A BIENNIAL BUDGET FOR THE FEDERAL GOVERNMENT

Mr. THOMAS. Mr. President, all of us have been various places during the recess. I have been back in Wyoming listening to people and to a number of things that people are concerned about. We are back now, basically, to spend this month, I suppose, almost totally immersed in the appropriations process, which we must do. I have been interested for some time in making some changes in that process. It seems to me now to be appropriate, perhaps, while we are into it, to talk about the possibility of changing a bit.

What are some of the things we are going to have confronting us now? First of all, we have talked about appropriations, in most years, for about 40 percent of the time. About 40 percent of the time the Senate and House spends in session is spent on appropriations. During this last period of time, we will be confronted with trying to move quickly to complete that work, which has to be completed, of course, for the Government to go on. And that is OK. But as part of that, we will see a great deal of nongermane amendments being put onto appropriations bills, which really have nothing to do with appropriations. They are put on there partly because the year is nearly over, and if they are going to happen, they have to happen now.

Often it is easier to move an appropriations bill with an amendment than it is a freestanding bill. We will be confronted again, I suspect, by the administration threatening, where they don't agree with the Congress on the payments in certain areas and appropriations for certain areas, that they will close down the Government and blame the Congress. We have to guard against that. It is not the intention of the Congress to close down the Government—nor was it several years ago. But that is the pressure that is used. So what could we do to change that?

It seems to me that we ought to consider going into a biennial budget process—a process in which every 2 years we would spend our time on the budget. We would budget for a biennial time and have the remainder of the time to do the other business of the Congress. I am persuaded that the Congress spends too much time on budget issues.

One of the really important things, after the budget is completed, is for the Congress to ensure that those programs that have been funded and the money that has been spent is spent as efficiently as possible, spent in the way in which the appropriation was designed and for the purpose for which it was designed. That doesn't always happen. So oversight, it seems to me, is certainly one of the more important things Congress has to do. We have relatively little time to do that.

We don't always complete our work. Since 1997, we have had 60 continuing resolutions. That means that we didn't complete the appropriations and that we simply continued what had been done in the past. As I mentioned before, we have devoted roughly 40 percent of our time to budget resolutions, reconciliation and appropriations. We have too many repetitive votes on the same issues. There are lots of things for the Congress to do and lots of things that the Congress has a responsibility to do. Many of them, I think, are neglected because we spend too much time each year on appropriations.

There is not enough time for vigorous oversight. We continue to let inefficient and inappropriate programs continue. One of the other things that brings it to mind—and I am sure the Presiding Officer had the same experience at home—is when you hear about all these programs being operated in quite a different fashion than was the concept of the legislation, and that is part of our responsibility in Congress.

In the last Congress, I introduced a bill that creates a 2-year authorization for appropriations and budget resolutions—partly, I suppose, because of my experience in the Wyoming legislature in which we operated with biennial sessions. Most States operate with biennial appropriations, as a matter of fact. One of the arguments against it, however, is that some of the States are going to annual appropriations. I will tell you why. They are going to annual appropriations to be consistent with the Federal Government, and there is so much Federal funding, it is difficult. If the Federal Government would do it, I think you would find these States going back to it, and it would eliminate some of the redundancy in budgeting and help to reduce the size of Government, and I think it would help put a bridle on unchecked Government spending. It would encourage agencies and executive branch agencies to plan for longer in the future. And I think it is difficult for an agency to have to plan one year at a time when they are doing longer term projects. They can be useful for them as well. They could help Government do it with Federal grantees to do it.

The author of the bill, Senator DOMENICI, has introduced bipartisan legislation with the bipartisan support of 35 of our colleagues. It passed the Budget Committee and the Governmental Affairs Committee, and is pending on the Senate calendar.

Bipartisan support has been expressed by Senator LOTT, Senator DASCHLE, leaders of both sides of the Senate, and Vice President GORE and the OMB Director have all expressed support for biannual budgets. A limited time has elapsed. I suspect it is unlikely that it will pass, which is part of what I am talking about. Now we are jammed in here for 4 weeks. The leader spoke this morning about how difficult it will be to do all of the things that have to be done. As I recall, the budget is supposed to have been pretty well done by now. It is supposed to move along on a schedule. We, of course, seldom, if ever, live by that schedule. So we are in our annual sprint to avoid a Government shutdown.

I urge my colleagues to consider some reform of legislation that would change what we do. I think there is great merit in doing it. It is not a new idea. Certainly it is not a cure-all of all Federal Government ills. But it is a process that perhaps would be helpful.

