

## SENATOR KERRY AND AMERICA'S CHALLENGES

Mr. LOTT. Mr. President, as we look at the situation in America and in the world today, we face serious challenges. Obviously, the war on terrorism is one of the most serious challenges we have had in many decades, one that is different because there are no specific battles that are won or lost. There may not be a moment when we say it is over. Because we are dealing with a moving, shadowy element that uses the most dastardly types of attacks on individuals, innocent men, women, and children.

We have seen the situation in Florida, where the people there have been hit repeatedly by hurricanes and disasters. I guess you could say in many respects these are times that try men and women's souls.

We are under attack in a lot of ways. But, also, these are the times that require a certain trumpet. We cannot have uncertainty in terms of leadership. We cannot have an uncertain trumpet. We have to have direction, strong leadership, and courage to take a stand and follow it through. That is why I am very much worried about what I see in Senator KERRY and the positions he has taken, first on one side and then the other.

I was greatly distressed last week when we had the Prime Minister of Iraq here. He is a man who is showing strength, leadership, and great courage because his life is on the line every day with repeated assassination attempts directed at him. He came here. He said: Thank you, America. He said: We are going to have elections. We are going to have peace and freedom and democracy. We chose justice and the rule of law rather than chaos and anarchy. He did a magnificent job. I was inspired by what he is doing and by his speech.

Yet Senator KERRY attacked his speech before he even left town. Where are the basic courtesies that we have in the past extended to leaders of other countries?

President Bush, on the other hand, has shown strength, leadership, and courage. He is dealing with the issues of security. People see in him and hear in his voice a determination, a commitment, that will get us through this. But Senator KERRY has been flip-flopping back and forth on Iraq for not just the campaign but actually for years, going back to 2002 where he took one position and where now, in 2003 and 2004, he has taken a different position.

On September 20, 2004, he said that our most important task is to win the war on terrorism. On March 6, 2004, he balked at calling the war on terror an actual "war."

On September 20 he said Iraq was a "diversion from" the war on terror. Yet back in December of 2003 he said that Iraq is "critical" to the success of the war on terror.

In September of 2004 he said the evil of Saddam was enough to justify the war. Yet before that he agreed with the

administration's goal of regime change. He also said that Saddam's "breach of international values" was a sufficient cause of war.

In 2004 he said Saddam's "downfall . . . has left America less secure." Yet in December of 2003 he questioned the judgment of those claiming Saddam's capture doesn't help American security.

The list goes on and on. I ask unanimous consent this list be printed in the RECORD.

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

FLIP FLOP #1: "MOST IMPORTANT TASK" IS TO WIN "WAR ON TERRORISM."

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

. . . the events of September 11 reminded every American of that obligation. That day brought to our shores the defining struggle of our times: the struggle between freedom and radical fundamentalism. And it made clear that our most important task is to fight . . . and to win . . . the war on terrorism.

*"In His Words: John Kerry," The New York Times Website, www.nytimes.com, March 6, 2004, Kerry Balked at Calling War on Terror an Actual War:*

The final victory in the war on terror depends on a victory in the war of ideas, much more than the war on the battlefield. And the war—not the war, I don't want to use that terminology. The engagement of economies, the economic transformation, the transformation to modernity of a whole bunch of countries that have been avoiding the future.

FLIP FLOP #2: IRAQ WAS "DIVERSION FROM" WAR ON TERROR.

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

. . . Iraq was a profound diversion from that war and the battle against our greatest enemy, Osama bin Laden and the terrorists. Invading Iraq has created a crisis of historic proportions and, if we do not change course, there is the prospect of a war with no end in sight.

*Fox News' "Special Report," December 15, 2003, Kerry Said Iraq "Is Critical" To Success of War on Terror:*

Iraq may not be the war on terror itself, but it is critical to the outcome of the war on terror. And therefore any advance in Iraq is an advance forward in that.

FLIP FLOP #3: EVIL OF SADDAM WAS NOT ENOUGH TO JUSTIFY WAR.

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

Saddam Hussein was a brutal dictator who deserves his own special place in hell. But that was not, in itself, a reason to go to war.

*Senator John Kerry, Speech to the 2002 DLC National Conversation, New York, NY, July 29, 2002, Kerry Originally Agreed With Removing Saddam Hussein:*

I agree completely with this Administration's goal of a regime change in Iraq—Saddam Hussein is a renegade and outlaw who turned his back on the tough conditions of his surrender put in place by the United Nations in 1991.

*MSNBC's "Hardball," October 10, 2002, Kerry Cited Saddam's "Breach of International Values" as Cause for War.*

I believe the record of Saddam Hussein's ruthless, reckless breach of international

values and standards of behavior is cause enough for the world community to hold him accountable by use of force if necessary.

FLIP FLOP #4: SADDAM'S "DOWNFALL . . . HAS LEFT AMERICA LESS SECURE."

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

The satisfaction we take in his downfall does not hide this fact: we have traded a dictator for a chaos that has left America less secure.

*Anne Q. Hoy, "Dean Faces More Criticism," [New York] Newsday, December 17, 2003, Kerry Questioned Judgment of Those Claiming Saddam's Capture Doesn't Help American Security:*

Those who doubted whether Iraq or the world would be better off without Saddam Hussein, and those who believe we are not safer with his capture, don't have the judgment to be president or the credibility to be elected president.

FLIP FLOP #5: DECISION TO GO INTO IRAQ "COLOSSAL" FAILURE.

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

"The President now admits to 'miscalculations' in Iraq. That is one of the greatest understatements in recent American history. His were not the equivalent of accounting errors. They were colossal failures of judgment—and judgment is what we look for in a president. This is all the more stunning because we're not talking about 20/20 hindsight. Before the war, before he chose to go to war, bi partisan Congressional hearings . . . major outside studies . . . and even some in the administration itself . . . predicted virtually every problem we now face in Iraq.

