

plan to coordinate the Robust Nuclear Earth Penetrator feasibility study at the Department of Energy with the ongoing conventional hard and deeply buried weapons development programs at the Department of Defense. This plan shall ensure that over the course of the feasibility study for the Robust Nuclear Earth Penetrator the ongoing results of the work of the DOE, with application to the DOD programs, is shared with and integrated into the DOD programs.

Mr. NELSON of Florida. Mr. President, basically we have in the authorization bill the ability to conduct this study that has been ongoing for the last year and a half about the robust nuclear earth penetrator. There is a certain sum of money in the underlying bill that allows the conduct of that study to continue.

What we raised in the committee was the fact that a robust earth penetrator may well be in the interest of the United States, that it contain a conventional weapon as opposed to a nuclear weapon. So the attempt of this amendment is to clarify that the research that will be conducted by the Department of Energy, with regard to the modification of a nuclear weapon that would go in the earth penetrator, that the research will be coordinated with the Department of Defense in their conduct and research of an earth penetrator that includes a conventional weapon.

I urge adoption of the amendment, Mr. President.

The PRESIDING OFFICER. Is there further debate?

Mr. WARNER. Mr. President, I wish to endorse the amendment because it has a very sound predicate, a very sound philosophy; namely, that we should do everything possible to channel all of our scientific efforts toward not using a nuclear weapon, and this does just that.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I very much support the amendment for the reasons given by the Senator from Virginia. I commend our good friend from Florida for his initiative.

The PRESIDING OFFICER. Is there any further debate?

There being none, the question is on agreeing to the amendment.

The amendment (No. 767) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, we thank our colleague from West Virginia. He has shown us the usual senatorial courtesy to allow the managers to move timely amendments.

The distinguished Senator from West Virginia is recognized now for a period of 20 minutes. I thank him very much.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the two managers of the bill, Mr. WAR-

NER and Mr. LEVIN, for the very professional, highly dignified manner in which they have conducted their work on this bill. I thank them for the many hours they spend in the committee, which they so ably chair and act with in as ranking member.

Mr. WARNER. Mr. President, could I just say, I appreciate the expression of those remarks by our senior colleague. Senator LEVIN and I are in our 25th year—that is a quarter of a century—in the Senate. Throughout that period of time, the Senator from West Virginia has been a tutor, and we have learned much. To the extent we may have progressed in our learnings, it is owing in part to his teachings. I thank the distinguished Senator from West Virginia.

Mr. BYRD. Mr. President, I am deeply grateful for those unmerited and highly charitable remarks from the distinguished Senator from Virginia.

Mr. LEVIN. Mr. President, I hate to interrupt our dear friend and mentor from West Virginia but I must do so just to tell him that those remarks of our dear friend from Virginia were merited, indeed.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Michigan.

IRAQ

Mr. President:

Truth, crushed to earth, shall rise again,
The eternal years of God are hers;
But Error, wounded, writhes in pain,
And dies among his worshippers."

Truth has a way of asserting itself despite all attempts to obscure it. Distortion only serves to derail it for a time. No matter to what lengths we humans may go to obfuscate facts or delude our fellows, truth has a way of squeezing out through the cracks, eventually.

But the danger is that at some point it may no longer matter. The danger is that damage is done before the truth is widely recognized and realized. The reality is that, sometimes, it is easier to ignore uncomfortable facts and go along with whatever distortion is currently in vogue. We see a lot of this today in politics. I see a lot of it—more than I ever would have believed—right on this Senate floor.

Regarding the situation in Iraq, it appears to this Senator that the American people may have been lured into accepting the unprovoked invasion of a sovereign nation, in violation of longstanding international law, under false premises.

There is ample evidence that the horrific events of September 11 have been carefully manipulated to switch public focus from Osama bin Laden and al-Qaida who masterminded the September 11 attacks, to Saddam Hussein who did not. The run up to our invasion of Iraq featured the President and members of his Cabinet invoking every frightening image that they could conjure, from mushroom clouds, to buried caches of germ warfare, to drones poised to deliver germ laden death in our major cities. We were treated to a

heavy dose of overstatement concerning Saddam Hussein's direct threat to our freedoms. The tactic was guaranteed to provoke a sure reaction from a nation still suffering from a combination of post traumatic stress and justifiable anger after the attacks of 9/11. It was the exploitation of fear. It was a placebo for the anger.