Processes are hard to change in this institution. And I respect that. There should be a reason to change things. I am a little discouraged when you talk about making things work a little better when the response often is, ''Well, we have always done it that way.'' That is not a very good response.

I think we could save time. I think we could save money. I think we could manage better. I think we could allow ourselves to do the things that we need to do.

I suspect, frankly, that one of the reasons there is opposition is that those people and the appropriators have a little more power to exert each year rather than every other year by being on this committee and helping to decide where money is spent. That is one of the realisms of it. On the other hand, there are a lot more people who are not on the appropriations committee than there are on the committee. So that should not keep us from doing it.

This, as I said, would not be a panacea but certainly would be a step in the right direction of what we seem to constantly talk about, and I hope constantly seek; that is, a more efficient operation, a more effective operation by spending less taxpayers' money. It seems to me that this is one of the ways to do that.

I hope we consider it. If we don't get it done this time, we ought to bring it up early in the next session. We ought to bring it before both the House and the Senate and streamline the way we appropriate the funds for the programs in Congress.

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

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

Mr. KYL. Mr. President, Thank you.

U.S. POLICY TOWARD IRAQ

Mr. KYL. Mr. President, I thought I might take just a moment to speak to the issue of the policy of the United States of America toward Iraq and Saddam Hussein.

In the month or so that the Senate has been out of session, there has been a significant series of developments which cause me considerable concern about the direction of the administration's policy—or not policies, as the

case may be—and the requirements of the Senate to act in accordance.

The President will recall that about 7 years ago the entire country was fixed on the problem of Saddam Hussein's invasion of Kuwait and strongly supported the action of the President—at that time President Bush—to first engage in what was called Desert Shield and then later Desert Storm; the militarily significant rollback of the Iraqi forces in about 100 hours. I visited Saudi Arabia as that buildup of American forces was occurring. It was unprecedented really since the time of the Vietnam war. The success of the operation was one of the great successes of U.S. military history.

I remember the parades all across America when our troops returned home. We were very proud of what we had done. We had turned back a difficult dictator who had engaged in unspeakable horrors against people in Kuwait, against the environment, and really against the rule of international law.

We had disengaged from Iraq because the President had succeeded through the efforts of General Norman Schwarzkopf and the Secretary of Defense—at the time Richard Cheney—and Secretary of State Jim Baker to force Saddam Hussein into an agreement that would forever bar him from developing weapons of mass destruction, or the means to deliver them. That was an agreement that Saddam Hussein willingly entered into, although one could say it wasn't too willingly because we had about 500,000 troops in his country at the time. But the deal was we will stop now if you will sign this agreement; otherwise we will have to continue our military operation. Saddam Hussein wisely decided to sign an agreement with the United States. That agreement was to allow U.N. inspectors to ensure that Iraq was not developing weapons of mass destruction, and that it would destroy the stocks that it had developed.

We know that for the first few years world attention was focused on Saddam Hussein because of what he had done. The United Nations was focused on supporting and enforcing those inspections, and the United States on a couple of occasions either took or threatened to take military action to force Saddam Hussein to comply with his part of the bargain. America was united in that position. Now, the Bush administration policy at the time was called a policy of containment. The effort was not to get Saddam Hussein out of power per se but, rather, to prevent him from doing any damage to neighbors. But a concomitant to that policy was to ensure that he did not have the capability of causing his neighbors problems by virtue of the U.N. inspections.

Slowly, over time, after the Clinton administration took office, that policy evolved. Now, they continued to call it containment, but a critical component of the policy was missing —the policy that denied Saddam Hussein the ability to conduct military operations against his neighbors—because over time the administration became less and less willing to ensure that the inspection regime called for under the agreement was actually carried out. UNSCOM is the name by which we know this, the acronym of the United Nations inspection regime. And the UNSCOM inspections eventually became very big news because Saddam Hussein saw that from time to time he could thwart the inspectors, prevent them from doing their job, and cause the United States to have to build up military forces in the region. And about the time we would spend a lot of money and effort and time to get these military forces in place, then he would agree to strike some kind of a deal. And as soon as we then brought the force level back down again, he would break the deal, and we would have to do the same thing all over again. He was jerking our chain.

This administration, however, failed to develop a strategy to deal with that. Many of us in the Senate, through meetings with members of the administration, through correspondence, and through public hearings and statements, have tried to get the administration to focus on a long-term strategy that would have as its ultimate goal not containing Saddam Hussein but eliminating Saddam Hussein. No one believes that this is easy. It is a long-term project, and it takes a real commitment. This administration has not been willing to make that commitment.