*CNN's "Inside Politics," August 9, 2004, in Response to Question About How He Would Have Voted if He Knew Then What He Knows Now, Kerry Confirmed That He Would Still Have Voted For Use Of Force Resolution:*

Yes, I would have voted for the authority. I believe it's the right authority for a president to have. But I would have used that authority as I have said throughout this campaign, effectively. I would have done this very differently from the way President Bush has.

FLIP FLOP #6: "IRAQ WAS NOT "THREAT TO OUR SECURITY."

*Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:*

We now know that Iraq had no weapons of mass destruction and posed no imminent threat to our security.

*Ronald Brownstein, "On Iraq, Kerry Appears Either Torn or Shrewd," Los Angeles Times, January 31, 2003, Kerry believed that Iraq had weapons of mass destruction and was a threat:*

Kerry said, "If you don't believe . . . Saddam Hussein is a threat with nuclear weapons, then you shouldn't vote for me."

*CNN's "Inside Politics," August 9, 2004, In Response to Question About How He Would Have Voted if He Knew Then What He Knows Now, Kerry Confirmed That He Would Still Have Voted for Use of Force Resolution.*

Yes, I would have voted for the authority. I believe it's the right authority for a president to have. But I would have used that authority as I have said throughout this campaign, effectively. I would have done this very differently from the way President Bush has.

FLIP FLOP #7: IRAQ WAR TOOK "ATTENTION AND RESOURCES" AWAY FROM AFGHANISTAN.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

The President's policy in Iraq took our attention and resources away from other, more serious threats to America. Threats like . . . the increasing instability in Afghanistan.

CNN's "Larry King Live," December 14, 2001, Kerry Said War on Terror "Doesn't End With Afghanistan" and Suggested U.S. Move on To Addressing Menace of Saddam Hussein:

I think we clearly have to keep the pressure on terrorism globally. This doesn't end with Afghanistan by any imagination. And I think the president has made that clear. I think we have made that clear. Terrorism is a global menace. It's a scourge. And it is absolutely vital that we continue, for instance, Saddam Hussein.

FLIP FLOP #8: IRAQ NOT "SOURCE OF SERIOUS DISAGREEMENT WITH OUR ALLIES" BEFORE WAR.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

We know that while Iraq was a source of friction, it was not previously a source of serious disagreement with our allies in Europe and countries in the Muslim world.

CNN's "Crossfire," November 12, 1997, Kerry Questioned Where Russia and France's Backbone To Stand up to Saddam Was:

So clearly the allies may not like it, and I think that's our great concern—where's the backbone of Russia, where's the backbone of France, where are they in expressing their condemnation of such clearly illegal activity, but in a sense, they're now climbing into a box and they will have enormous difficulty not following up on this if there is not compliance by Iraq.

CNN's "Crossfire," November 12, 1997, Kerry Noted French Have Opposed U.S. on a Number of Foreign Policy Issues:

Well, John, frankly neither you nor I know that we did nothing. I don't know that for a fact. We certainly didn't publicly, I agree, but I don't know that we did nothing. But it's not the first time France has been very difficult, as the congressman said. I think a lot of us are very disappointed that the French haven't joined us in a number of other efforts with respect to China, with respect to other issues in Asia and elsewhere and also in Europe.

Fox News' "The O'Reilly Factor," May 22, 2002, Kerry says that Europeans are "Wrong On Iraq" and U.S. "Will Have To Do What We Need To Do."

Fox News' Bill O'Reilly: "The ambassador to Germany is basically saying what most people in Europe are saying, senator. They're afraid. They're afraid that if we go after Saddam Hussein, and all the Arabs get crazy, and the whole thing blows up, that Europe's going to take the brunt of this. I said you can't negotiate with tyrants out of fear. How do you feel about it?"

Senator John Kerry: "I agree with you. . . . [I] think that you're correct in making that judgment. And I think we've all reached a judgment that obviously the United States has to protect our national security interests. And we have to do what we think is right. I do think the European demonstrations are larger than just Iraq. I think they're concerned about other issues, like global warming. They're concerned about proliferation. They're concerned about—I mean, there are a whole host of issues. So I think it's a more confused bag than just Iraq, but I think they're wrong on Iraq. I mean, plain and simply, the United States

will have to do what we need to do, and our best judgment to protect our national security. And quite frankly, if we do what we need to do, it will also wind up protecting Europe."

FLIP FLOP #9: PRESIDENT'S IRAQ POLICY "HAS WEAKENED" NATIONAL SECURITY.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

Let me put it plainly: The President's policy in Iraq has not strengthened our national security. It has weakened it.

Anne Q. Hoy, "Dean Faces More Criticism," [New York] *Newsday*, December 17, 2003, Kerry Questioned Judgment of Those Claiming Saddam's Capture Doesn't Help American Security:

Those who doubted whether Iraq or the world would be better off without Saddam Hussein, and those who believe we are not safer with his capture, don't have the judgment to be president or the credibility to be elected president.

FLIP FLOP #10: WOULD NOT HAVE INVADDED IRAQ GIVEN WHAT HE KNOWS NOW.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

Yet today, President Bush tells us that he would do everything all over again, the same way. How can he possibly be serious? Is he really saying that if we knew there were no imminent threat, no weapons of mass destruction, no ties to Al Qaeda, the United States should have invaded Iraq? My answer is no—because a Commander-in-Chief's first responsibility is to make a wise and responsible decision to keep America safe.

CNN's "Inside Politics," August 9, 2004, In Response to Question About How He Would Have Voted if He Knew Then What He Knows Now, Kerry Confirmed That He Would Still Have Voted for Use of Force Resolution:

Yes, I would have voted for the authority. I believe it's the right authority for a president to have. But I would have used that authority as I have said throughout this campaign, effectively. I would have done this very differently from the way President Bush has.

