

As troubling as that deficit is, we will soon be faced with the challenge of deciding how to pay for many domestic issues, including most importantly, the health care our veterans have earned, and some are arguing we should tell the American people and our veterans that we simply cannot afford a level of care they have come to expect.

Lastly, I am concerned about what can only be called a lack of candor—and urgency—with ourselves and our decisions.

What else could explain the massive intelligence failures that preceded 9/11—the failure to see what was coming from al-Qaida, despite the years of its hateful rhetoric and despicable actions. And what else can explain the slowness in creating the Department on Homeland Security, or the lack of support for the 9/11 Commission and its clarion call for intelligence reform in the face of this hateful enemy. And what else—unless it was that, counter to all warnings from our military, we convinced ourselves that this effort in Iraq would be over in weeks, not years—can account for the fact that now, nearly 2 years since the start of this operation, our troops do not have the armor they need?

I end where I began, Mr. President. My advice is simple. To succeed in Iraq and elsewhere in the world, we need to heed the lessons learned over the past years. We need to be sure our intelligence is sound before we commit our troops, ensure our troops are prepared, and ensure our citizens are informed.

Educated, as she was, in Denver, I am confident Dr. Rice took to heart the candor and straight talk that we value in the West and in Colorado. Those will be important attributes for her to employ as she becomes Secretary of State.

I yield the floor.

Mr. LUGAR. Mr. President, I ask the Chair how much time remains on both sides of the aisle for debate this afternoon?

The PRESIDING OFFICER. The majority has 3 hours 35 minutes. The minority has 3 hours 39 minutes.

Mr. LUGAR. I thank the Chair and yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:14 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

NOMINATION OF CONDOLEEZZA RICE TO BE SECRETARY OF STATE—CONTINUED

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, I rise today to declare my unqualified support for the President's nominee to be America's 66th Secretary of State, Dr. Condoleezza Rice.

Dr. Rice's fitness for the job is plain to every Member of this Chamber. She has excelled in the foreign policy arena for 25 years and served three Presidents. She has built lasting, personal relationships with world leaders and foreign policymakers throughout the world. She has been one of the main authors of America's new approach to foreign policy in the aftermath of September 11. Most importantly, she has the complete trust and confidence of the President, and is perfectly poised to follow his leadership as America promotes freedom and democracy across the globe. Dr. Rice is the ideal person to lead the State Department at this time. The Department's mission will be to shatter the barriers to liberty and human dignity overseas, and Dr. Rice has already broken many barriers in her relatively short lifetime.

This remarkable woman was born in Birmingham, AL, in the same year that the Supreme Court of the United States handed down its *Brown v. Board of Education* decision. Few then would have believed that a young African-American girl, born under the heavy hand of Jim Crow, could one day become this Nation's chief diplomat. But Dr. Rice's mother, a music teacher named Angelina, and her father, the Reverend John Rice, knew their Condi was meant for great things, and Reverend Rice nicknamed his daughter "Little Star."

Dr. Rice may not have inherited great financial wealth from her parents, but she did inherit a love of learning. Her parents were both educators and made sure their only child could read prodigiously by age 5. At age 3, she had begun the piano lessons that would one day lead to her accompanying world-renowned cellist Yo-Yo Ma. She excelled in school and received her bachelor's degree with honors at the age of 19. She went on to earn her master's and Ph.D. in international studies, and later became, at age 38, the youngest provost in the history of Stanford University.

Her accomplished career led to her appointment as Assistant to the President for National Security Affairs in 2001. In that role, Dr. Rice has been at the center of some of the most important foreign policy decisions since President Harry Truman, George Marshall and Dean Acheson navigated the beginning of the Cold War.

In the past 4 years, she has helped formulate a national security strategy to protect the United States by draining the swamps that permit terrorism

to flourish. She has been a key architect of the President's two-state solution in the Middle East—a policy that led to the first free and democratic Palestinian elections ever.

She has helped develop a more secure relationship between the United States and Russia, leading to record reductions in that country's amount of nuclear warheads. She has helped craft the important six-party talks designed to end North Korea's nuclear program.

She was at the center of the President's successful operation to remove the Taliban from Afghanistan and enable the Afghan people to practice democracy for the first time ever.

I might say, just having been in Afghanistan within the last couple of weeks, it is an enormous success story that we all have a right to feel proud about.

She led the effort to remove Saddam Hussein from power in Iraq, eliminate the possibility of his ever unleashing weapons of mass destruction, and liberate over 25 million Iraqis from his reign of terror.

We need Dr. Rice's leadership at this crucial time in America's history. As President Bush so eloquently stated last week in his second inaugural address, our country's safety is inextricably tied to the progress of freedom in faraway lands. Those lands are not so far away anymore. Two vast oceans are no defense against a small band of terrorists with a dirty bomb, a vial of ricin, or boxcutters.

In the post-September 11 world, our national security depends heavily on our foreign policy, and our foreign policy will be determined largely by our national security needs. Because the light of liberty chases away the shadows of resentment, intolerance, and violence that lead to attacks on America, it is in America's interests to promote freedom and democracy in every corner of the globe.

Democracy and economic development are crucial components to winning the global war on terror. Soon, if we finish our mission, Iraq will be a beacon of economic and political freedom in the Middle East, and the rogue despots of the region will watch helplessly as their citizens demand the freedoms and economic prosperity enjoyed by their Iraqi neighbors. That day will be very uncomfortable for them—and a victory for the free world.

The Department of State must be a primary actor in this mission, because American diplomacy will be the primary force to create a world more favored toward freedom. The global war on terror requires us to cooperate with other nations more than any other global conflict before. It requires focus in parts of the world that were unfamiliar to many Americans 3 years ago. We will need to argue the virtues of liberty and democracy to an audience that may be hearing such arguments for the first time.

America will need to rely on the multinational institutions that have

served her so well in the past to succeed in this new era. Our relations with NATO, the European Union, and other partners must be reassured and reaffirmed. And, just as we formed coalitions of the willing to liberate Afghanistan and Iraq, we should continue to cultivate alliances of democracies when the need arises, to serve as an example to the world that the best method of governing is to seek the consent of the governed.

For all of these hard tasks before us, I can think of no better person to ensure success than Dr. Rice. Her personal courage is eclipsed only by her professional pre-eminence. Her parents aptly named her "Condoleezza" after the Italian musical term "con dolcezza" which is a direction to play "with sweetness." But she is also brilliant, compassionate, and determined to advance the President's vision of a world free from despotism.

The State Department will play the lead in American foreign policy. Its foreign-service officers are the face of America to millions worldwide. What better way to empower them than by confirming the President's most-trusted advisor as Secretary of State?

I wish to address briefly the criticisms that some of my colleagues have directed at Dr. Rice. As far as I can tell, no one has impugned her ability or moral integrity. Most of the criticisms seem to rest on the concern that she will not make it her primary mission as Secretary of State to disagree with the President.

Think about that. Some would suggest that the Secretary of State's job is to oppose the President's policies. The Senate has not attempted to so micro-manage the relationship between the President and a cabinet officer since passing the Tenure of Office Act.

Let me be clear to my colleagues: It is the role of the President to set foreign policy. It is the role of the Secretary of State to execute it.

Of course, as America's top diplomat, Dr. Rice will be expected to bring her expertise on a wide variety of issues to the table. The President has chosen her because he values her opinion. But all foreign policy decisions ultimately rest with the President. For some to suggest that a Secretary of State should be some kind of agitator-in-residence, constantly complicating the implementation of policy, is irresponsible.

Furthermore, Dr. Rice enthusiastically subscribes to President Bush's doctrine of spreading liberty. She was in the White House on September 11 when it was feared the building would come under attack. From a bunker beneath the White House, she watched the footage of those two planes striking the Twin Towers over and over. She was with the President that night, when he first formulated the policy that America would make no distinction between the terrorists who committed those evil acts and those who harbored them.

Dr. Rice was with the President during Operation Enduring Freedom. She

was with him when he made the case to the United Nations that Saddam Hussein must face serious consequences. And she was with the President when he decided to liberate Iraq and the world from Saddam Hussein's evil intent.

After sharing so many searing experiences, President Bush and Dr. Rice now share a vision for responding to them. This should be no surprise.

Like the President, Dr. Rice realizes that the challenges we face today are daunting and will take generations to overcome. Winning the Global War on Terror and spreading peace and freedom will not be easy. But few things worth doing are. This administration has taken the long view, and is committed to a long-term strategy, the reward for which is years in the future. Posterity will thank them, and this Congress, for seeing the fight through.

The liberation of Iraq was the right thing to do. We removed a tyrant who had both the means and the motive to attack America or her interests. I urge my colleagues who focus only on the setbacks, mistakes, or tragedies of Operation Iraqi Freedom: Take the long view.

If there had been as many television cameras at Omaha Beach on D-Day as there are in this chamber today, General Eisenhower would have been fired before sunset. War is messy, but history tells us we must see our fights through to the end. The goal of spreading peace and freedom in the Middle East is too important to suffer hyper-critical, politicized attacks.

I am happy to praise Dr. Rice today. My experiences with her over the years justify every word I have said. But we should not be debating her nomination today. This Senate should have confirmed her on January 20.

Finally, I wish to leave you with a question for every Member of this body to ponder. It is too easy to snipe from the sidelines at nominees like Dr. Rice, who are willing to make great sacrifices to serve their country. So I ask, what positive actions can this Senate take to further the spread of peace, liberty and democracy over the globe?

I would refer my colleagues to the Asia Freedom Act of 2004, which Senator LUGAR and I proposed last November. The act provides an integrated and coherent framework for U.S. policy towards North and Southeast Asia. It ties U.S. foreign aid to commitments from governments in the region to better their records in democracy, civil liberties, cooperation in the global war on terror, and several other areas. It requires the State Department to judge these governments not by what they say, but rather the concrete actions they undertake to further democracy, security and stability in the region.

This act would contribute to the march of freedom from sea to sea. This is the kind of business this Senate should be focusing on. Advancing freedom, attacking terrorism and ending tyranny is the mission of our time. I

have no doubt that this Senate recognizes that and will act with commensurate speed and wisdom.

America has passed weighty tests before. Sixty years ago, emerging wearily from a great war, this country began the struggle with another seemingly entrenched enemy—the Soviet Union and its scourge of Communism. When that battle began, Americans could not know when it would end. But they knew they had to fight it. In 1947, President Harry Truman spoke to a joint session of Congress about this new Cold War. He said, "Great responsibilities have been placed upon us by the swift movement of events. I am confident that the Congress will face these responsibilities squarely."

Now it falls to us to face our responsibilities just as squarely. We can, we will, and we must.

I yield the floor.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

Mr. BYRD. Mr. President, how much time do I have?

The PRESIDING OFFICER. The time is 60 minutes.

Mr. BYRD. I thank the Chair.

Mr. President, in Federalist No. 77, Alexander Hamilton wrote:

It will readily be comprehended, that a man who had himself the sole disposition of offices, would be governed much more by his private inclinations and interests, than when he was bound to submit the propriety of his choice to the discussion and determination of a different and independent body, and that body an entire branch of the legislature. The possibility of rejection would be a strong motive to care in proposing.

Although Hamilton explains the importance of the role of the Senate in the appointment of officers of the United States, neither he nor the Constitution is specific about what criteria Senators must use to judge the qualifications of a nominee. The Constitution only requires that the Senate give its advice and consent. It is therefore left to Senators to use their own judgment in considering their vote. The factors involved in such judgments may vary among Senators, among nominees, and may even change in response to the needs of the times.

The position of Secretary of State is among the most important offices for which the Constitution requires the advice and the consent of the Senate. It is the Secretary of State who sits at the right hand of the President during meetings of the President's Cabinet. The Secretary of State is all the more important today, considering the enormous diplomatic challenges our country will face in the next 4 years.

I commend the Foreign Relations Committee for its work in bringing the

nomination of Dr. Condoleezza Rice to the Senate. Chairman Richard Lugar conducted 2 days of hearings for this nominee and the debate that began in the committee on this nomination is now being continued on the floor of the Senate. Senator BIDEN also provided a voice in great foreign policy experience during those hearings. I was particularly impressed by Senator BOXER who tackled her role on the committee with passion and with forthrightness, as did Senator KERRY.

There is no doubt that Dr. Rice has a remarkable record of personal achievement. She obtained her bachelor's degree at the tender age of 19—get that. Speaking as someone who did not earn a bachelor's degree until I had reached 77 years of age, I have a special appreciation for Dr. Rice's impressive academic achievement. It was a remarkable achievement indeed.

She then obtained a doctorate in international studies and quickly rose through the academic ranks to become provost of Stanford University. Dr. Rice has also gathered extensive experience in foreign policy matters. She is a recognized expert on matters relating to Russia and the former Soviet Union. She has twice worked on the National Security Council, once as the senior adviser on Soviet issues and most recently for 4 years as National Security Adviser.

Dr. Rice has had ample exposure to the nuances of international politics and by that measure she is certainly qualified for the position of Secretary of State.

The next Secretary of State will have large shoes to fill. I have closely watched the career of Colin Powell since he served as National Security Adviser to President Reagan and we worked together during the Senate consideration of the INF treaty of 1988. Colin Powell distinguished himself in his service as chairman of the Joint Chiefs of Staff, particularly during the 1991 Gulf War. When his nomination came before the Senate in 2001, I supported his confirmation and I supported it strongly based upon the strength of his record.

The vote that the Senate will conduct tomorrow, however, is not simply a formality to approve of a nominee's educational achievement or level of expertise. I do not subscribe to the notion that the Senate must confirm a President's nominees barring criminality or lack of experience. The Constitution enjoins Senators to use their judgment in considering nominations. I am particularly dismayed by accusations I have read that Senate Democrats, by insisting on having an opportunity to debate the nomination of Dr. Rice, have somehow been engaged in nothing more substantial than "petty politics," partisan delaying tactics. Nothing, nothing, nothing could be further from the truth.

The Senate's role of advice and consent to Presidential nominations is not a ceremonial exercise. Here is the

proof. Here is the record. Here is the document that requires more than just a ceremonial exercise.

I have stood in the Senate more times than I can count to defend the prerogatives of this institution and the separate but equal—with emphasis on the word "equal"—powers of the three branches of Government. A unique power of the legislative branch is the Senate's role in providing advice and consent on the matter of nominations. That power is not vested in the Senate Foreign Relations Committee, it is not vested in any other committee, nor does it repose in a handful of Senate leaders. It is not a function of pomp and circumstance, and it was never intended by the Framers to be used to burnish the image of a President on Inauguration Day. Yet that is exactly what Senators were being pressured to do last week, to acquiesce mutely to the nomination of one of the most important members on the President's Cabinet without the slightest hiccup of debate or the smallest inconvenience of a rollcall vote.

And so, Mr. President, we are here today to fulfill our constitutional duty to consider the nomination of Dr. Rice to be Secretary of State.

I have carefully considered Dr. Rice's record as National Security Adviser in the 2 months that have passed since the President announced her nomination to be Secretary of State, and that record, I am afraid, is one of intimate—intimate—involvement in a number of administration foreign policies which I strongly oppose. These policies have fostered enormous opposition, both at home and abroad, to the White House's view of America's place in the world.

That view of America is one which encourages our Nation to flex its muscles without being bound by any calls for restraint. The most forceful explanation of this idea can be found in the "National Security Strategy of the United States," a report which was issued by the White House in September 2002. Under this strategy, the President lays claim to an expansive power to use our military to strike other nations first, even if we have not been threatened or provoked to do so.

There is no question, of course, that the President of the United States has the inherent authority to repel attacks against our country, but this National Security Strategy is unconstitutional on its face. It takes the checks and balances established in the Constitution that limit the President's ability to use our military at his pleasure and throws them out the window.

This doctrine of preemptive strikes places the sole decision of war and peace in the hands of a President—one man or woman—and undermines the constitutional power of Congress to declare war. The Founding Fathers required that such an important issue of war be debated by the elected representatives of the people, the people out there, in the legislative branch precisely, because no single man could be

trusted with such an awesome power as bringing a nation to war by his decision alone. And yet that is exactly what the National Security Strategy proposes.

Not only does this pernicious doctrine of preemptive war contradict the Constitution, it barely acknowledges the Constitution's existence. The National Security Strategy makes only one passing reference, one small passing reference, to the Constitution. It states that "America's constitution"—that is "constitution" with a small "c"—"has served us well"—as if the Constitution does not still serve this country well. One might ask if that reference to the Constitution is intended to be a compliment or an obituary.

As National Security Adviser, Dr. Rice was in charge of developing the National Security Strategy. She also spoke out forcefully in favor of the dangerous doctrine of preemptive war. In one speech, she argues that there need not be an imminent threat before the United States attacked another nation. "So as a matter of common sense," said Dr. Rice, on October 1, 2002, "the United States must be prepared to take action, when necessary, before threats have fully materialized." But that "matter of common sense" is nowhere to be found in the Constitution. For that matter, isn't it possible to disagree with this "matter of common sense"? What is common sense to one might not be shared by another. What's more, matters of common sense can lead people to the wrong conclusions. John Dickinson, the chief author of the Articles of Confederation, said in 1787, "Experience must be our only guide; reason may mislead us."

As for me, I will heed the experience of the Founding Fathers as enshrined in the Constitution over the reason and "common sense" of the administration's National Security Strategy.

We can all agree that the President, any President, has the inherent duty and power to repel an attack on the United States. He doesn't have to call Congress into session to do that. That is a matter that confronts the Nation immediately and the people and our institutions are in imminent danger.

But where in the Constitution can the President claim the right to strike another nation before it has even threatened our country, as Dr. Rice asserted in that speech? To put it plainly, Dr. Rice has asserted that the President holds far more of the warpower than the Constitution grants him.

This doctrine of attacking countries before a threat has "fully materialized" was put into motion as soon as the National Security Strategy was released.

Beginning in September 2002, Dr. Rice also took a position on the frontlines of the administration's efforts to hype the danger of Saddam's weapons of mass destruction. Dr. Rice is responsible for some of the most overblown rhetoric that the administration used to scare the American

people into believing there was an imminent threat from Iraq. On September 8, 2002, Dr. Rice conjured visions of American citizens being consumed by mushroom clouds. On an appearance on CNN, she warned, "The problem here is that there will always be some uncertainty about how quickly he," meaning Saddam, "can acquire nuclear weapons. But we don't want the smoking gun to be a mushroom cloud."

Dr. Rice also claimed that she had conclusive evidence about Iraq's alleged nuclear weapons program. During that same interview, she also said:

We do know that he is actively pursuing a nuclear weapon. We do know that there have been shipments going into . . . Iraq, for instance, of aluminum tubes . . . that are really only suited for nuclear weapons programs.

Well, my fellow Senators, we now know that Iraq's nuclear program was a fiction. Charles Duelfer, the chief arms inspector of the CIA's Iraq Survey Group, reported on September 30, 2004 as follows:

Saddam Husayn ended the nuclear program in 1991 following the Gulf War. [The Iraq Survey Group] found no evidence to suggest concerted efforts to restart the program.

But Dr. Rice's statements in 2002 were not only wrong, they also did not accurately reflect the intelligence reports of the time. Declassified portions of the CIA's National Intelligence Estimate from October 2002 make it abundantly clear that there were disagreements among our intelligence analysts about the state of Iraq's nuclear program. But Dr. Rice seriously misrepresented their disputes when she categorically stated:

We do know that [Saddam] is actively pursuing a nuclear weapon.

Her allegation also misrepresented to the American people the controversy in those same intelligence reports about the aluminum tubes. Again, Dr. Rice said that these tubes were "really only suited for nuclear weapons programs." But intelligence experts at the State Department and the Department of Energy believed that those tubes had nothing to do with building a nuclear weapon, and they made their dissent known in the October 2002 National Intelligence Estimate. This view, which was at odds with Dr. Rice's representations, was later confirmed by the International Atomic Energy Agency and our own CIA arms inspectors.

Well, Dr. Rice made other statements that helped to build a case for war by implying a link—a link—between Iraq and September 11. On multiple occasions, Dr. Rice spoke about the supposed evidence that Saddam and al-Qaida were in league with each other. For example, on September 25, 2002, Dr. Rice said on the PBS NewsHour:

No one is trying to make an argument at this point that Saddam Hussein somehow had operational control of what happened on September 11, so we don't want to push this too far, but this is a story that is unfolding, and it is getting clear, and we're learning more. . . . But yes, there clearly are contact[s] between Al Qaeda and Iraq that can be documented; there clearly is testi-

mony that some of the contacts have been important contacts and that there is a relationship there.

Well, what Dr. Rice did not say was that some of those supposed links were being called into question by our intelligence agencies, such as the alleged meeting between a 9/11 ringleader and an Iraqi intelligence agent in Prague that has now been debunked. These attempts to connect Iraq and al-Qaida appear to be a prime example of cherry-picking intelligence to hype the supposed threat of Iraq while keeping contrary evidence away from the American people, wrapped up in the redtape of top secret reports.

Dr. Rice pressed the point even further, creating scenarios that threatened tens of thousands of American lives, even when that threat was not supported by intelligence. On March 9, 2003, just 11 days before the invasion of Iraq, Dr. Rice appeared—where?—on *Face the Nation*. What did she say? She said:

Now the al-Qaida is an organization that's quite dispersed and—and quite widespread in its effects, but it clearly has had links to the Iraqis, not to mention Iraqi links to all kinds of other terrorists. And what we do not want is the day when Saddam Hussein decides that he's had enough of dealing with sanctions, enough of dealing with, quote, unquote, "containment," enough of dealing with America, and it's time to end it on his terms, by transferring one of these weapons, just a little vial of something, to a terrorist for blackmail or for worse.

How scary is that?

But the intelligence community had already addressed this scenario with great skepticism. In fact, the CIA's National Intelligence Estimate from October 2002 concluded that it had "low confidence" that Saddam would ever transfer any weapons of mass destruction—weapons that he did not have, as it turned out—to anyone outside of his control. This is yet more evidence of an abuse of intelligence in order to build the case for an unprovoked war with Iraq.

And what has been the effect of the first use of this reckless doctrine of preemptive war? In a most ironic and deadly twist, the false situation described by the administration before the war, namely, that Iraq was a training ground for terrorists poised to attack the United States, is exactly the situation that our war in Iraq has created.

But it was this unjustified war that created the situation that the President claimed he was trying to prevent. Violent extremists have flooded into Iraq from all corners of the world. Iraqis have taken up arms themselves to fight against the continuing U.S. occupation of their country.

According to a CIA report released in December 2004, intelligence analysts now see Iraq, destabilized by the administration's ill-conceived war, as the training ground for a new generation of terrorists. That is from the report "Mapping the Global Future: Report of the National Intelligence Council's 2020 Project," page 94.

It should be profoundly disturbing to all Americans if the most dangerous breeding ground for terrorism has shifted from Afghanistan to Iraq simply because of the administration's ill-advised rush to war in March 2003.

Dr. Rice's role in the war against Iraq was not limited to building the case for an unprecedented, preemptive invasion of a country that had not attacked us first. Her role also extends to the administration's failed efforts to establish peace in Iraq.

In October 2003, 5 months after he declared "mission accomplished," the President created the Iraq Stabilization Group, headed by Dr. Rice. The task of the Iraq Stabilization Group was to coordinate efforts to speed reconstruction aid to help bring the violence in Iraq to an end.

But what has the Iraq Stabilization Group accomplished under the leadership of Dr. Rice? When she took the helm of the stabilization group, 319 U.S. troops had been killed in Iraq. That number now stands at 1,368, as of today, Tuesday, January 25, 2005. More than 10,600 troops have been wounded, and what horrible wounds. The cost of the war has spiraled to \$149 billion. That is \$149 for every minute since Jesus Christ was born. And the White House is on the verge of asking Congress for another \$80 billion.

Despite the mandate of the Iraq Stabilization Group, the situation in Iraq has gone from bad to worse. More ominously, the level of violence only keeps growing week after week after week, month after month, and no administration official, whether from the White House, the Pentagon, or Foggy Bottom has made any predictions about when the violence will finally subside.

Furthermore, of the \$18.4 billion in Iraqi reconstruction aid appropriated by Congress in October 2003, the administration has spent only \$2.7 billion. Now, with these funds moving so slowly, it is hard to believe that the Iraq Stabilization Group has had any success at all in speeding the reconstruction efforts in Iraq. For all of the hue and cry about the need to speed up aid to Iraq, one wonders if there should be more tough questions asked of Dr. Rice about what she has accomplished as the head of this group.

There are also many unanswered questions about Dr. Rice's record as the National Security Adviser. Richard Clarke, the former White House counterterrorism adviser, had leveled scathing criticism against Dr. Rice and the National Security Council for failing to recognize the threat from al-Qaida and Osama bin Laden in the months leading up to the September 11, 2001, terrorist attack. In particular, Mr. Clarke states that he submitted a request on January 25, 2001, for an urgent meeting of the National Security Council on the threat of al-Qaida.

However, due to decisions made by Dr. Rice and her staff, that urgent meeting did not occur until too late. The meeting was not actually called until September 4, 2001.

Mr. Clarke, who was widely acknowledged as one of the Government's leading authorities on terrorism at that time, told the 9/11 Commission he was so frustrated with those decisions that he asked to be reassigned to different issues and the Bush White House approved that request.

Dr. Rice appeared before the 9/11 Commission on April 8, 2004, but, if anything, her testimony raised only more questions about what the President and others knew about the threat to New York City and Washington, DC, in the weeks before the attacks, and whether more could have been done to prevent them.

Why wasn't any action taken when she and the President received an intelligence report on August 6, 2001, entitled "Bin Laden Determined to Attack Inside the United States"? Why did Dr. Rice and President Bush reassign Richard Clarke, the leading terrorism expert in the White House, soon after taking office in 2001? Why did it take 9 months for Dr. Rice to call the first high-level National Security Council meeting on the threat of Osama bin Laden?

As the Senate debates her nomination today, we still have not heard full answers from Dr. Rice to these questions.

In addition to Mr. Clarke's criticism, Dr. David Kay, the former CIA weapons inspector in Iraq, also has strong words for the National Security Council and its role in the runup to the war in Iraq. When Dr. Kay appeared before the Senate Intelligence Committee on August 18, 2004, to analyze why the administration's prewar intelligence was so wrong about weapons of mass destruction, he described the National Security Council as the "dog that didn't bark" to warn the President about the weaknesses of those intelligence reports.

Dr. Kay continued:

Every President who has been successful, at least that I know of, in the history of this republic, has developed both informal and formal means of getting checks on whether people who tell him things are in fact telling him the whole truth. . . . The recent history has been a reliance on the NSC system to do it. I quite frankly think that that has not served this President very well.

What Dr. Kay appeared to state was his view that the National Security Council, under the leadership of Dr. Rice, did not do a sufficient job of raising doubts about the quality of the intelligence about Iraq. On the contrary, based upon Dr. Rice's statements that I quoted earlier, her rhetoric even went beyond the questionable intelligence that the CIA had available on Iraq in order to hype the threats of aluminum tubes, mushroom clouds, and connections between Iraq and September 11.

In light of the massive reorganization of our intelligence agencies enacted by Congress last year, shouldn't this nomination spur the Senate to stop, look, and listen about what has been going on in the National Security Council for the last 4 years? Don't these serious questions about the

failings of the National Security Council under Dr. Rice deserve a more thorough examination before the Senate votes to confirm her as the next Secretary of State?

