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## *House of Representatives*

### **H.J.Res. 114, AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ REPRESENTATIVE HENRY A. WAXMAN**

Mr Chairman, we face today one of the most important questions that can ever come before us as Members of Congress: whether to authorize the use of force, and commit the men and women of our armed forces to defend liberty and to protect the United States, at the possible cost of their lives—and the lives of many in a country far from our shores.

It is an issue Americans care deeply about. I have received hundreds of calls during the past few weeks, and many of my constituents are raising similar and very serious concerns.

They are suspicious of the timing of this debate. They see political overtones to it, and question whether this vote is being used for political purposes.

Many are worried about the precedent of a preemptive and unilateral attack, and how that precedent might be used by other countries looking to justify aggressive and hostile acts.

Others have expressed doubts about the Bush Administration's handling of foreign policy. They point to the Administration's abysmal record on a series of international efforts, including the Kyoto Protocol, the Biological Weapons Convention, and the Anti-Ballistic Missile Treaty with Russia. The Administration has created its own credibility problem by consistently going its own way instead of being the leader of a world coalition.

Many callers have told me they don't see evidence that Saddam Hussein poses a current threat to the United States. They think terrorism by Al Qaeda is a greater and more immediate danger, and that Iraq is a diversion from our failure to capture Osama Bin Laden.

And over and over I've been told that war should be a last resort. Unfortunately, to many of my constituents, the Administration has created the perception that war with Iraq is our first and only resort.

All of those concerns have been on my mind as I've deliberated on this vote. I've spent the good part of these last few weeks listening to experts from this Administration, from the Clinton Administration, and from non-partisan, independent organizations. I've tried to sort out what we know to be true and what we just suspect to be true. And I've tried to evaluate our best course when faced with the uncertain but potentially catastrophic threat that Saddam poses and the unpredictable horror a war can bring.

Eleven years ago, in the face of Saddam's aggression against Kuwait, I voted reluctantly to oppose the use of force. I thought then that more time should be given to diplomacy, and to the enforcement of sanctions against Iraq. But once Congress acted, there was no question of the commitment of all of us to the success of Desert Storm. The liberation of Kuwait was effected; our casualties were thankfully quite small; and stability was, for an extended period of time, restored to the region.

To be certain, many of us thought, and fervently hoped, that the crushing military defeat suffered by Saddam would result in his overthrow. Other monstrous dictators – such as Milosevic in Serbia – have crumbled in the face of far less of an onslaught. It is a mark of Saddam's cunning and ruthlessness that he survived the upheavals in his country that did unfold after the Gulf War, that he is still in power, and that he is still able to oppress his people.

Whether one agrees or disagrees with the Administration's policy towards Iraq, I don't think there can be any question about Saddam's conduct. He has systematically violated, over the course of the past 11 years, every significant UN resolution that has demanded that he disarm and destroy his chemical and biological weapons, and any nuclear capacity. This he has refused to do. He lies and cheats; he snubs the mandate and authority of international weapons inspectors; and he games the system to keep buying time against enforcement of the just and legitimate demands of the United Nations, the Security Council, the United States and our allies. Those are simply the facts.

And now, time has run out. It has been four long years since the last UN weapons inspectors were effectively ejected from Iraq because of Saddam's willful noncompliance with an effective inspection regime.

What Saddam has done in the interim is not known for certain – but there is every evidence, from the dossier prepared by the Prime Minister of Britain, to President Bush's speech at the United Nations, that Saddam has rebuilt substantial chemical and biological weapons stocks, and that he is determined to obtain the means necessary to produce nuclear weapons. He has ballistic missiles, and more are on order. He traffics with other evil people in this world, intent on harming the United States, Israel, other nations in the Middle East, and our friends across the globe.

We know Saddam quite well. We know he kills a lot of people, even in his own family. We know when he gives his word it cannot be trusted. We know he is a shameless propagandist. We recall that he held women and children hostage for a time in Baghdad as human shields in 1990 to try to deter armed attack to liberate Kuwait. We know what he does to his own people in the north and south of his country and what he did to his neighbors in Iran and Kuwait.