FLIP FLOP #11: "CAPABILITY" TO ACQUIRE WEAPONS" NOT REASON ENOUGH FOR WAR.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

Now the president, in looking for a new reason, tries to hang his hat on the 'capability' to acquire weapons. But that was not the reason given to the nation; it was not the reason Congress voted on; it's not a reason, it's an excuse.

Senator John Kerry, Congressional Record, October 9, 2002, page S10171, Kerry Called Those Who Would Leave Saddam Alone "Naïve to the Point of Grave Danger: "

It would be naïve to the point of grave danger not to believe that, left to his own devices, Saddam Hussein will provoke, misjudge, or stumble into a future, more dangerous confrontation with the civilized world.

CBS' "Face The Nation," September 15, 2002, Kerry Said Saddam's Miscalculations are Biggest Concern, Not "Actual" WMD:

I would disagree with John McCain that it's the actual weapons of mass destruction he may use against us, it's what he may do in another invasion of Kuwait or in a miscalculation about the Kurds or a miscalculation about Iran or particularly Israel. Those are the things that—that I think present the greatest danger. He may even miscalculate and slide these weapons off to terrorist groups to invite them to be a surrogate to

use them against the United States. It's the miscalculation that poses the greatest threat.

FLIP FLOP #12: "CANNOT AFFORD" TO FAIL IN IRAQ.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

In Iraq, we have a mess on our hands. But we cannot throw up our hands. We cannot afford to see Iraq become a permanent source of terror that will endanger America's security for years to come.

October 17, 2003, S. 1689, CQ Vote #400: Passed 87-12: R 50-0; D 37-11; I 0-1, Kerry Voted Nay:

Kerry voted against the \$87 billion supplemental supporting our troops and providing resources needed to win in Iraq.

FLIP FLOP #13: IRAQ WAR "MADE US LESS SECURE."

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

I believe the invasion of Iraq has made us less secure and weaker in the war against terrorism.

Anne Q. Hoy, "Dean Faces More Criticism," [New York] *Newsday*, December 17, 2003, Kerry Questioned Judgment of Those Claiming Saddam's Capture Doesn't Help American Security:

Those who doubted whether Iraq or the world would be better off without Saddam Hussein, and those who believe we are not safer with his capture, don't have the judgment to be president or the credibility to be elected president.

FLIP FLOP #14: WOULD HAVE CONTINUED CONTAINMENT OF SADDAM.

Senator John Kerry, Remarks at New York University, New York, NY, September 20, 2004:

I would have tightened the noose and continued to pressure and isolate Saddam Hussein—who was weak and getting weaker—so that he would pose no threat to the region or America.

Senator John Kerry, Committee on Armed Services and Committee on Foreign Relations, U.S. Senate, Joint Hearing, September 3, 1998, Kerry Expressed Opposition to "Policy of Containment: "

So we've got a major set of choices to make here. And we'd better make them. We've been sliding into a fundamental policy of containment, which I share with Major Ritter the notion is disastrous to our overall proliferation interests and disastrous with respect to the Middle East and our interests with respect to Saddam Hussein and Iraq. But we have to make a decision whether we're prepared to do what is necessary, and I mean to the point of a sustained targeting of the regime; not the Iraqi people, but the regime.

Mr. LOTT. But it goes beyond just the war on Iraq. What worries me is there is a pattern here, across the board, not only in that area that threatens our very security and our lives, the war on terrorism, but in area after area, issue after issue.

For instance, in 1991 Senator KERRY supported most-favored trade status for China and now he criticizes the Bush administration for trading with China.

Which is it? You cannot be for it and against it when you talk about international trade. Trade is good. America can compete. We do need to enlarge the pie. We need to make sure we have fair trade. But you cannot vote one way on trade and then be critical of it on the other side.

In October 2003, Senator KERRY called the fence that is being built in Israel for security purposes a "barrier to peace." He was critical of it. Yet in February of 2004, he calls the fence a "legitimate act of self-defense." You can't get into a very dangerous and sensitive situation like this and say one thing and then the other. What is it? Which is it? An uncertain trumpet takes lives.

Even in the case of eliminating the marriage penalty for the middle class, Senator KERRY said he will fight to keep the tax relief for married couples. He said Democrats fought to end the marriage penalty tax. Yet in 1998, he voted against eliminating the marriage penalty relief for married taxpayers with a combined income of less than \$50,000 a year. Last week when we actually extended the elimination of that marriage penalty tax, of course, he didn't vote.

He even flip-flopped on the PATRIOT Act. The PATRIOT Act is a favorite punching bag now.

I was here when the death debate occurred. I remember the broad unanimous support involved in passing that legislation. We needed to do some things to give our law enforcement people the ability to deal with these terrorists. If you look at what has transpired since then, this great fear of having your library card checked or a "knock in the night" is not occurring. So he voted for it, and now he attacks the PATRIOT Act. He said:

We are a nation of laws, and liberties, not of a knock in the night. So it is time to end the era of John Ashcroft.

I think that is an unfair shot at our former colleague, the Attorney General of the United States. Again, Senator KERRY was for the Patriot Act and now he is against it.

On the gay marriage amendment, in 2002, Senator KERRY signed a letter urging the Massachusetts legislature to reject a constitutional amendment banning gay marriage. Yet now in 2004 he won't rule out supporting a similar amendment. Which is it? Is it one thing in Massachusetts and another here in Washington?

Also, I think when you get into other issues like the death penalty for terrorists, these are relevant issues we can't take the wrong position on. Yet, in 1996, he attacked Governor Weld of Massachusetts for supporting the death penalty for terrorists. But now he said he might support the death penalty for terrorists.

On the No Child Left Behind Act, he voted for it, and now he attacks it as a "mockery." He trashed it as an "unfunded mandate" with "laudable goals."

