

I urge the Members of this body, my Senate colleagues, to look at what has occurred, to recognize that we are seeing the benefits of extraordinary and courageous leadership. When they do so, we shall hear less carping, less complaining, less whining, and less second-guessing than we have heard. We are making progress. We are going to continue to make progress. We are going to make this world a better place and safer place for the people of the United States.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER (Mr. TAL-ENT). The Senator from Arizona.

Mr. KYL. Mr. President, let me summarize what I think has been established during the last couple of hours. The reason we took to the floor is because there has been a lot of criticism of the President of the United States and the administration for its actions in finally deciding that enough was enough with Saddam Hussein, that his continual violation of the U.N. resolutions had to be enforced by someone, and that before there was an imminent threat posed by his dangerous regime, it was important for the United States and a coalition of other countries to take action to remove him.

The criticism has come both from potential Democratic nominees for President, Members of this body, news organizations, and others outside the body, but we sought to try to put into perspective some of these criticisms and to point out that at the end of the day, there should be no question that President Bush did the right thing.

The three key points were, first, that an intelligence failure is not the same thing as intelligence misuse or misleading, and if there was a failure because the intelligence agencies were wrong about the stockpiles of weapons of mass destruction that they thought existed and which we have not been able to find, it is not the same thing as saying that the President misled anyone or that anyone else with access to intelligence misled anyone.

The second point was that whatever the state of intelligence, the case for removing Saddam Hussein is still very strong, a point which several of our colleagues have made repeatedly on both sides of the aisle, as well as President Clinton and other members of his administration prior to the Bush administration.

And, third, that the question regarding the weapons of mass destruction, the stockpiles of biological and chemical weapons is not a matter of whether they existed but what happened to them; that everyone who had access to the intelligence was convinced they existed.

In fact, we know they existed at least one time because they were used against the Kurds and against the Iraqis. Saddam Hussein himself, in submitting documents to the United Nations, admitted they existed. This was, I believe, either 1996 or 1998 and then again in the year 2002. So we had his

admission that they existed. As Senator BENNETT said a while ago, nobody knows whether they were destroyed, shipped someplace else, or whether we destroyed them, but eventually we will find out the answers to those questions.

The fact we cannot find those weapons of mass destruction stockpiles—primarily artillery shells with chemical munitions—does not detract at all from the case against Saddam Hussein or make the case that somehow or another the American people were somehow misled by the President.

In closing, I will quote from the chairman of the Senate Intelligence Committee and the ranking member of the Senate Intelligence Committee. What the current ranking member of the Senate Intelligence Committee had to say is: As the attacks of September 11 demonstrated, the immense destructiveness of modern technology means we can no longer afford to wait around for a smoking gun. I do believe that Iraq poses an imminent threat, but I also believe after September 11 that question is increasingly outdated. It is in the nature of these weapons and the way they are targeted against civilian populations that documented capability and demonstrated intent may be the only warning we get. To insist on further evidence would put some of our fellow Americans at risk. Can we afford to take that chance? We cannot.

The ranking member of the Senate Intelligence Committee is the junior Senator from West Virginia, Mr. ROCKEFELLER. These were his comments on October 10, 2002. Yet today we find some saying the President contended there was an imminent threat, when he did not, and that we should not have acted unless, in fact, there was an imminent threat.

I think Senator ROCKEFELLER was correct, and I know he has access to all of the intelligence because, of course, he is the ranking member of the Intelligence Committee.

Now I will read from the chairman of the Intelligence Committee: I have seen enough evidence. I do not know if I have seen all the evidence, but I have seen enough to be satisfied that there has been a continuing effort by Saddam Hussein, since the end of the Gulf War, particularly since 1998, to reestablish and enhance Iraq's capacity of weapons of mass destruction, chemical, biological, and nuclear.

That was the immediate past chairman of the Senate Intelligence Committee, the senior Senator from Florida, Mr. GRAHAM. He, too, had access to all of the intelligence.

My point in quoting my two colleagues is that in the Senate, those of us on the Intelligence Committee had access to the same intelligence the President did, at least similar intelligence to what other countries in the world had, and all of us, including the United States, believed these things. We had the same intelligence that was given to the President.

We were not misleading anyone. The President obviously was not misleading anyone. The fact that it turns out some of the intelligence turned out not to be totally correct is not the same thing as saying somebody misused the intelligence. I hope my colleagues on the other side do not cross that line of accusing the President of intentionally misleading the American people because to do so, in effect, would be also to accuse our own colleagues of that very same thing. I do not believe, based upon what I know of my colleagues, that that could be said of any one of them. So I hope we can get over this notion that just because not all the intelligence was correct, therefore, it must mean somebody was misleading someone else. I think we have established that is not true and that it would be very wrong to try to pursue that line of attack against President Bush simply because we happen to be in an election year.