In February of last year, the administration again built up forces because again Saddam Hussein had refused to allow the inspectors to do their job under the agreement that he had made. Many of us in the Senate were concerned that if the administration simply lobbed a few cruise missiles into certain Iraqi facilities, it would be antithetical to our long-term goal. It would not do anything to ensure that the inspectors could do their job. It would probably kill a lot of innocent people. It would turn world opinion against the United States. And we need the support of our allies, support that we used to have when the Bush administration worked to get that support. But most importantly, military action would not be in furtherance of any particular strategic policy. It would waste money, it would not achieve anything, and in the end we would still have an empty policy.

The administration continued to insist that our policy was one of containment. But containment is no policy if, in fact, you are at the same time allowing your opponent—in this case, Iraq—to build up military forces so that when they want to strike, they have the capability of doing so. And because we don't have forces in the area sufficient to stop aggression, again, it would have to be a reaction on the part of the free world in response to aggression by Saddam Hussein rather than preventive action to begin with.

And so as time went on, the Iraqis continued to snub their nose at the United Nations inspectors, probably building up the capability to produce weapons of mass destruction and also to develop the missiles, or produce the missiles to deliver those weapons.

The inspectors then have reported back to us. Richard Butler, who heads UNSCOM right now, and others have said that if we stop those inspections, it is only a matter of time before Iraq can develop the capability of producing these missiles and either has now or could quickly develop the chemical and biological weapons that would be necessary to threaten or cause harm to their neighbors. So the inspections are a key component of any strategy, including a strategy of containment. And it does no good to have a strategy of containment if you don't enforce the inspection regime called upon by the agreement with Saddam Hussein 7 years ago.

Recently, Scott Ritter, a well known inspector on the UNSCOM team, has resigned in protest, and the reason, Mr. President, is because he has said that U.S. officials, including the Secretary of State, Madeleine Albright, have thwarted the inspections by specifically putting conditions on U.S. involvement with the inspectors and by conditioning the time, the place, and manner of inspections.

Now, this is all wrapped up in diplomatic speak. The administration has flatly denied this is true. The administration, frankly, in this respect is not telling the truth, Mr. President. If Scott Ritter is to be believed, restrictions have been placed upon the American involvement in the inspections of these facilities. And it has been done because the administration doesn't want to have to follow up on what the inspections will demonstrate; namely, that action needs to be taken against Saddam Hussein.

Or, failing that, if Saddam Hussein says, ''I am not going to allow you to inspect certain facilities,'' the administration will then be forced with the option of either doing nothing or of having to take some kind of action. And since the administration is unwilling, apparently, to take any kind of action, it therefore has to select the option of doing nothing. But it obviously cannot be perceived as doing nothing, so instead it sweeps the problem under the rug, says, ''We don't see any problem with Saddam Hussein.'' And of course you don't see any problem if you have your eyes closed, if you are not engaging in any inspections, or you are not allowing your inspectors to engage in the key inspections.

Frankly, Mr. President, the administration's duplicity in this regard is something that the Congress should not permit and the American people need to be aware of. We ought to have the truth from the administration. Have we changed our policy with respect to Iraq? Have we decided not to enforce the agreement anymore? And

what are the implications of this policy?

Scott Ritter has laid forth his allegations. The administration has responded simply with denials. And yet there are enough sources who confirm Scott Ritter's allegations to cause me to believe that the administration's denials are false, that in fact Secretary of State Albright has, in one way or another, discouraged the American inspectors from inspecting key facilities that the inspectors believe need to be inspected because of what would be revealed.

So, Mr. President, here is where we are now. After the agreement that Saddam Hussein entered into, in which he agreed to allow inspections to ensure that he did not develop the capability to pose a threat to his neighbors, part of the containment policy—as a result of that agreement, the United States had enforced for a period of years the inspection regime through UNSCOM—we are now no longer doing that in practice. It is now a charade.

The reason it is a charade is because we don't want to face the consequences of either, A, being denied the ability to engage in the inspections or, B, finding something we don't want to find, because in either event we would have to do something, and this administration is frozen into inaction in dealing with Saddam Hussein. If they can lob a few cruise missiles at a problem, as they did against the terrorist Osama bin Laden 10, 12 days ago, then they can say they have taken action.

But that is not enough in dealing with Saddam Hussein. He is more clever. He knows that we lack patience. He knows that if he defies us long enough, eventually our allies will desert us because, A, we don't have the capability anymore of keeping the coalition together and, B, the American people will get tired of the issue and no longer be willing to support the kind of military action or long-term action that would be required to oust Saddam Hussein.

