

General Kofi Annan told me last week that the United Nations had supervised many elections in the past, but never one in a war zone like Iraq. He is concerned that the lack of security and the tight time-table will be major impediments to a successful election.

This is compounded by the fact that the Administration has so far been unable to convince any country to provide troops needed to protect the UN presence in Iraq. According to Secretary General Annan, they will be unlikely to do so and the UN will have to depend on the United States and British forces now in Iraq to provide that security. That will mean about 5,000 troops being diverted from fighting the insurgency to protecting the UN presence. Secretary General Annan told me that an American general committed to do that.

This failure to convince any other nations to contribute to a UN security force is a direct consequence of the Administration's alienation of large portions of the world community by its go-it-alone approach to the war in the first place.

The unfortunate result is that a scant four months before nation-wide elections in Iraq, there are only 35 UN staff members in Iraq—far short of the 200 required to support the U.N. staff so essential to a credible election. Just as troubling, virtually none of the 120,000 Iraqis needed to run the 20,000 to 30,000 polling places have been identified and trained for the task.

In the upcoming election, seats in the 275-member National Assembly will be allocated based upon a percentage of overall votes received throughout Iraq. The Secretary General told us that it is not possible to have a credible election in Iraq if parts of the country are not able to participate because of an on-going insurgency. Apparently Secretary of Defense Rumsfeld does not share that concern. In recent testimony before the Senate Armed Services Committee he said, "Let's say you tried to have an election and you could have it in three-quarters or four-fifths of the country. But in some places you couldn't because the violence was too great . . . Well, so be it. Nothing's perfect in life, so you have an election that's not quite perfect. Is it better than not having an election? You bet."

Well, maybe it is not better than not having an election—in fact, it very well might be worse. How would people in Lansing, Detroit and Traverse City feel about the legitimacy of a state-wide election for Governor that they couldn't vote in? A single district election in which large numbers of Iraqis are unable to participate is not likely to move Iraq forward toward a stable political system but toward civil war because it would further alienate a significant portion of the population from the Iraqi government.

The first step in dealing with the problems in Iraq is to face reality. If we insist things are going fine, or if we pretend, as the President incredibly enough put it, that we are dealing with just a "handful of people who are willing to kill," we will be less willing to search for ways to change the negative dynamic and downward spiral which have been unleashed in Iraq. And we will be less willing to search for ways to motivate Iraqi factions' leaders and Islamic countries to become more involved in and be willing to take the risks necessary to build a democratic nation in Iraq. Surely, unless Iraqis want a democratic nation for themselves as much as we want it for them—unless they suppress the violent ones inside their own communities and the terrorists who want to prevent the election in January from happening—our presence will continue to be more destabilizing than stabilizing.

In a recent interview, President Musharraf of Pakistan was asked whether the world is

a safer place because of the war in Iraq. He replied, "No. It's more dangerous. It's not safer, certainly not." President Musharraf continued, "I would say that [the war] has ended up bringing more trouble to the world." President Musharraf concluded that the war in Iraq has "complicated" the war on terror and "has made the job more difficult." The leader of a pivotal Muslim nation and one of America's key allies in the fight against al Qaeda has concluded that the Iraq war has made the world more dangerous and complicated the overall war on terror.

On September 12, 2001, the day after the 9/11 attack upon us, headlines in European newspapers proclaimed "We are all Americans." The world community united behind America in the effort to destroy al Qaeda and remove the Taliban regime in Afghanistan that supported it. But the President's unilateralist policies and cocky "bring 'em on" rhetoric squandered that good will and undermined that spirit of cooperation by terminating UN inspections and invading Iraq without any Islamic nations' support—thereby diverting the focus from the real terrorist threat of Osama bin Laden and al Qaeda in Afghanistan. The western invasion and occupation of an Islamic country has swelled the ranks of terrorists.

We would be compounding that strategic blunder by leaving Iraq as an unstable, failed state dominated by Islamist extremists and a haven and breeding ground for even more terrorists. To succeed we must be willing to change direction to seek an alternative third path to the two stark choices the President offers—of staying the course or cutting and running.

The alternative is to change our course with an Administration that sees the reality on the ground; that is open to new approaches and isn't locked in to a course of action that isn't working; and that hasn't dismantled bridges to the international community, particularly Islamic countries, whose support we need.

President Bush is incapable of rebuilding the bridges to the international community which he dismantled. A poll by a Canadian company found that only 20% of the people in the countries surveyed overseas support President Bush's policies.

Loss of public support in other countries isn't simply a matter of losing a popularity contest—it is a direct threat to our security. The leaders of those countries are far less likely to take the political risks that are entailed in joining us in Iraq with troops or police if their publics strongly oppose their doing so and strongly disagree with the policies of the American administration. Listen to what the Director of the Defense Intelligence Agency, Admiral Lowell Jacoby, told the Senate Armed Services Committee about how America is viewed in the world:

"Much of the world is increasingly apprehensive about U.S. power and influence. Many are concerned about the expansion, consolidation, and dominance of American values, ideals, culture, and institutions . . . We should consider that these perceptions mixed with angst over perceived 'U.S. unilateralism' will give rise to significant anti-American behavior."

