx-xx-x-  
ARTERBURN, KATHERINE O. xxx-xx-x-  
BATES, BRUCE xxx-xx-x-  
BERNITTER, TRAVIS xxx-xx-x-  
BETANCOURT, JOSE A. xxx-xx-x-  
BOEN, JAMES R. xxx-xx-x-  
CHOWEN, STEVEN M. xxx-xx-x-  
CLINES, THOMAS C. xxx-xx-x-  
FAIRLEY, JOHN D. xxx-xx-x-  
GARGIULO, PETER xxx-xx-x-  
HEIKES, GERALD L. xxx-xx-x-  
HINES, CLAUDE JR. xxx-xx-x-  
HOUSER, JOSEPH B. xxx-xx-x-  
IACOVETTA, GLENN xxx-xx-x-  
JACKSON, DAVID B. xxx-xx-x-  
JONES, HERBERT C. xxx-xx-x-  
KOTCH, MICHAEL J. xxx-xx-x-  
LADOUCEUR, BERTHONY xxx-xx-x-  
LANDRAU-LOPEZ, RAFAEL xxx-xx-x-  
LEMAI, KAREN A. xxx-xx-x-  
LEWIS, MICHAEL R. xxx-xx-x-  
MARTELLY, GERARD xxx-xx-x-  
MASHBURN, LEWIS xxx-xx-x-  
MCPHERSON, MICHAEL xxx-xx-x-  
MINDINGALL, TALFORD V. xxx-xx-x-  
MOODROW, HAROLD E. xxx-xx-x-  
MOORE, TIMOTHY J. xxx-xx-x-  
NAUSCHUETZ, WILLIAM F. xxx-xx-x-  
OBERLE, WILLIAM xxx-xx-x-  
PANKRANTZ, MICHAEL xxx-xx-x-  
ROBERT, LEON L. xxx-xx-x-  
SANDERS, JEFFREY xxx-xx-x-  
SLIFE, HARRY F. xxx-xx-x-  
VESTA-MULFORD, VICKI xxx-xx-x-  
WALSH, JAMES T. xxx-xx-x-  
WARD, ROBERT V. xxx-xx-x-  
WEBB, PETER A. xxx-xx-x-  
WILLIAMS, HARRY xxx-xx-x-

## To be first lieutenant

CHAMBERLIN, CLINT R. xxx-xx-x-  
GIFFORD, MARK A. xxx-xx-x-  
LATCH, DAVID A. xxx-xx-x-  
MAKS, JOSEPH D. xxx-xx-x-  
MULLON, JOHN J. xxx-xx-x-  
PETERMAN, MICHAEL xxx-xx-x-  
SHIREY, ROBERT W. xxx-xx-x-

## To be second lieutenant

GARVENS, JAY A. xxx-xx-x-  
HIGH, GREGORY K. xxx-xx-x-  
KELLEY, DARLENE M. xxx-xx-x-



OSBORNE, JOHN C. xxx-xx-x  
PEREDA, FRANCISCO xxx-xx-x  
REINHART, DAVID xxx-xx-x  
ROUPE, CEPHUS L. xxx-xx-x

## VETERINARY CORPS

## To be major

DAVIS, KELLY J. xxx-xx-x  
FRESHWATER, MONICA xxx-xx-x  
HARRIS, RICHARD xxx-xx-x  
MARLOW, DENVER B. xxx-xx-x  
WEMPE, JOHN M. xxx-xx-x  
YOUNG, GEORGE D. xxx-xx-x

## To be captain

LASSITER, KAY D. xxx-xx-x  
MARTINEZ, MARJ J. xxx-xx-x  
MCLEAN, DONALD A. xxx-xx-x  
MELANDER, JEFFREY xxx-xx-x  
PROCTOR, JOHN W. xxx-xx-x  
SKVORAK, JOHN P. xxx-xx-x  
SMATHERS, BEVERLY xxx-xx-x  
SWEARENGEN, JAMES xxx-xx-x  
WEDAM, JACK M. xxx-xx-x