Since the war's end, every subsequent revelation which has seemed to refute the previous dire claims of the Bush administration has been brushed aside. Instead of addressing the contradictory evidence, the White House deftly changes the subject. No weapons of mass destruction have yet turned up, but we are told that they will in time. And perhaps they yet will. But, our costly and destructive bunker busting attack on Iraq seems to have proven, in the main, precisely the opposite of what we were told was the urgent reason to go in. It seems also to have, for the present, verified the assertions of Hans Blix and the inspection team that he led, which President Bush and company so derided. As Blix always said, a lot of time will be needed to find such weapons, if they do, indeed, exist. Meanwhile bin Laden is still on the loose out there somewhere and Saddam Hussein has come up missing.

The administration assured the U.S. public and the world, over and over and over again, that an attack was necessary to protect our people and the world from terrorism. It assiduously worked to alarm the public and to blur the faces of Saddam Hussein and Osama bin Laden until they virtually became one.

What has become painfully clear in the aftermath of war is that Iraq was no immediate threat to the United States, and many of us here said so before the war. Ravaged by years of sanctions, Iraq did not even lift an airplane against us. Saddam Hussein could not even get an airplane off the ground. Iraq's threatening death-dealing fleet of unmanned drones about which we heard so much morphed into one prototype made of plywood and string. Their missiles proved to be outdated and of limited range. Their army was quickly overwhelmed by our technology and our well trained troops.

Presently our loyal military personnel continue their mission of diligently searching for weapons of mass destruction. They have so far turned up only fertilizer, vacuum cleaners, conventional weapons, and the occasional buried swimming pool. They are misused on such a mission and they continue to be at grave risk. I am talking about the sons and daughters of the American people. The Bush team's extensive hype of WMD in Iraq as justification for a preemptive invasion has become more than embarrassing. It has raised serious questions about prevarication and the reckless use of power. Were our troops needlessly put at risk? Were countless Iraqi civilians—women, children—killed and

maimed when war was not really necessary? Was the American public deliberately misled? Was the world?

What makes me cringe even more is the continued claim that we are "liberators." Vice President CHENEY, 3 days before the war, said we will be welcomed as liberators. The facts don't seem to support the label we have so euphemistically attached to ourselves. True, we have unseated a brutal, despicable despot, but "liberation" implies the followup of freedom, self-determination and a better life for the common people of the invaded country. In fact, if the situation in Iraq is the result of "liberation," we may have set the cause of freedom back 200 years.

Despite our high-blown claims of a better life for the Iraqi people, water is scarce, and often foul; electricity is a sometime thing; food is in short supply; hospitals are stacked with the wounded and maimed. Historic treasures of the region and of the Iraqi people have been looted, and nuclear material may have been disseminated to heaven knows where, while U.S. troops, on orders, looked on and guarded the oil supply. That is what they were told to do.

Meanwhile, lucrative contracts to rebuild Iraq's infrastructure and refurbish its oil industry are awarded to administration cronies, without benefit of competitive bidding, and the United States steadfastly resists offers of U.N. assistance to participate. Is there any wonder that the real motives of the U.S. Government are the subject of worldwide speculation and mistrust?

And in what may be the most damaging development, the U.S. appears to be pushing off Iraq's clamor for self-government. Jay Garner has been summarily replaced, and it is becoming all too clear that the smiling face of the U.S. as liberator is quickly assuming the scowl of an occupier. The image of the boot on the throat has replaced the beckoning hand of freedom. Chaos and rioting only exacerbate that image, as U.S. soldiers try to sustain order in a land ravaged by poverty and disease. "Regime change" in Iraq has so far meant anarchy, curbed only by an occupying military force and a U.S. administrative presence that is evasive about if and when it intends to depart.

Democracy and freedom cannot be force fed at the point of an occupier's gun. To think otherwise is folly. One has to stop and ponder. How could we have been so impossibly naive? How could we expect to easily plant a clone of U.S. culture, values, and government in a country so riven with religious, territorial, and tribal rivalries, so suspicious of U.S. motives, and so at odds with the galloping materialism which drives the western-style economies?