So what should we do in Iraq?

We need an Administration which can rebuild those bridges to the international community, so we can "de-Americanize" this conflict and move towards a stable and democratic Iraq. To do that, we need additional international troops, particularly from Muslim nations, which this Administration has proven incapable of obtaining.

We also need to train and equip Iraqi troops more quickly and more thoroughly than we are currently doing. It is particu-

larly critical to provide these Iraqi troops far more quickly with the equipment that will instill in them a confidence in their abilities to defeat insurgents.

Creating a secure environment is not only a military task, but a political one as well. We must make it clear to all segments of Iraqi society that the U.S. has no design on Iraqi oil or other resources and has no intention of creating a long-term base structure or military presence in Iraq.

The reconstruction effort must be brought back on track. According to a recent report by the Center for Strategic and International Studies, "The lack of sufficient electricity in major cities continues to undermine public confidence, fueling worrisome discontent in cities like Fallujah and Mosul, which were favored under Saddam and now receive considerably less power than in prewar days. Sewage systems are worse than they were under Saddam, causing spillover health and environmental problems."

Eleven months after Congress approved the money, only 6% of the \$18.4 billion for Iraq reconstruction has been spent. And recently the Administration asked Congress for permission to transfer nearly \$3.5 billion from Iraqi water, sewer and electricity projects to security and electoral efforts. Unfortunately this needs to be done, but it is another example of how the failure to properly plan for the post-combat stability phase and the failure to ensure the necessary troop levels to ensure security has hampered reconstruction and the creation of a stable Iraq.

The Republican Chairman of the Foreign Relations Committee, Senator DICK LUGAR, recently blamed the mismanagement of the whole Iraq reconstruction effort on "incompetence in the administration". The focus of the reconstruction effort must be shifted from large projects awarded to U.S. and other foreign companies to those that will employ the greatest number of Iraqis, giving Iraqi society at large an economic stake in the post-Saddam Iraq that will contribute to a politically stable state.

None of this will be easy. But we are where we are in Iraq. Just as it took a new administration to extract the United States from Vietnam, it will take a new administration to extract us from Iraq in a way which leaves that country stable and democratic. We cannot leave Iraq as we did Vietnam.

Nor can we just continue a western occupation of a Muslim nation that is the target and magnet for violence and terror, and that has become more destabilizing than stabilizing. We must change course in Iraq—or else Iraq's future is not likely to be stability and democracy, and the legacy to the world of the Iraq war is likely to be greater turmoil and terror.

#### JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2004

Mr. INHOFE. Mr. President, I rise in support of the passage of HR 5294—the "John F. Kennedy Center Reauthorization Act of 2004." As Chairman of the Senate Committee with jurisdiction over the John F. Kennedy Center for the Performing Arts, I am pleased that, working closely with the Kennedy Center, we were able to reach an agreement with the House of Representatives. This legislation authorizes funding for the maintenance, repair and security, as well as capital projects through Fiscal Year 2007. Additionally, the legislation revises the John F. Kennedy Center Plaza Authorization Act of 2002 to direct the Secretary of Transportation to establish a Center Plaza

Project Team consisting of the Secretary, the Administrator of General Services, the Chairman of the Board of Trustees, or their designees, and other individuals the Project Team considers appropriate. The Board is required to consult with the Project Team on specified matters, including construction of buildings.

I wish to recognize Marty Hall and Andrew Wheeler of my Committee staff for their work on this legislation. I also wish thank Michael Kaiser, President of the Kennedy Center for his support for this bill. Mr. Kaiser has done an outstanding job of making the Kennedy Center a world class operation and center for the performing arts. Mr. Kaiser is responsible not only for the artistic programming, he is also the person charged with ensuring its financial health. By any measure, he has been very successful in both ventures. I would also like to express my appreciation to Kennedy Center staff, specifically Jared Barlage and Ann Stock, who have worked very closely with my staff in developing this legislation.

From its very beginnings, the Kennedy Center has represented a unique public/private partnership. Because the Center is the Nation's living memorial to President Kennedy, it receives federal funding each year to pay for maintenance and operation of the building, a federal facility. However, the Center's artistic programs and education and outreach initiatives are paid for almost entirely through ticket sales and gifts from individuals, corporations, and private foundations. I am pleased that we can send this legislation to President Bush and continue the good work of this valued institution.

#### THE IMMIGRATION PROVISIONS OF H.R. 10

Mr. KENNEDY. Mr. President, I have serious concerns about the direction our Republican colleagues in the House of Representatives have taken on the legislation to implement the recommendations of the 9/11 Commission. The House bill, H.R. 10, departs in significant and problematic ways from the Commission's specifically-tailored recommendations to protect our country against future terrorist attacks. The recommendations call for preventing terrorist travel, establishing an effective screening system to protect our borders, transportation systems, and other vital facilities, expediting full implementation of a biometric entry-exit screening system, establishing global border security standards by working with trusted allies, and standardizing identity documents and birth certificates.