## MEDICAL SPECIALIST CORPS

## To be captain

JERABECK, DAVID A. xxx-xx-x

## MEDICAL CORPS

## To be colonel

FETTERS, LAWRENCE xxx-xx-x

## To be captain

AHN, PETER J. xxx-xx-x  
ALDEN, JEFFREY D. xxx-xx-x  
BAL, GEORGE K. xxx-xx-x  
BENEDEK, DAVID M. xxx-xx-x  
BLACKMON, KEVIN J. xxx-xx-x  
BREWSTER, STEPHEN J. xxx-xx-x  
CHO, KENNETH H. xxx-xx-x  
CITRONE, MICHAEL J. xxx-xx-x  
CLINE, DAVID B. xxx-xx-x  
CORR, WILLIAM P. xxx-xx-x  
DELAGIUSTINA, DAVID A. xxx-xx-x  
DUNN, JAN R. xxx-xx-x  
FOMIN, DIMITRY A. xxx-xx-x  
GAERTNER, ERICH M. xxx-xx-x  
GORDON, DANIEL S. xxx-xx-x  
GRATHWOHL, KURT W. xxx-xx-x  
GRAY, DARREN F. xxx-xx-x  
HARAZIN, JEFFREY S. xxx-xx-x  
HARRISON, MARK J. xxx-xx-x  
HARTMANN, JOHN E. xxx-xx-x  
HELLING, ERIC R. xxx-xx-x  
HEWITSON, WILLIAM C. xxx-xx-x  
HOLLICRAFT, CHARLES M. xxx-xx-x  
IMLAY, LONNIE L. xxx-xx-x  
JOHNSON, ANTHONY J. xxx-xx-x  
JOHNSON, MICHAEL W. xxx-xx-x  
JOHNSON, RINNA C. xxx-xx-x  
KELEMAN, JOHN J. xxx-xx-x  
KOSMOWSKI, ANDREW J. xxx-xx-x  
KRAVITZ, BRIAN N. xxx-xx-x  
KULA, JOHN K. xxx-xx-x  
LANCE, RAYMOND E. xxx-xx-x  
MAGUIRE, KEVIN M. xxx-xx-x  
MARTIN, KAREN L. xxx-xx-x  
MATHER-MONDRY, ALAN xxx-xx-x  
MOORES, CAROL A. xxx-xx-x  
NICHOLS, DENNIS L. xxx-xx-x  
OKADA, KEN xxx-xx-x  
ORONOV, JOAQUIN E. xxx-xx-x  
PASQUINA, PAUL F. xxx-xx-x  
PEARSE, LISA xxx-xx-x  
PETERSON, KRIS A. xxx-xx-x  
PLACE, MICHAEL L. xxx-xx-x  
PROVIDENCE, BETRAN M. xxx-xx-x  
QUETELL, GUILLERMO xxx-xx-x  
REEVES, MARK M. xxx-xx-x  
RETKE, MATTHEW E. xxx-xx-x  
RICE, WILLIAM A. xxx-xx-x  
ROY, FRANCIS O. xxx-xx-x  
RUBEL, ERIC J. xxx-xx-x  
SCHOOF, MICHAEL D. xxx-xx-x  
SHROUT, ANNE B. xxx-xx-x  
SHROUT, JOSEPH A. xxx-xx-x  
SHUPING, ERIC E. xxx-xx-x  
STOJADINOVIC, ALEXANDER xxx-xx-x  
TAILLON, DONALD L. xxx-xx-x  
TROY, JAMES M. xxx-xx-x  
TRZEPKOWSKI, KENNETH xxx-xx-x  
VALENTIN, MANUEL xxx-xx-x  
WHITECAR, PAUL W. xxx-xx-x  
WINKLE, RICHARD K. xxx-xx-x