Mr. President, accountability has become an old-fashioned notion in some circles these days. But accountability is not a negotiable commodity when it comes to the highest circles of our Nation's Government. The accountability of Government officials is an obligation, not a luxury. Yet accountability is an obligation that this President and this President's administration appear loathe to fulfill.

Instead of being held to account for their actions, the architects of the policies that led our Nation down the road into war with Iraq, policies based on faulty intelligence and phantom weapons of mass destruction, have been rewarded by the President with accolades and promotions. Instead of admitting to mistakes in the war on Iraq, instead of admitting to its disastrous aftermath, the President and his inner circle of advisers continue to cling to myths and misconceptions.

The only notion of accountability that this President is willing to acknowledge is the November elections, which he has described as a moment of accountability and an endorsement of his policies. Unfortunately, after-the-fact validation of victory is hardly the standard of accountability that the American people have the right to expect from their elected officials. It is one thing to accept responsibility for success; it is quite another to accept accountability for failure. Sadly, failure has tainted far too many aspects of our Nation's international policies over the past 4 years, culminating in the deadly insurgency that has resulted from the invasion of Iraq.

With respect to this particular nomination, I believe there needs to be accountability for the mistakes and missteps that have led the United States into the dilemma in which it finds itself today, besieged by increasing violence in Iraq, battling an unprecedented decline in world opinion, and increasingly isolated from our allies due to our provocative, belligerent, bellicose, and unilateralist foreign policy. Whether the administration will continue to pursue these policies cannot be known to Senators today as we prepare to cast our vote. At her confirmation hearing on January 18, Dr. Rice proclaimed that our interaction with the rest of the world must be a conversation, not a monologue, but 2 days later, President Bush gave an inaugural address that seemed to rattle sabers at any nation that he does not consider to be free.

Before Senators cast their votes, we must wonder whether we are casting our lot for more diplomacy or more belligerence, reconciliation, or more confrontation. Which face of this Dr. Jekyll and Mr. Hyde foreign policy will be revealed in the next 4 years?

Although I do not question her credentials, I do oppose many of the crit-

ical decisions Dr. Rice has made during her 4 years as National Security Adviser. She has a record, and the record is there for us to judge. There remain too many unanswered questions about Dr. Rice's failure to protect our country before the tragic attacks of September 11, her public efforts to politicize intelligence, and her often stated allegiance to the doctrine of preemption.

To confirm Dr. Rice to be the next Secretary of State is to say to the American people and to the world that the answers to those questions are no longer important. Her confirmation will almost certainly be viewed as another endorsement of the administration's unconstitutional doctrine of preemptive strikes, its bullying policies of unilateralism, and its callous rejection of our longstanding allies.

Dr. Rice's record in many ways is one to be greatly admired. She is a very intelligent lady, very knowledgeable about the subject matter, very warm and congenial, but the stakes for the United States are too high. I cannot endorse higher responsibilities for those who helped to set our great country down the path of increasing isolation, enmity in the world, and a war that has no end. When will our boys come home? When will our men and women be able to sit down at the table with their families and their friends in their own communities again? For these reasons, I shall cast my vote in opposition to the confirmation of Condoleezza Rice to be the next Secretary of State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Mr. President, I rise today in support of President Bush's nominee for Secretary of State, Dr. Condoleezza Rice.

Hers is a remarkable personal story, from her upbringing in Birmingham, AL, during the era of Bull Connor, to the White House, to her nomination as Secretary of State. She is a woman of many parts, an accomplished musician, a leading academic and policy intellectual, and a dedicated public official. This is a nomination all of America can be proud of.

Dr. Rice has served with distinction as assistant to the President for national security, as well as in other National Security Council positions. She comes to this job well-qualified and prepared to take on her new responsibilities.

America's challenges over the next four years will be formidable. U.S. foreign policy cannot be separated from our energy, economic, defense and domestic policies. It all falls within the "arch of our national interest." There will be windows of opportunity, but they will open and close quickly.

Foreign policy will require a strategic agility that, whenever possible, gets ahead of problems, strengthens U.S. security and alliances, and promotes American interests, credibility, and global freedom.

Last week, Dr. Rice faced approximately 11 hours of probing and difficult questions about U.S. foreign policy, including the war in Iraq. Dr. Rice deserves credit for her thoughtful answers, patience, and I might say, grace under that questioning.

In her testimony, Dr. Rice said that, "the time for diplomacy is now." She understands that our success in the war on terrorism, Iraq, the Middle East, and throughout the world depends on the strength of our alliances. Our alliances should be understood as a means to expand our influence, not as a constraint on our power. The expansion of democracy and freedom in the world should be a shared interest and value with all nations.

Dr. Rice also noted that, "America and all free nations are facing a generational struggle against a new and deadly ideology of hatred that we cannot ignore." She stressed the importance of public diplomacy to counter this ideology of hate, including increasing our exchanges with the rest of the world. A unilateralist course would only complicate our relations with the Muslim world.

Dr. Rice's nomination has offered an opportunity for the Senate to consider not only the merits of the nominee, but the foreign policy challenges that we face. The Senate should be a forum for debate about foreign policy.

The former Chairman of the Senate Foreign Relations Committee, J. William Fulbright, observed that the Congress has a:

traditional responsibility, in keeping with the spirit if not the precise words of the Constitution, to serve as a forum of diverse opinions and as a channel of communication between the American people and their government.

Chairman LUGAR's distinguished leadership of the Foreign Relations Committee has been in concert with the former chairman's words.

Senator Fulbright received criticism for holding public hearings on Vietnam, especially with a President of his own party in office.

He later wrote that he held those hearings:

in the hope of helping to shape a true consensus in the long run, even at the cost of dispelling the image of a false one in the short run.

The Senate should not be party to a false consensus on Iraq. The stakes are too high.

America is fighting a counter-insurgency war in a complicated and diverse region, in a country with an intense and long standing anti-colonial tradition, deep ethnic and sectarian divisions, and a political system and culture brutalized for more than three decades by a tyrannical dictatorship, more than a decade of international sanctions, and three costly wars.

America's exit strategy for Iraq is linked to the capabilities of the Iraqi government and security forces to take responsibility for their future. That has not yet happened. Iraq may be free,

but it is not yet stable, secure, or governable. Since Iraq's liberation, American and coalition forces are what have held the country together.

Despite the sacrifice and courage of our brave men and women fighting in Iraq, and the sacrifice and courage of many Iraqis, the Iraqi state cannot yet reliably deliver services or security to its people.

The elections on January 30 will be a critical benchmark for Iraqi sovereignty. Elections alone will not bring stability and security to Iraq. But they are an essential and historic step.

All Americans should be concerned about what is happening in Iraq. Iraq will influence and constrain America's foreign policy for years to come. It is our top foreign policy priority, and there are no easy answers or easy options.

Hopefully, Iraq will someday be a democratic example for the Middle East. But Iraq could also become a failed state. We cannot let this happen.

These are big issues that will affect every American in some way. The Senate is an appropriate forum to debate our policies that will be applied to dealing with these issues.

To sustain any foreign policy will require the informed consent of the American people through their voices in Congress. Dr. Rice understands this clearly.

Let me conclude by once again noting that Dr. Rice has the intelligence, experience, and integrity for this job. She has the President's confidence.

In my interactions and conversations with Dr. Rice over the last four years, she has always been candid and honest, and she listens. It is also important that Dr. Rice always be brutally frank with the President. She must give him the bad news as well as the good news, and when she disagrees with other members of the Cabinet and the President and Vice President, she must say so. I believe she will do that.

I look forward to working with Dr. Rice in support of American interests and security. I urge my colleagues to vote in favor of her nomination.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Virginia, Mr. ALLEN.

Mr. ALLEN. Mr. President, I rise today to voice my strong support of the nomination of Dr. Condoleezza Rice to be our next Secretary of State. She comes to this position and this nomination with unquestioned credentials and the experience to carry out the U.S. foreign policy during these very trying times. She is, in my view, the personification of the American dream. Although she grew up in the days of segregation, applying herself and working hard allowed her to advance through academia, and clearly also in this President's administration.

The goals of this administration are not just the goals of the Bush administration; they ought to be the goals of America and all other freedom-loving people around the world.

Dr. Rice, in her testimony before the Foreign Relations Committee, talked about the advancement of freedom. The President mentioned it several times in his inaugural address. What we aim to do as Americans, for our own security but also because of our care for fellow human beings here on this Earth, is to make sure they have freedom—freedom of opportunity regardless of one's race, ethnicity, gender, or religious beliefs.

We are trying to advance what I like to call the four pillars of freedom: No. 1, freedom of religion; No. 2, freedom of expression; No. 3, private ownership of property; and, No. 4, the rule of law to help adjudicate disputes as well as protect those God-given rights.

Dr. Rice, through her own life history and through her service to this administration, has the background that is going to help us and help others during this heroic time.

The President nominated Dr. Rice because he trusts her. She has provided him counsel during these turbulent times in our Nation's history. She was part of the effort in formulating the Nation's response and ultimately toppling a despotic and repressive regime in Afghanistan.

Following the 9/11 attacks in the United States, the world recognized the necessity of having a global, international war against terrorism. As National Security Adviser, Dr. Rice had been at the forefront of this effort and advised President Bush on how best to execute the war on terror and help ensure that the United States is not attacked again.

The global war on terror is not over. We all know it is ongoing and we know it is challenging. There have been some criticisms from those on the other side of the aisle, but there are also positives. It would be nice, once in a while, to talk about some of the positives.

We have captured numerous senior-level al-Qaida figures. They have been killed or they have been captured, and hundreds of others are on the run.

We are working with other countries—even those which are not necessarily with us in the military action in Iraq. They are helping in trying to intercept financial assistance to terrorist organizations.

Another positive is the fall of the Taliban in Afghanistan, and that repressive regime has been replaced by an unprecedented but promising democracy in Afghanistan.

The Government of Pakistan, which, prior to 9/11, was aligned with that Taliban government in Afghanistan, has become a strong and helpful ally in the global war against terrorism.

In Libya, Muammar Qadhafi, who was a thorn in our side—a threat, clearly; a terrorist state—has been convinced to give up his nuclear ambitions and rejoin the world community.

And our military has liberated 25 million Iraqis from the murderous regime of Saddam Hussein.

While conditions on the ground in Iraq continue to be difficult—no one is going to question that—if the Iraqis coalesce around the new, popularly elected government, it will likely have the positive repercussions that we would like to see throughout the Middle East region. Shortly they will be having an election.

I think Dr. Rice's active role in these events provide her with valuable preparation to serve our country as Secretary of State. Having worked closely with President Bush on national security and foreign policy matters for the previous 4 years, Dr. Rice is uniquely qualified to communicate this President's message, our position, to capitals around the world.

All of us are a composition of our life experiences. From rising above discrimination and racism in her youth to her work during the fall of the Soviet Union, to her role in liberating the people of Afghanistan and Iraq, Dr. Rice is very well prepared to advocate freedom and democracy around the world.

Before the Foreign Relations Committee we heard several hours of testimony. We have heard comments in this Chamber. Detractors have used some bump-and-run defenses and tactics against her. Opponents have framed the war on Iraq—and Dr. Rice as having stated this—as one solely based on Saddam Hussein's possession of weapons of mass destruction; that our only reason for going in and using military action in Iraq was weapons of mass destruction.

I will grant you, that was a pressing, salient concern, but that was not the only reason. Weapons of mass destruction was a major reason; however, this body voted on an authorization measure that outlined a much broader case. If you want to use a legal term, it was a multi-count indictment against the Saddam Hussein regime.

The resolution that we passed by a strong margin noted Iraq's brutal repression of its civilian population and its unwillingness to repatriate non-Iraqi citizens. We all know how they had used weapons of mass destruction against their own people.

Congress also went on record as supporting using the necessary means to enforce multiple United Nations resolutions that had been ignored and flouted by the Iraqi regime, including shooting at some of our planes in the no-fly zones in the north and to some extent in the southern part of Iraq as well.

The Iraq Liberation Act of 1998 expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power Saddam's regime and promote the emergence of a democratic government.

Senator BYRD—and I was listening to his comments—mentioned common sense. I listened to the remarks of the senior Senator from Massachusetts, Mr. KENNEDY, earlier on. He is criticizing Dr. Rice for supporting Presi-

dent Bush's policies. He said that "might have changed the course of history had she not given the reasons and the advice that she did to the President."

Because of that, that she agrees with President Bush, has been an architect and key adviser, because of that support, because of that knowledge, because of the advice she has given in the past and presently, she should not be Secretary of State for this President.

If one wants to use common sense, why would any Executive bring on a Cabinet Secretary—particularly one as important as Secretary of State—if that person does not share his views, his values, his philosophy, his goals for our country, as well as have that President's trust?

Also, looking through the comments that have been made by others, the junior Senator from Indiana said why he is going to be voting against Dr. Rice, complaining that there was too little troop strength, dismissal of the Iraqi army, and the refusal to include Baathists in the armies and security efforts there in Iraq. Opponents have held Dr. Rice personally accountable for the decision to disband the Iraqi army and remove members of the Baathist Party from Iraq's government.

Let us again use some common sense. When we are reflecting on this decision, it is easy, I suppose, to Monday morning quarterback and criticize and question whether that was wise. But at the time of that decision—it was clear that institutions that were repressing the people of Iraq was the Baathist Party. So the Baathist component of the insurgency, which some are saying should have been incorporated, they are the ones who are carrying on these terror attacks—not just on Americans and coalition forces but also on Iraqi civilians.

To me, it is illogical to be criticizing Dr. Rice for any of the decisions that were made insofar as Baathists and the security forces of Iraq when these same people could have been infiltrating the security forces, not knowing what sort of information they might transmit to other guerillas or terrorists on the outside. To criticize that, again, doesn't make much sense to me because they are the ones who are most concerned that the Baathist Party was thrown out of power. They had their good bureaucratic jobs. They had all the power. They had all the privileges. To criticize for not incorporating them into the interim government and the security forces doesn't make a great deal of sense.

You also hear, again, from the junior Senator from Indiana—and others have said this as well—that those in charge must be held accountable for the mistakes. That is why they are going to vote against Dr. Rice. Dr. Rice allowed in the committee hearing of the Foreign Relations Committee that every decision that was made was not the right decision; that they did it with the

best of intentions, the right principles, based on the evidence and information they had. But if you are going to criticize the pursuit of regime change, the liberation of Iraq, the advancement of freedom in countries such as Iraq, which is in very short order, within a week, going to have elections for the first time ever, what is the solution if you are going to criticize all of this? To tuck tail and run? I don't think that is what the American people want. The American people want to see freedom in Iraq because they recognize it is good for fellow human beings, but also the logic that it also makes this country much more secure.

In analyzing all of the statements, they are not talking about her fitness or her qualifications to serve as Secretary of State. The opponents have used this nomination to launch these broadside attacks on the Bush administration and use the Monday morning quarterback approach to dissect every decision out of context. We have heard about a lot of this, again, in the Foreign Relations Committee.

But even there, I want to repeat, Dr. Rice did not say that every decision was perfect. She allowed as much during those hearings. But let us also note that 25 million Iraqis have been freed from Saddam's repressive regime. In 5 days, these people are going to have elections. They are going to be forming their own government. From statements of clerics and otherwise, they seem to want a constitution and a government that allows for individual rights, where people's rights will be enhanced and not diminished on account of their ethnicity or their religious beliefs, and also unprecedented opportunities for women to serve in government.

One other thing to note is with Saddam out of power, which seems to be criticized indirectly, we don't have Saddam's regime giving \$35,000 to parents to send their children on suicide-murder missions into Israel. Instead of that repressive regime sending terrorist attackers into Israel, also disrupting the whole region, now we have the chance of elections in Iraq for the first time ever, a first step towards a representative democracy.

I ask my colleagues to be cognizant. This is not an agency head. It is a Cabinet Secretariat, the Secretary of State, which is arguably the most important Cabinet position in the Government. The Vice President obviously is very important, but the Secretary of State, particularly in a time with all the diplomatic relations and all the efforts that we are going to need to be making and continue to make to get allies, converts, and assistance from other countries around the world, it is important that the President's representative to the rest of the world is a person who advocates and garners further support for our position in matters of great consequence to our country.

I ask my colleagues to be careful in your criticism. People can say whatever they want. They will say something, and I will say that doesn't make sense; here is a more logical approach. That sort of bantering back and forth is fine. But in the criticism and statements and also trying to divide opinion on this nomination of Dr. Rice, be careful not to diminish her credibility in the eyes of those in capitals around the world. Detractors can do this country a great disservice by playing too hard a partisan game. We need to show a unity of purpose to advance freedom. Folks can second-guess, criticize. That is all fine. But while doing that, a more positive and constructive approach would be to say, here is where a mistake was made; here is where we need to hitch up; here is the stage of events in Iraq; and here are some positive, constructive ideas to help us achieve this goal; that all Americans, regardless of whether you are Republican, Democrat, Independent, or don't care about politics, all Americans are inspired to the idea that our fellow human beings can live in freedom and opportunity; that their children are not starving and hungry when they go to bed, where there is a better world.

Indeed, our new doctrine is peace through liberty, peace through strength. That mattered against the Soviet Union. The doctrine in the future, in my view, is peace through liberty. As more people are tasting that sweet nectar of liberty, it is good for them, and it helps our security as a country.

As we listen to some of these partisan detractors and statements, be cognizant that the rest of the world is watching. Do not diminish Dr. Rice's credibility in capitals around the world. Also, try to be positive in your ideas of where we need to go in the future rather than just carping and sniping on decisions made in the past. I do not see any value in attacking Dr. Rice personally or inhibiting her ability to bring our allies along, on board, whether or not they were in every aspect of the military action in Iraq.

In sum, obviously, I believe Dr. Rice will be an outstanding Secretary of State. It is unfortunate some of this has devolved into an overly partisan attack. This debate, as it goes forward this afternoon, this evening, and tomorrow, can end on a more positive, constructive sense. I ask my colleagues in a respectful way to recognize that inspirational path that Dr. Rice has taken to this nomination. Please focus and review her impeccable credentials and experience on the matters of foreign policy. Upon doing so, I believe it is clear she should be confirmed overwhelmingly, strongly, and proudly as our next Secretary of State.

I ask unanimous consent that an article from today's Wall Street Journal by Brendan Miniter entitled "Woman of the Year, Instead of Celebrating Condi Rice, Democrats Nip at Her Ankles," be printed in the RECORD.

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

[From the Wall Street Journal, Jan. 25, 2005]

WOMAN OF THE YEAR:

INSTEAD OF CELEBRATING CONDI RICE,
DEMOCRATS NIP AT HER ANKLES

(By Brendan Miniter)

With 24 new women elected to the House and five to the Senate, 1992 was called the "year of the woman." But how much did Barbara Boxer, Patty Murray or Carol Moseley Braun really change the world? Now, though, a woman is on the rise who has already helped reshape geopolitics. Today Condoleezza Rice will face another round of hearings as she prepares to be confirmed as secretary of state—a position Thomas Jefferson, James Madison and James Monroe used as a springboard into the presidency. If Ms. Rice were a Democrat, the media would have dubbed 2005 the "year of Condi."

Ms. Rice has already exerted tremendous influence on world affairs. As President Bush's national security adviser, she was instrumental in developing the administration's response to 9/11 into a policy that involved more than raiding terrorist camps throughout the world. Ms. Rice, who well understands the larger global political forces at work since the end of the Cold War, was one of a handful of powerbrokers who came to realize the best defense against terrorism was to spread freedom and democracy in the world.

There has been some public doubt whether Ms. Rice actually believes in the policies of this administration. But that has been much wishful thinking by administration critics. Before the Iraq war, she passionately made the case for removing Saddam Hussein. Minutes before one speech on the issue—at an event sponsored by the Manhattan Institute—I had the opportunity to talk with her one on one about Iraq. What I quickly realized was that the policy of peace through liberty was something she cared personally about. Now, as she has been tapped to head the State Department and after President Bush dedicated his second inaugural address to the idea that America's best defense is promoting human liberty, there should be little doubt as to the central role Ms. Rice has played and will continue to play in shaping American foreign policy and the global political landscape.

Ms. Rice has been loyal to Mr. Bush, but she is an intellectual power in her own right. She has the president's ear and has been deeply immersed in the movement to halt the spread of tyranny by waging a war of ideas since long before Ronald Reagan consigned the Soviet Union to the ash heap of history. This is the year Ms. Rice steps onto the public stage; a year her influence and her intellect is no longer confined to the quiet rooms of power. Her rise deserves to be celebrated.

That it isn't—and that Senate Democrats instead are delaying her confirmation—says more about the Bush administration's opponents than it does about her. Every day she must face those who would rather that someone like her—with her intelligence, political savvy and personal appeal (and anyone who has met her knows, she has a warm, personal touch)—hadn't come along at all. So they ignore her, deny her influence or send out a legion of ankle biters who recycle the same complaints that won John Kerry 251 electoral votes—mostly that the administration she serves promotes torture or that she is too much of a hardliner to soothe relations with other nations.

These criticisms ring hollow, of course. The Abu Ghraib prosecutions dispel the ac-

cusations of systematic torture. As for soothing relations, either foreign leaders see their interests in line with the U.S. or the divisions will persist. France and Germany aren't childishly sulking about some perceived personal rebuke; they genuinely disagree with American policies. Only by subverting American foreign policy could anyone engender the kind of international "cooperation" John Kerry and the Democratic establishment so desperately seek.

Ms. Rice has persisted in the face of her critics. It is no wonder then, that some on the right speculate that she will one day seek elective office—governor or senator in California, or maybe even the presidency. It is a plausible idea. A high profile and good character translate into political power, and she has enough of both to be a political player. Of course, before doing so she'd have to flesh out her views on a wide range of domestic subjects. It's also one of the reasons Democrats would like to tarnish her now, before she becomes a formidable candidate. It is a fair bet, though, that Ms. Rice isn't now playing for a new job four years out. Serving as secretary of state is of paramount importance. Judging by her remarks before the Senate so far, this is something Ms. Rice clearly understands. Which is why we should be celebrating this as the year of Condi Rice.

The PRESIDING OFFICER (Mr. BURNS). The Senator from California.

Mrs. BOXER. Mr. President, I compliment my colleagues on both sides of the aisle for a very good and thoughtful debate today on this particular nominee.

I come to the Senate today to report and inform my colleagues on the Secretary of State confirmation hearings held in the Foreign Relations Committee last week.

By now, everyone knows I posed some very direct questions to Dr. Rice about her statements leading up to the Iraqi war and beyond. As National Security Adviser, Dr. Rice gave confidential advice to the President regarding the war in Iraq. She also made the case for the war in Iraq to the American people through hours of television appearances and commentary.

My questions, every one of them, revolved around her own words. As a result of my questions and comments at the hearing, I have been hailed as both a hero and a petty person. I have been called both courageous and partisan. I have been very surprised at this response. Tens of thousands of people signed a petition asking me to hold Dr. Rice accountable for her past statements.

The reason I am so surprised at this reaction is that I believe I am doing my job. It is as simple as that. I am on the Foreign Relations Committee. This is a very high profile nominee. This is a Secretary of State nomination in a time of war. My constituents want me to be thorough. They want me to exercise the appropriate role of a Senator.

Let's look for a moment at what that role is, how it was defined by our Founding Fathers. Article II, section 2, clause 2, of the Constitution, which I have sworn to uphold, says the President:

shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all

other officers of the United States, whose appointments are not herein otherwise provided for.

The Cabinet is covered in Article II, section 2, clause 2, of the U.S. Constitution.

Now, if you read this, it does not say anywhere in here that the President shall nominate and the Senate shall confirm. It says the President "shall nominate, and by and with the Advice and Consent of the Senate" shall make the appointments.

Why is it our Founders believed it was crucial for the Senate to play such a strong role in the selection of these very important and powerful members of the administration and members of the bench? It is because our Founders believed that the executive branch must never be too powerful or too overbearing.

In Federal No. 76, Alexander Hamilton wrote:

It will readily be comprehended that a man who had himself the sole disposition of offices would be governed much more by his private inclinations and interests than when he was bound to submit the propriety of his choice to the discussion and determination of a different and independent body . . .

In today's vernacular, any President needs a check and balance. That certainly applies today, and it would apply to a Democratic President as much as to a Republican President.

Our Founders are clear, and the Constitution is clear. Again, it does not say anywhere in the Constitution that a President, Democratic or Republican, has free rein in the selection of his or her Cabinet. That is exactly what the Founders did not want. They wanted the President, and I will quote Alexander Hamilton again, to "submit the propriety of his choice to the discussion and determination of a different and independent body." And that body is the Senate.

It also doesn't say anywhere in the Constitution that the only reason for a Senator to vote no on a Presidential nominee is because of some personal or legal impediment of that nominee. It leaves the door open. Senators have to ponder each and every one of these nominations. It is very rare that I step forward to oppose one. I have opposed just a couple. I have approved hundreds.

Let me be clear. I will never be deterred—and I know my colleagues feel the same, I believe, on both sides of the aisle—I will never be deterred from doing a job the Constitution requires of me or it would be wrong to have taken the oath and raise my right hand to God and swear to uphold the Constitution if I did not take this role seriously.

I make a special comment to the White House Chief of Staff, who called Members of the Senate petty for seeking time to speak out on this particular nomination. It is important to know that the White House Chief of Staff does a great job for the President, but he does not run the Senate. I know

he finds the constitutional requirement of advice and consent perhaps a nuisance, and others have as well in the White House, be they Republicans or Democrats. It is the system of government we have inherited from our Founders. As we go around the world, hoping to bring freedom and liberty to people, we better make sure we get it right here. This is very important, whether it is fair and free elections that really work so people do not stand in line for 10 hours and wait until 4 in the morning to vote, that we fix that, and that we, in fact, act as a check and balance in these nominations.

I have been motivated by a lot of people in my life. One of them is Martin Luther King. I wish to share something he said which is not as widely quoted as other things. He said that our lives begin to end the day we become silent about things that matter. That is important for everyone to take to heart. Sometimes it is easier to be silent, to just go along, even if in your heart you know there are certain issues that have to be put out on the table. But the fact is, our lives begin to end the day we become silent about things that matter.

Why does this nomination matter so much to me and to my constituents and to the tens of thousands who signed a petition that they sent to me? It is because we are looking at a Secretary of State nomination in a time of war, someone who is very loyal to this President. And, of course, the President picked someone loyal to him. I do not fault him for that in any way, shape, or form. But what matters is this war. A very strong majority of Americans are worried about this war, and they are worried about what comes next.

So, yes, it matters, and it is our job to look at these nominees very seriously. I think it would be terribly condescending to have someone of the caliber of Dr. Rice, with all her intelligence and qualifications and her record of public service with this administration, and not ask the tough questions. That would be condescending. That would be wrong.

Now, I am so honored to serve on the Foreign Relations Committee with the Senator from Virginia, who just made a very eloquent talk. I know he would join me in saying that RICHARD LUGAR is one of the fairest chairmen with whom we have ever served. He allowed members on both sides of the aisle to ask any questions they wanted. He supported our right to do so. To me, RICHARD LUGAR is a model chairman. And I want to thank my colleagues on both sides of the aisle who asked very important questions of this nominee on everything from exit strategy in Iraq, to issues surrounding the torture question, to policies in Latin America, to tsunami relief. All of these colleagues from both sides of the aisle asked very important questions. As for me, I had five areas of questioning, and I want to lay them out briefly for the Senate.