We will have more to say on this subject in the future, but I want my colleagues to understand that if there are charges made against the President or against this administration relating to the use of intelligence with respect to the war in Iraq, those charges will be rebutted. I appreciate very much the attention of my colleagues to this matter this evening.

THAI POLICY TOWARD BURMA: PRINCIPLED OR FOR PROFIT?

Mr. MCCONNELL. Mr. President, as my colleagues know, freedom in Burma has long been under siege by a military junta calling itself the State Peace and Development Council (SPDC). In response to last year's brutal assault against the supporters of the National League for Democracy NLD, and its leader Daw Aung San Suu Kyi, Congress quickly passed—and the President signed into law—the Burmese Freedom and Democracy Act of 2003.

This was an appropriate response to an act of Terrorism orchestrated and carried out by the SPDC and its affiliated organizations.

Last week, the State Department issued its annual human rights report, and the section on Burma evidences egregious and systematic human rights abuses. Let me read one excerpt from that report:

[the SPDC's] extremely poor human rights record worsened, and it continued to commit numerous serious abuses. Citizens still did not have the right to change their government. Security forces continued to commit extrajudicial killings and rape, forcibly relocate persons, use forced labor, conscript child soldiers, and reestablished forced conscription of the civilian population into militia units.

Murder, rape, forced labor, child soldiers . . . this is a sobering reminder of how egregious and extreme human rights violations are in Burma.

While many in Burma's neighborhood raised concerns with the situation in that country, including Malaysia and

Indonesia, Thailand—led by Prime Minister Thaksin Shinawatra—seemed keen on letting the wind out of sanction sails at every opportunity. This strikes me as odd behavior given Thailand's processed commitment to democracy and human rights.

Where others speak out to demand concrete actions from the SPDC, including the unconditional and immediate release of Suu Kyi and her compatriots, Thaksin has repeatedly risen to defend those who Secretary Powell referred to as "murderous thugs".

Last year, he initiated an international forum on Burma self-dubbed the "Bangkok Process" that did not include the NLD, the United States, or other proven champions of freedom. However, it did include the SPDC, and was described the Thaksin as a meeting of the "like minded." The "Bangkok Process" is fundamentally flawed by the very absence of Suu Kyi and her supporters at the table. Tellingly, they remain under arrest and detention in Burma.

I agree with Norwegian Foreign Minister Jan Petersen that "all voices in the country had to be heard and opposition leader Aung San Suu Kyi must be released." In stark contrast, Thaksin recently stated, "Burma is on the right track. . . . If they follow our recommendations, they will be okay and get everything done."

With narcotics, HIV/AIDS and other undesirable exports pouring across Burma's borders into Thailand, it is only fair to question Thaksin's motivations in his cozy relationship with the SPDC. Some suspect that the *raison d'être* can be summed up in a single word: iPSTAR.

iPSTAR is a \$350 million broadband satellite owned by Shin Satellite, Sattel, and Shin Corporation, a holding company created by the Prime Minister that owns 53 percent of Sattel. If successfully launched and operational, the satellite will beam its signal across Asia.

To convince doubting Thomases who suspect that Thailand's approach to Burma may be based on selfish profit—not principle—Thaksin should answer the following single question:

What investments, including projects and activities related to iPSTAR, do Shin Satellite and Shin Corporation have in Burma, and/or have planned for Burma?

I intend to pose this same question to Secretary of State Colin Powell when he appears before the Foreign Operations Subcommittee next month.

Let me close by saying that many of us remain concerned with the continued deterioration of democratic institutions in Thailand—including a free and independent press. We are alarmed and distressed by continued reports of the deportation of as many as 10,000 Burmese refugees, exiles, and migrant workers from Thailand to Burma each month. My colleagues can find additional information on this matter in a February 25th article by Ellen

Nakashima in the Washington Post and through Human Rights Watch's report "Out of Sight, Out of Mind: Thai Policy Toward Burmese Refugees and Migrants."

With rising tensions in the south, it is more important that ever that Thailand stay the course in its political and legal development.

I am sure my colleagues will agree that accountability and transparency must be maintained in Thailand, be it a crackdown on drugs or business with Burma. As the last few weeks have clearly demonstrated, Thai politicians are quick to promise a chicken in every pot—but sometimes chickens get the flu. I say this only to illustrate my hopes that Prime Minister Thaksin has prepared an alternative approach toward Burma and the SPDC that includes the full participation and input of Suu Kyi and the NLD as well as all ethnic nationalities.