THE FOLLOWING-NAMED RESERVE OFFICERS' TRAINING CORPS CADETS FOR APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES, IN THE GRADE OF SECOND LIEUTENANT UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 531, 532, AND 533:

BUAMSTRACK, HILLARY T. xxx-xx-x  
BUCKNER, DALE R. xxx-xx-x  
COLLADO, MICHELE A. xxx-xx-x  
COLLETTI, CHARLES A. xxx-xx-x  
DUNKLE, KEITH A. xxx-xx-x  
EDWARDS, WILLIAM L. xxx-xx-x  
ENGLAND, EDWARD A. xxx-xx-x  
ESCOFFERY, ANDRE M. xxx-xx-x

GIACOMINI, EUGENE F. xxx-xx-x  
GUTIERREZ, MOISES M. xxx-xx-x  
HEARON, ROBERT W. xxx-xx-x  
HUY, ANTHONY T. xxx-xx-x  
JANSEN, MARK G. xxx-xx-x  
KENNEDY, ROBERT E. xxx-xx-x  
KONZLEMAN, KARL xxx-xx-x  
LAW, LEONARD J. xxx-xx-x  
O'BORKE, JAMES H. xxx-xx-x  
SCOTT, SHANNON N. xxx-xx-x  
SEROTA, BRIAN K. xxx-xx-x  
SMITH, STEPHEN R. xxx-xx-x  
SULLIVAN, CHAD M. xxx-xx-x  
VANEK, THOMAS R. xxx-xx-x  
WARREN, STEVEN H. xxx-xx-x  
WEBB, PHILLIP A. xxx-xx-x

## IN THE ARMY

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, U.S.C., SECTION 3365:

## ARMY PROMOTION LIST

## To be colonel

ALEXANDER H. BURGIN xxx-xx-x  
JAMES C. DEGATINA xxx-xx-x  
CHARLES F. DENMEAD xxx-xx-x  
SHERRILL W. EASTERLING xxx-xx-x  
BILLY L. GORE xxx-xx-x  
ALBERT D. GRIFFIN xxx-xx-x  
ELTON E. JAY xxx-xx-x  
GEORGE H. JORDAN xxx-xx-x  
JOHN F. KANAN xxx-xx-x  
ROBERT E. KARLEN xxx-xx-x  
FEDERICO I. LOPEZ xxx-xx-x  
GERALD MARTIN xxx-xx-x  
EARL M. NAKASHIMA xxx-xx-x  
DAVID G. NEWHALL xxx-xx-x  
JAMES C. PECK xxx-xx-x  
GERALD A. SEAMAN xxx-xx-x  
JAMES R. SPACKMAN xxx-xx-x  
JOHN A. TANDY, JR. xxx-xx-x  
TOMMY L. WILLIAMS xxx-xx-x  
GEORGE P. WISELL, JR. xxx-xx-x