Now, one more point as to why I believed it was so important to ask Dr.

Rice these questions. I think everyone remembers when Dr. Rice went on television and talked about the mushroom cloud that we could get courtesy of Saddam Hussein—an evil tyrant, absolutely. In my opinion, as I said in the committee, he ought to rot. So let's not get confused on that point. I do not know any American who feels any differently. The question is, How many people had to die? That is an important question. How many people had to be wounded? That is an important question.

Let me tell you, 1,368 soldiers are dead, as of the latest numbers that we got this morning from the Department of Defense, and 10,502 wounded. My understanding is that about a third of them may well come home in tremendous need of mental health counseling to try to help them cope with the horrors they have seen, those brave, incredible soldiers. As I said in the committee, and I say it again on the floor of the Senate, not one of them died in vain. Not one of them got injured in vain because when your Commander in Chief sends you to fight in a war, it is the most noble of things to do that. And they have done that.

President Bush, in his inaugural address, talked about bringing freedom to countries that do not have it. He did not specify how. Now, the nongovernmental organization, Freedom House, estimates there are 49 countries in the world that are not free. The group believes there are another 54 countries that are considered only partly free. I worry about sending more troops on military missions based on hyped up rhetoric. That is why these questions are so important.

So the first set of questions that I posed to Dr. Rice had to do with her comments about Saddam's nuclear program. On July 30, 2003, Dr. Rice was asked by PBS NewsHour's Gwen Ifill if she continued to stand by the claims made about Saddam's nuclear program in the days and months leading up to the war.

In what appears to be an effort to downplay the nuclear weapons scare tactics, she said:

It was a case that said he is trying to reconstitute. He's trying to acquire nuclear weapons.

And then she says:

Nobody ever said that it was going to be the next year. . . .

Well, that was false, because 9 months before that, this is what the President said:

If the Iraqi regime is able to produce, buy, or steal an amount of highly enriched uranium a little larger than a single softball, it could have a nuclear weapon in less than a year.

So she tells the American people nobody ever said he would have a weapon within a year, when in fact the President himself made that comment.

Then, later, a year after she said nobody has ever said this, she herself says it:

. . . the intelligence assessment was that he was reconstituting his nuclear programs;

that, left unchecked, he would have a nuclear weapon by the end of the year. . . .

That is what she says to Fox News.

So first she says nobody ever said it. We showed her the fact that the President did. And then she contradicts herself. She contradicts the President and then she contradicts herself.

Now, this is very troubling. I wanted to give her a chance to correct the record. Did Dr. Rice correct the record? Let me tell you what she said. She had two responses. First she said to this committee, my committee:

The fact is that we did face a very difficult intelligence challenge in trying to understand what Saddam Hussein had in terms of weapons of mass destruction.

Notice she does not mention the word "nuclear weapons." And she says: We had a very difficult challenge. But that is a contradiction because on July 31, 2003, this is what she told a German TV station:

Going into the war against Iraq, we had very strong intelligence. I've been in this business for 20 years. And some of the strongest intelligence cases that I've seen. . . . We had very strong intelligence going in.

So she tells the committee: We faced a difficult intelligence challenge—when she had told a German TV station: It was the best intelligence we ever had. This is contradictory, plus she never ever addresses the issue that we asked her about. Why did you contradict the President and why did she contradict herself?

Then she had a second response. She pointed to the Duelfer report and cited it but failed to tell the whole story where the Duelfer report said:

Saddam Hussein ended the nuclear program in 1991 following the Gulf War.

There you go. She never said that. She never cited that. She cited other quotes from the Duelfer report.

So her answers to the questions I asked her, saying once that Saddam would not have a weapon within a year, and another to me saying he would, her answers are completely nonresponsive to the question and raise more credibility lapses.

Then we have another area of aluminum tubes. On September 8, 2002, Dr. Rice was on CNN's Late Edition with Wolf Blitzer and made this statement:

We do know that there have been shipments going . . . into Iraq, for instance, of aluminum tubes that really are only suited to . . . nuclear weapons programs. . . .

And then President Bush repeated the same thing:

Our intelligence sources tell us that (Saddam) has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production.

I pointed out to Dr. Rice that the Department of Energy thought otherwise as far back as April 11, 2001. They said the "specifications [for the tubes] are not consistent with a gas centrifuge end use. . . ."

On May 9, 2001, they said:

The Intelligence Community's original analysis of these tubes focused on their pos-

sible use in developing gas centrifuges for the enrichment of uranium. Further investigation reveals, however, Iraq has purchased similar aluminum tubes previously to manufacture chambers for a multiple rocket launcher.

In other words, not suitable for nuclear weapons.

Then in July 2002, Australian intelligence said tube evidence is "patchy and inconclusive." And IAEA said they are "not directly suitable" for uranium enrichment and are "consistent" with making ordinary artillery rockets.

So we laid this all out there for Dr. Rice, and she refused again to correct the record. She had a chance.

This is what she said at the hearing after she saw all of this:

We didn't go to war because of aluminum tubes.

That is what she said to the committee. Well, if that is the case, why did President Bush cite the aluminum tubes in his speech in which he made the case for the war? He said:

Our intelligence sources tell us that he [Saddam] has attempted to purchase high strength aluminum tubes suitable for nuclear weapons production.

So you can't say that the aluminum tubes were not a reason for going to war when the President used it in his speech where he was building support for the war. She doesn't answer the question. She doesn't correct the record. It is very troubling.

The third issue I raised was the matter of linking Saddam to al-Qaida which she did over and over again. I voted for the war against Osama bin Laden. I believed the President when he said we are going to get him dead or alive. I thought we wouldn't stop—we wouldn't turn away—and that we would not end until we broke the back of al-Qaida.

Well, unfortunately, when we went into Iraq—and this was sold to us in part by Dr. Rice; she viewed that as her job; I think the President gave that job to her—we took our eye off al-Qaida. We took our eye off bin Laden. And the consequences are being seen and felt.

Dr. Rice told the committee that the terrorists "are on the run." The truth is, they are now in 60 countries when before 9/11 they were in 45 countries.

I want to read to you a paragraph that best expresses my views on the impact of the Iraqi war on the war against terrorism. It was written by one of the world's experts on terror, Peter Bergen, 5 months ago:

What we have done in Iraq is what bin Laden could not have hoped for in his wildest dreams: We invaded an oil-rich Muslim nation in the heart of the Middle East, the very type of imperial adventure that bin Laden has long predicted was the United States' long-term goal in the region. We deposed the secular socialist Saddam, whom bin Laden long despised, ignited Sunni and Shia fundamentalist fervor in Iraq, and have now provoked a "defensive" jihad that has galvanized jihad-minded Muslims around the world. It is hard to imagine a set of policies better designed to sabotage the war on terrorism.

This conclusion was supported by the CIA Director's think tank.

I ask unanimous consent to print in the RECORD an article that describes this recent report that says Iraq has replaced Afghanistan as the training ground for the next generation of "professionalized" terrorists.

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

[From the Washington Post, Jan. 14, 2005]

IRAQ NEW TERROR BREEDING GROUND; WAR CREATED HAVEN, CIA ADVISERS REPORT

(By Dana Priest)

Iraq has replaced Afghanistan as the training ground for the next generation of "professionalized" terrorists, according to a report released yesterday by the National Intelligence Council, the CIA director's think tank.

Iraq provides terrorists with "a training ground, a recruitment ground, the opportunity for enhancing technical skills," said David B. Low, the national intelligence officer for transnational threats. "There is even, under the best scenario, over time, the likelihood that some of the jihadists who are not killed there will, in a sense, go home, wherever home is, and will therefore disperse to various other countries."

Low's comments came during a rare briefing by the council on its new report on long-term global trends. It took a year to produce and includes the analysis of 1,000 U.S. and foreign experts. Within the 119-page report is an evaluation of Iraq's new role as a breeding ground for Islamic terrorists.

President Bush has frequently described the Iraq war as an integral part of U.S. efforts to combat terrorism. But the council's report suggests the conflict has also helped terrorists by creating a haven for them in the chaos of war.

"At the moment," NIC Chairman Robert L. Hutchings said, Iraq "is a magnet for international terrorist activity."

Before the U.S. invasion, the CIA said Saddam Hussein had only circumstantial ties with several al Qaeda members. Osama bin Laden rejected the idea of forming an alliance with Hussein and viewed him as an enemy of the jihadist movement because the Iraqi leader rejected radical Islamic ideals and ran a secular government.

Bush described the war in Iraq as a means to promote democracy in the Middle East. "A free Iraq can be a source of hope for all the Middle East," he said one month before the invasion. "Instead of threatening its neighbors and harboring terrorists, Iraq can be an example of progress and prosperity in a region that needs both."

But as instability in Iraq grew after the toppling of Hussein, and resentment toward the United States intensified in the Muslim world, hundreds of foreign terrorists flooded into Iraq across its unguarded borders. They found tons of unprotected weapons caches that, military officials say, they are now using against U.S. troops. Foreign terrorists are believed to make up a large portion of today's suicide bombers, and U.S. intelligence officials say these foreigners are forming tactical, ever-changing alliances with former Baathist fighters and other insurgents.

"The al-Qa'ida membership that was distinguished by having trained in Afghanistan will gradually dissipate, to be replaced in part by the dispersion of the experienced survivors of the conflict in Iraq," the report says.

According to the NIC report, Iraq has joined the list of conflicts—including the Israeli-Palestinian stalemate, and independence movements in Chechnya, Kashmir, Mindanao in the Philippines, and southern Thailand—that have deepened solidarity

among Muslims and helped spread radical Islamic ideology.

At the same time, the report says that by 2020, al Qaeda "will be superseded" by other Islamic extremist groups that will merge with local separatist movements. Most terrorism experts say this is already well underway. The NIC says this kind of ever-morphing decentralized movement is much more difficult to uncover and defeat.

Terrorists are able to easily communicate, train and recruit through the Internet, and their threat will become "an eclectic array of groups, cells and individuals that do not need a stationary headquarters," the council's report says. "Training materials, targeting guidance, weapons know-how, and fund-raising will become virtual (i.e. online)."

The report, titled "Mapping the Global Future," highlights the effects of globalization and other economic and social trends. But NIC officials said their greatest concern remains the possibility that terrorists may acquire biological weapons and, although less likely, a nuclear device.

The council is tasked with midterm and strategic analysis, and advises the CIA director. "The NIC's goal," one NIC publication states, "is to provide policymakers with the best, unvarnished, and unbiased information—regardless of whether analytic judgments conform to U.S. policy."

Other than reports and studies, the council produces classified National Intelligence Estimates, which represent the consensus among U.S. intelligence agencies on specific issues.

Yesterday, Hutchings, former assistant dean of the Woodrow Wilson School of Public and International Affairs at Princeton University, said the NIC report tried to avoid analyzing the effect of U.S. policy on global trends to avoid being drawn into partisan politics.

Among the report's major findings is that the likelihood of "great power conflict escalating into total war . . . is lower than at any time in the past century." However, "at no time since the formation of the Western alliance system in 1949 have the shape and nature of international alignments been in such a state of flux as they have in the past decade."

The report also says the emergence of China and India as new global economic powerhouses "will be the most challenging of all" Washington's regional relationships. It also says that in the competition with Asia over technological advances, the United States "may lose its edge" in some sectors.

(Mr. MARTINEZ assumed the Chair.)

Mrs. BOXER. Here is the thing. Dr. Rice told the American people that there were strong ties between Saddam Hussein's Iraq and Osama bin Laden and al-Qaida. These are her words:

We clearly know that there were in the past and have been contacts between senior Iraqi officials and members of al-Qaeda going back for actually quite a long time.

And there are some al-Qaeda personnel who found refuge in Baghdad.

Now, I want to show a map that the State Department put out, and it was accompanied by a letter from President Bush, a month after 9/11. Here is the map. The red indicates where there are al-Qaida cells. Unfortunately, we notice the United States is red. That is why we have to win this war. This is the list where al-Qaida or affiliated groups have operated, and this is a month after 9/11, put out by this administration. No Iraq. So how do you

then go on television, look the American people in the eye, and tell them that in fact—and I will go back to her quote again:

We clearly know that there were in the past and have been contacts between senior Iraqi officials and members of al-Qaeda going back for actually quite a long time.

And there are some al-Qaeda personnel who found refuge in Baghdad.

She did not tell the full story there, and I gave her a chance to do it.

It is really troubling to me. After all this time, these are the things she could have said: I never checked out that map. You are right, Senator, there were no al-Qaida there. But she didn't do that. She could have listened to what the experts were saying about how bin Laden loathed Saddam Hussein, two despicable tyrants who hated each other.

Peter Bergen said:

. . . I met bin Laden in '97 and . . . asked him at the end of the interview . . . his opinion of Saddam Hussein. And [bin Laden] said, "Well, Saddam is a bad Muslim and he took Kuwait for his own self-aggrandizement."

In November 2001, the former head of the Saudi intelligence said:

Iraq doesn't come very high in the estimation of Osama bin Laden. . . . He thinks of [Saddam Hussein] as an apostate, an infidel, or someone who is not worthy of being a fellow Muslim.

Then the bipartisan 9/11 Commission says there is "no collaborative" relationship between Iraq and al-Qaida, and Dr. Rice received that memo on September 18, 2001, and still she went before the American people. When I asked her about it, she said:

As to the question of al Qaeda and its presence in Iraq, I think we did say that there was never an issue of operational control . . . that Saddam Hussein had nothing to do with 9/11 as far as we know or could tell.

It wasn't a question of operational alliance. It was a question of an attitude about terrorism that allowed Zarqawi to be in Baghdad and to operate out of Baghdad.

Well, those statements continued to mislead. There is no question about it. When she says there wasn't an operational alliance and she believed there never was, why was it that aboard the USS *Abraham Lincoln*, when President Bush had that famous sign "mission accomplished," he said:

The liberation of Iraq is a crucial advance in the campaign against terror. We have removed an ally of al Qaeda.

How do you tell the committee that this administration never thought there was an operational link, when the President, standing on the USS *Abraham Lincoln*, was saying mission accomplished, and the major fighting is behind us?

He said:

In the war against Saddam, we have removed an ally of al Qaeda.

It isn't right to continue this kind of talk when you already know from the 9/11 Commission that it isn't true, and you know from looking at the State Department that it wasn't true. Yet it all continues.

In her point about allowing Zarqawi to be in Baghdad, she failed to mention

a CIA document that was reportedly sent to the White House in September 2004 that states there is no conclusive evidence that Saddam harbored Zarqawi.

Last October, a senior U.S. official told ABC News there was, in fact, no evidence that Saddam even knew Zarqawi was in Baghdad. So we are not being told the whole truth. We are not being given all of the facts. I have to say that I think it is a disservice to the American people.

The fourth issue I raised with Dr. Rice concerns U.S. relations with Iran during the Iraq-Iran war. That sounds like, why would I raise that because that war was in the 1980s? It is important because, in making her case for the war in Iraq, Dr. Rice cited Saddam's deplorable use of chemical weapons during the Iran-Iraq war. It certainly was a sin against humanity. She failed to mention, however, that it was Special Envoy Donald Rumsfeld—here he is in this picture—in December 1983 who met with Saddam 1 month after the United States confirmed he was using chemical weapons almost daily against Iran. In an attempt to support Iraq during that war, Iraq was removed from the terrorism list in 1982. None other than Donald Rumsfeld was giving the good news to Saddam Hussein and tried to restore full diplomatic relations. As a matter of fact, during this whole Iran-Iraq war, we all know the story that American firms were selling materials to Saddam Hussein.

Now, this is what Dr. Rice said. She said:

I will say it right now. The U.S. Government has often, as the President said, supported regimes in the hope that they would bring stability. We have been in the Middle East sometimes blind to the freedom deficit. We are not going to do that anymore. What happened with Saddam is probably evidence that that policy was not a very wise policy.

That is an understatement. It was a horrific policy. It was a terrible policy. It was a policy of appeasing Saddam Hussein, making sure that he had the weapons, because we were essentially taking his side quietly in the Iran-Iraq war, and Donald Rumsfeld was super involved in it, and here is the picture to prove it.

Now, I do appreciate that Dr. Rice said it probably was not a very wise policy. I was glad to hear her say that. But you know what. She doesn't explain to us why. When she cited Iraq's use of chemical weapons against Iran as a justification for the U.S. attack on Iraq, she doesn't mention that the U.S. Government was working at that very same time to reestablish robust relations with Saddam. Indeed, our own Government took Saddam off the terror list, and the American people deserve to know that from her, when she advanced this issue as a reason for the war. Full disclosure. Give the whole story.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 24 minutes.

Mrs. BOXER. Mr. President, I raise the issue of Dr. Rice's opposition to a provision in the intelligence reform bill that would have outlawed the use of cruel, inhumane, or degrading treatment of foreign prisoners by intelligence officials. The section of this provision is here. It was passed unanimously by the Senate. The overall amendment was written by Senators MCCAIN and LIEBERMAN, but this particular provision was written by Senator DURBIN:

Prohibition on torture or cruel, inhumane, or degrading treatment or punishment.

In general, no prisoner shall be subject to torture or cruel, inhumane, or degrading treatment or punishment that is prohibited by the Constitution, laws, or treaties of the United States.

That is very straightforward. When I asked Dr. Rice, why did you sign a letter with Mr. Bolton and object to this provision and ask that it be stricken, she had a couple of different responses. The first response she gave me was:

This is duplicative of language that was in the Defense Department bill.

So I checked with the authors of this provision, and I said: Is it true that this is duplicative? They said the language is in the Department of Defense, but it does not apply to the CIA and intelligence officers who work outside of the DOD. So I explained it to her, and she argued with me and she said it is not true, it is duplicative. I said: Do you think Senators MCCAIN, LIEBERMAN, and DURBIN don't know what they are doing when they added this to the intelligence bill? She didn't answer. The fact is, this is not duplicative. This is necessary so that we cover those intelligence officials who may not be part of the Department of Defense but are part of other agencies not covered by the Department of Defense.

And then she went on and said:

We did not want to afford to people who did not—shouldn't enjoy certain protections those protections. And the Geneva Conventions should not apply to terrorists like al-Qaida. They can't or you will stretch the meaning of the Geneva Convention.

That was her second problem with it, which was that you are granting more rights than the Geneva Conventions. However, this explanation makes no sense because the following language was also part of this, which is:

Nothing in this section shall affect the status of any person under the Geneva Conventions or whether any person is entitled to the protections of the Geneva Conventions.

So she gave two reasons as to why she wrote a letter and demanded this be removed from the intelligence bill, neither of which is true. It is not duplicative, and there is no problem with the Geneva Conventions because we make a special exception for them.

But that is not all. The next day, Dr. Rice came back and changed what she said the day before. She said she doesn't oppose the subsection that clearly prohibited torture and cruel,

inhumane, or degrading treatment. She said she opposes other provisions in the section.

Well, Mr. President, this was the operative language of the section. That second day's excuse just doesn't hold up under scrutiny because she wrote in a letter—this is what Dr. Rice wrote to the committee.

Mrs. BOXER. This says:

The administration also opposes [she names the section] which provides legal protections to foreign prisoners to which they are not now entitled under applicable law and policy.

And she says that section 1095 of the Defense Authorization Act already addresses this issue. So Dr. Rice's own words in the letter contradict what she told the committee.

Now, this issue of torture is one that matters. It matters to me for many reasons. The first is it is about our humanity. It is about our humanity. Second is that it is about our soldiers, who may find themselves in captivity and in a circumstance where they might well get treated the way we are treating people we capture. That is why the protective words here and living up to our treaties or obligations of our Constitution and international treaties are so important. It is not some vague academic discussion; it is very serious.

Now, I went and saw, as many colleagues did, the pictures from Abu Ghraib prison. As long as I live, they will be seared in my memory. There are a lot more pictures that the public didn't see. I can tell you—and I think I can say this of most of my colleagues I was sitting with from both sides of the aisle—I could barely watch what was shown.

I am sometimes torn to talk about what I saw. I have done it in small groups where my constituents have asked me what I saw, but I will not do it today. I do not want to do it, but let it be said that the kinds of pictures that I saw do not reflect our country or our values. We have to be united on this.

Senator DODD asked Dr. Rice to please tell us her personal views on torture, and he laid out a couple of examples of torture. She demurred and would not respond to those specific questions. I thought that was a moment in time where she could have sent out a signal to the whole world about America. She said for sure that Abu Ghraib was terrible. She was eloquent on the point. In fact, I will read to my colleagues what she said right after Abu Ghraib:

What took place at the Abu Ghraib prison does not represent America. Our nation is a compassionate country that believes in freedom. The U.S. government is deeply sorry for what has happened to some Abu Ghraib prisoners and people worldwide should be assured that President Bush is determined to learn the full truth of the prisoner reports in Iraq.

Those comments at that time were very important. They were the type of comments that I think pull us all together. It was a comment that reflected humanity.

Then we have this language that she writes a couple of months after she makes this beautiful speech in October saying she opposes this provision that says no prisoner shall be subject to torture or cruel, inhuman or degrading treatment or punishment that is prohibited by the Constitution, laws, or treaties of the United States. She writes a letter opposing this section after she makes this beautiful speech.

When I asked her to explain it, she gives me reasons that just do not hold up, that it is duplicative, which it is not, that she really did not oppose it, which cannot possibly be true because we have her letter in writing where she did.

There is no doubt that Dr. Rice has the resume, the story, the intelligence, and the experience to be Secretary of State. She certainly is loyal to this President, we know that, and I think that is important. The President wants to have someone who is loyal. He should also want to have someone who will be independent such as Colin Powell was.

After 9 hours of grueling questions and answers before the committee, she proved her endurance for the job. In responding to me, she used a very clever tactic that we all learn in politics, which is to go after the questioner, why are you attacking me, and then do not answer the questions. It was OK that she did that. I did not mind that she did that. But she did not answer the questions. That is the point.

I believe the committee gave Dr. Rice the opportunity to speak candidly and set the record straight. It is not only my questions. Senator BIDEN asked her how many Iraqi security forces were trained, and without blinking an eye she said 120,000. And he said, wait a minute—and anyone who knows Senator BIDEN knows that he kind of roots for someone when they sit in the hot seat—let us really be candid here. He said: I went to Iraq and I was told by the military that there is nothing close to 120,000. He said he was told there were 4,000. She stuck by the 120,000.

Later, when others were asked in the administration, such as Ambassador Negroponte, he would not put out a number but he sure did not say 120,000.

Everyone with a heart and a pulse knows it is not 120,000 trained troops, because as Senator BIDEN said at that hearing, if there are 120,000 trained Iraqi troops to protect the Iraqi people, why in God's name are we there in the numbers we are and keeping people there, who are leaving their families, for extra tours of duty? She would not budge.

I am troubled because we gave Dr. Rice every opportunity to speak candidly, set the record straight, and she just did not do that.

In her role as National Security Adviser, she was not responsible for coming to the Senate Foreign Relations Committee or the House equivalent committee. Now she is going to be responsible for that. She could not have

a friendlier chairman than Senator LUGAR in terms of being given every opportunity to work with our committee. I know Senator BIDEN and Senator LUGAR work together just like brothers. This is a very bipartisan committee. We are going to see Dr. Rice there very often because she will be confirmed. I hope when she comes back before the committee that she will be more candid with the committee.

At this time I am judging her on her answers to these questions. She dodged so many of them and again resorted to half the story and even got herself in deeper water in some of her responses. So I cannot support this nomination.

The cost of the policy in Iraq, a policy that she embraced wholeheartedly, a policy that she did, in fact, bring to the American people and she led them to certain conclusions that turned out not to be true, whether it was the aluminum tubes, the ties to al-Qaida, whether it was her half argument on the Iran-Iraq war, whether it was her obvious contradictory statements on we never said he would have a nuclear weapon in a year one day and then the next year she said we did not say that, it is too hard to overlook these things.

I will close with the Martin Luther King quote, which I will not recite exactly but I do agree that our lives begin to end when we stop caring about things that matter. Accountability matters. Truth telling matters. The whole truth matters. Responsibility matters. The advice and consent role of the Senate is one that is really very important. I hope my colleagues on both sides will recognize that this Senate is at its best when we have some of these tough debates.

It is not as if we are having a vote to confirm a Cabinet position that will not have as much reach. It is not as if we are voting to confirm a position where the individual is brand new and does not have a record. This is a very important position in a time of war where the nominee had a record of making many statements to the American people. I believe that out of respect for the American people, out of respect for the Senate, out of respect for the Foreign Relations Committee, and out of respect to Condoleezza Rice herself, we needed to ask these questions.

Now that he is on the floor again, I would say to Senator LUGAR what I said before, that he is such a fair chairman. All of us on the committee have such respect for him. I look forward to working with him on many issues. I think there will be many times where we will be voting the same way. We will not be today, but that is just one time. There will be many other occasions where we will be together.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Tennessee is now recognized.

Mr. ALEXANDER. Mr. President, I rise in support of the nomination of Dr. Condoleezza Rice to be America's next

Secretary of State. President Bush has made an excellent choice for this pre-eminent position in his Cabinet. Her experience as National Security Adviser will make her even more effective than one normally might be. When foreign leaders talk with Dr. Rice, they will know she is speaking with the President's voice.

I had the privilege of attending much of the 9-plus hours of hearings. Dr. Rice got about every kind of question. She handled the questions, I thought, with dignity, with intelligence, with grace. It was an excellent performance. It augurs well for her time as a U.S. Secretary of State. I am proud to support her.

The major issue confronting Dr. Rice and our Nation today is the war in Iraq. At the hearings to which I just referred, some of my colleagues talked about needing an exit strategy. I disagree. I don't believe we need an exit strategy in Iraq. We need a success strategy. But such a strategy may mean taking a little more realistic view of what we mean by success. It is one thing to help people win their freedom, as we did in Iraq. It is another to help a country become a stable, pluralistic democracy, a flourishing society. We need to ask ourselves how many American lives are we willing to sacrifice to do this? How long are we willing for it to take? And what is our standard for success?

We should be thinking well beyond Iraq. The next time the opportunity occurs for the United States to undertake what we now call regime change, or nation building, what lessons have we learned in Iraq? During his campaign for the Presidency in 2000, President Bush was critical of nation building. That was before September 11, 2001. Today the situation has obviously changed.

Our initial war in Iraq was a stunning success. What came afterwards has been a series of miscalculations. But the United States has engaged in nation building more than a dozen times since World War II and, based on those experiences, should we not have anticipated that nation building in Iraq would have required more troops, more money, and taken longer than we expected? And what do those lessons say about our future policy toward nation building?

I asked Dr. Rice about this when she appeared before the Foreign Relations Committee. One lesson she said we learned was that we need to train our own diplomatic personnel with the skills of nation building. She said we need to learn how to help a country set up a new, independent judiciary, how to establish a currency, how to train up police forces, among other things. I am sure other lessons will be learned as we move forward, and we should be humble enough to learn them.

