

Depending upon who the messenger is, or whether they are speaking publicly or behind closed doors, the President first said the goal was regime change, then disarmament, and now both, but that one cannot occur without the other.

The President has told the American people he has not yet made a decision to attack Iraq, but his advisers are telling the rest of the world that the decision has been made, and the Security Council of the United Nations doesn't matter because we are going ahead, no matter what. This is the administration's attitude, even while some of our closest allies work to explore alternative options that could avoid war.

The administration's rhetoric and actions have damaged key alliances and weakened our ability to work with allies and friends, not only to disarm Iraq but to solve many other global problems. They have recklessly squandered the reservoir of good will our Nation had around the world in the aftermath of September 11. Never in generations has the world been as united behind the United States as it was after September 11. In only one year, we have squandered that support.

How are we going to pay for this war? Apparently not by requesting the funds in the budget. They have not done that. Again, as Senator BYRD pointed out, the amount of money requested in the budget, to plan and carry out a war, and for its aftermath, is zero.

It is reminiscent of Afghanistan, the country the President said he is committed to for as long as it takes to keep it from again becoming a haven for terrorists. The amount of money requested by the administration last year was zero. It is like promising the money for first responders in Texas or Vermont or New Hampshire or anywhere else, and then leaving it out of the budget.

So how will they do? By paying for it with red ink, cranking up the printing presses and adding to the deficit. This President inherited the largest surplus of any President in history. He is now building up the largest deficit of any President in history: Another hundred billion, what is the difference? That is the way they talk.

Yet these are the same people who were giving great speeches just a few years ago about why we need a constitutional amendment to balance the budget. They ought to be darned glad they didn't get what they wished for.

So, a balanced budget doesn't make any difference, the deficit doesn't make any difference, and don't look behind the curtain because we are not going to tell you how much it is going to. Let us hope the President's advisers are right and the war is over in a matter of weeks. Sometimes wars do end quickly.

I remember my son, a young marine, was called up in Desert Storm. Like his fellow marines, this young lance corporal answered, "Aye, aye," and set off

with his fellow marines. The war ended very quickly. He was not in harm's way, unlike others who were.

I am proud of him for volunteering to go. I am proud of all America's men and women who will answer the Commander in Chief's call to go. But I believe we ought at least know what we are asking them to do and why.

Let us hope the war is over in a matter of weeks. Let us hope the Iraqi Army does crumble like a house of cards. Let us hope Saddam Hussein does not blow up his oil wells and refineries. Let us hope he does not use his chemical or biological weapons. Let us hope our troops do not become bogged down in hand-to-hand urban combat, and that there will be few Iraqi civilians killed. Let us hope that predictions of massive unrest throughout the Muslim world in protest at the U.S. invasion of Iraq, and increases in the number of terrorist attacks against Americans, will be proven groundless. Let us hope the ethnic and religious factions within Iraq, some of which hate each other, will put aside their differences and join together to build the representative, democratic government the President has promised. And let us hope the President's grand vision, about which we have been given no details, to make the entire Middle East democratic, will be off to a successful start. Let us hope so.

But let us also understand it is possible that any one of these dire predictions could come true and any one of them could be disastrous for our soldiers, for innocent civilians, for the U.S. economy, for our national interests abroad, for the Middle East, for the world, and for the fight against terrorism.

Wars are unpredictable. The real costs of a war against Iraq may not be known until long after this President's term is over.

Who knew, back in 1991, that thousands of gulf war veterans would suffer from unexplained, debilitating medical problems years after the war ended and that many would never be able to work again? Who can say this war will not be the spark that ignites more terrorism against the United States—perhaps not this year or even next year, but in 3 years or 4 years? By that time, it will be too late.

We have to think about these things even if the President would rather not talk about them. We have a duty to ask what are the administration's real motivations for this war. Is it to get rid of weapons of mass destruction from Iraq? If so, why not give the U.N. inspectors the time they need and a plan for enforcing disarmament? Is it to promote democracy in Iraq? If so, then why not begin with Kuwait, which we liberated a decade ago but which even today remains a monarchy, where women still are not allowed to vote?

We have a duty to ask these questions, and to warn the American people of the risks, even if the President will not. And we must do everything we can

to be sure that if war comes, it is supported by the broadest possible coalition.