## MEDICAL CORPS

## To be colonel

EDGAR E. BOBO xxx-xx-x  
DONALD C. WAUGH xxx-xx-x

## MEDICAL SERVICE CORPS

## To be colonel

EMMETT A. FRIEL xxx-xx-x

## ARMY PROMOTION LIST

## To be lieutenant colonel

JESSE L. ADAMS, II xxx-xx-x  
EDWARD H. BALLARD xxx-xx-x  
LEONARD W. BIRDSONG xxx-xx-x  
JAMES E. CALANDRO xxx-xx-x  
MICHAEL E. CARR xxx-xx-x  
DANIEL W. COSTNER xxx-xx-x  
DWIGHT L. DINKLA xxx-xx-x  
WILLIAM J. DOWLING xxx-xx-x  
TERRY L. DOWNEN xxx-xx-x  
ALTON L. ENGBRETTSON xxx-xx-x  
THOMAS N. FEASKI xxx-xx-x  
JAMES C. FERGUSON xxx-xx-x  
ROBERT M. FOULK xxx-xx-x  
ROBERT M. HAACK xxx-xx-x  
EARL R. HARRIS xxx-xx-x  
WILLIAM J. HAYES xxx-xx-x  
LARRY T. HOLMES xxx-xx-x  
DENNIS D. HULL xxx-xx-x  
JAMES G. JAJICH xxx-xx-x  
JOHN A. KENDALL xxx-xx-x  
BERT W. KEY xxx-xx-x  
RONALD C. LASSITER xxx-xx-x  
BRUCE M. LAWLOR xxx-xx-x  
MARK E. LEWIS xxx-xx-x  
DAVID G. McDONALD xxx-xx-x  
PATRICK F. MCGOVERN xxx-xx-x  
DENNIS C. MERRILL xxx-xx-x  
RICHARD R. MICHAELS xxx-xx-x  
RANDAL M. MILLING xxx-xx-x  
JERRY N. MORRIS xxx-xx-x  
HERSHELL W. O'DONNELL xxx-xx-x  
KEITH A. PREWITT xxx-xx-x  
WILLIAM B. RANEY xxx-xx-x  
JOAO D. RAPHAEL xxx-xx-x  
STEWART A. REEVES xxx-xx-x  
THOMAS A. RESO xxx-xx-x  
ALBERT R. SCHWEMMER xxx-xx-x  
RICHARD L. SCOTT xxx-xx-x  
JACK B. STALLINGS xxx-xx-x  
THOMAS M. TRITSCH xxx-xx-x  
THOMAS G. TUCKER xxx-xx-x  
DOUGLAS J. WEST xxx-xx-x

## CHAPLAIN

## To be lieutenant colonel

EUGENE C. NEUMAN xxx-xx-x

## MEDICAL CORPS

## To be lieutenant colonel

MICHAEL J. JENNINGS xxx-xx-x

## IN THE NAVY

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS TO BE APPOINTED PERMANENT CAPTAIN IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## CAPTAIN, LINE, USN, PERMANENT

WALTER M. ELLIOTT

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## COMMANDER, LINE, USN, PERMANENT

THOMAS E. KATANA

LANNY K. MILLER

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE LINE OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## LIEUTENANT COMMANDER, LINE, USN, PERMANENT

MILTON D. ABNER  
WILLIAM W. ARRAS  
BETTY J. BLAND  
MARK R. BOETTCHER  
ROCKY S. BOGGS  
ROBERT C. BROWN, JR.  
GEOFFREY R. BURKE  
PETER R. BURKE  
RANDALL S. BUTLER  
JAY D. CALER  
DAVID B. CAMPBELL  
VIRGINIA E. CORNWELL  
JEFFERSON C. DAVIS  
GREGG A. DEBOODT  
WILLIAM G. DUBYAK  
WILLIAM R. DURDEN  
JEFFREY T. ENGLE  
JINX FALKENHAGEN  
MARK A. FILIPIC  
JAMES A. GARRETT, JR.  
MICHAEL D. GNOZZIO  
DAVID W. GRUBER  
DEMPSEY H. HARRISON  
CHARLES T. HAVENS  
HARRY M. HEISNER  
FRANKLIN D. HITT, JR.  
GLENN M. IRVINE  
MICHAEL E. KILEY  
BRUCE R. KITCHEN  
FREDERICK J. LANDRO  
JOSEPH S. LANGLEY  
CHRISTOPHER J. LINDBERG