I would hope that our experience in Iraq has reminded us of what a major commitment regime change and nation building require. I hope the next time

someone suggests to this President, or to any future President, that he pursue regime change, that one of his advisers, perhaps Dr. Rice, will say: Mr. President, based on the history of postwar reconstruction and what we have learned in Iraq, any regime change is likely to take us several years, is likely to cost us hundreds of billions of dollars, and require the sacrifice of thousands of lives. If it is in our national interest to go ahead, then the President may decide that, but he needs to have that advice. And we need to discuss that as we did in the hearing the other day.

American history is the story of setting noble goals and struggling to reach them and often falling short. We sincerely say, in our country, that anything is possible, that all men are created equal, that no child will be left behind—even though we know down deep we will fall short and we know we will then have to pick ourselves up and keep trying again to reach those noble goals.

We also said we want to make the world safe for democracy, and we remember an inaugural speech 44 years ago in which a new President named John F. Kennedy said we would "pay any price, bear any burden" to defend freedom. And we heard last Thursday President Bush echo those sentiments when he said to the people of the world: When you stand for your liberty, we will stand with you.

Yet there is obviously a limit to what we can do and to what we are willing to do and to the number of lives we will sacrifice to secure the blessings of freedom and democracy for others. So, now that we have a new Secretary of State—almost have one—new Iraqi elections within the next few days, and we are about to spend another \$80 billion in Iraq, now is a good time to be clearer about what our success strategy would be in Iraq. When I asked Dr. Rice about this in her hearing, she acknowledged we need a success strategy but didn't want to commit to a timetable.

In a Washington Post op-ed this morning, two of Dr. Rice's predecessors, Secretaries Henry Kissinger and George Shultz, agreed we should not set a specific timetable for pulling out our troops. But they also go further than Dr. Rice did in the hearing in outlining the framework for what a success strategy in Iraq might look like.

Dr. Kissinger and Dr. Shultz wrote this:

A successful strategy needs to answer these questions: Are we waging "one war" in which military and political efforts are mutually reinforcing? Are the institutions guiding and monitoring these tasks sufficiently coordinated? Is our strategic goal to achieve complete security in at least some key towns and major communication routes (defined as reducing violence to historical criminal levels)? This would be in accordance with the maxim that complete security in 70 percent of the country is better than 70 percent security in 100 percent of the country—because

fully secure areas can be models and magnets for those who are suffering in insecure places. Do we have a policy for eliminating the sanctuaries in Syria and Iran from which the enemy can be instructed, supplied, and given refuge and time to regroup? Are we designing a policy that can produce results for the people and prevent civil strife for control of the State and its oil revenue? Are we maintaining American public support so that staged surges of extreme violence do not break domestic public confidence at a time when the enemy may, in fact, be on the verge of failure? And are we gaining international understanding and willingness to play a constructive role in what is a global threat to peace and security?

An exit strategy based on performance, not artificial time limits, will judge progress by the ability to produce positive answers to these questions.

That is what Secretaries Kissinger and Shultz wrote this morning. I ask unanimous consent the article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. ALEXANDER. When Dr. Rice comes back to the committee as Secretary Rice—and she will be there often—I hope she will address these questions and say more about what our objectives are. When she does, I also wouldn't mind if she acknowledges when things aren't going well, or when we need to change our strategy or tactics because our earlier approach is not working. I think such acknowledgments only strengthen the administration's credibility and reassure us that needed adjustments are being made.

At President Reagan's funeral last June, former Senator Jack Danforth said the text for his homily was "the obvious." Matthew 5:14-16.

You are the light of the world. A city built on a hill cannot be hid. No one after lighting a lamp puts it in a bushel basket, but on a lampstand, and it gives light to all in the house. In the same way, let your light shine before others, so that they may see your good works, and give glory to your father in heaven.

From our beginning, that vision of the city on a hill has helped to define what it means to be an American and provided America with a moral mission. It helps explain why we invaded Iraq, why we fought wars "to make the world safe for democracy," and why President Bush said last Thursday:

All who live in tyranny and hopelessness can know: the United States will not ignore your oppression, or excuse your oppressors.

It is why we are forever involving ourselves in other nations' business. It is why when I was in Mozambique last summer I found 800 Americans, 400 of them missionaries and most of the rest diplomats or aid workers.

But is it possible that too much nation building runs the risk of extending too far the vision of the city on the hill?

Letting a light shine so others may see our good works does not necessarily mean we must invade a country and change its regime and reshape

it until it begins to look like us. It may mean instead that we strive harder to understand and celebrate our own values of democracy, of equal opportunity, of individualism, of tolerance, the rule of law and other principles that unite us and that we hope will be exported to other parts of the world. How we ourselves live would then become our most persuasive claim to real leadership in a world filled with people hungry to know how to live their lives.

For example, in my own experience—and Dr. Rice said at the hearings in her experience—we have found that sometimes the most effective way to export our values is to train foreign students at our American universities who then return home to become leaders in their own countries.

Of course, we Americans will never say that only some men are created equal, that only some children will not be left behind, or that we will pay only some price to defend freedom. But perhaps we should be thinking more about strategies for extending freedom and democracy in the world other than nation building and determine what those strategies are and when they most appropriately might be used.

Thank you, Mr. President.

EXHIBIT 1

[From the Washington Post, Jan. 25, 2005]

RESULTS, NOT TIMETABLES, MATTER IN IRAQ

(By Henry A. Kissinger and George P. Shultz)

The debate on Iraq is taking a new turn. The Iraqi elections scheduled for Jan. 30, only recently viewed as a culmination, are described as inaugurating a civil war. The timing and the voting arrangements have become controversial. All this is a way of foreshadowing a demand for an exit strategy, by which many critics mean some sort of explicit time limit on the U.S. effort.

We reject this counsel. The implications of the term "exit strategy" must be clearly understood; there can be no fudging of consequences. The essential prerequisite for an acceptable exit strategy is a sustainable outcome, not an arbitrary time limit. For the outcome in Iraq will shape the next decade of American foreign policy. A debacle would usher in a series of convulsions in the region as radicals and fundamentalists moved for dominance, with the wind seemingly at their backs. Wherever there are significant Muslim populations, radical elements would be emboldened. As the rest of the world related to this reality, its sense of direction would be impaired by the demonstration of American confusion in Iraq. A precipitate American withdrawal would be almost certain to cause a civil war that would dwarf Yugoslavia's, and it would be compounded as neighbors escalated their current involvement into full-scale intervention.

We owe it to ourselves to become clear about what post-election outcome is compatible with our values and global security. And we owe it to the Iraqis to strive for an outcome that can further their capacity to shape their future.

The mechanical part of success is relatively easy to define: establishment of a government considered sufficiently legitimate by the Iraqi people to permit recruitment of an army able and willing to defend its institutions. That goal cannot be expedited by an arbitrary deadline that would be, above all, likely to confuse both ally and ad-

versary. The political and military efforts cannot be separated. Training an army in a political vacuum has proved insufficient. If we cannot carry out both the political and military tasks, we will not be able to accomplish either.

But what is such a government? Optimists and idealists posit that a full panoply of Western democratic institutions can be created in a time frame the American political process will sustain. Reality is likely to disappoint these expectations. Iraq is a society riven by centuries of religious and ethnic conflicts; it has little or no experience with representative institutions. The challenge is to define political objectives that, even when falling short of the maximum goal, nevertheless represent significant progress and enlist support across the various ethnic groups. The elections of Jan. 30 should therefore be interpreted as the indispensable first phase of a political evolution from military occupation to political legitimacy.

Optimists also argue that, since the Shiites make up about 60 percent of the population and the Kurds 15 to 20 percent, and since neither wants Sunni domination, a democratic majority exists almost automatically. In that view, the Iraqi Shiite leaders have come to appreciate the benefits of democratization and the secular state by witnessing the consequences of their absence under the Shiite theocracy in neighboring Iran.

A pluralistic, Shiite-led society would indeed be a happy outcome. But we must take care not to base policy on the wish becoming father to the thought. If a democratic process is to unify Iraq peacefully, a great deal depends on how the Shiite majority defines majority rule.

So far the subtle Shiite leaders, hardened by having survived decades of Saddam Hussein's tyranny, have been ambiguous about their goals. They have insisted on early elections—indeed, the date of Jan. 30 was established on the basis of a near-ultimatum by the most eminent Shiite leader, Grand Ayatollah Ali Sistani. The Shiites have also urged voting procedures based on national candidate lists, which work against federal and regional political institutions. Recent Shiite pronouncements have affirmed the goal of a secular state but have left open the interpretation of majority rule. An absolutist application of majority rule would make it difficult to achieve political legitimacy. The Kurdish minority and the Sunni portion of the country would be in permanent opposition.

Western democracy developed in homogeneous societies; minorities found majority rule acceptable because they had a prospect of becoming majorities, and majorities were restrained in the exercise of their power by their temporary status and by judicially enforced minority guarantees. Such an equation does not operate where minority status is permanently established by religious affiliation and compounded by ethnic differences and decades of brutal dictatorship. Majority rule in such circumstances is perceived as an alternative version of the oppression of the weak by the powerful. In multiethnic societies, minority rights must be protected by structural and constitutional safeguards. Federalism mitigates the scope for potential arbitrariness of the numerical majority and defines autonomy on a specific range of issues.

The reaction to intransigent Sunni brutality and the relative Shiite quiet must tempt us into identifying Iraqi legitimacy with unchecked Shiite rule. The American experience with Shiite theocracy in Iran since 1979 does not inspire confidence in our ability to forecast Shiite evolution or the prospects of a Shiite-dominated bloc extending to the Mediterranean. A thoughtful

American policy will not mortgage itself to one side in a religious conflict fervently conducted for 1,000 years.

The Constituent Assembly emerging from the elections will be sovereign to some extent. But the United States' continuing leverage should be focused on four key objectives: (1) to prevent any group from using the political process to establish the kind of dominance previously enjoyed by the Sunnis; (2) to prevent any areas from slipping into Taliban conditions as havens and recruitment centers for terrorists; (3) to keep Shiite government from turning into a theocracy, Iranian or indigenous; (4) to leave scope for regional autonomy within the Iraqi democratic process.

The United States has every interest in conducting a dialogue with all parties to encourage the emergence of a secular leadership of nationalists and regional representatives. The outcome of constitution-building should be a federation, with an emphasis on regional autonomy. Any group pushing its claims beyond these limits should be brought to understand the consequences of a breakup of the Iraqi state into its constituent elements, including an Iranian-dominated south, an Islamist-Hussein Sunni center and invasion of the Kurdish region by its neighbors.

A calibrated American policy would seek to split that part of the Sunni community eager to conduct a normal life from the part that is fighting to reestablish Sunni control. The United States needs to continue building an Iraqi army, which, under conditions of Sunni insurrection, will be increasingly composed of Shiite recruits—producing an unwinnable situation for the Sunni rejectionists. But it should not cross the line into replacing Sunni dictatorship with Shiite theocracy. It is a fine line, but the success of Iraq policy may depend on the ability to walk it.

The legitimacy of the political institutions emerging in Iraq depends significantly on international acceptance of the new government. An international contact group should be formed to advise on the political and economic reconstruction of Iraq. Such a step would be a gesture of confident leadership, especially as America's security and financial contributions will remain pivotal. Our European allies must not shame themselves and the traditional alliance by continuing to stand aloof from even a political process that, whatever their view of recent history, will affect their future even more than ours. Nor should we treat countries such as India and Russia, with their large Muslim populations, as spectators to outcomes on which their domestic stability may well depend.

Desirable political objectives will remain theoretical until adequate security is established in Iraq. In an atmosphere of political assassination, wholesale murder and brigandage, when the road from Baghdad to its international airport is the scene of daily terrorist or criminal incidents, no government will long be able to sustain public confidence. Training, equipping and motivating effective Iraqi armed forces is a precondition to all the other efforts. Yet no matter how well trained and equipped, that army will not fight except for a government in which it has confidence. This vicious circle needs to be broken.

It is axiomatic that guerrillas win if they do not lose. And in Iraq the guerrillas are not losing, at least not in the Sunni region, at least not visibly. A successful strategy needs to answer these questions: Are we waging "one war" in which military and political efforts are mutually reinforcing? Are the institutions guiding and monitoring these tasks sufficiently coordinated? Is our strategic goal to achieve complete security

in at least some key towns and major communication routes (defined as reducing violence to historical criminal levels)? This would be in accordance with the maxim that complete security in 70 percent of the country is better than 70 percent security in 100 percent of the country—because fully secure areas can be models and magnets for those who are suffering in insecure places. Do we have a policy for eliminating the sanctuaries in Syria and Iran from which the enemy can be instructed, supplied, and given refuge and time to regroup? Are we designing a policy that can produce results for the people and prevent civil strife for control of the state and its oil revenue? Are we maintaining American public support so that staged surges of extreme violence do not break domestic public confidence at a time when the enemy may, in fact, be on the verge of failure? And are we gaining international understanding and willingness to play a constructive role in what is a global threat to peace and security?

An exit strategy based on performance, not artificial time limits, will judge progress by the ability to produce positive answers to these questions. In the immediate future, a significant portion of the anti-insurrection effort will have to be carried out by the United States. A premature shift from combat operations to training missions might create a gap that permits the insurrection to rally its potential. But as Iraqi forces increase in number and capability, and as the political construction proceeds after the election, a realistic exit strategy will emerge.

There is no magic formula for a quick, non-catastrophic exit. But there is an obligation to do our utmost to bring about an outcome that will mark a major step forward in the war against terrorism, in the transformation of the Middle East and toward a more peaceful and democratic world order.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, it is my understanding that under a previous order I am allowed 20 minutes. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DURBIN. I understand Senator REED of Rhode Island is also on the list to speak. Is he not? I make inquiry of the Chair: Under the order, is Senator REED of Rhode Island also allotted time?

Mr. LUGAR. Mr. President, if I may respond to the distinguished Senator, Senator REED is on a list but is not designated precisely. Perhaps while the speaker is speaking we can work this out.

Mr. DURBIN. I recommend that even though he may miss part of my speech.

Thank you, Mr. President.

President Bush has nominated Condoleezza Rice as Secretary of State. It is one of the highest positions in our Government. She is a person of considerable accomplishment and formidable intellect. I have watched her service from afar, and this morning I had my first opportunity to meet her personally. Dr. Rice came by my office and we sat down for half an hour and discussed many different issues. I was impressed with her ability and with her forthright approach.

I will tell you that I am also troubled. I am troubled because I followed

closely the exchange between Dr. Rice and Senator BOXER during the confirmation hearing before the Foreign Relations Committee. The reason I followed this closely was not only because it was important and it related to the issue of torture but because it involved an amendment which I had drafted. As every American I have met, I was shocked by the information and photographs that came out of Abu Ghraib; troubled by reports from Guantanamo.

As a result, I joined in a bipartisan effort in both the Department of Defense authorization bill, as well as later in the intelligence reform bill, to put a clear restatement of American law to a vote, that the United States is prohibited from engaging in torture, or cruel, inhuman or degrading treatment. It is important to restate this principle and value so there would be no questions asked as to whether the United States had deviated from the legal standard which we had held for over 50 years—a standard first embodied in the Geneva Conventions and then in the Convention on Torture, and in other places in our laws.

My anti-torture amendment passed in the Senate, went to conference on the Department of Defense authorization bill, but it was changed slightly from a prohibition to a statement of policy. I didn't care much for the change, but I accepted it because I thought it still preserved the basic goal, which was to restate our country's policy against torture. The part that did not change was my amendment's requirement that the Department of Defense report regularly on any violations of this policy against torture. That was what happened in the Department of Defense bill.

Then came the intelligence reform bill, and I felt it was important that we try again to restate our law of prohibition against torture. It was equally important that the reporting requirements for violations apply not only to the military agencies as we did in the Defense bill, but also apply to the variety of different intelligence agencies covered by the intelligence bill.

I tried with both bipartisan amendments to cover the circumstances of those who would take into detention someone during the course of war in Iraq or Afghanistan or some other place.

This amendment passed and it was sent to conference. I followed the conference closely as a Senate conferee and a member of the Governmental Affairs Committee.

I was surprised and disappointed to learn as I went to conference that a message had come down from the White House—specifically from Dr. Rice and OMB Director Joshua Bolten—which said they objected to my amendment which condemned torture by any American, including members of the American intelligence community.

I couldn't believe it—they first accepted the underlying policy goals and

the reporting requirements of this same amendment for the Department of Defense, and now they were making an exception when it came to intelligence agencies.

I have to tell you that I am very troubled by that. When Senator BOXER asked repeated questions of Dr. Rice on the issue, she received conflicting answers. So I returned to the same question this morning. I asked Dr. Rice point blank: Why did you object to that amendment? She said incorrectly: We had already taken care of that. Your Department of Defense amendment took care of intelligence agencies.

That is not the case. The Department of Defense amendment which I offered, which she should have read and apparently did not read, had reporting requirements for the Department of Defense but not for the intelligence agencies. My intelligence reform bill amendment would have extended these requirements for the intelligence agencies.

I am disappointed by that. It is not just another amendment being offered on the floor. Taking away any personal pride and authorship in this, it was a timely amendment after the Abu Ghraib prison scandal to try to restate for America and the world where we stood and where our principles are. Yet this administration opposed it. I am troubled by it. I understand Senator BOXER is even more troubled by it.

This is a critical moment in our history. It is critical because of the war in Iraq to pick up the morning paper—most Americans probably did as well—and read in this paper that the Pentagon announced there will be 120,000 American soldiers in Iraq for at least 2 more years. It is a stunning and sad admission.

I remember when the invasion took place. I remember a colleague of mine from Indiana—who happens to be the chairman of the committee before us today, Senator LUGAR—and his statement. I don't know if he still holds to this position, but I have quoted him at length. He said at the moment of our invasion in Iraq that we are likely to be there for 5 years. When I repeated his statement and believed it to be true, many people said: We are sure you are wrong. We are going to be home more quickly than that. After we knock Saddam Hussein out of power, the Iraqi people will take over and we will come home.

Here we are 2 years in the conflict, 1,400 Americans have been killed, 10,000 or 12,000 injured—more by the day—hundreds of incidents of insurgency, terrorism, and we are still there.

I went to Litchfield, IL, 3 weeks ago to watch an MP Illinois Guard unit go off for their deployment for 18 months. There are 80, all men, in this unit. I shook hands with each of them and looked them in the eye and gave them all my best wishes, as did the crowd at the Litchfield High School gym. As I looked at them, I thought: Is there any

possibility they will be home soon? This report in the morning paper says the answer is no.

What troubles me is not that it is a situation demanding of Americans. We have risen to challenges before. But what troubles me the most about this is I think it evidences one of the most profound failures in a democracy. When leaders of a democratic government mislead the people of the country in relation to a war and an invasion of another country, I think that is the lowest point one can reach. Note that I said misleading and not intentionally misleading. There is a big difference.

In this situation, it is the argument of President Bush and his White House that it is true—they misled the American people about the presence of weapons of mass destruction, about nuclear weapons, about aluminum tubes, about connections with al-Qaida, about unmanned aerial vehicles. The list goes on and on. But their argument is, well, we had intelligence; we received bad information. If we told the American people something was wrong, don't blame us; blame the intelligence agencies.

That has been the position of the White House. That is a sad defense when you consider where we are today, with 150,000 American troops with their lives in danger after being misled by the White House about the circumstances surrounding Iraq.

Dr. Rice, as the National Security Adviser, was in the room and at the table when decisions were made. She has to accept responsibility for what she said, which has been quoted at length on the floor. Some of the suggestions about nuclear threats, some of the suggestions about the threats of Saddam Hussein out of the mouth of Dr. Rice were just plain wrong and repeated. That, to me, is very troubling.

Five days from today, Iraq is scheduled to hold its first election in nearly half a century. It is a step forward. We want to see this move toward democracy. I hope it is just not an occasion for more bloodshed. I hope it is not just an occasion for more bloodshed. It may be.

We have to ask what kind of election this will be. How many people will vote? That is an indicator of whether the election reflects the popular will. Is it an election which will be carried out with integrity? Is it one where the people clearly have a choice and where the election ballots are counted?

We have to ask what kind of elections they will be if candidates' names cannot be published, if polling places cannot be designated, and when few Sunni Muslims are likely to participate. However successful the elections may be, we all know that the bloodshed will not end at that point. Our present policies in Iraq seem unlikely to bring an end to the killing there any time soon.

Last year, Congress allocated \$18 billion for the reconstruction of Iraq for the basic necessities of life—elec-

tricity, clean water. Only \$2.2 billion of that amount has been spent. Why? Because it is unsafe to spend the rest. It is so unsafe that anything we build is likely to be blown up as soon as we build it. The violence we see there reflects the frustration of the people of Iraq who think the occupying United States Army is not improving their lives. We are caught in this vicious circle. We cannot rebuild Iraq because what we build will likely be destroyed, and until we rebuild Iraq, the people will not feel their fate has improved by the occupation of the American troops. Maybe this election will change that dynamic. I certainly hope so.

Now comes the administration saying they are going to need \$80 to \$100 billion more to continue this war. I was 1 of 23 Senators who voted against the authorization for this war; 1 Republican and 22 Democrats voted against it. After that vote, though, we had an opportunity to vote for the money for the troops. I voted for every single penny this administration has asked for. I will tell you why. I think to myself, what if it were your son or daughter in uniforms risking their lives, would you shortchange them anything? The answer is, clearly, no.

Yet despite all the money we have put into Iraq, one of the soldiers from Tennessee stands up and asks the Secretary of Defense a few weeks ago: Why do I have to dig through junk piles to find pieces of steel to protect my humvee? What is going on, Mr. Secretary? His answer was hardly satisfying or responsive. For all the money we have given to this administration, we cannot say they have spent it well when it comes to protecting our troops.

I have a friend with a son in uniform, in service in Iraq. He and his wife came up with \$2,000 to buy body armor for their son, which they sent to him in Iraq. We are spending billions of dollars, and individual families have to send body armor to their soldiers.

Humvees—I don't have to tell you the story there. In the middle of last year, this administration discontinued armoring humvees even though there were hundreds, if not thousands, still vulnerable. Now they have resumed after that one Tennessee soldier had the courage to stand up.

Dr. Rice estimates there are 120,000 trained Iraqi forces under arms. Senator BIDEN of Delaware and many others dispute that number. They think it is vastly inflated. When asked whether you would stand and allow one of these troops to defend you, these Iraqi forces with their current equipment and training, most people honestly answered no.

We have had many failures in Iraq. The National Security Adviser to the President who was there as we devised this strategy and executed this strategy now comes before us for a substantial promotion to Secretary of State. It is troubling.

I am also worried about this whole issue of torture. We will revisit this on

the nomination of Alberto Gonzales to be Attorney General because his fingerprints are all over this administration's torture policy.

When members of the Foreign Relations Committee asked Dr. Rice about certain interrogation techniques, whether they constituted torture, she said it would not be appropriate for her to comment. Yet, I think she understands, and we understand, that if she is to be successful as the diplomat representing the United States of America, one of the first things she has to try to dispel are those ghastly, horrible images of Abu Ghraib. Do not believe for a moment that people across the world dismiss that as an aberration of renegade night shift soldiers. They believe that this is America at work. We know better. We know our troops are better. Our men and women are much better than what was demonstrated at Abu Ghraib, but it is, in fact, an image which haunts and will continue to haunt America for years to come.

Senator BOXER asked Dr. Rice why the administration opposed the language I have talked about earlier on prohibiting torture. As I have said before, I thought her answers were, at best, confusing and unresponsive. Frankly, this administration should not waste any time restating the obvious.

Every year, our Department of State issues a report card on the world. We stand in judgment of the world on issues of human rights. We call it the "Country Reports on Human Rights Practices." These reports are pretty harsh on some countries. They say about these countries around the world that they are involved in torture and degrading treatment, including beatings, threats to detainees and their families, sleep deprivation, deprivation of food and water, suspension for long periods in contorted positions, prolonged isolation, forced prolonged standing, tying of the hands and feet for extended periods of time, public humiliation, sexual humiliation, and female detainees being forced to strip in front of male security officers.

These are the charges we level against other countries around the world, saying they are engaging in inhumane practices. Do any of these techniques sound familiar? If you pick up the morning paper you will see that our military and intelligence forces were engaged in similar techniques in Iraq and other places around the world. How can we stand in judgment of other countries? How can we hold ourselves up as a model when we are guilty of the same conduct? If there is ever a time when this administration should have embraced my amendments to both the Defense bill and the intelligence bill to say what we stand for in this country, it is now. Unfortunately, they have not.

Let me say a word about a recent editorial in the Wall Street Journal which took me to task because I am condemning torture techniques and de-

manding accountability for agencies of government that engage in them. I would say to the editors of the Wall Street Journal, it is time for you to make a choice. If you support torture, for goodness' sake, make that your editorial policy; if not, join us in condemning those who violate the standards of this Government, which have held up for decades.

Condoleezza Rice, as National Security Adviser, understands what has happened in Iraq and what her new job will require. It will require diplomacy, a diplomacy which failed before our invasion of Iraq. Many who opposed the invasion felt at the time we needed a broader coalition. But the President and his supporters argued about the coalition of the willing—150 nations, whatever the number happened to be. But let's be very honest about that. When you pick up the morning paper, whose soldiers are being killed? When you look at the message for supplemental appropriation, whose taxpayer dollars are being spent? It is the Americans. The British have stood by us. Other countries have provided help. But when it comes to carrying this burden, it is American soldiers and American taxpayers. Diplomacy had its place before the invasion of Iraq. It will have its place in the future.

I also talked to Dr. Rice about the situation in Sudan. I commended the administration for finally crossing that difficult line which the Clinton administration refused to cross when it came to Rwanda. The Clinton administration refused to use the word "genocide," and that is what happened in Rwanda. Hundreds of thousands of innocent people died. I commended Dr. Rice because the Bush administration, Secretary Powell, has stepped forward and has said clearly this is genocide. But it is not enough to just say it when civilized nations who have signed the Genocide Convention step forward and say it is taking place, it requires positive action on our part. There has been very little. Calling in the African Union forces is too little, too late. It will take much more. I tried to make that point as clearly as I could.

We also discussed at length the AIDS epidemic that faces this world. If there is one thing that Secretary Powell said that I believe will be historic in its importance, it is his reference to HIV/AIDS and the global epidemic. Here is what he said. He referred to that epidemic as "the greatest weapon of mass destruction in the world today." I know he believed it. I have spoken to him about it many times. Every 10 seconds another person dies of AIDS in this world. Every 6 seconds another person becomes infected.

The President pledged \$15 billion for this cause. We have fallen short in the first 2 years of reaching a \$3 billion target. I have asked Dr. Rice, if she is confirmed by the Senate, whether she is committed to our meeting that obligation. She said she was.

We also talked about the role of women in the world, particularly when

it comes to the AIDS epidemic. It is important that we teach abstinence and teach moral values and spiritual belief. But it is also important that we empower women around the world to control their own fate and future. We can tell women to be faithful to their partners, but what if their partners are unfaithful to them? We can encourage condom use but must remember that women may not have the ability to negotiate when it comes to that issue, even with their husbands.

It is important that our global strategies against HIV/AIDS are realistic. In a speech at the International AIDS Conference in July 2004, Nelson Mandela reminded us that:

In the course of human history, there has never been a greater threat than the HIV/AIDS epidemic.

We have a chance in America, under the President's initiative to continue to lead, both with our own bilateral aid to individual countries and through the Global Fund. I hope Ms. Rice in that capacity will assume that leadership position.