Let me tell you that I am a son of a schoolteacher. I was in public education all my life. I didn't go to some elite school. I went to public education. I stay in touch with teachers and administrators. And they tell me it is making a difference. We have goals and challenges. Teachers are doing better,

students are doing better, and the money has been going up every year.

On issue after issue, he has flip-flopped.

I ask unanimous consent that the remainder of this lengthy list be printed in the RECORD.

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

#### FLIP-FLOPPED ON AFFIRMATIVE ACTION

*In 1992, Kerry Called Affirmative Action "Inherently Limited and Divisive."*

[W]hile praising affirmative action as "one kind of progress" that grew out of civil rights court battles, Kerry said the focus on a rights-based agenda has "inadvertently driven most of our focus in this country not to the issue of what is happening to the kids who do not get touched by affirmative action, but . . . toward an inherently limited and divisive program which is called affirmative action." That agenda is limited, he said, because it benefits segments of black and minority populations, but not all. And it is divisive because it creates a "perception and a reality of reverse discrimination that has actually engendered racism." (Lynne Duke, "Senators Seek Serious Dialogue On Race," *The Washington Post*, 4/8/92)

*In 2004, Kerry Denied Ever Having Called Affirmative Action "Divisive."*

CNN's Kelly Wallace: "We caught up with the Senator, who said he never called affirmative action divisive, and accused Clark of playing politics."

Senator Kerry: "That's not what I said. I said there are people who believe that. And I said mend it, don't end it. He's trying to change what I said, but you can go read the quote. I said very clearly I have always voted for it. I've always supported it. I've never, ever condemned it. I did what Jim Clyburn did and what Bill Clinton did, which is mend it. And Jim Clyburn wouldn't be supporting it if it were otherwise. So let's not have any politics here. Let's keep the truth." (CNN's "Inside Politics," 1/30/04)

#### FLIP-FLOPPED ON ETHANOL

*Kerry Twice Voted Against Tax Breaks for Ethanol.*

(S. Con. Res. 18, CQ Vote #44: Rejected 48-52; R 11-32; D 37-20, 3/23/93, Kerry Voted Nay; S. Con. Res. 18, CQ Vote #68: Motion Agreed To 55-43; R 2-40; D 53-3, 3/24/93, Kerry Voted Yea)

*Kerry Voted Against Ethanol Mandates.*

(H.R. 4624, CQ Vote #255: Motion Agreed To 51-50; R 19-25; D 31-25, 8/3/94, Kerry Voted Nay)

*Kerry Voted Twice To Increase Liability on Ethanol, Making it Equal to Regular Gasoline.*

(S. 517, CQ Vote #87: Motion Agreed To 57-42; R 38-10; D 18-32; I 1-0, 4/25/02 Kerry Voted Nay; S. 14, CQ Vote #208: Rejected 38-57; R 9-40; D 28-17; I 1-0, 6/5/03, Kerry Voted Yea)

*On the Campaign Trail, Though, Kerry is for Ethanol.*

Kerry: "I'm for ethanol, and I think it's a very important partial ingredient of the overall mix of alternative and renewable fuels we ought to commit to." (MSNBC/DNC, Democrat Presidential Candidate Debate, Des Moines, IA, 11/24/03)

#### FLIP-FLOPPED ON CUBA SANCTIONS

*Senator Kerry has Long Voted Against Stronger Cuba Sanctions.*

(H.R. 927, CQ Vote #489, Motion Rejected 59-36; R 50-2; D 9-34, 10/17/95, Kerry Voted Nay; S. 955, CQ Vote #183: Rejected 38-61; R 5-49; D 33-12, 7/17/97, Kerry Voted Yea; S. 1234, CQ Vote #189, Motion Agreed To 55-43; R 43-

10; D 12-33, 6/30/99, Kerry Voted Nay; S. 2549, CQ Vote #137: Motion Agreed To 59-41; R 52-3; D 7-38, 6/20/00, Kerry Voted Nay)

*In 2000, Kerry Said Florida Politics is Only Reason Cuba Sanctions Still in Place.*

Senator John F. Kerry, the Massachusetts Democrat and member of the Foreign Relations Committee, said in an interview that a reevaluation of relations with Cuba was "way overdue." "We have a frozen, stalemated, counterproductive policy that is not in humanitarian interests nor in our larger credibility interest in the region," Kerry said. . . . "It speaks volumes about the problems in the current American electoral process. . . . The only reason we don't reevaluate the policy is the politics of Florida." (John Donnelly, "Policy Review Likely On Cuba," *The Boston Globe*, 4/9/00)

*Now Kerry Panders to Cuban Vote, Saying He Would Not Lift Embargo Against Cuba.*

Tim Russert: "Would you consider lifting sanctions, lifting the embargo against Cuba?"

Senator Kerry: "Not unilaterally, not now, no." (NBC's "Meet The Press," 8/31/03)

*Kerry Does Not Support "Opening Up the Embargo Willy Nilly."*

Kerry said he believes in "engagement" with the communist island nation but that does not mean, "Open up the dialogue." He believes it "means travel and perhaps even remittances or cultural exchanges" but he does not support "opening up the embargo wily nilly." (Daniel A. Ricker, "Kerry Says Bush Did Not Build A 'Legitimate Coalition' In Iraq," *The Miami Herald*, 11/25/03)

#### FLIP-FLOPPED ON NAFTA

*Kerry Voted for NAFTA.*

(H.R. 3450, CQ Vote #395: Passed 61-38; R 34-10; D 27-28, 11/20/93, Kerry Voted Yea)

*Kerry Recognized NAFTA Is Our Future.*

NAFTA recognizes the reality of today's economy—globalization and technology," Kerry said. "Our future is not in competing at the low-level wage job; it is in creating high-wage, new technology jobs based on our skills and our productivity." (John Aloysius Farrell, "Senate's OK Finalizes NAFTA Pact," *The Boston Globe*, 11/21/93)