So I commend the senior Senator from West Virginia for his remarks last week, and for the other statements he has made on this issue. He has asked the questions that need to be asked. I hope the administration, finally, will give the answers before the country goes to war, and not after.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Texas Independence Day

Mrs. HUTCHISON. Mr. President, March 2 is Texas Independence Day. Every year I have been in the Senate, I have carried on the tradition, started by Senator John Tower, of reading on or about March 2—Texas Independence Day—William Barret Travis's letter from the Alamo.

I just want to give a little background because, of course, Texas is the only State that came into our Nation as a nation. Texas was a republic for 10 years, having fought very hard for its independence from Mexico.

In fact, William Barret Travis's letter was dated February 24, 1836. His letter was an appeal for support because he only had 184 men in the Alamo, in the garrison, and, of course, he was vastly outnumbered by the Mexican Army. So he was asking for help. He was pleading for help.

All of this was happening around the time that the duly elected members of the Declaration of Independence Congress were coming to Washington-on-the-Brazos to sign the Texas Declaration of Independence from Mexico.

It was a trying time between February and April of 1836 for these Texans who were trying to gain their independence and who eventually became a part of America.

It was at the Alamo, in San Antonio, TX—Tejas at the time—that 184 Texas rebels, led by William Barret Travis, made their stand against Santa Anna's vastly superior Mexican Army.

These Texas patriots did not even have uniforms. They barely had arms. In fact, they only had about \$1,000 to fund this entire army. So they did not waste any money on uniforms. They needed arms, and that is where they spent their money.

On the second day of the siege, February 24, 1836, Travis called for reinforcements with this heroic message:

Fellow citizens and compatriots: I am besieged by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual bombardment and cannonade for 24 hours and have not lost a man—the enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demands with a cannon shot, and our flag still waves proudly from the wall—I shall never surrender or retreat.

Then, I call on you in the name of liberty, of patriotism and of everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase

to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country—Victory or Death.

WILLIAM BARRET TRAVIS,
Lt. Col., Commander.

This went out on February 24, 1836. Those 184 brave men held the Alamo, with no reinforcements, until March the 6th of 1836. They held all that time against exactly what William Barret Travis thought would happen. Thousands of Mexicans in the army were gathering steam to attack the Alamo. He never got reinforcements.

The Alamo fell on March 6. Just four days earlier, the men who were elected to the convention signed the Texas Declaration of Independence. My great-great-grandfather was one of those, elected from Nacogdoches County. He was alcalde of Nacogdoches County at the time. He went, along with Thomas Rusk, the first man to hold the seat that I now hold in the Senate, to Washington-on-the-Brazos, and they both signed the Texas Declaration of Independence.

It was during that time that women and children in the Nacogdoches area were being besieged by Indians, and they were concerned that the Mexican Army might also be coming there. So they fled in what is called the Runaway Scrape toward Louisiana. All four of my great-great-grandfather's children died in the Runaway Scrape. All four of his living children died. And yet those brave settlers went back to Nacogdoches and raised nine more children. So they were the kind of stock that settled our State and our country.

It was April 21 that Santa Anna finally was defeated at the battle of San Jacinto, led by Gen. Sam Houston, who was the commander there. So the time period between February and April 21 was key in the Texas independence and the beginning of the new republic. Texas was a republic, an independent nation, for 10 years before they joined the United States as a State in the United States.

So I always try to remember the brave people. Obviously, in my family we have a lot of stories and a lot of lore about that time because my mother grew up in Nacogdoches, and it is the oldest town in Texas, and it is one that is rich in our Texas history and is very much a part of my family and so many of the generations who came before us to settle our great State.

So I am going to continue the tradition as long as I am in the Senate because I think it is worthy of note that we had our own fight for independence and that we have such a unique character in our State.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from Texas for her remarks. I think, indeed, they were very interesting. I had no idea about her family lineage and her

interest in the particular day. I salute her for her comments on the floor.

FRAUD AND MANIPULATION IN THE WESTERN
ENERGY MARKET

Mr. President, I want to take a few minutes, if I may, to make some informal comments on something that has happened today. Today was the deadline for California to submit to the Federal Energy Regulatory Commission the evidence of fraud and manipulation in the western energy market after a 100-day discovery period.