As so many warned this administration before it launched its misguided war on Iraq, there is evidence that our crackdown in Iraq is likely to convince 1,000 new bin Ladens to plan other horrors of the type we have seen in the past several days. Instead of damaging

the terrorists, we have given them new fuel for their fury. We did not complete our mission in Afghanistan because we were so eager to attack Iraq. Now it appears that al-Qaida is back with a vengeance. We have returned to orange alert in the U.S., and we may well have destabilized the Mideast region, a region we have never fully understood. We have alienated friends around the globe with our dissembling and our haughty insistence on punishing former friends who may not see things quite our way. The path of diplomacy and reason have gone out the window to be replaced by force, unilateralism, and punishment for transgressions. I read most recently with amazement our harsh castigation of Turkey, our longtime friend and strategic ally. It is astonishing that our Government is berating the new Turkish government for conducting its affairs in accordance with its own Constitution and its democratic institutions.

Indeed, we may have sparked a new international arms race as countries move ahead to develop WMD as a last ditch attempt to ward off a possible preemptive strike from a newly belligerent U.S. bully which claims the right to hit where and when it wants. In fact, there is little to constrain this President. This Congress, in what will go down in history as its most unfortunate and spineless and thoughtless act, gave away its power to declare war for the foreseeable future and empowered this President to wage war at will, and not only this President, but also future Presidents.

The amendment that I offered to sunset this nefarious handover of power was rejected by the Senate and garnered only 31 votes. I was amazed, and I am still amazed, that this Senate would reject an amendment to sunset a thoughtless, nefarious, spineless act on the part of this same Senate to hand over this power to declare war to this President. I cannot believe that the Senate did that. Even now, I cannot believe it. It is abhorrent that the Senate would have rejected the sunset provision. So, as it is, there is no sunset. That power goes on after this President. The next President will have the same power, unless Congress steps in and changes the law. Of course, a President can veto a change in the law and that veto, as students of the Constitution will know, will require a two-thirds vote to override. It is hard to believe that grown, sensible men and women would reject that sunset provision—to say nothing of having voted to shift this power over to any President, whether he is a Democrat or Republican.

As if that were not bad enough, members of Congress are reluctant to ask questions which are begging to be asked. How long will we occupy Iraq? We have already heard disputes on the numbers of troops that will be needed to retain order. What is the truth? How costly will the occupation and the reconstruction be? No one has given a

straight answer. How will we afford this long-term, massive commitment, fight terrorism at home, address the serious crisis in domestic health care, afford behemoth military spending, and give away billions in tax cuts amidst a deficit which has climbed to over \$340 billion for this year alone? If the President's tax cut passes, it will be \$400 billion. We cower in the shadows while false statements proliferate. We accept soft answers and shaky explanations because to demand the truth is hard, or unpopular, or may be politically costly.

But I contend that, through it all, the people know. The American people, unfortunately, are used to political shading, political spin, and the usual chicanery they hear from public officials. They patiently tolerate it up to a point. But there is a line. It may seem to be drawn in invisible ink for a time, but eventually it will appear in dark colors tinged with anger. When it comes to shedding American blood, and when it comes to wreaking havoc on civilians, on innocent women, men, and children, callous dissembling is not acceptable. Nothing is worth that kind of lie—not oil, not revenge, not reelection, not somebody's grand pipe dream of a democratic domino theory.

Mark my words, the calculated intimidation which we see so often of late by the "powers that be" will only keep the loyal opposition quiet for just so long because, eventually, like it always does, the truth will emerge. And when it does, this house of cards, built of deceit, will fall!

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I commend my colleagues who serve on the Senate Armed Services Committee and their staffs for the superb work done on the bill before us today. The bill comes to the floor of the Senate at an important time in our Nation's history. We have been at war for the past 20 months, ever since the devastating attacks on September 11, 2001 brought the violence of terrorism to our own country. We have come far since then, but we have much farther to go.

Our first goal in the war on terrorism was to topple the brutal Taliban regime in Afghanistan, to destroy the camps where the al-Qaida terrorists who attacked us trained. We have done that. Our Nation's military, the finest in the world, successfully led that charge.

Today we see in Afghanistan the beginnings of a democracy. We will continue to help in the future to make sure that order is kept in Afghanistan and that it will be a part of the flourishing world community.

Our second goal was to disarm the dangerous regime of Saddam Hussein in Iraq before he could surface and use weapons of mass destruction once more against innocent civilians. We have done that. Again, our brave men and women in uniform successfully