*Now, Kerry Expresses Doubt About NAFTA.*

Kerry, who voted for NAFTA in 1993, expressed some doubt about the strength of free-trade agreements. "If it were before me today, I would vote against it because it doesn't have environmental or labor standards in it," he said. (David Lightman, "Democrats Battle For Labor's Backing," *Hartford Courant*, 8/6/03)

#### FLIP-FLOPPED ON SMALL BUSINESS INCOME TAXES

*Kerry Voted Against Exempting Small Businesses and Family Farms From Clinton Income Tax Increase.*

(S. Con. Res. 18, CQ Vote #79: Motion Agreed To 54-45; R 0-43; D 54 2, 3/25/93, Kerry Voted Yea)

*Three Months Later, Kerry Voted in Favor of Proposal To Exclude Small Businesses From the Increased Income Tax.*

(S. 1134, CQ Vote #171: Motion Rejected 56-42; R 43-0; D 13-42, 6/24/93, Kerry Voted Yea)

*Kerry Claimed he Fought To Exempt Small Businesses From Income Tax Increases.*

I worked to amend the reconciliation bill so that it would . . . exempt small businesses who are classified as subchapter S corporations from the increased individual income tax. (Sen. John Kerry, *Congressional Record*, 6/29/93, p. S 8268)

# KERRY FLIP-FLOPPED ON 50-CENT GAS TAX INCREASE

*In 1994, Kerry Backed Half-Dollar Increase in Gas Tax.*

Kerry said [the Concord Coalition's scorecard] did not accurately reflect individual lawmakers' efforts to cut the deficit. "It doesn't reflect my \$43 billion package of cuts or my support for a 50-cent increase in the gas tax," Kerry said. (Jill Zuckman, "Deficit-Watch Group Gives High Marks To 7 N.E. Lawmakers," The Boston Globe, 3/1/94) *Two Years Later, Kerry Flip-Flopped.*

Kerry no longer supports the 50-cent [gas tax] hike, nor the 25-cent hike proposed by the [Concord] coalition. (Michael Grunwald, "Kerry Gets Low Mark On Budgeting," The Boston Globe, 4/30/96)

## FLIP-FLOPPED ON LEAVING ABORTION UP TO STATES

*Kerry Used To Say Abortion Should be Left up to States.*

"I think the question of abortion is one that should be left for the states to decide," Kerry said during his failed 1972 Congressional bid. ("John Kerry On The Issues," The [Lowell, MA] Sun, 10/11/72)

*Now Kerry Says Abortion is Law of Entire Nation.*

The right to choose is the law of the United States. No person has the right to infringe on that freedom. Those of us who are in government have a special responsibility to see to it that the United States continues to protect this right, as it must protect all rights secured by the constitution. (Sen. John Kerry [D-MA], Congressional Record, 1/22/85)

## FLIP-FLOPPED ON LITMUS TESTS FOR JUDICIAL NOMINEES

*Kerry Used To Oppose Litmus Tests for Judicial Nominees.*

Throughout two centuries, our federal judiciary has been a model institution, one which has insisted on the highest standards of conduct by our public servants and officials, and which has survived with undiminished respect. Today, I fear that this institution is threatened in a way that we have not seen before. . . . This threat is that of the appointment of a judiciary which is not independent, but narrowly ideological, through the systematic targeting of any judicial nominee who does not meet the rigid requirements of litmus tests imposed. . . . (Sen. John Kerry, Congressional Record, 2/3/86, p. S864)

*But Now Kerry Says he Would Only Support Supreme Court Nominees Who Pledge To Uphold Roe v. Wade.*

The potential retirement of Supreme Court justices makes the 2004 presidential election especially important for women, Senator John F. Kerry told a group of female Democrats yesterday, and he pledged that if elected president he would nominate to the high court only supporters of abortion rights under its Roe v. Wade decision. . . . "Any president ought to appoint people to the Supreme Court who understand the Constitution and its interpretation by the Supreme Court. In my judgment, it is and has been settled law that women, Americans, have a defined right of privacy and that the government does not make the decision with respect to choice. Individuals do." (Glen Johnson, "Kerry Vows Court Picks To Be Abortion-Rights Supporters," The Boston Globe, 4/9/03)

## FLIP-FLOPPED ON TAX CREDITS FOR SMALL BUSINESS HEALTH

*In 2001, Kerry Voted Against Amendment Providing \$70 Billion for Tax Credits for Small Business To Purchase Health Insurance.*

(H. Con. Res. 83, CQ Vote #83: Rejected 49-51: R 48-2; D 1-49, 4/5/01, Kerry Voted Nay)

*Now, Kerry Promises Refundable Tax Credits to Small Businesses for Health Coverage.*

Refundable tax credits for up to 50 percent of the cost of coverage will be offered to small businesses and their employees to make health care more affordable. ("John Kerry's Plan To Make Health Care Affordable To Every American," John Kerry For President Website, www.johnkerry.com, Accessed 1/21/04)

## FLIP-FLOPPED ON HEALTH COVERAGE

*In 1994, Kerry Said Democrats Push Health Care Too Much.*

[Kerry] said Kennedy and Clinton's insistence on pushing health care reform was a major cause of the Democratic Party's problems at the polls. (Joe Battenfeld, "Jenny Craig Hit With Sex Harassment Complaint—By Men," Boston Herald, 11/30/94)

*But Now Kerry Calls Health Care His "Passion."*

Senator John Kerry says expanding coverage is "my passion." (Susan Page, "Health Specifics Could Backfire On Candidates," USA Today, 6/2/03)

## FLIP-FLOPS ON STOCK OPTIONS EXPENSING

*Kerry Used To Oppose Expensing Stock Options.*

Democratic Senator John F. Kerry was among those fighting expensing of stock options. (Sue Kirchhoff, "Senate Blocks Options," The Boston Globe, 7/16/02)

