

## WAR WITH IRAQ

Mr. BENNETT. Mr. President, as I go out among my constituents, the one question I always get asked in these present times is: Are we going to go to war with Iraq?

For a while my answer was, that is up to Saddam Hussein. It depends on how he acts and what he does, as to whether or not we are going to go to war with Iraq.

But what he does now is fairly clear. The position he has taken is fairly clear. He made the comment to an Egyptian journalist, that has been repeated now around the world:

Time is working for us.

He has made it clear that he is not going to change. There will be no disarmament of Iraq from within. There will be no genuine cooperation with the inspectors. So I think my earlier answer probably is no longer correct. The decision now lies with President Bush: Will we go to war or won't we?

In that circumstance, the President is being bombarded on all sides with editorial comment and punditry, with firm, solid recommendations, yes and no, depending on the ideological status of the particular pundit. They can make those firm recommendations from the safe, secure position of knowing that they will not have to be acted upon and that they will not be held accountable if their recommendation is followed and the result is not successful.

The President faces what is clearly the most agonizing and difficult decision of his Presidency. I pray for him and urge other Americans to pray for him as he makes this decision.

I want to lay down what I see as the challenge here. I do not think it is an easy question. I do not think it is clear, one way or the other. The truly Presidential decisions never are. If the decisions were easy, they would be made before they got to the level of the President. If the action was clear, smart people at lower levels of Government would take it. It is only when the decision is agonizingly close and the options not clear on either side that it ends up ultimately on the President's desk in the Oval Office and becomes his decision and his decision alone.

This is what I see. Saddam Hussein is going through the motions of cooperating with the inspectors, and there are those who say: Let that process play out. We have him contained. As long as there are inspectors in the country, there will not be any effort to use weapons of mass destruction. Let's just let that play out.

Then there are those who say: He has violated the resolution of the United Nations. The legal position is absolutely clear. If the United Nations and the United States are going to be taken seriously around the world, we must now take military action and we cannot wait any longer.

I am sure those legal arguments with respect to Resolution 1441 in the

United Nations are valid. I don't argue with them. But they don't change the practicality of the situation, that an attack on Iraq—even if it is justified under the legality of the United Nations resolution—might still prove to be a mistake. The solidity of the legal position with respect to Resolution 1441 is a legitimate question for Colin Powell to raise with his fellow diplomats, but it does not ease the agony of the necessity of making the final decision in the Oval Office.

I believe that Saddam Hussein is cooperating with the investigators for one reason and one reason only; that is that American troops are massing on the border. He knows American military power is sufficient, if unleashed, to bring his regime down and probably end his life. He is taking every step he can to try prevent that.

Those who say let this play out, leave the status quo and let it go forward, don't appreciate the difficulty of America keeping those troops on line, keeping those troops on the border, keeping those airplanes on alert so that he will continue to try to satisfy the inspectors. We cannot continue to do that for an extended period of time. It is not fair. It is not possible, given the lives and other challenges faced by these young people. At some point and at some point relatively soon, the President is going to have to make a decision to either move in or stand down. And the ultimate question here is not what is the legality of U.N. Resolution 1441 or what is the relevance of the United Nations in the world community. The ultimate question here is, What will be the result if he moves forward, and what will be the result if he stands down, he, in this case, of course, being President Bush.

We have heard a lot of talk. That is not the right term. That implies something less than seriousness. We have heard a lot of analysis about what could happen if he moves forward. Some of the scenarios are very encouraging; some are frightening. We don't know in advance which ones would come true. We have had less analysis placed on the question of what would happen if the President orders the troops to stand down and start to come home. We do have some historic precedent for this. I remember going to the room in the Capitol on the fourth floor and hearing Madeleine Albright describe the situation in Iraq, in terms eerily familiar to the terms we are currently hearing from Secretary Powell. I remember walking out of that briefing in room 407 and saying to myself: We will be at war with Iraq within 3 days.