We have to also look to economic development. I said to Dr. Rice, if I went to a struggling country anywhere in the world and could only ask one question to decide the likelihood that they would be able to control their problems and their future, it would be this: How do you treat your women? And if women are treated like chattel, like property, like slaves, I can virtually guarantee you that country has little or no chance of conquering its problems. How many girls are in school? Are there forced child marriages? Do women enjoy economic opportunities? Is maternal health care a national priority? Give me the answers to those questions and I will give you a pretty good idea as to whether I think your country is moving forward. The President created the Millennium Challenge Account, and it has many important initiatives and goals in it. I said to her, and I repeat, I think elevating the role of women around the world should be one of those goals.

The President's new foreign assistance initiative, the Millennium Challenge Account embodies an innovative and important initiative.

It is a program of immense but as yet completely unrealized potential.

The Millennium Challenge Account seeks to provide assistance to those countries with a proven record of investing in their own people, as well as meeting other criteria.

I would like to apply the same standard to our own foreign assistance programs: Are we investing enough in people?

Are we helping build the infrastructure that will help eliminate poverty and not merely ease the latest crisis for a few months?

Are we making sure that our assistance reaches women in developing nations, women who are the key to successful development?

These same principles must guide us as we seek to help those devastated by the tsunami.

For instance, half the people of Aceh, Indonesia, the region hit hardest by the tidal wave, lacked clean water before the tsunami.

Disasters hit hardest where poverty is greatest, and they affect women and children most of all.

The tsunami swept away entire villages in a matter of minutes. We must commit to helping these regions recover over a period of years.

Secretary-designate Rice steps into her position at a critical juncture.

Well over 1,300 American soldiers, Marines, sailors, and airmen have died in Iraq.

Nearly 150,000 are still over there.

Mr. President, 70,000 people have died in Darfur. Thousands more are still at risk every day. In South Africa, one in three adults are HIV positive. In Botswana the numbers are even higher.

Over a billion people live on less than a dollar a day. A billion people in the world cannot write their own names or read a single sentence.

We simply cannot afford to get this wrong. We cannot afford to repeat mistakes or to fall short in our commitments. These are matters of profound moral obligation and deepest national security and interest.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Indiana.

Mr. LUGAR. Mr. President, I ask unanimous consent that an editorial endorsing Dr. Rice for Secretary of State, published in the Evansville Courier & Press, on January 24, 2005, be printed in the RECORD.

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

[From the Evansville Courier & Press, Jan. 24, 2005]

COOL CONDI

Senate Democrats rather churlishly pushed Condoleezza Rice's certain approval as secretary of state over to this week. Perhaps they felt that the gracious gesture of confirming her on Inauguration Day would be interpreted as a sign of weakness by the Bush White House.

Democrats on the Senate Foreign Relations Committee seemed disappointed that Rice would not distance herself from, back-track from or apologize for President Bush's foreign policy. In hearings last week, they failed to force any daylight between Rice and the president. And they tried; one session even ran into the night.

Rice's credentials to be secretary of state were not in question. She is a career student of foreign policy and spent the last four years as White House national security adviser. No one who has followed her career was surprised by her performance before the Foreign Relations Committee.

She was informed, poised and unflappable, her voice only taking on a slight edge when Sen. Barbara Boxer, D-Calif., all but accused her of being a liar—"your loyalty to the mission you were given, to sell this war, overwhelmed your respect for the truth."

Rice's icy response: "I never, ever lost my respect for the truth in the service of anything." In the end, only Boxer and Sen. John Kerry, D-Mass., of the 18 committee members, voted against Rice, for whatever significance that symbolic gesture had.

Rice defended and endorsed administration positions on Iraq—the war was right even if the intelligence was wrong—and on North Korea, Iran and the Mideast. The consistency is admirable, but it raises the worrisome prospect that there is no fresh thinking on these problems within the administration.

That said, she made several worthy commitments. She would work to rebuild relations with our traditional allies, refocus administration attention on neglected Latin America, take an active role in a Mideast settlement and reassert the State Department as "the primary instrument of American diplomacy"—a clear if diplomatic shot at Donald Rumsfeld and the Pentagon.

The Senate should confirm Rice without delay. She needs to get to work.

Mr. LUGAR. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my distinguished colleague, the chairman, for his great leadership in handling this nomination. That leadership is consistent with what I have observed these many years, now being in my 27th year in the Senate, my colleague being a year or 2 senior to me. But on behalf of the Senate and on behalf of the country, we thank you, Mr. Chairman. And I must say, I think your ranking member, in large measure, has been supportive. I am anxious to see how this works out tomorrow. But well done to you, sir, from one old sailor to another.

I am privileged to join my colleagues today in this very important debate with regard to the nomination of perhaps the most important member of any President's Cabinet, that of Secretary of State.

Before referring to Dr. Rice, I would like to pause and express my heartfelt appreciation to Secretaries Powell and Armitage. I have been privileged to have known them and worked with them for many years.

When I was Secretary of the Navy, while I did not know him at that time, during the war in Vietnam, Secretary Powell was on the very front lines of that war. And to this day, in his heart and in other ways, he carries the heavy burdens of that conflict. I have always been so impressed with him. I have worked with him as he rose through the ranks.

I first met him as a colonel and followed his career all the way through being a four star general, particularly when I was actively working with him and he was the executive military assistant to Secretary of Defense Caspar Weinberger. And by his side he wisely chose to put Secretary Rich Armitage, another Vietnam veteran who bears the scars of that war. They were a magnificent team on behalf of the United States of America, and they both quietly have stepped down in the manner in which they have always conducted their lives. I want to be among

the many to pay their respects to those two fine public servants on the eve of confirming the successor to Secretary Powell.

I have also known, through the years, the nominee to take Secretary Armitage's place, and he is an excellent choice. The President is to be commended.

I must refer to history. I love this institution I think as much as anyone; not more than anyone, but as much. I respect the heritage and traditions of this Chamber. It is quite interesting, if you go back, the Presidents of the United States—certainly I would yield to the chairman; I have the history of these here—Presidents have always had the Senate confirm their Secretary of State on the day of the inauguration. It goes quite a ways back in history.

I expressed at that time that I regret this Chamber could not act, and I continue to express that. I think this debate is an important one. I do not in any way suggest that this debate not take place, but I think it could have taken place in the ensuing days and weeks following that. But that is history. I did not want this tradition of the Senate to be overlooked in the context of these remarks.

It is clear from the exhaustive nomination hearings conducted by the Foreign Relations Committee over the course of 2 days that Dr. Rice is extraordinarily capable and qualified. She is as capable and qualified a candidate as has ever been appointed in my lifetime to this position. She stands with the finest because of her extraordinary record of achievements. I say to the chairman, she was reported out of your committee by a vote of 16 to 2. To me, that is a resounding affirmation by bipartisan members of that committee.

The personal attacks on her character and integrity, we have now witnessed them. I find them somewhat astonishing, the level of the attack, particularly as it relates to her lifetime dedication to what we call here in the Senate the standards for truthfulness.

And I was delayed, Mr. Chairman, because I had been trying through the day to reach former Secretary of State George Shultz, with whom you and I and many others have had so many years of warm and excellent relations—sometimes not so warm, maybe a little heated on occasion, I recall. But Secretary Shultz reminded me that Dr. Rice first met President Bush in his living room. And the relationship goes way back.

So I wrote down just a few of the remarks by that distinguished Secretary because it goes to the very heart of the critics who challenge her integrity. He said, without any reservation whatsoever, she was absolutely honest in her convictions and a woman of impeccable loyalty and integrity.

He said loyalty, of course. But truthfulness will always prevail over any degree of loyalty.

I found that important, and I wanted to share it with my colleagues. She, in

his judgment, will rise to the occasion and in due course, if not already, she will receive the trust and confidence of the people of this country, and that her record, as she works through her challenges, will be one that they, the United States of America and its citizens, can be proud of.

I thank Secretary Shultz for his remarks.

I also thought to myself, the chairman and I have paralleled our careers. One of my Commanders in Chief, actually two times—for a brief period at the end of World War II and then Korea—was Harry Truman. Harry Truman very often had directed at him some remarks which didn't exactly reflect with great resounding in his heart. He came out with that priceless statement: If you can't take the heat, get out of the kitchen.

Well, the most profound thing that I may say today is this Secretary of State can take the heat, and she will remain in that kitchen. In my judgment, in the vote by the Senate tomorrow, you will find by virtue of the size of that vote a statement by this Senate reflecting their trust and their confidence in this distinguished American's record of achievement over her lifetime, her entire lifetime, not just that in public office recently.

Going back to some of the comments that were leveled at her, the essence of the criticism was that she has been less than truthful. It turned in large measure on this issue of weapons of mass destruction. That is an issue that I take a back seat to no one on. I tried in every respect with others to be in the very forefront of that debate.

I remember one hearing of the Senate Armed Services Committee, and Director Tenet was before the committee. I asked him a question. This was before we had engaged in active military operations to liberate the people of Iraq. The President was there in the final moments of his decisionmaking. I was one of four who worked up a bipartisan resolution that the Senate worked up. Seventy-seven Senators voted for that resolution.

I said to Director Tenet, the issue of weapons that can bring about such destruction is important in this debate and this decision process. I used the phrase such as "should we be compelled," as the President was, in my judgment, rightfully, to go in and use military power, and at such time as the battles have reached a position where the television cameras of the world can come in and photograph what is there, will those photographs, the television pictures, carry clearly evidence of the existence of weapons of mass destruction. And his acknowledgment was: Without a doubt.

Now that testimony reflects the best judgment within our Government of the situation with regard to weapons of mass destruction. Hussein had defied 17 or 18 United Nations resolutions. Literally because of his defiance and inaction, it propelled this Nation into this

war. And because of his past history with the use of such weapons and the clear documentation following the 1991 conflict that they were there in some measure, there was every reason to attach considerable credibility to the prevailing thinking at that time, not only within our Government but many other governments of the world, that these weapons did exist in the hands of a despot and in one way or another they could be released either by him or by surrogates on free nations elsewhere in the world. That is a statement of fact. I question anybody who wants to take me up on that.

Against that background, this criticism is made of this distinguished public servant. But it is clear to me that the actions taken by the President were the correct ones in light of the facts that were known to the best of our judgment at that time. It was a strong case to utilize force to back up the diplomacy. I mention that "force to back up diplomacy." Diplomacy, throughout the history of mankind, can be no stronger than the commitment to enforce it, to back it up in the event it fails. I think throughout this process we followed that time-honored tradition of world powers. We did everything we could to withhold the use of force and to allow diplomacy to work its will. The rest is history.

From the time of Iraq's defeat in the first Persian Gulf war in 1991, and following his brutal invasion of Kuwait, Hussein followed a pattern of deceit, manipulation, and defiance of the international community. He continued to brutally repress his own citizens. He continued to support terrorist organizations in Palestine and elsewhere. He made a mockery of the U.N. sanctions and the U.N. Security Council resolutions, as he pursued banned weapons and technologies of mass destruction. He systematically robbed the coffers of the humanitarian programs established to ensure that Iraqi citizens received sufficient medicines and food and other nourishment.

Over the course of the next 12 years, since 1991, the Hussein regime defied the will of the international community. Every conceivable diplomatic effort has been expended in an attempt to require him to destroy and account for the weapons of mass destruction he clearly possessed in 1991, to account for missing Kuwaiti nationals, and to comply with at least 17 U.N. Security Council resolutions.

Prior to 9/11, Saddam Hussein's conduct was of grave concern to the United States and, indeed, the larger international community. Based on his repressive treatment of his own citizens in defiance of U.N. weapons inspectors, it became the policy of the United States, as embodied in the Iraq Liberation Act in October of 1998, to actively seek regime change in Iraq.

In a statement to the Nation shortly after ordering United States armed forces to strike Iraq in December 1998, after Saddam Hussein had expelled

U.N. weapons inspectors, President Clinton stated the following—I might add a personal note. I remember so well our former colleague and dear friend Bill Cohen was Secretary of Defense at that time. I was chairman of the committee.

He invited me over several hours before the order was executed to utilize force. We sat in that office of the Secretary of Defense which I had been in so many times over the years, and he went through very carefully the reason why President Clinton decided to use force. I remember saying to him: Well, Mr. Secretary—I obviously said Bill—it is on the eve of Christmas. Could not this matter be delayed for a brief period. Let's face it, the world is celebrating one of the great religious and historic precedents. He said: No. We are going to launch it.

Well, the President said the following as he launched that strike:

Earlier today I ordered America's armed forces to strike military and security targets in Iraq. Their mission is to attack Iraq's nuclear, chemical, and biological weapons programs and its military capacity to threaten its neighbors. The international community had little doubt then, and I have no doubt today, that left unchecked, Saddam Hussein will use these terrible weapons again . . . The hard fact is that so long as Saddam Hussein remains in power, he threatens the well-being of his own people, the peace of the region, and the security of the world. And, mark my words; he will develop weapons of mass destruction. He did deploy them and he will use them.

I don't know what additional needs to be said. To me that is very clear. It is understandable. It is explicit. It was a proper use of Presidential power. Even though he made, I think, at that point a very courageous and proper decision, it did not deter Saddam Hussein.

In the post-9/11 world, the thought of a rogue tyrant—one who had used weapons of mass destruction in the past—joining forces with terrorists was even more unsettling. As the Congress debated the resolution to authorize the President to use force in Iraq in October 2002, our colleague Senator KERRY made the following statement:

When I vote to give the President of the United States the authority to use force, if necessary, to disarm Saddam Hussein, [it is] because I believe that a deadly arsenal of weapons of mass destruction in his hands is a real and grave threat to our security. . . ."

In a speech 3 months later at Georgetown University, Senator KERRY stated:

Without question, we need to disarm Saddam Hussein. He is a brutal, murderous dictator, leading an oppressive regime. He presents a particularly grievous threat because he is so consistently prone to miscalculation. And now he is miscalculating America's response to his continued deceit and his consistent grasp of weapons of mass destruction. So the threat of Saddam Hussein with weapons of mass destruction is real.

Is anyone taking the floor today to suggest that President Clinton and others who spoke out so forcibly at that time were untruthful? I hear a silence.

I believe that we should give consideration to this fine public servant who is stepping up to become Secretary of State and consider the environment, the state of the knowledge, the statements made by a former President, and statements made by colleagues in the context of the issue of weapons of mass destruction, and I suggest that I do not find any disloyalty or any lack of truthfulness in her remarks publicly and throughout this process as it related to the earlier base of knowledge on weapons of mass destruction.

As a member of the Intelligence Committee in the last Congress, I went through a very careful set of hearings with other members of that committee, and we issued a report that I think helped explain how the mistakes were made with regard to the judgments on weapons of mass destruction, on which I certainly do not find any basis to challenge Dr. Rice's truthfulness.

In retrospect, we were wrong as a Nation, together with other countries, in our assumptions about Saddam Hussein's stockpiles of weapons of mass destruction. This shortcoming in our intelligence estimates has been the subject of exhaustive investigations by the Congress and independent commissions, and it continues with other commissions that are looking at it. We were not alone in those assessments. The best estimates of most foreign intelligence agencies, including those of Britain, Italy, Germany, Russia, and those of the U.N., were that Saddam Hussein had weapons of mass destruction. How can the critics possibly say that Dr. Rice and others in the administration would intentionally deceive the American people and the world?

Hindsight has also revealed several other interesting facts. Saddam Hussein's strategy of ignoring sanctions and eroding support for them over time was clearly working. International will to continue sanctions was waning. What is clear in the findings of the Iraq Survey Group is that it was Saddam Hussein's intent to revive a weapons of mass destruction program, including a nuclear program, once sanctions were removed or sufficiently eroded and the attention of the world was diverted elsewhere. That comes out of that survey group. Our committee had a great deal of work with that group, and I have high respect for their findings.

It is true that we did not find stockpiles of weapons of mass destruction in Iraq. That is a fact. But, we did find clear evidence of Saddam Hussein's intent to reconstitute those programs in the future. Such a finding has to be viewed in the context of Saddam Hussein's Iraqi regime. Saddam Hussein, his repressive policies, his regional ambitions, and his weapons of mass destruction had killed hundreds of thousands of people over three decades. His relationship with terrorists—and his direct role as the head of a state that sponsors terrorism and engaged in terrorist operations—contributed to death and destruction in Israel and else-

where. The ultimate intent of his terrorism ties was unclear, but very unsettling, in the post 9/11 world.

Considering the compelling factual case, assembled over many years, our President made the right decision. In a bipartisan vote, 77 Members of this body agreed.

Iraq was a grave and gathering threat, to its own citizens, to the region, and to the world. The issue of weapons of mass destruction was a factor, but by no means the only reason for considering the use of military force against Iraq—it was one among many concerns.

Courageously, our President did act, with the support of the Congress, the voice of the American people. It was the right decision. The world is a safer place today and Iraq and the entire Middle Eastern region is a better place without Saddam Hussein. We owe a timeless debt of gratitude to those of our military and to other nations whose uniformed personnel have borne the brunt of battle, together with their families.

Dr. Rice has often, in my visits and consultations with her, expressed her concern for those who bear the brunt of war and, indeed, also the tens of thousands of Iraqi citizens who regrettably at this very moment are suffering from the internal strife in that nation on the eve of these historic elections, which will go forward this weekend.

We have before us an extraordinarily well-qualified nominee to be Secretary of State—an educator, a manager, a public servant, a proven leader of international renown. Dr. Rice is enormously talented and we are fortunate, as a Nation, to have someone of her caliber so willing to serve.

I strongly support the nomination of Dr. Rice to be Secretary of State and urge my colleagues to confirm her appointment quickly and overwhelmingly.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. I thank the Senator, my friend and colleague from Virginia, for his generous remarks.

I ask unanimous consent at this point, to try to formulate the program for much of the rest of the evening, that following the remarks of Senator FEINSTEIN, this be the order of speakers: Senator STEVENS; REED of Rhode Island; VOINOVICH; KERRY; INHOFE; a Democratic Senator at this point, if one seeks recognition; Senator CORNYN; once again, at the next point a Democratic Senator, if one seeks recognition; and there may be as many as three additional speakers who have not determined whether they were prepared to speak.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LUGAR. At this point, in trying to formulate for the benefit of the Senators the rest of the program, how much time remains on both sides of the aisle at this juncture?

The PRESIDING OFFICER. The majority controls 2 hours 14 minutes; the minority controls 1 hour 52 minutes.

Mr. LUGAR. I thank the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I thank the Chair and the chairman of the Foreign Relations Committee. I had the pleasure of introducing Dr. Rice to the Foreign Relations Committee. I thought I might just come to the floor of the Senate and share with the Senate as a whole some of my feelings and beliefs about this nominee.

I consider myself a friend of Dr. Rice's. She is a fellow Californian. I have known her. We have participated together in various think tank discussions. I know the bright, incisive mind that she has. I also know her background. This is a woman who was born 50 years ago in the segregated South, in Alabama. She has been able to reach the highest level of academia and public service. Can you imagine, she went to college at the age of 15 and graduated at the age of 19. Not many people know that. In January of 2001, she became the first African-American woman to serve as National Security Adviser. She has distinguished herself as a thoughtful, determined, and hard-working individual. Consequently, I believe she can be a strong and effective voice for America's interests abroad.

Now, looking at the foreign policy landscape, the United States faces several very complex challenges in many parts of the world. How we respond to these challenges will have a tremendous impact not only on our future, but on the future of the world. If you just take Iraq—and we are coming up to an election—what happens after that election? What will be done with the “de-Baathification” policy of Mr. Bremer, which I happen to think was a huge mistake? Yes, one of the mistakes the administration made was to effectively remove many managers and supervisors, of virtually all of the significant infrastructure of Iraq, including the military and the police department.

I am one who believes that was a mistake. I am one who believes that because of that, the Sunni population has become part of the problem rather than part of the solution. That needs to be dealt with. I do not know what Dr. Rice will do, but I do know I have had an opportunity to discuss it with her, and I do believe she knows that it is a significant problem that needs to be addressed.

In the Middle East, there is a real window of opportunity to advance the peace process with the election of Abu Mazen as the President of the Palestinian Authority and Prime Minister Ariel Sharon's plan to withdraw from Gaza. It has also been helped by the fact that the Labor Party has become part of the coalition government, thereby giving Ariel Sharon more flexibility.

I was very pleased to hear her statements before the Senate Foreign Relations Committee in which she said:

I look forward to personally working with the Palestinian and Israeli leaders, and bringing American diplomacy to bear on this difficult but crucial issue. Peace can only come if all parties choose to do the difficult work and choose to meet their responsibilities. And the time for peace is now.

That is a quote from the next Secretary of State of the United States of America, who has said that she will make a solution to the Palestinian-Israeli struggle a major priority. That is a very important step and a very important statement.

Iran and North Korea's nuclear weapons programs pose serious risks for peace and stability in the Middle East, in Asia, and they have set back efforts to curb nuclear proliferation. Here, there is need for consistent and effective diplomacy, not to further isolate North Korea but rather to convince North Korean leadership that it is in their country's self-interest to cooperate in dismantling their nuclear programs.

I basically believe countries do what they perceive to be in their self-interest, not because we tell them to do something, and I look forward to an initiative to convince the North Korean leadership that it is indeed in their self-interest to rid themselves of a nuclear weapons program.

In Russia, President Vladimir Putin has consolidated power and taken several steps calling into question his commitment to democracy, human rights, and the rule of law. Dr. Rice has a very strong background in Soviet and Russian affairs, and I believe this is going to be a big help in charting future diplomatic efforts with President Putin.

Serious challenges deserve quality leadership. I believe Dr. Rice has the skill, the judgment, and the poise to take on these challenges and lead America's foreign policy in the coming years.

I understand that some of my colleagues, many of them on my own side, have serious concerns about Dr. Rice's nomination, stating that she was a key architect of U.S. foreign policy during President Bush's first term. Let me be clear, I believe the key architects were, in fact, the President, the Vice President, and the Secretary of Defense. Obviously, Dr. Rice offered advice and counsel as the President's National Security Adviser, but remember, 78 Members of this body voted to authorize use of force in Iraq based on the intelligence which we received, which at the time was compelling and chilling but which we now know was not credible and was both bad and wrong.

Should Dr. Rice be blamed for wrong and bad intelligence? I think not. That is what intelligence reform was all about. That is what improved oversight over the intelligence community by the Intelligence Committees of both the House and the Senate is really all

about, and that is what a new national intelligence director, to coordinate the 14 or 15 different agencies is all about.

For my part, I will continue to fight for a principled foreign policy based not just on military strength but cooperation, understanding, humility, and a desire to seek multilateral solutions to problems that indeed touch on many different nations. I want to see the United States reclaim the respect and admiration of the world and once again be seen as a champion and a leader of democracy, justice, and human rights. I believe the best way to do this is by example, by listening and by understanding that America's great strength is not our military prowess but our sense of justice, freedom, and liberty.

Importantly, Dr. Rice has the trust and confidence of the President of the United States and the world knows that she will have direct access to him. I believe this makes her a very powerful Secretary of State. I believe she will assume this office with a new dimension. To see this brilliant, young African-American woman represent our country's national interests on the world stage can bring about a new dimension of American foreign policy. So clearly this is an asset.

I did not expect this President of the United States to appoint anyone who seriously disagreed with him. The question really is, Is this woman competent? Is she able? Can she handle and lead the enormous State Department? I believe the answer to those questions is clearly yes. I also believe that she will be able to advocate a course and make changes and adjustments when and where necessary, and enhance the ability of the United States to restore lost credibility among many nations and allies.

Indeed, barring serious questions about a nominee's integrity and ability to serve, a President deserves to have his selections confirmed. There is nothing in Dr. Rice's past performance to suggest she is not capable of performing the job as America's chief diplomat, having the responsibility to conduct America's foreign policy. There is every reason to believe that she is up for this challenge. No one can be sure if she will succeed.

I conclude by saying this: Only time and events will tell if Dr. Rice will indeed make a great Secretary of State. To be sure, her vision, thinking, and problem-solving skills will be tested. I believe she is a remarkable woman, and I look forward to working with her as the next Secretary of State.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I rise today in support of Dr. Condoleezza Rice's nomination for Secretary of State. I first met Dr. Rice when she served as the Soviet and East European Affairs adviser during the first Bush administration. Her reputation as an

invaluable adviser was well established even then. She helped guide that administration through the reunification of Germany, rebellion in the Balkans, and the collapse of the Soviet Union. Her unshakable commitment to freedom, democracy, international peace and justice are unquestioned.

Philip Zelikow, who served with Dr. Rice on the National Security Council during this time, and is the Executive Director of the National Commission on Terrorist Attacks, stated this:

She believes in empowering people. In international affairs, that means real commitment to liberty and freedom. She sees the message of her life as a message of how to realize a person's potential. No one should ever become the prisoner of other people's expectations.

Dr. Rice returned to Stanford at the close of the first Bush administration. In 1993, she became the first female and non-white provost in the university's history. She was also the youngest.

My daughter, Lily, graduated from Stanford in 2003, so I have a unique appreciation for Dr. Rice's accomplishments. During her 6 years as provost, Dr. Rice succeeded in restoring Stanford's financial position, and also engaged in one of her passions—sports.

A stalwart sports fan, Dr. Rice would regularly be seen cheering the Stanford Cardinals from the bleachers. I even saw her one day when Stanford beat UCLA—a terrible day. She was also seen working out with the Stanford football team. Dr. Rice is a role model, especially for young women. During her time at Stanford she was loved by undergraduates and appreciated by faculty members.

Dr. Rice has had a profound impact on students across our Nation. A political science major at nearby Howard University put it best, saying:

She has opened the door for not only women but minorities in government and, hopefully, she [will] be a role model for women and minorities to achieve high, important positions in government.

Dr. Rice is also capable of making tough decisions. Up to this point she's had mostly advisory roles in government, and she has served in that capacity with honor, dignity and unwavering dedication. It is those qualities—and her unsurpassed intellectual abilities—that prompted *Forbes* magazine to name her the most powerful woman in the world last year. I believe she is entitled to that acclaim.

Dr. Rice is a balanced genius in her own right. And, when the Senate confirms her nomination to become Secretary of State—as I believe it will and should—she will be the boss. The Nation could not be in better hands. Dr. Rice has my complete support. I look forward to working with her in her new role.

I ask unanimous consent it be possible for me at this time to introduce S. 39.

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

(The remarks of Mr. STEVENS pertaining to the introduction of S. 39 are

located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Under the previous order, the Senator from Rhode Island is recognized.

Mr. REED. Mr. President, may I inquire how much time I have been allotted?

The PRESIDING OFFICER. The Senator has 30 minutes.

Mr. REED. Mr. President, I rise today to join my colleagues in discussing the nomination of Dr. Condoleezza Rice for Secretary of State of the United States. I must confess, after careful deliberation I intend to oppose this nomination.

There is no doubt that Dr. Rice is an extraordinarily talented, capable individual. Her credentials as an academic are impeccable. She has a compelling life story. She has done remarkable things in her life. But I believe the best way to judge what would be her performance as Secretary of State is looking closely at what she has done as a National Security Adviser under this Bush administration. I think in that regard she leaves some very troubling questions unanswered as her nomination comes before us this day.