*Kerry Said Expensing Options Would Not "Benefit the Investing Public."*

Kerry: "Mr. President, the Financial Accounting Standards Board . . . has proposed a rule that will require companies to amortize the value of stock options and deduct them off of their earnings statements. . . . I simply cannot see how the FASB rule, as proposed, will benefit the investing public." (Senator John Kerry, Congressional Record, 3/10/94, p. S2772)

*But Now Kerry Says he Supports Carrying of Stock Options as Corporate Expense.*

On an issue related to corporate scandals, Kerry for the first time endorsed the carrying of stock options as a corporate expense. The use of stock options was abused by some companies and contributed to overly optimistic balance sheets. Kerry applauded steps by Microsoft Corp. to eliminate stock options for employees and said all publicly traded companies should be required to expense such options. (Dan Balz, "Kerry Raps Bush Policy On Postwar Iraq," The Washington Post, 7/11/03)

## FLIP-FLOPPED ON MEDICAL MARIJUANA

*Kerry Said His "Personal Disposition is Open to the Issue of Medical Marijuana."*

Aaron Houston of the Granite Staters for Medical Marijuana said that just a month ago Mr. Kerry seemed to endorse medical marijuana use, and when asked about the content of his mysterious study, said, "I am trying to find out. I don't know." Mr. Kerry did say his "personal disposition is open to the issue of medical marijuana" and that he'd stop Drug Enforcement Administration raids on patients using the stuff under California's medical marijuana law. (Jennifer Harper, "Inside Politics," The Washington Times, 8/8/03)

*But Now Kerry Says he Wants To Wait for Study Analyzing Issue Before Making Final Decision.*

The Massachusetts Democrat said Wednesday he'd put off any final decision on medical marijuana because there's "a study under way analyzing what the science is." (Jennifer Harper, "Inside Politics," The Washington Times, 8/8/03)

## FLIP-FLOPPED ON PACS

*Kerry Used To Decry "Special Interests And Their PAC Money."*

"I'm frequently told by cynics in Washington that refusing PAC money is naive," Kerry told his supporters in 1985. "Do you agree that it is 'naive' to turn down special interests and their PAC money?" (Glen Johnson, "In A Switch, Kerry Is Launching A PAC," The Boston Globe, 12/15/01)

*But Now, Kerry Has Established His Own PAC.*

A week after repeating that he has refused to accept donations from political action committees, Senator John F. Kerry announced yesterday that he was forming a committee that would accept PAC money for him to distribute to other Democratic candidates. . . . Kerry's stance on soft money, unregulated donations funneled through political parties, puts him in the position of raising the type of money that he, McCain, and others in the campaign-finance reform movement are trying to eliminate. (Glen Johnson, "In A Switch, Kerry Is Launching A PAC," The Boston Globe, 12/15/01)

## FLIP-FLOPPED ON \$10,000 DONATION LIMIT TO HIS PAC

*When Kerry Established His PAC in 2001, he Instituted a \$10,000 Limit on Donations.*

A week after repeating that he has refused to accept donations from political action committees, Senator John F. Kerry announced yesterday that he was forming a committee that would accept PAC money for him to distribute to other Democratic candidates. . . . The statement also declared that the new PAC would voluntarily limit donations of so-called soft money to \$10,000 per donor per year and disclose the source and amount of all such donations. (Glen Johnson, "In A Switch, Kerry Is Launching A Pac," The Boston Globe, 12/15/01)

*One Year Later, Kerry Started Accepting Unlimited Contributions.*

Senator John F. Kerry, who broke with personal precedent last year when he established his first political action committee, has changed his fund-raising guidelines again, dropping a \$10,000 limit on contributions from individuals, a cap he had touted when establishing the PAC. The Massachusetts Democrat said yesterday he decided to accept unlimited contributions, which has already allowed him to take in "soft money" donations as large as \$25,000, because of the unprecedented fund-raising demands confronting him as a leader in the Senate Democratic caucus. (Glen Johnson, "Kerry Shifts Fund-Raising Credo For His Own PAC," The Boston Globe, 10/4/02)

## FLIP-FLOPPED ON BALLISTIC MISSILE DEFENSE

*Kerry Called for Cancellation of Missile Defense Systems in 1984 and has Voted Against Funding for Missile Defense at Least 53 Times Between 1985 and 2000.*

("John Kerry On The Defense Budget," Campaign Position Paper, John Kerry For U.S. Senate, 1984; S. 1160, CQ Vote #99: Rejected 21-78: R 2-50; D 19-28, 6/4/85, Kerry Voted Yea; S. 1160, CQ Vote #100: Rejected 38-57: R 6-45; D 32-12, 6/4/85, Kerry Voted Yea; S. 1160, CQ Vote #101: Rejected 36-59: R 1-49; D 35-10, 6/4/85, Kerry Voted Yea; S. 1160, CQ Vote #103: Rejected 33-62: R 28-22; D 5-40, 6/4/85, Kerry Voted Nay; H.J. Res. 465, CQ Vote #365: Motion Agreed To 64-32: R 49-2; D 15-30, 12/10/85, Kerry Voted Nay; H.R. 4515, CQ Vote #122: Ruled Non-Germane 45-47: R 7-42; D 38-5, 6/6/86, Kerry Voted Yea; S. 2638, CQ Vote #176: Motion Agreed To 50-49: R 41-11; D 9-38, 8/5/86, Kerry Voted Nay; S. 2638, CQ Vote #177: Rejected 49-50: R 10-42; D 39-8, 8/5/86, Kerry Voted Yea; S. 1174, CQ Vote #248: Motion Agreed To 58-38: R 8-37; D 50-1, 9/17/87, Kerry Voted Yea; S. 1174, CQ Vote #259: Motion Agreed To 51-50: R 37-9; D 13-41, With