I ask unanimous consent that following my remarks an article from Thailand's English language newspaper *The Nation* be printed in the RECORD. Thaksin has it wrong—the United States is not a "useless friend" to Thailand. On the contrary, America is a strong advocate of democracy and human rights throughout the region.

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

[From *The Nation*, Feb. 28, 2004]

REACTION TO US RIGHTS REPORT: "YOU'RE A USELESS FRIEND"

Prime Minister Thaksin Shinawatra yesterday slammed the United States as a "useless friend" for issuing a damning report on the deterioration of human rights here. "It's unacceptable to me the way the US came out with the report by citing media reports. What kind of friend are they?" a fuming Thaksin said. "Once every year, the US comes out and damages the reputation of its friend. What would they do if Thailand issued the same [kind of] report?" Thaksin told reporters that although Thailand has been in discussions with the US on the human rights situation here the US produced a report that differed from the information Thailand supplied.

The US State Department yesterday released its annual country-by-country review of human rights. Thailand's record "worsened" last year as a result of the extra-judicial killings and arbitrary arrests during the first round of the war on drugs, from February to April, the report said. "I have to say bluntly that it [the US report] really annoyed me. I have asked the Foreign Ministry to issue a statement," Thaksin said.

The Foreign Ministry "invited" US Ambassador Darryl Johnson to receive an official complaint. Foreign Minister Surakiart Sathirathai said: "It has been like this for at least three times during my time [as foreign minister]. We feel that it is something that is not healthy for close allies like the US and Thailand." In what appeared to be an attempt by the ministry to maximize media coverage of the summoning of Johnson, photographers were asked to position themselves in what is usually an off-limits area. The ministry issued a statement on Thursday expressing its "deep disappointment" over the report, saying it contained "serious inaccuracies"—particularly on the government's anti-drugs campaign—and overstated the toll from summary killings.

"The report does not provide a balanced account of the facts, even though the Thai government has gone to great lengths to provide all the information to the US side," the statement read. This was also the case for the reports in 2002 and 2001, when Thailand had to pinpoint various factual errors and the US apologized and admitted that the reports were done in haste, Surakiart claimed. Such a report is "useless" for the governments as well as the public and it needs to be corrected, he added. Johnson, who met with Deputy Foreign Permanent Secretary Veerasak Futrakul, declined to make any statement.

Ministry spokesman Sihasak Phuanketkeow, however, quoted Johnson as saying: "The US generally views Thailand's human rights record in a positive light, whether it is about economic or political freedom." Sihasak submitted a memo to Johnson claiming that only 46 cases of extra-judicial killings were recorded and the 1,386 drug-related deaths cited in the US report were not extra-judicial executions. He also dismissed the allegation that the government would not allow the United Nations High Commissioner for Human Rights to make a visit to look into the matter. "A request has never been made," he said. According to National Police figures released in December, only nine cases out of 1,176 drug-related deaths have been prosecuted.

The drug killings sparked an outcry from local and international human rights organizations. Foreign governments and the UN Human Rights Commissioner expressed grave concern about the murders, while His Majesty the King called on the government to give a detailed accounting for all the deaths. The Thai government had "failed to investigate and prosecute vigorously those who committed such abuses, contributing to a climate of impunity," the US report said.

After Thaksin's visit to Washington last June, bilateral relations strengthened as Thailand agreed to dispatch troops to Iraq and offered Americans immunity from the International Criminal Court. Thailand signed the ICC treaty but has not yet ratified it. Last December, US President George W. Bush officially designate Thailand a major non-Nato ally, a move that boosted security cooperation between the two countries.

YELLOWSTONE NATIONAL PARK'S 132ND ANNIVERSARY

Mr. REID. Mr. President, it gives me great pleasure to note that as of yesterday, the priceless treasure we call Yellowstone National Park has been preserved and protected for 132 years.

Yellowstone was our first national park, and one visit there explains why.

It is home to majestic wildlife including bison, elk, wolves and grizzly bears.

It is the site of most of the world's geysers, including the famous Old Faithful.

And Yellowstone National Park offers breathtaking vistas at every turn, from raging rivers to soaring mountain peaks.

Before Yellowstone became a national park, the story of its discovery was scattered with myths and truths throughout the 19th century.

Explorers and trappers stumbled upon Yellowstone's incredible beauty, and returned home with descriptions that sounded like fiction to the American public.