Most of what she did with the President, obviously, as his National Security Adviser, was confidential and necessarily is not subject to public view. But she has not, in my view, successfully responded to obvious questions about inconsistencies in her statements, about policies she advocated, apparently, and about her role in marshaling information for the President of the United States. In a very simplistic view, I think the National Security Adviser's chief role is to make sure the President has every bit of information he needs to make very difficult judgments—not just the information that favors one side or the other but all the information. Indeed, not just the bold strokes but the nuances. My sense is that this mission was not adequately performed by Dr. Rice.

She has been a key figure in the Bush foreign policy establishment going back years when Governor Bush decided to run for President. She is someone who is very close to the President. Again, I think she has to be judged on the result of that partnership.

One of the aspects that is troubling to me is the fact that Dr. Rice has maintained that Iraq is the central arena in the war on terror, when, in fact, this is a global, international threat to the United States and that, in fact, it appears that Iraq was not the global center, the central arena in this war on terror.

She applied a doctrine of preemption which is applicable to terrorist cells, but I believe she applied it incorrectly in the case of Iraq—at least the administration did, and she was the principal architect or one of the principal architects of that policy.

Many people expressed alternate views about the role of Iraq as a center

of terror. Brent Scowcroft, a predecessor as National Security Adviser, pointed out in an editorial:

An attack on Iraq, at this time, would seriously jeopardize, if not destroy, the global counterterrorist campaign we have undertaken.

To this date I think it certainly has not advanced the policy we are actively pursuing throughout the world.

She suggested on several occasions there are strong links between al-Qaida and Saddam Hussein. On March 9, 2003, on "Face the Nation," Dr. Rice declared:

Now the al-Qaeda is an organization that's quite disbursed, and quite widespread in its effects, but it clearly has had links to the Iraqis, not to mention Iraqi links to all kinds of other terrorists.

On "Meet the Press" on September 28, 2003, Dr. Rice said:

No one has said that there is evidence that Saddam Hussein directed or controlled 9/11, but let's be very clear, he had ties to al Qaeda, he had al Qaeda operatives who had operated out of Baghdad.

That, in my view, is not accurately reflecting what many other sources subsequently confirmed, that, in fact, any ties Saddam Hussein had with al-Qaida were very tenuous if they existed at all.

On June 27, 2003, the New York Times reported:

The chairman of the monitoring group appointed by the UN Security Council to track al Qaeda told reporters that his team had found no evidence linking al Qaeda to Saddam Hussein.

And 6 months later, the New York Times further reported:

CIA interrogators have already elicited from the top al Qaeda officials in custody that, before the American-led invasion, Osama bin Laden had rejected entreaties from some of his lieutenants to work jointly with Saddam.

As far back as November 2002, Europe's top investigator of terrorism told the LA Times:

We have found no evidence of links between Iraq and al Qaeda. If there were such links, we would have found them. But we have found no serious connections whatsoever.

But what I think Dr. Rice did publicly, and perhaps even within the confines of the West Wing, is to make the case for these links when the case was at least highly questionable. None of that questioning, none of that nuance seemed to have been presented effectively to the President, certainly not effectively to the public.

During her confirmation hearings, Dr. Rice asserted her belief, reiterated her belief on the topic of troop strength, that she believed that the levels in Iraq were sufficient from the beginning of the war up to and including phase IV operations. Phase IV operations are those posthostility operations to stabilize the country. In her phrase she said that they were "adequately resourced."

What we have discovered in the months since the successful action leading to the fall of Saddam is insta-

bility, violence—demonstrating, I think, less than adequate forces there in country to deal with these problems.

It turns out that in March 2003 when a lieutenant colonel was briefing the issue of phase IV, the postoperation activities of our military forces, phase 4-C, the chart was very simple. It said, "To Be Provided." Again, I think this is a glaring error. If you are the National Security Adviser, you have to be able to assure the President of at least a plan for every contingency, thorough, adequate, with sufficient resources and sufficient troops. Since the success of the military campaign, we have been, in my view, plagued by insufficient troops. Indeed, it was interesting to note that Ambassador Bremer, just last October, stated:

We never had enough troops on the ground.

This, I think, is a glaring mistake. It might have been the decision of a principal to overrule their best advice, but that is not the case she is making today as she seeks this nomination for Secretary of State.

There is another troubling issue and that, of course, is the one that received quite a bit of notoriety—the appearance in the State of the Union speech of a reference to Iraq attempting to buy yellow cake from Africa even though weeks before that, many weeks before that, the CIA claimed that such an assertion was unsubstantiated.

In a July 2003 interview with Jim Lehrer, Dr. Rice stated she either did not see or could not remember reading this CIA clearance memo.

I would argue if a piece of information is going to be uttered by the President of the United States in a State of the Union speech dealing with the critical issues of peace and war, of weapons of mass destruction, of the attempt of one nation to obtain nuclear material from another, that is a point of information that has to be of concern to the National Security Adviser.

She claims she delegated it to her deputy, Stephen Hadley. But still it is her responsibility. That was a misstatement—a misstatement that had already been pointed out by the CIA before the President made such a statement before our colleagues in the State of the Union Address.

The interesting point to make also is that Mr. Hadley now apparently has been selected to be the National Security Adviser even though if there was a mistake he apparently is the one who is determined to be responsible—at least in Dr. Rice's recollection.

There is another issue, too. In October 2003, the White House announced the creation of an "Iraq Stabilization Group," recognizing that something more had to be done to stabilize the situation. Dr. Rice was charged with leading this stabilization group. This group was designed to coordinate activities there. She was in charge. There were four coordinating committees on counterterrorism, economic development, political affairs, and creation of clearer messages to the media both in the United States and within Iraq.

There has been no product of this committee, no apparent impact on policy. It is a void in terms of what it has done. Yet this was one of her major responsibilities.

I think these are serious issues about her stewardship of the very critical role as National Security Adviser and raises serious questions in my mind of her capacity to do differently as Secretary of State.

She also indicated many times that prior to 9/11 the policy of the Bush administration—and her advice by inference—was a strong focus on counterterrorism. Yet I understand Dr. Rice was scheduled to deliver a speech on September 11 at Johns Hopkins in which she would indicate the cornerstone of the Bush foreign policy was missile defense.

Having served in this body during that period of time, I can tell you the emphasis was on missile defense. It was not on counterterrorism. It was not on the old-fashioned kind of boots on the ground, intelligence, striking brigades. It was a multibillion-dollar effort on developing a national missile system. I think her speech scheduled for that day was emblematic of what the focus was.

Also, before 9/11, the Bush administration was preparing significant cuts in the counterterrorism program. Those cuts were obviously obviated by the terrible attacks on New York on that dreadful day.

Richard Clarke, the counterterrorism expert in the Clinton administration, sent an urgent memo to Dr. Rice directly asking for a meeting of principals about the impending attack by al-Qaida. That was January 24, 2001—days after the President took office. There was no meeting with her on such topic until 1 week before 9/11.

Internal Government documents show that the Clinton administration officially prioritized counterterrorism as the “tier I” priority, but when the Bush administration took office, top officials downgraded counterterrorism. Even Dr. Rice admitted, “We decided to take a different track.”

There again, was the President given the best advice? Was all the information marshaled so he could make good judgments? Were the people who had viewpoints that might be inconsistent with the group think of the time allowed in? That is a special role of the National Security Adviser, and a very difficult role.

These are a few of the issues which I think have to be considered with this nomination. There are other issues, too.

The President, in my view, is basically replicating his inner circle now in the broader context of the Cabinet. This raises an issue that was identified by John Prados, a senior fellow at the National Security Archive at George Washington University. What he said is:

The administration is setting itself up for a very closed process of creating foreign policy. It's going to eliminate consideration of wider points of view.

In effect, we are in danger of creating an echo chamber of foreign policy in which one loud voice carries because it reverberates without check. That, I think, would be a very dangerous situation.

There are other areas of concern that I have with respect to Dr. Rice's nomination. She has excellent access to the President. There are friends of hers who say she and the President have a “mind meld.”

I guess they think alike. But being Secretary of State or being any Cabinet Secretary is not just having access, rapport, and a sense of what the boss wants; it is also having the ability and the interest to tell hard truths which you know are not going to be accepted well. That is something that is important.

Again, I don't know. It is hard to predict these things—whether she possesses that kind of ability to tell someone whose mind is melded with hers that he is wrong, or she will even understand where policy requires a different perspective.

As the New York Times editorial characterized her first term as National Security Adviser, according to their words:

She seemed to tell [President Bush] what he wanted to hear about the decisions he's already made, rather than what he needed to know to make sound judgments in the first place.

That type of approach will not serve a Secretary of State very well.

She has also broken a longstanding precedent recognized by preceding National Security Advisers who refrain from partisan politics. She gave speeches espousing the administration's policy in key battleground States of Ohio, Florida, and Pennsylvania beginning in May 2004. Her actions were sharply criticized by her predecessor, Zbigniew Brzezinski, National Security Adviser for President Carter. He stated that “the national security adviser is the custodian of the nation's most sensitive national security secrets and should be seen as an objective adviser to the President” and not just another member of the political team.

We have I think serious issues raised by this nomination. No one can deny her ability. But I think she has not successfully explained these inconsistencies of statements and these policy mistakes which I believe have seriously eroded our position in the world.

She has, along with the President, apparently espoused a unilateral policy that has isolated many of our traditional allies. It has us going it alone in Iraq at a huge cost. The President is sending up to us a supplemental budget of \$80 billion. Today, the operations officer for the U.S. Army indicated they assume they will have over 100,000 troops in Iraq not just this year but next year. That means—just doing the arithmetic—that we can expect another \$80 billion-plus bill next year, and still we are in a difficult and confusing situation.

I think Dr. Rice's nomination recognizes and represents a continuation of a policy which has us bogged down in Iraq while Iran and North Korea continue to advance their nuclear ambitions and while a diminished but still dangerous al-Qaida continues to plot against us.

These facts—this strategic situation—I believe requires if not a change in direction at least a realistic reassessment of where we are and how we got there.

Dr. Rice's nomination does not appear to give hope to this change in direction or realistic reassessment. Therefore, I will vote against this nomination.

I yield the remainder of time. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAMBLISS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LUGAR. Mr. President, I ask the distinguished Senator from Ohio be recognized.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I rise today to join Chairman LUGAR and other members of the Foreign Relations Committee to express my strong support for the nomination of Condoleezza Rice to serve as our next Secretary of State.

Dr. Rice has the qualifications, the educational background, and professional experience to serve as an outstanding Secretary of State. She is an academic expert of the former Soviet Union, earning her doctorate before the age of 30, and rising to serve as provost of Stanford University before turning 40. Her experience as provost at Stanford University allowed her to have substantial management experience.

In addition to her experience in academia, Dr. Rice is an experienced professional in the national security arena. She served as Director of Soviet and Eastern European Affairs at the National Security Council under the administration of President George H. W. Bush and most recently as the National Security Adviser to President George W. Bush.

Dr. Rice brings a great deal of talent, skill, and intellect to the table. As our country continues to confront global challenges in Iraq, Afghanistan, and other parts of the world, it is essential our Secretary of State have the stature, skill, and ability to help protect our national security interests and promote the President's vision of freedom and democracy abroad that he so eloquently communicated in his inaugural address.

This Senator from Ohio shares the President's vision. This vision must be successful so our children and grandchildren are able to live in a country free from the fear of terrorism.

During the last 4 years as National Security Adviser, Dr. Rice has played a major role in the formulation of our foreign policy, serving as a vital part of the administration's effort to promote peace and democracy throughout the world.

Dr. Rice has a close relationship and the confidence of the President which will serve her well as she assumes the position of Secretary of State at home and abroad. She is a good listener, an important trait for someone who is going to be this country's chief diplomat. I know this from contacts with her over the years. I had the pleasure of knowing Dr. Rice since joining then Governor Bush as adviser during the 2000 Presidential elections. I found her ready and willing to work together on important issues, including United States policy toward Southeast Europe, NATO enlargement, and efforts to combat global anti-Semitism.

While working with Governor Bush on the campaign trail—and I will not forget in 2000 Dr. Rice knew of my strong concerns with proposed legislation from two respected members of the Senate, Senator WARNER and Senator BYRD, that would have forced the new American President who was to be elected in 2000—at that stage of the game we were not sure who would be elected in 2000—they were going to force that new President by July of the first year of his term to decide whether to remove United States troops from Kosovo. She listened and became involved.

Ultimately, and I remember the debate quite vividly, the provision was defeated with the help of then Presidential candidate George W. Bush and with the help of then sitting President Clinton.

Now, nearly 5 years later I continue to believe it is essential we remain engaged in Southeast Europe, particularly as we look to ensure peace and security in Kosovo following the violence that erupted last March. I know Dr. Rice will continue to work on matters important to the stability of this part of the world and I am confident she understands how important it is for the United States to play a leadership role in the Balkans.

During her tenure as National Security Adviser, I have worked with Dr. Rice on other foreign policy priorities, including efforts to bring seven new nations into the NATO alliance, strengthening a Europe that is whole, free, and at peace. Among these seven countries were the Baltic nations of Lithuania, Latvia, and Estonia—all countries I strongly believe deserve membership in NATO despite strong objections from Russia. Again, Dr. Rice was willing to listen and to serve as an ear for the President.

I was pleased when the President made clear his support for NATO enlargement during a speech in Warsaw, Poland, in June of 2001. At that time there were many people in this country who were concerned that because the

President wanted to move away from the ABM Treaty that he might negotiate with Russia in a quid pro quo for their backing off of the ABM if he would back off from pushing for expansion of NATO, particularly the three countries I mentioned.

President Bush made an outstanding speech in Warsaw, Poland, and he made clear his support for NATO enlargement. He remarked at that time:

I believe the NATO membership for all of Europe's democracies that seek it.

President Bush went on to say:

As we plan to enlarge NATO, no nation should be used as a pawn in the agenda of others. We will not create away the fate of free European peoples.

The seven countries that went in—Slovenia, Slovakia, Bulgaria, Romania, Estonia, Latvia, and Lithuania—all of those people who have relatives in the United States should know it was Condoleezza Rice who worked with the President to prepare that speech so we made it very clear he supports the expansion of NATO. And even though our relations have thawed with Russia today, the fact of the matter is, we have continued to have serious differences of opinion with Russia.

Again, her special expertise—Think about it. We are going to have a Secretary of State who can ponimat porusski. I think that is very important. We have not had a Secretary of State who is fluent in languages as is Dr. Rice. I think some people may not think that is important, but I will tell you, it is important that people know she thinks enough of other languages that she has become an expert in those languages.

Dr. Rice has also worked with me and other colleagues of the Senate and the House of Representatives to combat global anti-Semitism. We have made important strides in this effort during the last several years, but there is still more to be done, particularly to establish a new office at the State Department to monitor and combat anti-Semitism. Dr. Rice has expressed her support for such action, which is called for as part of the Global Anti-Semitism Review Act, which the President signed into law on October 16, 2004.

I am pleased that Dr. Rice appeared receptive to attending the third OSCE conference on anti-Semitism which is scheduled to take place in Cordoba, Spain this June. Her presence as Secretary of State of the United States at this conference is essential, as was the presence of Secretary Powell at the prior OSCE conference in Berlin, as an example of the concern of the United States about the growing menace of anti-Semitism. I am confident, under her leadership, this good work will continue, and I am hopeful we can take it to an even greater level.

I say that every one of us here, in one way or another, could be critical of decisions made in U.S. foreign policy. It is easy to be a Monday-morning quarterback. As we continue to move forward with efforts to promote stability

and security in Iraq and the greater Middle East and other parts of the world, I think it is an advantage to have someone serving as Secretary of State who has experience and has seen the pluses and minuses, and had the opportunity to take away lessons learned.

She has been there for 4 years. Even though some people do not want to admit it, we have had some ups and downs, and she has experienced those. I would rather have somebody who has been there and experienced these things as Secretary of State than bring in some fresh face that has not had that experience. I am sure Dr. Rice has learned some important lessons during these last 4 years.

I agree with the Cleveland Plain Dealer, the largest newspaper in Ohio, which had an editorial titled, "A little respect, please: Dems should remove petty obstacles to Rice's confirmation, but she owes senators much better answers as secretary of state."

I ask unanimous consent it be printed in the RECORD.

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

A LITTLE RESPECT, PLEASE: DEMS SHOULD REMOVE PETTY OBSTACLES TO RICE'S CONFIRMATION, BUT SHE OWES SENATORS MUCH BETTER ANSWERS AS SECRETARY OF STATE

That said, [Condoleezza Rice]'s performance during nearly 11 hours of confirmation hearings before the Senate Foreign Relations Committee last week was more than just disappointing. It was alarming to see an official who played such a central role in crafting U.S. Iraq policy turn vague and uncommunicative when specific questions were asked. Congress deserves fuller responses on critical matters such as the U.S. exit strategy, how soon before adequate numbers of Iraqi security forces are trained and the overall rationale for U.S. engagement in Iraq.

Condoleezza Rice ought to make an accomplished secretary of state for reasons that go well beyond having the president's ear. She has the skills, interest and drive to reinvigorate U.S. diplomacy and repair severely frayed international relations. Her communication abilities, personal warmth, work ethic and knowledge, combined with the fervor of her beliefs, could make her a national treasure at a fateful moment when the Iraq war has tarnished American standing in the world. Her stated and obviously heartfelt commitment to foreign engagement, public diplomacy and more U.S. efforts to foster foreign-language study could inject needed fire and focus to the diplomatic arts, as practiced by America.

That's why no one seriously opposes Rice's nomination to be this country's chief diplomat, four heartbeats away from the presidency.

Democratic senators who are playing juvenile games by delaying her confirmation should lift their objections, forthwith.

It's one thing to mount principled opposition to policies or people who could injure American interests. It's quite another to throw monkey wrenches just to hear them clank in the cogs. The handful of Democrats, including Sen. Robert Byrd of West Virginia, who are obstructing Rice's moment must stop, and vote her in.

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last week was more than just disappointing. It was alarming to see an official who played such a central role in crafting U.S. Iraq policy turn vague and uncommunicative when specific questions were asked. Congress deserves fuller responses on critical matters such as the U.S. exit strategy, how soon before adequate numbers of Iraqi security forces are trained and the overall rationale for U.S. engagement in Iraq.

These are the seminal questions the second George W. Bush administration must answer today, not tomorrow.

Rice also must clear up the contradiction she herself put forth to the committee: She cannot be both a "good soldier" who molds every public statement to the president's message, and also a Cabinet member who speaks her mind and answers Congress candidly. Rice must choose to be the latter, committing herself to the role that her predecessor and friend Colin Powell performed at State—offering her own voice on U.S. diplomacy, not simply an echo of the Oval Office chorus.

If Rice can find her voice—and use it push blinkered State Department underlings to better understand both friends and rivals abroad—these next four years could do much to dispel the international ill will and suspicions aroused by the last four. If she cannot, she will be true neither to herself nor to the trust that is about to be placed in her to manage this nation's foreign relations.

Mr. VOINOVICH. The first quote is:

[Dr. Rice]'s performance during nearly 11 hours of confirmation hearings before the Senate Foreign Relations Committee last week was more than just disappointing. It was alarming to see an official who played such a central role in crafting U.S. Iraq policy turn vague and uncommunicative when specific questions were asked.

Congress deserves fuller responses on critical matters such as U.S. exit strategy, how soon before adequate numbers of Iraqi security forces are trained and the overall rationale for U.S. engagement in Iraq.

I share some of those concerns, and so do lots of other members of the Foreign Relations Committee. I think the administration has not been as candid and forthright with us during the last couple of years in regard to some of the questions I and other members of the Foreign Relations Committee have asked. I want to make it clear publicly that I expect more candor from this administration during the next 4 years, particularly with members on the Foreign Relations Committee, so we can maintain a bipartisan foreign policy. We have some good people on the Foreign Relations Committee. There are some Democrats who have been very supportive of the President during the last several years, and some of them, I think, are frustrated that they do not feel they are getting the kind of answers they should be getting. I think that is something Dr. Rice has to understand if we are going to have this bipartisan foreign policy that is so essential to us moving forward to do what the President would like to accomplish.

That being said, I agree with the Plain Dealer which also said in that editorial:

Condoleezza Rice ought to make an accomplished secretary of state for reasons that go well beyond having the president's ear.

She has the skills, interest and drive to reinvigorate U.S. Diplomacy and repair severely frayed international relations.

Her communication abilities, personal warmth—

Boy, she is a wonderful person. You feel good when you are around her.

[Her] work ethic and knowledge, combined with the fervor of her beliefs, could make her—

Listen to this—

a national treasure at a fateful moment when the Iraq war has tarnished American standing in the world.

I am continuing to read from the editorial:

Her stated and obviously heartfelt commitment to foreign engagement, public diplomacy and more U.S. efforts to foster foreign-language study could inject needed fire and focus to the diplomatic arts, as practiced by America.

I think that is one wonderful editorial in support of her nomination from Ohio's largest newspaper, the Cleveland Plain Dealer.

Dr. Rice has the experience, intellect, and ability to serve our country well as Secretary of State. She is absolutely qualified to have this job. I urge my colleagues to join me in supporting her nomination.

I would hope that many of our colleagues on the other side of the aisle who may have some questions will look beyond some of the things we have heard from the other side of the aisle and support her nomination so we send a signal to the rest of the world that we have a Secretary of State who has the overwhelming support of the Senate. It is so important, I think, to her success as our Secretary of State.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first let me say to the Senator from Ohio, Mr. VOINOVICH, I have always considered him to be the expert on the Balkans, and it is interesting that he would make the comments about Dr. Rice and her knowledge of that area. At the conclusion of my remarks, I am going to be talking a little bit about West Africa, an area in which I have had a lot of personal experience. There again, she is an expert.

We are presented with an extraordinary opportunity to confirm as Secretary of State a truly remarkable American. Dr. Condoleezza Rice is no stranger to the international scene. Her long record of accomplishments is well known to all of us, and her record of exemplary service to this country is without parallel.

As President Bush's National Security Adviser, Dr. Rice has played a vital role in protecting our Nation both here and abroad, while providing the President with everything he needed to know to defend the American people and advance the cause of freedom. Her experience, along with her prior knowledge, makes Condoleezza Rice the ideal Secretary of State for these difficult times.

Being the Secretary of State has to be one of the toughest jobs I can imag-

ine. The person in that job has to be an expert on everything from Albania to Zimbabwe. Over the last 25 years, Dr. Rice has studied foreign policy in the academic world and lived foreign policy in the trenches, and she is a master of it in both theory and practice.

In addition to being an expert, the Secretary of State also has to be something of a salesman. It is not enough to understand every detail of America's foreign policy; you also have to be able to explain it to others who might be reluctant or even defiant; and then you have to convince them that joining in our work is the right thing to do. Again, Dr. Rice possesses this ability in abundance, and I cannot imagine anyone more qualified to be the face of America in the world of diplomacy.

As if these two jobs were not enough, the Secretary also has to manage an enormous Cabinet Department spread across the globe. Most of us have been in many parts of the world where you are dealing with people in each one of these countries. These people are experts, and you have to be more of an expert than they are. Staying on top of the day-to-day workings of the State Department would be enough for any three people, apart from the other jobs. But Dr. Rice has proven her ability in this area as well, managing a giant research university with great success.

Of course, Dr. Rice will face many challenges as Secretary of State: the ongoing military action in Iraq and Afghanistan, our efforts to rebuild those countries as we continue to share the joys of freedom, the relationships with our allies that have been strained in recent years, and of course the threat of ideological hatred that we know all too well.

Dr. Rice will also have to rally our allies and coordinate their support to carry out the global war on terrorism. But Dr. Rice has both the experience and the vision to chart America's course in the international community. The path ahead of us is clear. It is a path that Dr. Rice knows, believes in, and can articulate better than anyone else. I have no doubt she will continue the great tradition of American diplomacy with honor, confidence, and the utmost dedication.

Dr. Rice has faced some intense questioning during the nomination. I have been very proud of her. One of the characteristics of Dr. Rice is that she knows she can stand up against anyone. We have seen this. We have seen it over and over again on television. I said in one of the shows not too long ago one of her great characteristics is, she cannot be intimidated. Quite frankly, there are a lot of Senators who don't like someone they can't intimidate, but she cannot be intimidated. I was very proud of her during the process that I was able to watch mostly on television. I know Dr. Rice will acquit herself well, as she has thus far.

Last week President Bush laid out his vision. He said:

It is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world.

Dr. Rice helped formulate this vision for our foreign policy, and she knows how to make it happen.

Senator VOINOVICH was talking about the Balkans. I have had the opportunity over the last 8 years to spend a great deal of time in West Africa. I have to say that 4 years ago last month, I was the first visitor Dr. Rice had in the White House. As she was unpacking her things, I told her about things we were dealing with in countries such as Benin, Cote d'Ivoire, Ghana, Nigeria, Congo Brazzaville, Congo Kinshasa, Gabon. Each country I brought up to her, she knew the history of that country, the individuals and problems that are there and how we must deal with the problems. I can't think of anyone who is even similarly equipped for this job unless we go back to Henry Kissinger.

There was an editorial in the Washington Post this morning by Henry Kissinger and George Shultz. People are struggling to try to find reasons that she should not be confirmed. Those reasons all seem to boil down to one of the argument on weapons of mass destruction. Why is it that she thought there were weapons of mass destruction? That was answered so articulately by Senator JOHN WARNER a few minutes ago on the floor when he read the quotations of former President Bill Clinton as well as Senator JOHN KERRY when they said: there are weapons of mass destruction. We have to go in and take out Saddam Hussein. And so everybody knows that was the prevailing wisdom and it was accurate. There were weapons of mass destruction. Anyway, that argument has been diffused.

They are going to say, we want to know a timetable as to when our troops are going to come out. That is what this article was about this morning. It was an editorial by Kissinger and George Shultz. And they talk about it. I will read part of one paragraph:

An exit strategy based on performance, not artificial time limits, will judge progress by the ability to produce positive answers to these questions. In the immediate future, a significant portion of the anti-insurrection effort will have to be carried out by the United States. A premature shift from combat operations to training missions might create a gap that permits the insurrection to rally its potential. But as Iraqi forces increase in number and capability, and as the political construction proceeds after the election, a realistic exit strategy will emerge.

This is two people thought to be as knowledgeable as anyone else, certainly, one of those being Henry Kissinger.

I ask unanimous consent to print this editorial at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. INHOFE. One of the great experiences I had in my career on the Hill was when I was in the other body. It was about a year before former President Nixon died. No matter what you think of former President Nixon, I don't think there is anyone who won't tell you that he was the most knowledgeable person on foreign affairs of anyone of his time. He came before the House of Representatives where I was serving at the time and gave a 2½ hour talk. He didn't use any notes. He stood up there, stood erect at his age and his health condition, and he took us for 2½ hours all the way around the world, every remote country there was, and talked about the history of that country, the history of our relationship to that country, what our relationship would be and should be with those countries. I don't think there is anyone who can do that today other than the nominee we are talking about today in Dr. Condoleezza Rice. I have seen her do the same thing. We are blessed to have her as our nominee for Secretary of State. I am certainly looking forward to serving with her.

I yield the floor.

EXHIBIT 1

[From the Washington Post, Jan. 25, 2005]

RESULTS, NOT TIMETABLES, MATTER IN IRAQ

(By Henry A. Kissinger and George P. Shultz)

The debate on Iraq is taking a new turn. The Iraqi elections scheduled for Jan. 30, only recently viewed as a culmination, are described as inaugurating a civil war. The timing and the voting arrangements have become controversial. All this is a way of foreshadowing a demand for an exit strategy, by which many critics mean some sort of explicit time limit on the U.S. effort.