Vice President Bush Casting An "Yea" Vote, 9/22/87, Kerry Voted Nay; S. 2355, CQ Vote #124: Motion Agreed To 66-29: R 38-6; D 28-23, 5/11/88, Kerry Voted Nay; S. 2355, CQ Vote #125: Motion Agreed To 50-46: R 38-7; D 12-39, 5/11/88, Kerry Voted Nay; S. 2355, CQ Vote #126: Motion Rejected 47-50: R 38-6; D 9-44, 5/11/88, Kerry Voted Nay; S. 2355, CQ Vote #128: Motion Rejected 48-50: R 6-39; D 42-11, 5/11/88, Kerry Voted Yea; S. 2355, CQ Vote #136: Motion Agreed To 56-37: R 9-34; D 47-3, 5/13/88, Kerry Voted Yea; S. 2355, CQ Vote #137: Motion Agreed To 51-43: R 38-5; D 13-38, 5/13/88, Kerry Voted Nay; H.R. 4264, CQ Vote #251: Motion Rejected 35-58: R 35-9; D 0-49, 7/14/88, Kerry Voted Nay; H.R. 4781, CQ Vote #296: Motion Agreed To 50-44: R 5-39; D 45-5, 8/5/88, Kerry Voted Yea; S. 1352, CQ Vote #148: Motion Agreed To 50-47: R 37-6; D 13-41, 7/27/89, Kerry Voted Nay; H.R. 3072, CQ Vote #202: Rejected 34-66: R 27-18; D 7-48, 9/26/89, Kerry Voted Nay; H.R. 3072, CQ Vote #213: Adopted 53-47: R 39-6; D 14-41, 9/28/89, Kerry Voted Nay; S. 2884, CQ Vote #223: Adopted 54-44: R 2-42; D 52-2, 8/4/90, Kerry Voted Yea; S. 2884, CQ Vote #225: Motion Agreed To 56-41: R 39-4; D 17-37, 8/4/90, Kerry Voted Nay; S. 2884, CQ Vote #226: Motion Agreed To 54-43: R 37-6; D 17-37, 8/4/90, Kerry Voted Nay; S. 3189, CQ Vote #273: Passed 79-16: R 37-5; D 42-11, 10/15/90, Kerry Voted Nay; H.R. 5803, CQ Vote #319: Adopted 80-17: R 37-6; D 43-11, 10/26/90, Kerry Voted Nay; H.R. 4739, CQ Vote #320: Adopted 80-17: R 37-6; D 43-11, 10/26/90, Kerry Voted Nay; S. 1507, CQ Vote #168: Rejected 39-60: R 4-39; D 35-21, 7/31/91, Kerry Voted Yea; S. 1507, CQ Vote #171: Motion Agreed To 60-38: R 40-3; D 20-35, 8/1/91, Kerry Voted Nay; S. 1507, CQ Vote #172: Motion Agreed To 64-34: R 39-4; D 25-30, 8/1/91, Kerry Voted Nay; S. 1507, CQ Vote #173: Rejected 46-52: R 5-38; D 41-14, 8/1/91, Kerry Voted Yea; H.R. 2521, CQ Vote #207: Motion Agreed To 50-49: R 38-5; D 12-44, 9/25/91, Kerry Voted Nay; S. 2403, CQ Vote #85: Adopted 61-38: R 7-36; D 54-2, 5/6/92, Kerry Voted Yea; H.R. 4990, CQ Vote #108: Adopted 90-9: R 34-9; D 56-0, 5/21/92, Kerry Voted Yea; S. 3114, CQ Vote #182: Motion Rejected 43-49: R 34-5; D 9-44, 8/7/92, Kerry Voted Nay; S. 3114, CQ Vote #214: Rejected 48-50: R 5-38; D 43-12, 9/17/92, Kerry Voted Yea; S. 3114, CQ Vote #215: Adopted 52-46: R 39-4; D 13-42, 9/17/92, Kerry Voted Nay; H.R. 5504, CQ Vote #228: Adopted 89-4: R 36-4; D 53-0, 9/22/92, Kerry Voted Yea; S. 1298, CQ Vote #251: Adopted 50-48: R 6-36; D 44-12, 9/9/93, Kerry Voted Yea; S. Con. Res. 63, CQ Vote #64: Rejected 40-59: R 2-42; D 38-17, 3/22/94, Kerry Voted Yea; S. 1026, CQ Vote #354: Motion Agreed To 51-48: R 47-6; D 4-42, 8/3/95, Kerry Voted Nay; S. 1087, CQ Vote #384: Rejected 45-54: R 5-49; D 40-5, 8/10/95, Kerry Voted Yea; S. 1087, CQ Vote #397: Passed 62-35: R 48-4; D 14-31, 9/5/95, Kerry Voted Nay; H.R. 1530, CQ Vote #399: Passed 64-34: R 50-3; D 14-31, 9/6/95, Kerry Voted Nay; H.R. 2126, CQ Vote #579: Adopted 59-39: R 48-5; D 11-34, 11/16/95, Kerry Voted Nay; H.R. 1530, CQ Vote #608: Adopted 51-43: R 47-2; D 4-41, 12/19/95, Kerry Voted Nay; S. 1635, CQ Vote #157: Rejected 53-46: R 52-0; D 1-46, 6/4/96, Kerry Voted Nay; S. 1745, CQ Vote #160: Rejected 44-53: R 4-49; D 40-4, 6/19/96, Kerry Voted Yea; S. 1745, CQ Vote #187: Passed 68-31: R 50-2; D 18-29, 7/10/96, Kerry Voted Nay; S. 936, CQ Vote #171: Rejected 43-56: R 2-53; D 41-3, 7/11/97, Kerry Voted Yea; S. 1873, CQ Vote #131: Motion Rejected 59-41: R 55-0; D 4-41, 5/13/98, Kerry Voted Nay; S. 1873, CQ Vote #262: Motion Rejected 59-41: R 55-0; D 4-41, 9/9/98, Kerry Voted Nay; S. 2549, CQ Vote #178: Motion Agreed To 52-48: R 52-3; D 0-45, 7/13/00, Kerry Voted Nay)