Then President Clinton made the decision that we would stand down. American troops were not at the forward edge they are now, so that decision was not as difficult in terms of the logistics, as it would be for President Bush now. But at the same time, the progress being made then was not as good as it is now. President Clinton,

for whatever reasons—good, bad, or indifferent—decided to stand down and the result has not been one with which the world is pleased.

Now, if we stand down, the result ultimately, in my opinion, would be more devastating for world peace, long term, than if we move forward.

I know how agonizing that decision must be for the President. I will look forward to listening to him discuss it with us tonight. I hope he will outline for us what would be the consequences if we stand down, in terms of American credibility—credibility that is not just saving face in some kind of psychological way, credibility that is essential to keeping the peace in the world. What would happen to those countries that are urging, hoping, praying for Saddam Hussein to be gone, if they said the Americans got this far, they came this close, and then they turned around and left? That means we cannot depend on the Americans ever again. We can't trust their word ever again. What would be the consequences of that? I think they would be serious.

I remember a couplet I learned as a child. I never quite understood what it meant until someone in my later years explained the historic context. It is just a child's rhyme, but it was based on a historic event. It said:

The King of France went up the hill  
With twenty thousand men;  
The King of France came down the hill,  
And ne'er went up again.

There was even a tune that went to it. I will not duplicate Senator D'Amato and sing on the Senate floor. But that is where we are.

The King of France went up the hill  
With twenty thousand men;  
The king of France came down the hill,  
And ne'er went up again.

The United States of America, acting on a 15-to-nothing resolution out of the Security Council of the United Nations, as well as an overwhelming vote in this Chamber and in the other body, has marched up the hill and told Saddam Hussein he must disarm. Now there are those who say because he has stopped producing these weapons, as long as these troops are at his border we can afford to turn around and march down again.

It is, as I said, an agonizing decision. It will be made by the President of the United States. He will not ask my advice, for I have no expertise in these matters. But my constituents do ask me about it because I represent them in this body.

I think having marched up the hill, having taken the United Nations Resolution 1441 at its face value, and having stood the troops there, that has produced the results we have had so far. We cannot now back down.

I wish the President well. As I said, he is in my prayers, and I hope that of all Americans, as he makes this most momentous decision. The consequence is: What happens if we do? And what happens if we do not?

I wish the President well as he makes that analysis. I have confidence in this

President and his instincts that he will, in fact, ultimately make the correct decision.

PROVIDING FOR A JOINT SESSION OF CONGRESS

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to H. Con. Res. 12, a resolution providing for a joint session of Congress, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 12) providing for a joint session of Congress to receive a message from the President on the state of the Union.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BENNETT. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 12) was agreed to.

JOINT SESSION OF THE TWO HOUSES—THE STATE OF THE UNION ADDRESS BY THE PRESIDENT OF THE UNITED STATES

Mr. BENNETT. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held tonight, Tuesday, January 28, 2003, at 9 p.m.

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

Mr. BENNETT. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

PRAYERS FOR THE PRESIDENT AND THE MEN AND WOMEN IN THE ARMED FORCES

Mr. SCHUMER. Mr. President, first let me join my friend from Utah in sentiments that he expressed at the end of his speech in that we hope and pray for the wisest decision from the President. And we hope and pray for our young men and women who are amassing in the Middle East now.

War, of course, should be the last resort. We still hope that it can be avoided. But if it cannot, we wish them and their families the best and pray for their speedy success.

HOMELAND SECURITY

Mr. SCHUMER. Mr. President, my reason for coming to the Chamber today is similar to those of many of my

colleagues on this side of the aisle. We are discussing what we hope the President will speak about tonight, what we want him to speak about, what we expect him to speak about.

Some of my colleagues have talked about areas such as the economy, the environment, education, and health care. I am going to address the issue of homeland security because, as much as we do overseas, we have to make sure our homeland is secure as well.