THOMAS LITOWINSKY  
MICHAEL LOIZOS, JR.  
KEVIN J. MASON  
WILLIAM R. MASSEY, JR.  
JOE K. MCKAY  
MYRON F. MLACHAK, JR.  
CHARLES L. NICHOLSON  
STEPHEN A. NOTT  
ELIZABETH D. OLMO  
JOHN F. ORTOLF  
ERIC L. PAGENKOPF  
GARY D. PASH  
KENNETH R. PATTERSON, JR.  
PAUL E. PEPPER  
JAMES W. REYNOLDS, JR.  
DONALD J. ROBERTS  
RAUL D. RODRIGUEZ  
KEVIN G. SAIGHMAN  
JACK R. SAUVE  
DANIEL M. SLACK  
JAY M. SMITH  
WAYNE P. STAMPER  
JASON E. TIBBELS  
STEVEN J. TOBIA  
JULIAN E. TONNING  
STEPHEN C. TYSON  
JEFFREY F. WADE  
DIAN J. B. WATABAYASHI  
LARRY M. WATTS  
MARILYN S. WESSEL  
WILLIAM S. WOLFNER

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## CAPTAIN, MEDICAL CORPS, USN, PERMANENT

HARRY J. BEECHAM, III  
HAROLD R. BOHMAN

GUIDO R. GHISELLI  
MICHAEL K. KLEIN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE MEDICAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## COMMANDER, MEDICAL CORPS, USN, PERMANENT

WILLIAM M. ANDERSON  
FANANCY L. ANZALONE  
ROBERT J. BACKER  
WILLIAM C. BAERTHLEIN  
MICHAEL J. BAILEY  
JEFFREY L. BELL  
ALBERT R. BLACKY  
MICHAEL BOLGER  
MAURICE L. BOUGHARD, JR.  
JOHN E. BRITT  
JAMES L. BUCK  
MICHAEL D. CANTY  
ROBERT P. CARRILLO  
STEVEN CHALFIN  
PEGGY J. CHANDLER  
EUGENE P. CHRISTIAN  
JAMES M. CRUTCHER  
ROBERT S. EPSTEIN  
RONALD J. ESCUDERO  
JAMES N. FRAME  
DAVID J. FUNSCH  
SHAMEEM K. GHOURI  
FRANK K. HIXON  
CHARLES B. HON  
DAVID H. HUNTER

ROBERT A. MARLEY  
ROBERT G. MCALPINE, JR.  
LEE P. MILLER  
ROBERT MORALES  
MARK C. MUSMANNO  
ANDREW P. NEUHAUSER  
JESUS A. M. OLCESE  
HAROLD C. POSTON  
JOHN B. RAFF  
PAUL W. RAGAN  
JOHN S. REIFSCHNEIDER  
ROBERT L. RINGERING  
MIGUEL A. RODRIGUEZ  
WILLOOX K. RUFFIN  
RONALD P. SEN  
WILLIAM F. SIEBERT, JR.  
ROBERT S. SMITH  
ROBERT T. SPIRO  
PAUL H. UHLE  
MARK R. WALLACE  
WILLIAM G. WATKIN  
PAUL R. WOLFF  
MICHAEL YEDINAK  
WILLIAM M. YUDT

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE SUPPLY CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

## LIEUTENANT COMMANDER, SUPPLY CORPS, USN, PERMANENT

MICHAEL K. ADAMS  
BRUCE D. COLE  
JENNIFER J. HUGHES  
ROBERT D. MARCINEK

KYUNG C. MOON  
DONALD E. MUTKALA  
GREGORY M. ORIHIL

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE

CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CAPTAIN, CHAPLAIN CORPS, USN, PERMANENT

CHARLES E. BOURKE, JR.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

COMMANDER, CHAPLAIN CORPS, USN,  
PERMANENT

ALFREDO S. LABARO  
JAMES P. OKIELTY

JULIUS A. THOMAS

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CHAPLAIN CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LIEUTENANT COMMANDER, CHAPLAIN CORPS,  
USN, PERMANENT

RALPH W. ARNOLD, JR.  
JAMES V. ASPARRO  
STAN M. AUFDERHEIDE  
WILLIAM J. BARTZ  
STEPHEN P. BEYER  
WILLIAM C. BLAIR, JR.  
CESAR V. BUENAVENTURA  
HERSTEL G. CARTER  
TIERIAN CASH  
ROBERT J. CLARK  
JERRY W. COMPTON  
ROGER L. CRIM  
WINFIELD S. DAVIS  
DANIEL E. DEATON  
WILBUR C. DOUGLASS, III  
GUY W. DRAB  
THEODORE W. EDWARDS  
ROBERT D. EVANS  
SAM J. FERRETTI, JR.  
JAMES D. GANTT  
JAMES A. GAY