*Kerry Then Claimed To Support Missile Defense.*

I support the development of an effective defense against ballistic missiles that is deployed with maximum transparency and con-

sultation with U.S. allies and other major powers. If there is a real potential of a rogue nation firing missiles at any city in the United States, responsible leadership requires that we make our best, most thoughtful efforts to defend against that threat. The same is true of accidental launch. If it were to happen, no leader could ever explain not having chosen to defend against the disaster when doing so made sense. (Peace Action Website, "Where Do The Candidates Stand On Foreign Policy?" <http://www.peaceaction.org/2004/Kerry.html>, Accessed 3/10/04)

*Now Kerry Campaign Says He Will Defund Missile Defense.*

Fox News' Major Garrett: "Kerry would not say how much all of this would cost. A top military adviser said the Massachusetts Senator would pay for some of it by stopping all funds to deploy a national ballistic missile defense system, one that Kerry doesn't believe will work.

Kerry Advisor Rand Beers: He would not go forward at this time because there is not a proof of concept. (Fox News' "Special Report," 3/17/03)

#### FLIP-FLOPPED ON 1991 IRAQ WAR COALITION

*At The Time, Kerry Questioned Strength of 1991 Coalition.*

I keep hearing from people, "Well, the coalition is fragile, it won't stay together," and my response to that is, if the coalition is so fragile, then what are the vital interests and what is it that compels us to risk our young American's lives if the others aren't willing to stay the . . . course of peace? . . . I voted against the president, I'm convinced we're doing this the wrong way . . ." (CBS' "This Morning," 1/16/91)

*Now Kerry has Nothing but Praise for 1991 Coalition.*

Sen. John Kerry: "In my speech on the floor of the Senate I made it clear, you are strongest when you act with other nations. All presidents, historically, his father, George Herbert Walker Bush, did a brilliant job of building a legitimate coalition and even got other people to help pay for the war." (NBC's "Meet The Press," 1/11/04)

#### FLIP-FLOPPED ON VIEW OF WAR ON TERROR

*Kerry Said War on Terror is "Basically a Manhunt."*

Kerry was asked about Bush's weekend appearance on "Meet the Press" when he called himself a "war president." The senator, who watched the session, remarked: "The war on terrorism is a very different war from the way the president is trying to sell it to us. It's a serious challenge, and it is a war of sorts, but it is not the kind of war they're trying to market to America." Kerry characterized the war on terror as predominantly an intelligence gathering and law enforcement operation. "It's basically a manhunt," he said. "You gotta know who they are, where they are, what they're planning, and you gotta be able to go get 'em before they get us." (Katherine M. Skiba, "Bush, Kerry Turn Focus To Each Other," Milwaukee Journal Sentinel, 2/13/04)

*Two Weeks Later, Kerry Flip-Flopped, Saying War on Terror is More Than "A Manhunt".*

This war isn't just a manhunt—a checklist of names from a deck of cards. In it, we do not face just one man or one terrorist group. We face a global jihadist movement of many groups, from different sources, with separate agendas, but all committed to assaulting the United States and free and open societies around the globe." (Senator John Kerry, Remarks At University Of California At Los Angeles, Los Angeles, CA, 2/27/04)

#### FLIP FLOPPED ON INTERNET TAXATION

*In 1998, Kerry Voted To Allow States To Continue Taxing Internet Access After Moratorium Took Effect.*

Kerry voted against tabling an amendment that would extend the moratorium from two years to three years and allow states that currently impose taxes on Internet access to continue doing so after the moratorium takes effect. (S. 442, CQ Vote #306: Motion Rejected 28-69: R 27-27; D 1-42, 10/7/98, Kerry Voted Nay)

*In 2001, Kerry Voted To Extend Internet Tax Moratorium Until 2005 and Allow States To Form Uniform Internet Tax System With Approval of Congress.*

(H.R. 1552, CQ Vote #341: Motion Agreed To 57-43: R 35-14; D 22-28; I 10-1, 11/15/01, Kerry Voted Nay)

*Kerry Said "We Do Not Support Any Tax on the Internet Itself."*

"We do not support any tax on the Internet itself. We don't support access taxes. We don't support content taxes. We don't support discriminatory taxes. Many of us would like to see a permanent moratorium on all of those kinds of taxes. At the same time, a lot of us were caught in a place where we thought it important to send the message that we have to get back to the table in order to come to a consensus as to how we equalize the economic playing field in the United States in a way that is fair." (Senator John Kerry, Congressional Record, 11/15/01, p. S11902)

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, do I have 20 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I ask the Chair to remind me when I have 4 minutes left.

The PRESIDING OFFICER. The Senator will be notified.

#### THIRTEEN REASONS WHY WE ARE NOT SAFER

Mr. KENNEDY. Mr. President, my friend from Mississippi attempted to describe my friend and colleague's position on a variety of different issues. As we know around here, one of the favorite techniques—we have just seen it—is to distort and misrepresent someone's position and then differ with it. That is what has been done with regard to Senator KERRY's position on the issues we just heard about. I know about the No Child Left Behind Act. I know JOHN KERRY's position, and I know his position on health care. We talk about his position on health care. What he wants for the American people is the same thing President Bush has for himself. When he talks about the No Child Left Behind Act, the fact is 4½ million children aren't getting the benefits of it. He can defend himself.

It is always interesting to me to listen to distortions and misrepresentations on his record. Read the Web site.

I listened to the Senator from Kentucky talk about Senator KERRY on Iraq. The fact of the matter is this President can't solve that problem. He has had his turn, and it is time to have someone new. You can ask, Why? Because he has burned his bridges with