We reject this counsel. The implications of the term "exit strategy" must be clearly understood; there can be no fudging of consequences. The essential prerequisite for an acceptable exit strategy is a sustainable outcome, not an arbitrary time limit. For the outcome in Iraq will shape the next decade of American foreign policy. A debacle would usher in a series of convulsions in the region as radicals and fundamentalists moved for dominance, with the wind seemingly at their backs. Wherever there are significant Muslim populations, radical elements would be emboldened. As the rest of the world related to this reality, its sense of direction would be impaired by the demonstration of American confusion in Iraq. A precipitate American withdrawal would be almost certain to cause a civil war that would dwarf Yugoslavia's, and it would be compounded as neighbors escalated their current involvement into fullscale intervention.

We owe it to ourselves to become clear about what post-election outcome is compatible with our values and global security. And we owe it to the Iraqis to strive for an outcome that can further their capacity to shape their future.

The mechanical part of success is relatively easy to define: establishment of a government considered sufficiently legitimate by the Iraqi people to permit recruitment of an army able and willing to defend its institutions. That goal cannot be expedited by an arbitrary deadline that would be, above all, likely to confuse both ally and adversary. The political and military efforts cannot be separated. Training an army in a

political vacuum has proved insufficient. If we cannot carry out both the political and military tasks, we will not be able to accomplish either.

But what is such a government? Optimists and idealists posit that a full panoply of Western democratic institutions can be created in a time frame the American political process will sustain. Reality is likely to disappoint these expectations. Iraq is a society riven by centuries of religious and ethnic conflicts; it has little or no experience with representative institutions. The challenge is to define political objectives that, even when falling short of the maximum goal, nevertheless represent significant progress and enlist support across the various ethnic groups. The elections of Jan. 30 should therefore be interpreted as the indispensable first phase of a political evolution from military occupation to political legitimacy.

Optimists also argue that, since the Shiites make up about 60 percent of the population and the Kurds 15 to 20 percent, and since neither wants Sunni domination, a democratic majority exists almost automatically. In that view, the Iraqi Shiite leaders have come to appreciate the benefits of democratization and the secular state by witnessing the consequences of their absence under the Shiite theocracy in neighboring Iran.

A pluralistic, Shiite-led society would indeed be a happy outcome. But we must take care not to base policy on the wish becoming father to the thought. If a democratic process is to unify Iraq peacefully, a great deal depends on how the Shiite majority defines majority rule.

So far the subtle Shiite leaders, hardened by having survived decades of Saddam Hussein's tyranny, have been ambiguous about their goals. They have insisted on early elections—indeed, the date of Jan. 30 was established on the basis of a near-ultimatum by the most eminent Shiite leader, Grand Ayatollah Ali Sistani. The Shiites have also urged voting procedures based on national candidate lists, which work against federal and regional political institutions. Recent Shiite pronouncements have affirmed the goal of a secular state but have left open the interpretation of majority rule. An absolutist application of majority rule would make it difficult to achieve political legitimacy. The Kurdish minority and the Sunni portion of the country would be in permanent opposition.

Western democracy developed in homogeneous societies; minorities found majority rule acceptable because they had a prospect of becoming majorities, and majorities were restrained in the exercise of their power by their temporary status and by judicially enforced minority guarantees. Such an equation does not operate where minority status is permanently established by religious affiliation and compounded by ethnic differences and decades of brutal dictatorship. Majority rule in such circumstances is perceived as an alternative version of the oppression of the weak by the powerful. In multiethnic societies, minority rights must be protected by structural and constitutional safeguards. Federalism mitigates the scope for potential arbitrariness of the numerical majority and defines autonomy on a specific range of issues.

The reaction to intransigent Sunni brutality and the relative Shiite quiet must not tempt us into identifying Iraqi legitimacy with unchecked Shiite rule. The American experience with Shiite theocracy in Iran since 1979 does not inspire confidence in our ability to forecast Shiite evolution or the prospects of a Shiite-dominated bloc extending to the Mediterranean. A thoughtful American policy will not mortgage itself to

one side in a religious conflict fervently conducted for 1,000 years.

The Constituent Assembly emerging from the elections will be sovereign to some extent. But the United States' continuing leverage should be focused on four key objectives: (1) to prevent any group from using the political process to establish the kind of dominance previously enjoyed by the Sunnis; (2) to prevent any areas from slipping into Taliban conditions as havens and recruitment centers for terrorists; (3) to keep Shiite government from turning into a theocracy, Iranian or indigenous; (4) to leave scope for regional autonomy within the Iraqi democratic process.

The United States has every interest in conducting a dialogue with all parties to encourage the emergence of a secular leadership of nationalists and regional representatives. The outcome of constitution-building should be a federation, with an emphasis on regional autonomy. Any group pushing its claims beyond these limits should be brought to understand the consequences of a breakup of the Iraqi state into its constituent elements, including an Iranian-dominated south, an Islamist-Hussein Sunni center and invasion of the Kurdish region by its neighbors.

A calibrated American policy would seek to split that part of the Sunni community eager to conduct a normal life from the part that is fighting to reestablish Sunni control. The United States needs to continue building an Iraqi army, which, under conditions of Sunni insurrection, will be increasingly composed of Shiite recruits—producing an unwinnable situation for the Sunni rejectionists. But it should not cross the line into replacing Sunni dictatorship with Shiite theocracy. It is a fine line, but the success of Iraq policy may depend on the ability to walk it.

The legitimacy of the political institutions emerging in Iraq depends significantly on international acceptance of the new government. An international contact group should be formed to advise on the political and economic reconstruction of Iraq. Such a step would be a gesture of confident leadership, especially as America's security and financial contributions will remain pivotal. Our European allies must not shame themselves and the traditional alliance by continuing to stand aloof from even a political process that, whatever their view of recent history, will affect their future even more than ours. Nor should we treat countries such as India and Russia, with their large Muslim populations, as spectators to outcomes on which their domestic stability may well depend.

Desirable political objectives will remain theoretical until adequate security is established in Iraq. In an atmosphere of political assassination, wholesale murder and brigandage, when the road from Baghdad to its international airport is the scene of daily terrorist or criminal incidents, no government will long be able to sustain public confidence. Training, equipping and motivating effective Iraqi armed forces is a precondition to all the other efforts. Yet no matter how well trained and equipped, that army will not fight except for a government in which it has confidence. This vicious circle needs to be broken.

It is axiomatic that guerrillas win if they do not lose. And in Iraq the guerrillas are not losing, at least not in the Sunni region, at least not visibly. A successful strategy needs to answer these questions: Are we waging "one war" in which military and political efforts are mutually reinforcing? Are the institutions guiding and monitoring these tasks sufficiently coordinated? Is our strategic goal to achieve complete security in at least some key towns and major com-

munication routes (defined as reducing violence to historical criminal levels)? This would be in accordance with the maxim that complete security in 70 percent of the country is better than 70 percent security in 100 percent of the country—because fully secure areas can be models and magnets for those who are suffering in insecure places. Do we have a policy for eliminating the sanctuaries in Syria and Iran from which the enemy can be instructed, supplied, and given refuge and time to regroup? Are we designing a policy that can produce results for the people and prevent civil strife for control of the State and its oil revenue? Are we maintaining American public support so that staged surges of extreme violence do not break domestic public confidence at a time when the enemy may, in fact, be on the verge of failure? And are we gaining international understanding and willingness to play a constructive role in what is a global threat to peace and security?

An exit strategy based on performance, not artificial time limits, will judge progress by the ability to produce positive answers to these questions. In the immediate future, a significant portion of the antiinsurrection effort will have to be carried out by the United States. A premature shift from combat operations to training missions might create a gap that permits the insurrection to rally its potential. But as Iraqi forces increase in number and capability, and as the political construction proceeds after the election, a realistic exit strategy will emerge.

There is no magic formula for a quick, non-catastrophic exit. But there is an obligation to do our utmost to bring about an outcome that will mark a major step forward in the war against terrorism, in the transformation of the Middle East and toward a more peaceful and democratic world order.

Mr. KYL. I rise today in strong support of the nomination of Dr. Condoleezza Rice to be the Secretary of State.

Dr. Rice has a distinguished, 25-year foreign policy career and has served three Presidents. Over the past 4 years, she has worked closely with the President, as his National Security Advisor, to develop and implement a broad range of foreign policy initiatives—among them, the Broader Middle East Initiative, the liberation of Afghanistan from the brutal Taliban regime, the liberation of the Iraqi people from decades of tyranny under Saddam Hussein, the signing of the Moscow Treaty with Russia, the six-party talks with North Korea, and the Millennium Challenge Account, just to name a few.

I must say that I was highly disappointed that this body did not vote on Dr. Rice's nomination last week because of the objections of a few Members. Policy disagreements are one thing; personal attacks are quite another. Our country is at war. We need a Secretary of State who will be able to speak on behalf of the President and who will be able to tend to America's fragile alliances. There is no better person for that job.

Unfortunately, Dr. Rice was unable to attend the swearing-in of Ukraine's new democratically elected President, Victor Yushchenko. This event, which took place over the weekend, is one of the shining examples of the unmistakable power of freedom and the impor-

tance of U.S. leadership in promoting it. Dr. Rice, like the President, understands this vital U.S. role. As she stated in her testimony to the Senate Foreign Relations Committee on January 18:

We must use American diplomacy to help create a balance of power in the world that favors freedom. . . . One of history's clearest lessons is that America is safer, and the world is more secure, whenever and wherever freedom prevails.

Dr. Rice continued in her statement to discuss the "three great tasks" of American diplomacy, one of which is to spread freedom and democracy throughout the world. She noted that, "No less than were the last decades of the 20th century, the first decades of this new century can be an era of liberty. And we in America must do everything we can to make it so."

The administration's actions in its first term—including the removal of Saddam's regime in Iraq—adhered closely to the principles articulated by Dr. Rice in her testimony, stated by the President in his inaugural address, and those on which our great Nation was founded. Life, liberty, and the pursuit of happiness are the inalienable rights of every person, not a select few. And when we are able to transform what Natan Sharansky calls "fear societies" into free ones, we will not only do a service to those who are the direct beneficiaries of our actions, we will also cultivate an environment in which a lasting peace is attainable.

President Bush wants Dr. Rice to serve in his Cabinet as the Secretary of State. Dr. Rice has served this country ably and honorably for many years. This body should act quickly to confirm her to this new position.

Mr. BURNS. Mr. President, I support the nomination of Condoleezza Rice to be our next Secretary of State. She will replace a great patriot and a man I call my friend, Secretary of State Colin Powell, who has served over the past 4 years with decency, strength and selflessness. While I am sad to see him go, I look forward to working with Condoleezza Rice in her new capacity and know she will serve tirelessly and thoughtfully in the challenges ahead.

As President Bush's national security adviser, Condoleezza Rice was instrumental in developing the nation's response to September 11th. Ms. Rice understands as good as, or better than anyone, the global political forces at work. Her great intellect and sound judgment will lend themselves well to the office—one which is America's face to the world.

She has served our country well in the past, and I have full confidence in Condoleezza Rice's abilities as Secretary of State. I urge my colleagues to quickly move to a vote on her nomination and approve Ms. Rice as our next Secretary of State.

Mr. HATCH. Mr. President, I stand today to give my strong support for President Bush's choice to be our next Secretary of State, Dr. Condoleezza

Rice. I believe that Dr. Rice will be a superb diplomat to lead the State Department, while remaining one of the President's principal confidantes and advisers on the challenges to our national security that we will face in the difficult years before us. Indeed, not since President Nixon nominated his National Security Advisor, Dr. Henry Kissinger, to the same post, has an administration seen the same continuity in assigning a key foreign policy advisor to the more public role of principal diplomat.

I was pleased that Chairman LUGAR and Ranking Minority Member BIDEN expeditiously moved Dr. Rice's nomination out of their committee last week. I am disappointed that we could not hold this vote last week. At a time when this Nation is at war, procedural delays on a position as important as the Secretary of State would appear to inhibit the conduct of our foreign policy and would have been of great concern to me and my constituents in Utah, where the sense of fair play is strong, but the duty to a Nation at war is even stronger.

Yes, I certainly recognize the prerogatives of the Senate for thorough and critical debate. I will listen carefully to the debate today and tomorrow and see if I hear anything that is worthy of delaying this important nomination so critical to the national security efforts of the administration. I will listen for arguments I have not heard before, on the Senate floor or the campaign trail, and I will be open to all the insights that come from arguments never made before, and relevant to this nomination. But I know that I represent the vast majority of all Utahns when I say that confirming a President's Secretary of State while we are at war, while the President is preparing an aggressive diplomacy that will begin with a trip to Europe to meet with key allies next month, is a matter the Senate should take expeditiously.

We are at war, in Iraq and around the world. Utah's sons and daughters are paying the price, nobly and selflessly sacrificing for their duty, and in too many cases, with their lives.

For those who wish to debate Iraq policy—and I am the first to recognize that spirited and substantive debate is essential for these grave matters—we have all the opportunities to do so before us, and we should avail ourselves of these opportunities. Many today may use the confirmation process of Dr. Rice to criticize or review Iraq policy. We should confirm Dr. Rice and then continue to debate this subject, as we have done so over the past years.

Because I wish a speedy confirmation for Dr. Rice, I will keep my comments about Iraq to a minimum. My statements of support for the President's policies and my arguments for that support are a matter of record. I will add to that record in the coming weeks, months and years.

For now, I will leave it to this observation. This Sunday the Iraqi people,

amidst great insecurity but with even greater resolve, will go to vote to choose their National Assembly, one that will write a constitution and set the next elections. Depending on which polls you see, between 67 percent and 84 percent of the Iraqi people want this opportunity to vote this coming Sunday, despite the perils many face every day. To see the ideology they are so resoundingly rejecting, I direct my colleagues to the long statement by Abul-Zarqawi released 4 days ago. It is a statement of extremist, Islamic fascism: In the most explicit manner possible, for 9 pages, it lists all the reasons why the Islamic fascists reject democracy, declaring "fierce war on this malicious ideology" democracy. That is what we are against. And that is what the majority of the Iraqi people utterly reject. And I believe that America's interest—once again—is to stand against the fascists who have declared war on democracy.

We are well aware of Dr. Rice's resume and experience. Her academic credentials are remarkable, and her professional experience extensive. She was a senior professional at the National Security Council under the first President Bush, where she worked on Soviet affairs and was directly involved in our policy of supporting a peaceful reunification of Germany at the end of the Cold War. I believe that the successful reunification of Germany was the most successful aspect of the first President Bush's foreign policy, often overlooked because of all of the tumult during those crucial years when Soviet communism collapsed. Dr. Rice's involvement in that policy at that crucial time in Europe's history demonstrates her experience at shepherding a critical transition between an authoritarian model and a democratic one. While one should not analogize between German reunification and Iraq's transition today, one can look at Dr. Rice's experience and understand why the current President Bush chose her first to be his National Security Adviser during her first term and now has the confidence to make her America's top diplomat.

In the last 4 years Dr. Rice has been at the center of this administration's foreign policy. That that policy was a target of legitimate criticism during the past presidential campaign, as well as during the last 2 days of hearings before the Senate Foreign Relations Committee, is to be expected. The candidates presented their distinctively different worldviews throughout last year's campaign, during a difficult war that rages still, and the public made its choice.

In the United States Senate, it is our responsibility to debate, honestly, candidly and critically, all aspects of our Nation's foreign policy. My only admonition to my colleagues is that this debate be constructive, that it illuminate rather calumniate, and that, when in disagreement, it provide alternatives. Yes, it is legitimate to review the ra-

tionales for war, the flaws in intelligence and the faults in rhetoric. I believe Republicans have been quite candid and forthright about doing so. The chairmen and chairwoman of the Senate Armed Services, Foreign Relations, Intelligence and Government Affairs and Homeland Security Committees have all had hearings, conducted investigations and released reports critical in various degrees of the conduct and implementation of various administration policies. That is as it should be, and, for most of us, and certainly for me, it does not detract from our support for the administration's foreign policy at a critical time in this Nation's history.

Partisan critics of this administration have perpetuated about its foreign policy a myth that has morphed into a meme: And that is that this administration has failed at diplomacy. This specious belief that diplomacy can neutralize the dangers and the threats to the international community is puzzling to me. It is a variant of a theme in American foreign policy, deriving from the Wilsonian belief that a League of Nations to which we submit our sovereign responsibilities can prevent conflict. I, and Dr. Rice, do not subscribe to this view, so overwhelmingly proved wanting into the historical laboratory that was the 20th century.

And yet this meme parroted so often by many in the Democratic party—that this administration has not conducted a robust diplomacy—is false, simply false. No President more regularly addressed the General Assembly in the history of the United Nations than did the current President Bush. He spoke honestly and, to me, compellingly about that body's many trounced-upon resolutions. He cajoled and he listened and he waited, but at no time did this President suggest that the United Nations or any ally would be in a position to veto the actions we deemed necessary to protect our national security. No President would ever do so.

And while we failed to get Security Council support for our invasion of Iraq as President Clinton failed before he belatedly led the attack on Serbia over Kosovo—this President leads a global war on terrorism where most of the nations of the world are cooperating with us, in one form or another, through intelligence sharing, law enforcement cooperation, or any of a number of multilateral initiatives. Disagree with the President's foreign policy if you wish, criticize, if you must, but do not suggest that such a global effort can occur without sustained and successful diplomacy.

Credit for the diplomacy for the first term of this administration must go to those who formulated the policy, the President and Dr. Rice and the rest of the national security team, and to the man who led the State Department, Secretary Colin Powell. To this day, the standard for dignity and graciousness has been set by Secretary Powell,

who once again took the call from his country and served it with honor, diligence and character. Secretary Powell assembled a strong team at the Department, and he represented this Nation in a way that made every one of us proud. Dr. Rice knows that, as she assumes this important position, she follows a decent and serious diplomat and a dedicated servant. I have no doubt that she will meet the standard.

Dr. Rice will assume the responsibility of Secretary of State while we are at war, with global terrorism and with an insurgency in Iraq that every day puts in stark contrast the darkness of the past dictatorship against the light of a hopeful democracy. These next 2 years, I expect, will be some of the most difficult years in this Nation's foreign policy. We will continue to need the experience and wisdom of Dr. Rice as she serves this administration in a new role.

That role, as the Secretary of State, will have outstanding challenges. Dr. Rice will need to advance further cooperation of a multinational coalition in the war on terrorism; she will have to renew a push for more international support for a more effective political and economic reconstruction of Iraq; she will need to strengthen U.S. support for counterproliferation initiatives in Europe and Asia; and she will need to maintain U.S. leadership in the fight against poverty and disease. She can count on me for support as she assumes these huge and historic responsibilities.

In her testimony, Dr. Rice has conceded that our public diplomacy needs serious reconsideration. Many cite ongoing and growing dissatisfaction among international audiences regarding the United States. I would caution Dr. Rice against overemphasizing this reality as she redesigns our public diplomacy. The U.S. is a source of resentment and disparagement among many audiences throughout the world, but many of those audiences are contaminated by the propaganda of their own autocratic regimes. Today, more people still want to immigrate to this country than any other nation in the world, and more people take inspiration in the institutions that protect and promote our freedoms, be it our Constitution or our free press or our culture of openness. I have long been a strong supporter of public diplomacy. Today's challenges are not only to rebut the ever-growing sophistication of the biases and distortions that compete in global media, but to continue to find new ways to promote the American message and the American story. The days of United States Information Service libraries are over, but cultural exchange programs, in particular visitor programs to this country, must continue and, in my opinion, should grow. I will help Dr. Rice in any way that I can to reinvigorate our public diplomacy.

In the last few years, I believe the State Department has failed to grasp

the value of culture of lawfulness programs. These programs use education ministries to advance core primary and secondary curricula on anticorruption lessons. It is impossible to advance the rule of law, which is a fundamental goal of bringing stability in regions we cannot afford to lose to anarchy or criminality, without the local population learning the value of clean government. We have seen success with such programs in Italy, Mexico, Colombia and other countries, and yet I have seen no enthusiasm from the State Department in making these programs an essential aspect of all our foreign assistance planning. Perhaps that is because these programs are so inexpensive, and there is still the bias against programs that don't require billions of taxpayer funds; perhaps the Department does not yet understand the potential for these programs, despite the clear affirmation of the Undersecretary of State for Global Affairs, who has spoken eloquently in favor of such programs. I am heartened by Dr. Rice's testimony before the Senate Foreign Relations Committee last week, she asserted that "we are joining with developing nations to fight corruption, instill the rule of law, and create a culture of transparency." She has my support, and I am going to ask Dr. Rice to study the experience and potential of these culture of lawfulness programs and work with me and other Members of Congress to integrate them into our foreign assistance plans.

I will work with Dr. Rice in every way that I can to make her mission a success. Because the mission of the Department of State is to work to manage conflicts so that they do not erupt into violence and war. In a world where we can not control so many factors beyond our shores, we need the very best diplomacy to be constantly working our alliances, presenting our policies and engaging those who would challenge our security. Dr. Condoleezza Rice has 25 years of experience in advancing the national security of this nation. She has 4 years as the principal advisor to President Bush, as he has charted a foreign policy that has responded to global terror and taken on the most destabilizing regime in the Middle East. She has the knowledge and character and experience of one who can lead this country in our diplomacy around the world. Dr. Rice has my strong support.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I appreciate the remarks of the Senator from Oklahoma. I, too, want to speak on the confirmation of Condoleezza Rice to serve as Secretary of State. We are all aware, because it has been the subject of quite a bit of discussion and we have seen her in action for the last 4 years at the White House and even before that, of Dr. Rice's accomplishments. She is a woman of fantastic achievement, a profoundly talented individual who has excelled at virtually everything to which she has set her mind. I

dare say there are few people in this Nation's history who would make both an excellent Secretary of State and an excellent commissioner of the National Football League. I am sure Dr. Rice, in keeping with her stated aspirations, will fill both roles with dedication, intellect, and passion in due time.

Yet the reaction to this nomination, which you would think would be a cause for great celebration, given the historic nature of this particular appointment, is also sadly predictable. For example, it is a shame to think that with the overwhelming voice of the people so recently expressed in the recent national elections and with the 109th Congress just having begun, with the President having been sworn in last week, with early pledges of bipartisanship and working together in the best interest of the American people, we are yet again already seeing the specter of partisan politics being brought to bear on this nomination.

Of course, the Senate does have a very important role in the confirmation process known as advice and consent. No one is questioning the right of any Senator, indeed the duty of every Senator, to ask hard questions and to determine to the best of their ability the qualifications of a nominee to serve in the office to which the President has chosen to appoint them. But there is a difference between exercising the role of advice and consent and the line that seems to have been crossed with impunity when it comes to the attacks we have seen on some of the President's nominees. Condoleezza Rice just happens to be the one we are focusing on today. We have seen much of the same vitriol and poison used to assassinate the character of people like Alberto Gonzales, another American success story, a personification of the American dream.

I would hope that no one in this body would feel it necessary to bring all the left-over angst of the campaign season to bear against a bright and honorable nominee such as the one who is presently before us. You may disagree with Dr. Rice's view of the world. You may take issue with some of her policy preferences. But to impugn her motives or the integrity of a woman held in such high esteem is a tactic that I believe is simply unacceptable and beneath the dignity of this body. Yet we see this tactic clearly, again, in the attempt to—first in the committee hearings, the Foreign Relations Committee, and even on the floor of the Senate—try to tie her actions to the tragic events at Abu Ghraib prison, the crimes that occurred by a handful of individuals that simply crossed the line between human decency and criminality. They were acts that violated U.S. policy and basic human rights. They were disgusting actions undertaken by sick individuals who are being investigated and being brought to justice—the most recent of which, of course, was the conviction and sentencing of Mr. Graner to 10 years in prison.

Now, my colleagues know well that at no point has Dr. Rice ever supported, condoned, or advocated such acts of torture or humiliation. I believe to try to link her, through some vague references, to these crimes is nothing more than a blatant attempt to score political points, to somehow demean her in her service, and to taint her nomination. It should not be necessary to raise these points, but I realize that in politics, particularly in Washington, a charge unanswered is too often a charge believed.

Let me just refer to a brief reference in the Schlesinger report—of course, referring to the former Secretary of Defense, who served on an independent commission with former Defense Secretary Harold Brown, who served in the Carter administration, as well as a former distinguished Member of the House of Representatives. They concluded after their investigation—and this was just one of, I believe, eight investigations. There are three more that are not yet completed. But this was the conclusion of the independent Schlesinger commission:

No approved procedures called for or allowed the kinds of abuse that in fact occurred. There is no evidence of a policy of abuse promulgated by senior officials or military authorities.

So to suggest, to hint, to imply that this nominee, or any senior officials in the Bush administration has condoned or adopted a policy that resulted in the criminal abuses that occurred at Abu Ghraib is simply without foundation and any fact. Indeed, it is a scurrilous allegation, and the American people need to understand that. They also need to understand the motives why such allegations are made.

In addition to these inappropriate partisan attacks against a nominee who deserves our respect, there are a handful of my colleagues who have used this opportunity to roll out the same tired, old arguments concerning the war on terror, and particularly Operation Iraqi Freedom. We know that we are in the midst of a global war on terrorism. This is not just about Afghanistan and Iraq. This is not just about isolated incidents of terrorism. This is about a conflict that has been building for more than a decade and, indeed, will likely last a generation.

Since America suffered an attack on our own soil in New York in 1993, we have been hit at our embassies in Kenya and Tanzania; we have been hit at the Khobar Towers in Saudi Arabia; our Navy was hit at the USS Cole in Yemen; of course, we had the attacks of 9/11; and Bali, Madrid, and in Beslan. The list goes on and on.

In the aftermath of the attacks of September 11, President Bush decided, with the authorization of Congress at every turn, that if diplomacy would not yield a pacified Saddam, that if the U.N. declined to enforce its own resolutions requiring inspections and disarmament, we would, when necessary, use preemptive action against those

who seek to harm America and those who threaten world peace and supply sanctuary to terrorists.

We also decided that it was in America's self-interest to take the battle to the terrorists where they live, where they plot, where they plan, and where they train and build weapons—not to wait until we are attacked again and where innocent civilians' lives are lost and innocent blood is shed. The post-9/11 reality is that America must choose to fight this terrorist threat on their ground, or they will fight us on ours.

This is not some grand conspiracy of this current administration or any policy which is really strange to history or unknown to history. It was in 1941, after Pearl Harbor, when President Franklin Delano Roosevelt said:

If you hold your fire until you see the whites of their eyes, you will never know what hit you.

That was Israel's policy in 1981 when it knocked out Saddam's Osirak nuclear reactor. The fact that Israel continues to exist today was in part because its leaders had the wisdom and courage to take on a growing threat by the use of preemptive action—sometimes called preventive self-defense—whenever it was necessary.

No one wants to imagine what could have happened if Iraq's nuclear program, which was well documented after Saddam invaded Kuwait in 1991, when we were surprised to learn after we repulsed that attack that Saddam's nuclear program was much further along than our intelligence authorities had previously thought. But no one wants to imagine what would have happened if Iraq had continued to develop its nuclear capability, or if they had been able to reconstitute their nuclear program after we left Iraq in 1991. It was a horrific possibility for America and the rest of the world, and indeed a responsibility of the leaders of this country and the free world to eliminate this gathering threat.