PATRICK A. HAHN  
STEPHEN B. HALL  
THEES C. HOFT  
RICHARD R. HUBBARD  
STEPHEN A. HULSEY  
EDWARD E. JACK  
ROBERT W. JACKSON  
BRIAN F. KELLY  
JEROME C. KIENZLE  
DONALD F. LEROW  
ROBERT S. LEWIS, JR.  
JAMES F. LOOBY  
WALKER E. MARSH, JR.  
BOBBITTI N. MAY  
PETER W. MCGEORY  
JOSE E. MCCLAUGHLIN  
THOMAS F. MELE  
JAMES J. MELLEY  
NATHANIEL MILTON  
DAVID E. MULLIS  
ARYEH S. OBERSTEIN

WILLIAM M. PETRUSKA  
JAMES R. PIPKIN  
JAMES D. PUTTLER  
SHELIA C. ROBERTSON  
TIMOTHY D. ROTT  
DAVID K. SANDERS  
DAVID W. SHAFFER  
CHARLES D. SHOAF  
BRADLEY R. SICKLER  
BRIAN L. SIMPSON  
LYMAN M. SMITH  
JAMES L. SPIRITOSANTO  
ROBERT D. STRICKLAND  
THOMAS E. THIES

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE CIVIL ENGINEER CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LIEUTENANT COMMANDER, CIVIL ENGINEER  
CORPS, USN, PERMANENT

DANIEL F. BACKMAN  
JOHN D. BELANGER

SCOTT P. CALISTI  
ROBERT F. PARKER

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT CAPTAIN IN THE DENTAL CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

CAPTAIN, DENTAL CORPS, USN, PERMANENT

WINTHROP B. CARTER

WILLIAM A. WALKER, JR.

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE MEDICAL SERVICE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LIEUTENANT COMMANDER, MEDICAL SERVICE  
CORPS, USN, PERMANENT

ROBERT P. AITKEN  
TIMOTHY G. ALBERT

GREGG M. BARINGOLDZ  
ROGER A. BATCHELOR

BARBARA A. BOYD  
ELIZABETH A. BURNS  
JOHN A. DALESSANDRO  
MICHAEL J. DEJAEGER  
STEVEN J. DWINE  
LYNN L. FLOWERS  
ALFRED L. GLOVER  
ALLAN J. HAMMAR  
ROGER P. HANSON  
ROBERT J. JACOBS  
TREVOR R. JONES  
DONNA M. MURDOCH

WAYNE J. OSBORNE  
ANDREW R. PORTER  
JOHN ROSSI, III  
WING SUE M. SHIU  
RICKIE L. SOSH  
ROBIN A. R. SPAULDING  
MARIANNE THOMPSON  
VIRGINIA M. TORSCH  
JOHN F. TOURVILLE  
RENE VILLARREAL  
SCHUYLER C. WEBB  
JAMISON A. WHITEMAN

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICER, TO BE APPOINTED PERMANENT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

COMMANDER, NURSE CORPS, USN, PERMANENT

JIMMIE L. OLIVER

THE FOLLOWING NAMED U.S. NAVAL RESERVE OFFICERS, TO BE APPOINTED PERMANENT LIEUTENANT COMMANDER IN THE NURSE CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

LIEUTENANT COMMANDER, NURSE CORPS, USN,  
PERMANENT

ROSARIA GEMENDER  
BONNY J. C. LAMPO  
LORETTA A. MADDEN  
ELIZABETH A. MCDONALD

NANCYE K. WARREN  
RONALD A. YAKSHAW  
DEBRA D. YAREMA