We also know that Saddam is the patron saint of the homicide bombers in Israel. He pays their families when their youth go to kingdom-come from the streets of Tel Aviv and Jerusalem. And Iraq, under Saddam, is one of only seven nations designated as a state sponsor of terrorism because of his aid and training of terrorists, according to the U.S. State Department.

Whether he is tied in with al-Qaeda is still subject to debate, but they share an intense hatred for the United States, Israel, and our allies, and in their willingness to attack civilians to achieve their purposes.

In a perfect world the Iraqi people would have been able to seize their destiny and liberate their country. In a perfect world the UN resolutions calling for Saddam's disarmament would have been properly enforced.

But this is not a perfect world, and so today we struggle with how best to achieve that disarmament. That is our objective—our debate today is over the right means to that necessary end.

Eleven years ago, the United Nations Security Council approved a resolution calling for the liberation of Kuwait, and the disarmament of Saddam. This occurred before we voted in Congress to authorize the use of force against Iraq in January 1991.

Eleven years ago, in other words, we in Congress were voting to endorse the consensus reached in the United Nations over what the world should do to repel Saddam's aggression in the region and provide the basis for an Iraq that could not threaten its neighbors via war or weapons of mass destruction.

Today, the order is reversed and it is the Congress that is voting first on a resolution of war. And that is being done in the hope that it will help force a consensus in the United Nations so that the world – not just the United States – can pursue these issues on the soundest possible basis, with the strongest degree of support from as many nations as possible.

This is why we have to get this resolution right. And this is why I strongly support the substitute, which emphasizes action by the UN and the international community. It outlines the importance of working with a coalition, and before American lives are placed at risk, exhausting all other options through diplomacy and unfettered inspections. We should do all we can to secure a Security Council endorsement for an invasion of Iraq, and possibly to avoid a war by forcing Saddam to abide by the UN requirements for disarmament.

War must always be a last resort. In my view, Saddam has nearly brought us to that point. We have tried containment and sanctions over the last ten years, and both have failed. Sanctions hurt the people of Iraq and Saddam did not care about them. Inspections have failed because he has frustrated the inspectors and eventually forced them out of his country four years ago.

We've tried surgical strikes on his facilities and no fly zones over large parts of his territory. He has responded by continuing to try to obtain weapons of mass destruction. He has turned the humanitarian efforts to allow oil sales for food into a \$2 billion pot of money for weapons.

In light of all this, if the UN does not act, it not only leaves Saddam unchecked but it undermines, perhaps fatally, the purpose of having or supporting a UN in the first place.

If the UN does not or cannot act, the substitute does nothing to compromise the ability of the Congress to authorize the use of force to protect America's interests – unilaterally if necessary – if we believe it necessary at a later time.

Under the substitute, we sacrifice none of our sovereignty—none— and maximize every opportunity for diplomacy and consensus. The substitute correctly recognizes that should we reach the point of last resort, that is the time for Congress to declare war.

For all those reasons, I urge the House of Representatives to adopt the substitute and hope it will be the course we follow. It is the better choice and is the one most of my constituents and other Americans support.

It is possible, however, that the substitute will be defeated. The question, then, is whether to support the Resolution President Bush has sent us, as modified through negotiations with Rep. Richard Gephardt, the House Democratic Leader.

Although I disagree deeply with much of President Bush's domestic policies and some aspects of his foreign policy, I agree with his conclusion that we cannot leave Saddam to continue on his present course. No one doubts that he is trying to build a nuclear device, and when he does, his potential for blackmail to dominate the Persian Gulf and Middle East will be enormous, and our efforts to deal with him be even more difficult and perilous. The risks of inaction clearly outweigh the risks of action.

Despite my misgivings about the President's approach, I believe it's essential that Congress send the strongest bipartisan signal of unity possible so the UN will act. Some have even suggested that taking the threat of force out of the equation might undermine that result.

In a post September 11 world, it is important we speak with one voice and send one message – particularly when the lives of our men and women in the armed forces are at stake.

And it is important that we not send a confused signal to Iraq, so that there be no doubt about our resolve.

Mr. Chairman, the goal I want is decisive UN action and the effective disarmament of Iraq. The substitute achieves that goal and should be approved. But if it is defeated, I believe supporting the President's proposal brings us closer to realizing that goal than defeating the Resolution.

For that reason, Mr. Chairman, I will support the President's resolution if it is before us.