Instead of adhering to these carefully considered measures, as the Senate has done, the House Republican leadership has included long-rejected, antiimmigrant proposals that have nothing to do with the Commission's recommendations. The House bill severely limits the rights of immigrants,

asylum seekers, and victims of torture and fails to strengthen the security of our nation.

Among the worst provisions in the House bill are those which create insurmountable obstacles and burdens for asylum seekers, including many women and children, eliminate judicial review, including the constitutional writ of habeas corpus, for certain immigration orders, and which allow the deportation of individuals to countries where they are likely to be tortured, in violation of our international treaty obligations.

Many share my concerns with the House bill. The list of critics, lead by families of the 9/11 victims, is rapidly growing. A recent letter to House members, signed by more than two dozen family members of persons who died in the terrorist attacks, states that the immigration provisions are outside the scope of the Commission's recommendations and urges House members not to enact them. To underscore their concerns, the families state their "strong collective position that legislation to implement the 9/11 Commission recommendations not be used in a politically divisive manner."

Similarly, the chair of the 9/11 Commission, Thomas Kean, has said that the House immigration provisions "which are controversial and are not part of our recommendations to make the American people safer perhaps ought to be part of another bill at another time." Likewise, the vice-chair, Lee Hamilton, warned that the inclusion of these "controversial provisions at this late hour can harm our shared purpose of getting a good bill to the President before the 108th Congress adjourns."

I am submitting for the record the letters of a broad spectrum of religious, immigrant, human rights, and civil liberties groups voicing their strong opposition to the immigration provisions in the House bill. These groups include the American-Arab Anti-Discrimination Committee, the American Civil Liberties Union, the American Immigration Lawyers Association, the American Jewish Committee, Amnesty International, the Arab-American Institute Center for Community Change, the Fair Immigration Reform Movement, Freedom House, the Hebrew Immigrant Aid Society, Human Rights First, Human Rights Watch, the Lutheran Immigration and Refugee Service, the National Asian Pacific American Legal Consortium, the National Council of La Raza, the National Immigration Forum, the RFK Memorial Center for Human Rights, the Service Employees International Union, the Tahirih Justice Center, the U.S. Catholic Bishop's Committee on Migration, World Relief, and the Women's Commission for Refugee Women and Children.

In these difficult times for our country, we know that the threat of terrorism has not ended. We have to keep doing all we can to see that our borders

are protected and our immigration laws are enforced, and that law enforcement officials have the full support they need. But we must do so in ways that respect fundamental rights. Congress should not enact laws that ride rough-shod over basic rights in the name of national security. Immigrants are part of our heritage and history. We jeopardize our own fundamental values when we adopt harsh security tactics that trample the rights and liberties of immigrants. We must learn from the past, so that we do not continue to repeat these mistakes in the future.

This legislation is too important for it to be derailed by political pandering to anti-immigrant extremists. We need to pass this reform legislation, but we need to get it right. The American people expect, and deserve, better.

I ask unanimous consent to print the above-referenced letters in the RECORD.

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

#### AN OPEN LETTER

To: House of Representatives.  
From: Family Members of 9-11 Victims.  
Re: H.R. 10.

DEAR REPRESENTATIVES: We are family members of those who died in the tragedy of 9-11. While we have diverse political views on many issues, we write to you today in one voice to express our strong collective position that legislation to implement the 9-11 Commission recommendations not be used in a politically divisive manner. The discussion around these recommendations is extremely serious and important to 9-11 families across the political spectrum. We have heard the House Bill to implement the 9-11 Commission Recommendations (H.R. 10) also includes provisions to expand the USA Patriot Act and reform immigration law in ways not recommended by the commission.

We strongly urge you to take these provisions out of the bill, and not vote for any bill that contains them. These provisions are outside the scope of the Commission's recommendations, and this is neither the time nor place to consider controversial, unrelated issues. Those issues can be discussed at a later date and proposed in different legislation. Last week, members of the 9-11 Commission themselves (3 Republican and 3 Democrats) also called on House leaders to drop these provisions. The Chairman of the 9-11 Commission, Thomas Kean, said on September 30th: "We're very respectfully suggesting that provisions which are controversial and are not part of our recommendations to make the American people safer perhaps ought to be part of another bill at another time."

Please respect the seriousness of the discussions around the Commission Recommendations and immediately remove all unrelated provisions.

Yours Sincerely,

Colleen Kelly (Sister of William Kelly Jr.).  
Adele Welty (Mother of Timothy Welty, FDNY, killed 9-11 in line of duty).

Laurette Poulos Simmons (Sister of Stephen Emanuel Poulos who died in the WTC).  
Karen Shea (Niece of Steven Tighe).

Barry Amundson (Brother of Craig Amundson, killed at the Pentagon).

Kelly Campbell (Sister-in-law of Craig Amundson).

Wright and Meredith Salisbury (Father- and mother-in-law of Ted Hennessy, Jr., who was killed on 9/11).