Ms. Rice has also been criticized for the belief that Saddam had stockpiles of weapons of mass destruction. But you know what? And the critics know this. The truth is, virtually every intelligence service in the world believed that Saddam had these weapons of mass destruction. Indeed, this was one of the premises for the Iraq Liberation Act in 1998. It was for the authorization given to then-President Clinton to use necessary force to remove this threat. Our intelligence, though, as we all now know with the benefit of 20/20 hindsight, proved to be incorrect—at least at the time that we entered Iraq—that Saddam had stockpiles of weapons of mass destruction. Of course, we have been undertaking the necessary reforms both in this body and in the intelligence community to stop that kind of intelligence failure from ever occurring again.

The critics should not be allowed to rewrite history. The fact is that no one party or person misled the rest of us—

Democrat, Republican, or Independent. The truth is, we were all misled by this erroneous intelligence, and rather than point the finger of blame where no blame is due, what we ought to be about—and, indeed, what we have been doing—is correcting the reasons for that failure and making sure that it never happens again.

Yet even though we did not find stockpiles of WMD, the bottom line is this: This was not the only reason that Congress voted overwhelmingly to authorize the use of force against Saddam Hussein. Indeed, there are numerous other reasons set out in the resolution that passed this Senate by overwhelming margins. It is beyond debate that Saddam continued to have the intent to acquire WMD and there is little doubt that but for our intervention and the fact that he was pulled from a spider hole and put in prison awaiting future accountability at the hands of the Iraqi people that he would have fully reconstituted his program just as soon as he was able.

One does not have to take my word for it. Mr. Duelfer, who succeeded Mr. Kay, and was in charge of looking into the possibility that Saddam had WMD, concluded in September 2004:

Saddam wanted to recreate Iraq's WMD capability—which was essentially destroyed in 1991—after sanctions were removed and Iraq's economy stabilized. . . .

Indeed, that has been the evidence we learned in the oil-for-food scandal in the United Nations, that Iraq would siphon off money to stabilize and support his failing economy, but his job, he thought, was to wait out the sanctions in such a way that once the sanctions were removed he would reconstitute Iraq's WMD capability. To somehow point the finger of blame at this distinguished nominee, where she, like all of us, was given the erroneous reports from the intelligence community, is simply unjustified and unfounded and indeed, in the end, it is revisionist history.

Lest this point be lost in the debate and the fingerpointing, we are in Iraq for our own good and for the good of the world, and I might add for the good of the Iraqi people. September 11 taught us all a very important lesson, that security in the modern world depends on taking aggressive and focused action to prevent terrorist acts before they occur, not just opening a criminal investigation after innocent blood is shed.

We have marshaled the force of freedom in this fight, one of the most powerful weapons that we have in our arsenal, and indeed on this Sunday, as has been recounted over and over again, the Iraqi people will make their first major step toward self-government as a free Iraq.

There are some who continue to argue that we did not have the right plan to deal with postwar Iraq. We have hashed that argument out a hundred times. Yes, hindsight is always 20/20, and we did not know then what we

know now, but that is no real revelation. That really suggests, again, another failure of our intelligence-gathering capability and particularly our HUMINT, our human intelligence capability, which we are fixing.

I point out that it serves no one's interests, and certainly not the national interest of this country or the interests of the Iraqi people, to continue to try to point the finger of blame at past errors, particularly in connection with our intelligence-gathering capability. Indeed, even those who did not support the resolution authorizing the use of force must now concede that it is in our best interest not to have Iraq fail and become perhaps a sanctuary for terrorists. Even those who oppose this war should acknowledge at this point that it is in our best interest for Iraq to become a working democracy and to avoid strife and become a free and peaceful nation.

It is counterproductive, unless of course one's purpose is merely partisan politics, to dwell on the past at the expense of our present duty and our plans for the future. It is time to focus on what is our duty in Iraq, along with other nations, the coalition and the Iraqi people, and that is to secure Iraq, to help this new democracy take root, and to further the cause of freedom around the globe.

There is no question that Iraq continues to be a very fragile place, but in truth, Iraq is making solid progress on a difficult road when one takes into consideration the fact that Saddam had an iron grip on power in this nation a mere 2 years ago. Consider what has been accomplished. A valid voter registration list of 14.3 million names has been completed. More than 500 voter registration centers have been established to help Iraqis verify their registration status. Iraqis will vote on election day in the thousands of voting centers across that country and in 14 other countries, including the United States of America. Candidate lists for 111 political entities have been submitted for the national elections and, in total, 256 political entities, composed of 18,900 candidates, have registered to compete in 20 different elections: The national election, 18 provincial elections, and the Kurdistan regional government election.

These 254 entities include 27 individuals, 33 coalitions, and 196 parties, all demonstrating widespread enthusiasm for this opportunity they have for free and fair elections.

I believe we will see the true ramifications of freedom in Iraq over the next generation, and I believe this first election is a watershed at the beginning of this new generation of a free Iraq.

As responsible leaders rise to the forefront and the vestiges of tyranny are replaced by a fledgling republic, we will see that the victories won, the hardship that has been endured, and the lives risked and indeed tragically lost have not been in vain.

Before this election season that just concluded, or I thought concluded on November 2 but which seems to have continued now with attacks against the President's nominees—those who were unsuccessful in persuading the American public of the correctness of their opinions on November 2—I never thought I would hear anyone utter what I think is one of the most foolish notions yet. And yet I have heard the suggestion made again and again in the context of Dr. Rice's hearing. And it is the suggestion that Iraq today and the world as a whole is worse off than it was with Saddam Hussein in power.

Have these people somehow missed the fact that we found unspeakable horrors in Saddam's Iraq, torture cells, rape rooms, execution chambers, children's prisons. We found a legacy of terror and fear and vestiges of unimaginable cruelty. We have found that more than 1 million people are simply missing; 300,000 are dead, lying in mass graves throughout Iraq in nearly 100 reported sites, including one that I personally viewed a year ago last August. These mass graves are silent monuments to Saddam's ruthlessness left behind for all to see.

With due respect for my colleagues who advanced the idea that Iraq or America was better off with Saddam Hussein in power, to suggest that the world is safer when despots rule in palaces instead of serving time, being held accountable in jails, is to ignore the bulk, if not the entirety, of human history.

It was Senator Daniel Patrick Moynihan who enjoined against similar foreign policy foolishness in an earlier era when he said:

Unable to distinguish between our friends and our enemies [you adopt] our enemies' view of the world.

I think we must also be sobered and cautioned by that injunction, and we should all be responsible enough to not let our desire to score partisan political points lapse into adopting our enemy's view of the world.

As President Bush urged just last week, America has the moral responsibility to take a stand for liberty as the guiding force in the world and the defining principle of this age. We have the strength and the will to see this purpose through.

I urge my colleagues to support a Secretary of State who understands the stakes, who sees the right course, and has the will to follow it.

In conclusion, I have talked about the attacks that have been directed on this honorable nominee and why I believe that they are unfounded and how I believe those who are disappointed, perhaps, in the way the election turned out on November 2 have continued their sort of political insurgency directed at the President but through his nominees for his Cabinet, and particularly Condoleezza Rice and Alberto Gonzales. I have said that while it is our responsibility as Senators to exercise with diligence our advice and con-

sent function and to ask hard questions in good faith, there is a line that should not be crossed, which I believe has been crossed in the attacks made against these nominees, including Condoleezza Rice.

One reason I believe that is true is because of the evidence that I have in my hand. This is a solicitation, a fundraising solicitation sent out by the Democratic Senatorial Campaign Committee.

I ask unanimous consent this be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CORNYN. This is over the signature of Senator BARBARA BOXER, who has been one of the most acerbic critics of this nominee. But at the same time she argues why this nominee should not be confirmed, she ties this to fundraising efforts by the Democratic Senatorial Committee.

She said in part:

The Republicans were expecting the Senate to confirm Dr. Rice with little debate and questioning from the Foreign Relations Committee.

I think we found that already not to be true. The distinguished chairman, who is in the Chamber now, held lengthy hearings and allowed all Senators a chance to ask numerous questions of this nominee, and we know now, from the 9 hours that have been agreed to as part of this debate, that, indeed, there is substantial debate about this nominee. But she goes on, from Senator BOXER's pen:

They didn't count on me to ask the tough questions. What the Republicans don't realize is, no matter who is in charge in the White House, the role of Congress will always be to act as a check on the Executive branch of government. And when it comes to the President's nominees, the Senate must take its "advise and consent" role during the confirmation process seriously.

I agree with that. I have said as much in my comments today. But what I do not agree with, and I think where this fundraising solicitation crosses the line and where it finds itself in company with some of the partisan attacks that have been made without substance against this nominee, is when it goes on to say to contribute to the Democratic Senatorial Campaign Committee, making this part of not only a political attack but a fundraising effort by the Democrats in the Senate. That, I believe, crosses a line that should not have been crossed, and one for which I believe Dr. Rice is entitled to an apology. To tie the confirmation of the Secretary of State to a fundraising campaign and to propagate misinformation or disinformation about this distinguished nominee, who is an American success story, in an effort to raise money for the Democratic Senatorial Committee is inappropriate and I think would offend and does offend the American people.

I believe this offense deserves a quick repudiation by our colleagues on the

other side of the aisle who maybe were not involved in this and, indeed, an apology to Dr. Rice for the way she has been treated.

In conclusion, let me say that I have seen, in my relatively short time in the Senate, some pretty rough treatment of the President's nominees. We have seen filibusters of judicial nominees when there is a bipartisan majority of the Senate to confirm those nominees. Indeed, this has been a part of an unconstitutional burden that neither this President nor those nominees should have to bear.

But we have also seen sort of a character attack on nominees that I think is not only unfair to those nominees but completely unbecoming to the dignity of the Senate and the kind of respect with which they should be treated. It is one thing to disagree about policy; it is one thing to ask hard questions. No one is asking anyone to vote against their conscience on a nominee. But to abuse these nominees in a way that is unfair, not only to them and their family but one that mischaracterizes the facts and is part of a disinformation campaign which is clearly tied to politics, is something we ought to call an end to.

I had held out some hope, and increasingly it appears to be a vain hope, that somehow with the reconvening of this 109th Congress we would see a change in attitude, we would see a willingness to work together.

We have seen some comments, some speeches, some promises to that end. But when it comes to this sort of inappropriate political activity and politicizing the confirmation process for America's diplomat in chief and the President's other judicial nominees, all I can say is it is a crying shame.

I yield the floor.

EXHIBIT 1

DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE

DEAR DSCC FRIEND, The Republicans were expecting the Senate to confirm Dr. Rice with little debate and questioning from the Foreign Relations Committee.

They didn't count on me to ask the tough questions. What the Republicans don't realize is, no matter who is in charge in the White House, the role of Congress will always be to act as a check on the Executive branch of government. And when it comes to presidential nominees, the Senate must take its "advise and consent" role during the confirmation process seriously.

That's why I took a stand last week and voiced my concerns about Dr. Rice's misleading statements leading up to the war in Iraq and beyond. I will continue to make my voice heard on the Senate Foreign Relations committee, but in order to put the brakes on four more years of misdirection in Iraq and reckless policies at home, we need to elect more Democrats to the Senate during the 2006 midterm elections.

Because after Dr. Rice is confirmed, the Senate will face many more crucial decisions in the coming months: confirmation of President Bush's choice for Attorney General Alberto Gonzales, social security, Iraq and possibly a Supreme Court nomination. My Democratic colleagues and I will hold the Bush Administration accountable for its

decisions. But we will need your help to hold them accountable in the ultimate public hearing: the next midterm elections in 2006.

The Republicans want us Democrats to step back and pave the way not only for this one nominee, but for their entire social, economic and international agenda. We have a chance during the midterm elections to make sure the Republicans don't have four years to do so. The DSCC is working every day to recruit the strongest candidates in every Senate race across the country. They are fighting early and fighting hard, but they need your ongoing support today.

So while I raise my voice on the Senate floor, I hope you will join us on the campaign trail and send the loudest message of all—one that the Republicans will not be able to ignore—unseating them in the midterm elections and sending more Democrats to the Senate.

Yours sincerely,

Senator BARBARA BOXER.

The PRESIDING OFFICER (Mr. THUNE). The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise to speak in behalf of Condoleezza Rice for Secretary of State. I hope the chairman would yield to me such time as I might consume.

Mr. LUGAR. How much time does the Senator plan to speak?

Mr. BROWNBACK. About 10 minutes.

Mr. LUGAR. I yield the Senator the time he may need.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BROWNBACK. Mr. President, I thank the distinguished chairman of the Foreign Relations Committee, Senator LUGAR. I have had an opportunity to work with him in the years I have been in the Senate on the Foreign Relations Committee. He is an outstanding Member and such a good colleague and so knowledgeable on so many issues. It is quite wonderful to have his work and the things he has done, particularly the incredibly important Nunn-Lugar, or I call it the Lugar-Nunn Act on Nuclear Proliferation, getting rid of some material in the Soviet Union. I have seen that bill in action and that has been a powerful good to possibly reduce the spread of nuclear weapons around the world. I thank my colleague.

I rise to express my strong support for the nomination of Dr. Condoleezza Rice for the position of Secretary of State. While it is regrettable that we are continuing to debate this nomination after 2 days of hearings, I believe it will only confirm what the President has done in making such a great choice. As the first woman to hold the key post as the President's National Security Adviser, she has had a distinguished career already in Government, as well as in academics. I still recall her wise and learned comments made nearly a decade ago about how systems failures were occurring at that time in the Soviet Union that led to the fall of the Soviet Union.

It wasn't seen at the time. Yet she was able to look at the disparate situations that were happening, saying how systems failures in the Soviet Union presaged a place none of us thought

possible to fall. And she was seeing that—observing that as an astute observer years ahead of her time. That kind of judgment and foresight will be critical in the months and years ahead for the United States.

It is a complex job, Secretary of State. I believe she has the necessary talent and experience and is, without doubt, one of the most qualified people in the world for this job.

Like Secretary Powell, who has done an outstanding job and whose humanity and professionalism and dedication will be sorely missed, she recognizes the deep personal commitment necessary, and this Nation is grateful for someone of her stature who is willing to serve in this position.

The Secretary of State serves as the President's top foreign policy adviser and in that capacity is this Nation's most visible diplomat here and around the world. It is a position that demands the full confidence of the President, and in Dr. Rice, we know the President trusts her judgment.

That relationship is critical when one considers the state of the world in which Dr. Rice will work. According to a recent National Intelligence Council report: Not since the end of World War II has the international order been in such a state of flux. During the past 3 years, we have seen terrorists kill thousands of people in this country and around the world. While terrorism will continue to be a serious threat to the Nation's security as well as many countries around the world, genocide—even after Bosnia and Rwanda and even Auschwitz—continues to this day in Darfur. This proliferation of weapons of mass destruction among rogue regimes continues apace. Meanwhile, in the East, the rise of China and India promises to reshape familiar patterns of geopolitics and economics.

Still, there is great reason to be encouraged by the world that Dr. Rice will face. Freedom is on the march in places some had written off as potentially unsuitable for democracy. Ukraine's Orange Revolution, Georgia's Rose Revolution, Serbia's Democratic Revolution, and successful elections in Indonesia, Malaysia, Afghanistan, and the Palestinian Authority demonstrate the longing for democracy that embraces the most diverse cultures. Iraq will continue to pose challenges even after the elections at the end of this month.

The new Secretary of State will have to engage the United States and our allies in working closely with the Iraqis to seize the opportunities that lie before them to forge a nation that is free of the past and that is ultimately and uniquely Iraqi. The only exit strategy for the United States and the coalition forces is to ensure that Iraqis are in control of their own destiny.

The new Secretary of State must devote her time and resources to achieving a settlement in the Arab-Israeli conflict by clearly articulating the robust vision of peace in the Middle East. We must not only come to grips with

nuclear proliferation issues in Iran and North Korea, but we must have the moral courage to bring attention to the human rights abuses in both of these countries that sustain these nuclear ambitions.

Similarly, we must confront the regime in Khartoum where crimes against humanity must be brought to justice so that urgent humanitarian assistance can continue in Darfur and elsewhere in Sudan. There are many actions we can take and must take, especially after we have had the bold initiative to clearly call Darfur for what it is—it is genocide that is happening there. If we are to maintain our credibility in this area, we must act decisively.

In addition to the humanitarian efforts in the Indian Ocean region and elsewhere as a result of the tsunami, I am certain that the new Secretary will maintain our commitment to the global fight against AIDS and other infectious diseases. But to do so with the kind of prudent and result-based efforts that have been so successful in past efforts, we have to maintain a focus and an effort to be able to get things done.

Last week, President Bush laid down a marker by which we would define what it means not to just be an American but a citizen of the world. Declaring in his inaugural address that our liberty is increasingly tied to the fate of liberty abroad, he placed the United States on the side of democratic reformers and vowed to judge governments by their treatment of their own people.

President Bush's vision draws on the wellsprings of our Nation's spirit and value. I believe Secretary-designate Rice possesses the skills and talents necessary to turn the President's visionary goals into a reality.

In her statement before the Foreign Relations Committee, she said, "The time for diplomacy is now." Her qualifications to carry that prescription into practice will be indispensable. She combines a big-picture mindset born of academic training with a wealth of hands-on experience at the highest level. Perhaps most importantly, she can always be sure of having the President's confidence and ear.

Finally, Dr. Rice's own biography testifies to the promise of America. Born and raised in the segregated South, her talent, determination, and intellect will place her fourth in line to the Presidency. She has often said to get ahead she had to be "twice as good"—and she is that and more.

Her childhood shaped her strong determination of self-respect, but it was her parents' commitment to education and her brilliant success at it that defined her style.

She managed to work her way to college by the age of 15 and graduate at 19 from the University of Denver with a degree in political science. It was at Denver that Dr. Rice became interested in international relations and the study of the Soviet Union. Her inspira-

tion came from a course taught by a Czech refugee. That background will become increasingly important as we deal with the changing dynamics and challenges posed around the world.

In short, I am moved to think that she will soon be confirmed as our 66th Secretary of State, and it will be time for us to move forward. She is already well known to the world. Dr. Rice will now become the face of America's diplomacy.

We need to support her in every way we can. She can be assured of my support. As the newly appointed chairman of the Commission on Security and Cooperation in Europe, I look forward to working with her and other officials at the State Department to further promote democracy, human rights, and the rule of law in Europe and Eurasia. Charged with the responsibility for monitoring and promoting implementation of the Helsinki Final Act in all 55 signatory countries, the Commission has been and will continue to be a force for human freedom, seeking to encourage change, consistent with the commitment these countries have voluntarily accepted. As President Ford remarked when signing the Helsinki Final Act on behalf of the United States:

History will judge this Conference . . . not only by the promises we make, but the promises we keep.

As we approach the 30th anniversary of the historic occasion this year, a number of Helsinki signatories seem determined to undermine the shared values enshrined in the Final Act and diminish the commitment they accepted when they joined the Organization for Security and Cooperation in Europe. It is imperative that the United States hold firm to the values that have inspired democratic change in much of the OSCE region. Dr. Rice in her confirmation testimony referred to the potential role that multilateral institutions can play in multiplying the strength of freedom-loving nations. Indeed, the OSCE has tremendous potential to play even a greater role in promoting democracy, human rights, and rule of law in a region of strategic importance to the United States.

I look forward to building upon the partnership forged between the Helsinki Commission and the State Department as we stand with oppressed and downtrodden people wherever they are in the world.

I urge my colleagues to support Dr. Rice for the position of Secretary of State. I wish her good luck and God-speed.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I rise and express my strong support for Condoleezza Rice for confirmation as Secretary of State of the United States of America. She is a native of my home state of Alabama and grew up in a very difficult time in our State. I remember

vividly and was touched by the 16th Street Baptist Church bombing in Birmingham that occurred during her youth. Her family later moved to Colorado, I believe, where she grew up.

She is a pianist and a talented person in so many ways. I think few would dispute her talent, her incredible background and personal history, and the many accomplishments that she has achieved through the years.

In the course of doing so, she has won the confidence of the President of the United States, George W. Bush. He has relied on her foreign policy expertise for quite a number of years. He believes she is the right person to serve this country today as Secretary of State. She is a perfect fit in this role and I strongly support her confirmation.

Condoleezza Rice served as provost at Stanford University. She worked in the National Security Council of former President Bush. She has served our current President Bush as National Security Advisor for 4 years. That is an excellent background for the job; that, along with her studies in international relations and history, particularly the Soviet Union.

I remember early on we had a problem with national missile defense and the test ban treaty that would have required us to either not implement a national missile defense system or would have required us to manipulate it as some sort of test program in a way that was not very practical.

She suggested we ought to avail ourselves of the privileges the treaty gave us to give notice and step out of the agreement with Russia. It had been signed with the Soviet Union in an entirely different global setting. At this point, we were dealing with Russia, which was friendly in many ways. Many on the other side of the aisle—very much the same ones criticizing her today—were saying that this was just awful. They claimed that it would destabilize relations between Russia and the United States.

I remember seeing Dr. Rice being questioned about that, meeting with Senators and discussing it. She listened carefully to the comments others had and then articulated her own considered thoughts with crystal clarity. She was inclined to believe we ought to get out of that treaty. She and the President eventually made the decision to do so. They did so in a way of which Russia was accepting. It caused no problems.

I remember vividly the warnings from the liberal Members of this body that withdrawing from that treaty, and thus allowing us to build a legitimate national missile defense, was somehow going to cause permanent damage to the relationship between Russia and the United States. She concluded that this was not true. In fact, it was not true. She helped execute that action that allows us now to have missiles in place that are capable of knocking down incoming weapons that could wreak havoc, nuclear or otherwise, on

the people of the United States. It is one of many memories I have that demonstrate her capabilities and skill.

Partly, I suspect, as a result of her growing up in an area where, sadly, everyone was not treated equally, when people were discriminated against quite significantly and were treated as second-class citizens, she has a deep and abiding respect for liberty. She has a deep and abiding respect for the legal system of this country. She believes we ought to promote liberty, promote equality and promote progress in the world. It is a responsibility this Nation has and that she must champion as she serves as Secretary of State. I have no doubt that she is equal to the task.

Absolutely we have to be careful. Absolutely there are limits to what we can do as a nation to help other nations. We simply are not able, and it would not be wise, even, to attempt to fix all of the problems of every nation around the world.

I want a Secretary of State who understands America, who understands the values and ideals of this country, and who has values and ideals herself, to serve as Secretary of State. I want a Secretary of State who looks forward to seizing opportunities whenever they may appear—and we do not know when they will during the course of her service—where she can promote liberty, freedom, progress and peace throughout the world.

When you find liberty and freedom in countries, they usually don't fight. It is my impression we have few, if any, examples of war—certainly not in recent memory—that have occurred between two democratic states. Democratic states somehow are used to working out difficulties within their own country and somehow they are normally able to work out difficulties between an opposing state if they are a democracy.

It is only when you come up against dictators, these people who are used to always doing it their way, who have an obsession with expansionism and oppression of their own people and their own self-interest, those are the ones who are difficult to deal with.

Condoleezza Rice understands that. She is a student of history and international relations. She can help our President make those tough choices. When do we step up to the plate? When do we not step up to the plate? How can we be most effective? When should we negotiate? When should we seek the assistance of other nations to negotiate? When should we involve ourselves directly? When, Heaven forbid, should we have go to war?

This is the kind of expertise she brings to the table. Her personal history and her experience as the National Security Advisor to the President is just the kind of background we need.

The State Department is composed of some of the finest people I have had the privilege of knowing. They work extremely hard. They are extraordinarily educated and steeped in the countries

they have as their responsibility. They provide a tremendous resource to our Nation. People forget as they serve around the world—and I have visited them as I have traveled—that they are at risk just for bearing the American flag and being a representative of this Nation, because they are in dangerous places in our world. They do a great job every day. Sometimes a great organization such as that, that creates and forms itself over many years, develops an inertia, an inability to change, to see new ideas and new ways of proceeding.

Having someone at the helm such as Condoleezza Rice who has been involved in the National Security Council, she will be perfectly respectful of those fine people who serve in the State Department. She will also have the ability to lift that agency, to transform it into a more nimble and more responsive agency that can help promote American ideals aggressively throughout the world.

I am very proud of her. I am proud that she is from Alabama. I am proud that President Bush has chosen to nominate her. I am confident she will be a terrific Secretary of State and very confident she will be confirmed.

I am sorry that some of my colleagues on the other side of the aisle—I guess in response to complaints from those among the hard left who are never happy when America commits itself around the world and stands up for its values—have chosen to hold up this nominee. I thought she was moving along rather quickly and that we would have already confirmed her by now. But there are those who want to use this opportunity to express their views, many of which are not helpful to our soldiers who are out in the field executing the policies we voted on in this body by an overwhelming vote—more than three-fourths. We sent them there. Members of this Senate voted overwhelmingly to do so. It is not appropriate to delay Dr. Rice's nomination in order to reopen the debate on our nation's actions in Iraq, particularly when there is no likelihood she will be voted down.

Some of the comments made to her have not been of the most respectful and appropriate kind. Her integrity—perhaps inadvertently, but in reality—was questioned. I certainly believe she should have every right to push back and defend herself under those circumstances.

I am always happy to allow my colleagues to have their say, but it has taken longer than it should. We need to move this nomination forward. We need a Secretary of State in place. She will be an outstanding Secretary of State. I look forward to seeing her confirmed, hopefully no later than tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. May I inquire of the Chair, how much time remains on both sides of the aisle in this debate?

The PRESIDING OFFICER. There is 53 minutes to the majority, and 1 hour 22 minutes to the minority.

Mr. LUGAR. I thank the Chair.

Mr. President, let me comment that we have been privileged to hear from 22 colleagues today. Thirteen Republicans and nine Democrats have spoken on the confirmation. I would comment, it has been my privilege to hear more of the testimony while I chaired the hearings and likewise the debate today. On both occasions, we have made clear to colleagues on both sides of the aisle that there would be ample opportunity, first of all, to question Dr. Rice during the confirmation hearings. And, as I pointed out earlier in the day, well over 300 questions were raised, some before the hearings, to which she gave response in written answers, and over half of the 300 actually during the hearings in face-to-face dialog with Dr. Rice. Let me point that out because I think the record for this nominee is as full as any confirmation procedure I have witnessed.

Today, we have had 22 contributions that were substantial and thoughtful. Tomorrow, we will have another hour of debate prior to a vote and will come to a conclusion which I pray will bring about the confirmation of Dr. Rice to be our next Secretary of State, and a move forward as she assists our President and all of us in the statecraft of our country.

In any event, I simply point out for the record that as we conclude the debate this evening—and we will do so shortly because no further Senators have sought to speak—there was at least on our side of the aisle 53 minutes available and on the other side 1 hour 22 minutes. Therefore, the time that was requested turned out to be more than ample.

I am hopeful our debate will conclude constructively and affirmatively tomorrow. We certainly will attempt to work with that. I am advised that the distinguished ranking member of the committee, Senator BIDEN, will be present, and he will make a statement tomorrow, and that will be important as we conclude our debate.

Mr. President, seeing no other Senators who seek recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. LUGAR. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.