If, God willing, we were able to just eliminate all of al-Qaida and all of Saddam and his supporters, we would still face a danger from terrorism. Terrorists can strike almost at will in different ways, and our country is not yet secure against them, although I will say we have made some progress, particularly in the areas of air safety and in bioterrorism, since 9/11.

But we have so much more to do. What worries me is that the focus of this administration is almost exclusively on fighting the war on terrorism overseas. To beat the terrorists we need a one-two punch—one, fighting that war overseas, dealing with terrorism overseas; but, two, making our homeland more secure. And there seems to be a rather quaint and quirky notion among many of those in the administration that we can successfully fight the war here at home without spending a nickel. That is just wrong.

The bottom line is if someone were to say to the Commander in Chief of the Armed Forces, go fight the war in Iraq without any new resources, without any new dollars, he would say: I can't. But that is basically what we are saying to Mr. Tom Ridge and those who work under him.

Time and time again, when Members on both sides of the aisle have done a lot of research and proposed measures that would increase our security here at home, we are told: Well, that's a good idea, but we can't spend any money on it.

That just cannot be. There are so many areas where we lie naked, possible prey, God forbid, to terrorists.

Take our ports. We are far, far behind where we should be in monitoring what comes in on our ships. As we all know, those ships could be filled with deadly devices.

Take our borders. On the northern border, my State has a long and peaceful border with Canada. But, right now, if we pass the budget that was passed in the Senate, there will be fewer Customs inspectors on that northern border than there were on 9/11.

As to the FBI, this new budget that we passed, unfortunately, cuts the number of FBI agents. While the counterterrorism parts of the FBI are increasing, all the other parts are decreasing. It makes no sense to say we are going to make our citizens more secure from a foreign threat and leave them prey to a domestic threat. Bank robberies in my community are going up. It seems logical to assume that one of the reasons for that is that the FBI

is not able to do its function under the strained budget that we have given it—to do both functions: fighting terrorism and fighting crime here at home.

As to cyberterrorism, unfortunately, Richard Clark, a brilliant man—the administration's point man on cyber-security—is leaving. But I am sure, as he has told many of you, we are again doing virtually nothing to make ourselves more secure from a deadly virus that might invade one of the very important technological systems that secure our country. And the list goes on and on and on.

As to truck safety, trucks that carry hazardous material, Brazil is doing a far better job in dealing with terrorism there than we are, even though they have not been the focus of terrorist attacks.

As to the rails, in my City of New York, Penn Station has a 1½-mile tunnel that has no egress. God forbid if something terrible happened there. What we have to do is look at all of our weak pressure points in terms of where terrorists would strike and strengthen them.

But this administration, in part because they do not want to spend the dollars necessary—as eager as they are to spend the dollars overseas that are necessary—is not doing the job.

So today we are going to look, as the President speaks, as to what specifically he is going to do to bolster our case in terms of homeland security. We are going to see if the promise that was made—for instance, in the USA Patriot Act, that we triple the number of Border Patrol and Customs agents and immigration authorities at the northern border—will be fulfilled.

We are going to look and see if there are the dollars necessary to update the INS computers, which are notoriously bad, so terrorists cannot slip into the country, and the FBI computers that, again, were so bad that all the signals we had about a plot that was hatched for 9/11 were missed, mainly because the FBI computers were less sophisticated, frankly, than the one my eighth grade, 14-year-old daughter has at her home.

The list goes on and on. And no one expects this administration will clean up every single problem we have in 6 months. But in terms of effort, in terms of focus, in terms of allocation of resources, they are woefully behind.

My good colleague from West Virginia, who has done so much to lead this fight, made a very good point on the homeland security bill. That bill, as you all know, rearranged agencies but did not change what happens within them.

Rearranging agencies does not change things. Moving the Coast Guard over to this new agency is not going to help it patrol 200 miles off the coast as it must do in our post 9/11 world.

When our President tonight gives his speech, we are all going to be looking to see what specifically he will say and