In fact, about 1,000 pages of evidence were submitted to the Commission. The problem is that evidence is not released to the public. This is a real problem.

I serve on the Energy Committee, and have served there since the crisis in 2000 and 2001 in California. The Energy Committee provides oversight to the Federal Energy Regulatory Commission. The Federal Power Act mandates that the FERC must ensure that rates for power are just and reasonable throughout the United States.

It is very difficult to know whether the Federal Energy Regulatory Commission is in fact ensuring that rates are just and reasonable if one can never view the evidence.

I happen to believe that the FERC has greatly improved. Patrick Wood, Bill Massey, Nora Brownell have been very strong in making change. That change is welcomed. It was on May 6 of last year that the major change began. It was then that the FERC ran on its Web site internal memos detailing some of the schemes Enron used in defrauding the marketplace. Get Shorty, Ricochet, Death Star, all became known to the general public directly following the posting of these memos. Since that time, several people have been indicted and pled guilty to fraud.

Additionally, more recently, one company, Reliant, was before the Commission. The Commission put on their Web site the transcript of tape recordings between Reliant managers. Those transcripts indicated instances where Reliant's plant manager and operations manager talked about holding power offline in California to drive prices up.

The operations manager—and this is not a direct quote, it is a paraphrase—said, in so many words: We are going to be manipulating the market tomorrow. So we are going to close down one plant at least for a day and perhaps more.

And the plant manager said: Oh, yes.

Well, that was sort of a dead bang admission of market manipulation. FERC, much to their credit, at the very least, fined Reliant \$13.8 million. But they could have sent a much stronger message to the entire energy sector by withdrawing Reliant's ability to sell power at market-based rates. That would have sent a clear and definitive message, yet instead FERC gave Reliant a slap on the wrist.

In California, we have a real problem. One year, the entire cost of energy for the entire State was \$7 billion. The

next year, it was \$28 billion; in other words, a 400-percent increase in 1 year's time of the cost of energy. The following year, it was \$27 billion.

I remember when John Bryson, the CEO of Southern California Edison, told me that when they were forced to divest themselves of their plants, the energy generator that came in and bought one of their plants, to which they were one day selling energy at \$30 a megawatt-hour, once it went to the other generator, the other generator charged \$300 a megawatt-hour. When I heard that, I knew it was a real danger signal that something had really gone wrong. Well, we are a long way down the pike since then.

I ask unanimous consent to print in the RECORD a letter I wrote this morning to the chairman of FERC, Pat Wood, in which I followed up on an earlier letter of February 6, to which I have not had a response, asking the FERC to lift the protective order that currently prevents the public from learning about evidence of fraud and manipulation in the western energy marketplace. I point out that now that the 100-day discovery period has ended, "I write to reiterate this request and ask the commission to make all evidence public."

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

U.S. SENATE,

Washington, DC, March 3, 2003.

Hon. PAT WOOD,

Chairman, Federal Energy Regulatory Commission, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to follow up on my letter of February 6, 2003 to ask the Federal Energy Regulatory Commission (FERC) to immediately lift the "Protective Order" that currently prevents the public from learning about evidence of fraud and manipulation in the Western Energy Market. Now that this 100-day discovery period has ended, I am writing to reiterate my request and to ask the Commission to make all evidence public—even information FERC has obtained itself.

I would also appreciate the opportunity to review the filing submitted today by California parties detailing new evidence of fraud and manipulation in the Western Energy Market. As a member of the Senate Energy Committee and the senior Senator from California, I believe I have a duty and responsibility to have a full working knowledge of the evidence submitted to FERC.

I also believe that the evidence collected by FERC should not remain confidential. Since most of the information is over two years old, it no longer has any proprietary value. The widespread nature of abuse of the Western Energy Markets and its resulting economic damage on families and businesses require the Commission to allow the public to immediately review all evidence obtained by FERC.

As I stated in my letter last month, I also believe FERC must carefully review all the evidence presented by the California parties and hold hearings if necessary. How can the Commission attempt to remedy the harm done to families and businesses during the energy crisis if FERC cannot determine the extent of abuse in the Western market and its effect on energy prices and supplies?