The result of this is that the United States has, in fact, changed its policy with respect to Iraq without telling either the Congress or the American people. It apparently no longer intends to enforce the agreement that George Bush and his administration insisted Saddam Hussein make.

The implications for peace in the world are significant, because when Saddam Hussein has been able to build up his weapons of mass destruction to the level where he can cause significant damage, he will either do so or he will threaten to do so. At that point, his capability will cause a lot of countries in the world, especially those close neighbors who fear that kind of activity on his part, to back off of any opposition to him. His neighbors are relatively unprotected and, not believing the United States is a reliable ally to protect them, they will accede to his demands. Then, rather than having one or two countries in the Middle East that we have to contend with, we will have one or two belligerents and a lot of neutral parties who no longer cooperate with us in restricting his activities and his aggression and his terrorism.

We need these countries in the fight against terrorism. I am very concerned that by backing off of the enforcement of the agreement against Saddam Hussein we will have permitted terrorism to further its goals in the Middle East and around the world, especially against Americans; and will have advanced the day when Iraq decides to engage in yet another form of aggression.

I think it is a sad day when not only do we see U.S. foreign policy in tatters, in shambles, with respect to a country that we know poses a threat to us, but an administration which is unwilling to come clean on its policy. I know these are harsh words, but the fact of the matter is the administration has not leveled with the American people on this problem. I believe that Scott Ritter is essentially correct in his assessment of the situation, especially the administration's decision to pull the plug on the inspections in any meaningful way. As a result, I think this matter deserves airing in the Senate, in the House, and before the American people. I expect, either as chairman of the Judiciary Committee's Subcommittee on Terrorism or as a member of the Intelligence Committee, I will ask the administration to explain its position. I think the Senate will probably have to take some action before we adjourn in October to ensure that this country has a strong policy with respect to one of the rogue nations of the world.

In conclusion, when discussing this in my home State of Arizona this last month, one of my friends said, ''Isn't it the obligation of the President to conduct the foreign policy and shouldn't the Congress leave that to the President?'' The answer is, as I said, as a general proposition, yes. But when an administration is frozen into inaction for one reason or another, whether the President is being distracted by other matters or whether it is simply too hard a problem for the administration to want to deal with, then the Senate, in its historic role as a partner in the administration of foreign affairs, needs to insert itself into the equation. To the extent we need to influence the development and execution of foreign policy in this area, the U.S. Senate will have to be involved.

I would rather the administration develop a policy and a strategy and execute it with the cooperation of the Senate, but if the administration is unwilling to do that, then the Senate will have to get involved. It is not a happy day to have to talk about this kind of thing in this way. We would much rather cooperate with the administration. I hold myself out to be willing to do that at any time and any place. But the administration has to come clean with the American people on what its strategy really is in dealing with Iraq. Until that statement of strategy has been laid out in an honest way, the Senate is going to have to involve itself in this issue.

I hope and pray we will be able to maintain peace in the Middle East and that we will be able to contain Saddam Hussein, but it is going to require commitment and will, not just of the American people, but of the American Government. I am hoping in the next few weeks we can help develop the policy so, between the administration and the Congress and the American people, we will jointly, together, unify and be able to confront this threat to peace in the world.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I welcome back the distinguished Presiding Officer and our staff on the Senate floor and hope that you all had as enjoyable an August recess as I did.

I want to talk about three things this afternoon. The first is to express how saddened I am with the loss of a very key member of the staff of Senator KENT CONRAD and somebody whom I knew and respected quite well.

Secondly, I would like to talk about the agricultural situation in my State of South Dakota that I spent a good deal of time talking about as I was home.

And then obviously, thirdly, I would like to discuss the agenda at hand and what my expectations and hopes are for the remaining 6 weeks of this session.

TRIBUTE TO KENT HALL

Mr. DASCHLE. Madam President, just before Congress left for the August recess, we suffered a staggering loss in our ''Capitol Hill family''—the deaths of Detective John Gibson and Officer J.J. Chestnut.

Today, as we returned to our work here, we learned that we have suffered another loss in our family.

This past Saturday morning, Kent Hall died in his sleep. Kent was chief of staff for my colleague and friend, Senator KENT CONRAD of North Dakota.

Outside of Congress, his beloved family, and his many friends, it's likely that few Americans ever heard Kent's name. But millions of Americans benefited from his years of hard and conscientious work in this body.

Kent Hall was a rare man—a Renaissance man. He held a doctorate in economics and philosophy. He loved ideas. But he also loved the nitty-gritty of politics, and policy.

And he loved this institution, this Senate. He was honored to work here. And we were honored to have him.