

It should be recognized that the bipartisan bill we will consider is a product of a lot of work. People say it is a House-written bill. If you look at it, first, it is overwhelmingly bipartisan; secondly, if you read through the legislation, you see that it draws upon much of the effort from this body, on both sides of the aisle, from the various committees, that have addressed emerging infections in the past—from this body as well as the House.

In the pages of that legislation, we will find much that is familiar in the proposals we have tried to pass before. Thus, Democrats and Republicans, once they read the bill, can claim satisfaction by finding that many of the provisions have been authored from Members on both sides of the aisle. That is the bill that is so close to becoming law. That is the bill we will be debating.

The consensus on the legislation to fight global HIV/AIDS is deep, but I have to say it is very narrow. I don't reveal any secrets in acknowledging that there are very strong differences around the margins of this debate. But what is truly remarkable—people will see this as they look at the legislation itself, and I find it very encouraging—is that we have come to this point of consensus that will permit us to get this bill through this last hurdle, through the Congress, and to the President of the United States.

The bill we bring to the floor does offer a 5-year plan, \$15 billion to combat HIV/AIDS on a global scale. The bipartisan support is reflected in the fact that only one House Democrat voted against this bipartisan compromise bill. Thus, it is not a Republican bill; it is not a Democrat bill; it is a bipartisan bill.

The vote in the House of Representatives was 375 to 41. The President and White House staff have reviewed the House bill, and the White House has informed me that the President would sign this bill as it currently stands. This means that Senate passage is the only remaining hurdle in the way of this 5-year, \$15 billion commitment by the United States of America in the global fight against HIV/AIDS.

We must pass this bill. We must pass this bill this week. I know some of my colleagues would change the legislation and tweak it, given the opportunity. I know some would add a little here and take away some there, change the language as it is written. In a perfect world, I would like to make several changes in the bill that I think have some merit. But as someone who has invested years of my own life, in terms of developing the legislation in this fight against AIDS and in educating others about this issue, and as a physician and someone who is familiar with infectious disease and has experience in treating this virus very directly, I have reflected on ultimately what is most important.

My conclusion is that it is important for us to pass this legislation now and

get this program established without further delay—not 6 months from now, not 3 months from now, not a month from now. It is a moral issue, and history will ultimately judge how this body responds to this devastating virus. There is no change I could personally propose to this legislation that is so significant that it would cause a delay in getting this bill to the President. Therefore, when we bring up the bill, I intend to offer no amendments. I will argue against any amendments. It is my hope that other Senators will reach that conclusion as well.

The bill is a 5-year authorization and it is important for us to remember that no matter what final shape this bill takes as we pass it, this is the first major step. We still have a lot of work to do, but this is the first major step. We will have the ability in future authorizations and in the appropriations process to make other changes, to take the next step as they prove necessary. But now is the time for us to get the job done, create the capacity for that global response, and to give the President of the United States the leverage he needs to attract similar leadership from the world's other wealthy nations.

With this legislation, the United States of America will clearly be leading this fight and will become an example for the other wealthy nations to participate. Simply put, too many innocent children and men and women and young people have been infected by this terrible virus. Too many have died. We have failed to act in the past. We have had good intentions, but we have failed to act in the past. We must not fail these people again. This is our opportunity.

In closing, I appeal to my colleagues on both sides that we join together in passing this bipartisan bill. I acknowledge that it is not a perfect bill, but my conscience does not permit me to let the perfect be the enemy of the good. This is, without a doubt, one moment to put the global interests of others above our own differences and to do our work, to do good, and to reaffirm that which makes the United States of America not just a powerful Nation but indeed a great Nation.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Nevada is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, it is my understanding that the majority wants to move to the energy bill as quickly as possible. We have two speakers. Senator FEINGOLD wishes to speak for 25 minutes and Senator STABENOW wishes to have 15 minutes. That would be a total of 40 minutes. If there are no intervening speeches, we can move to the energy bill at approximately 11:10.

Mr. ENZI. Mr. President, I have also asked for some time to speak to introduce a bill.

Mr. FRIST. Mr. President, I suggest that we have a speaker for whatever time on that side and then come back to Senator ENZI and then back to his side.

Mr. REID. Mr. President, I received a note that Senator MIKULSKI also wishes to speak for 10 minutes. If there are intervening Republicans who wish to speak, we certainly understand that.

I ask unanimous consent that before we move to the energy bill, Senator FEINGOLD be recognized for 25 minutes, Senator STABENOW for 15 minutes, and Senator MIKULSKI for 10 minutes. Also, Senator ENZI wishes to speak for 20 minutes.

Mr. FRIST. Mr. President, why don't we see what speakers we have. I have a general understanding. Let's begin the speeches now and we will alternate back and forth.

Mr. REID. Then we can go to the energy bill.

Mr. FRIST. As soon as we complete the list, we will go to the energy bill.

Mr. REID. Mr. President, I ask unanimous consent that that be the case.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Wisconsin is recognized.

THE FIGHT AGAINST TERRORISM

Mr. FEINGOLD. Mr. President, last week, some of our colleagues came to the floor to discuss the President's recent appearance on the USS *Abraham Lincoln* and the propriety of that appearance. I, however, come to the floor today to discuss some of what the President said on the *Lincoln*, especially with regard to the fight against terrorism.

Mr. President, I rise today to talk about the fight against global terrorism—an effort that is surely our highest national security priority. I want to spend a few minutes talking about the fight against terrorism today because it is not at all clear to me that we are as focused on this mission as we should be. I fear that our mission has become obscured and our approach unfocused. I also fear that this confused approach will undermine our goal rather than enhance our security.

I had planned to make these remarks even before yesterday's terrible terrorist attacks in Saudi Arabia. Early reports indicate that those deplorable

attacks killed several, including at least 10 Americans. Many more innocent people were wounded. Al-Qaida is strongly suspected to be responsible. Of course, my heart and all of our hearts go out to all of the families who are grieving today and to those who are left with the terrible uncertainty as they wait to hear news of loved ones.

More information will surely be emerging shortly, but Secretary Powell has already pointed out one of the most important conclusions that can be drawn from this incident in Saudi Arabia, and that is that those forces who would have us live in fear have not been destroyed.

I have no doubt that everyone in this Chamber was gratified to hear the recent better news about Pakistan's arrest of several members of an important al-Qaida cell, including a Yemeni man believed to be involved in the October 2000 attack on the U.S. warship *Cole* in Yemen. I look forward to more information about this development. But I also look forward to more information about another related matter.

The President reminded us on the USS *Lincoln* that he has pledged that terrorists who attacked America "would not escape the patient justice of the United States." I think the country expects nothing less. But how many people noticed when, according to reports, 10 men escaped from a prison in Yemen on April 11—10 men who apparently were being held on charges of involvement in the terrorist attack on the USS *Cole* that killed 17 American sailors, including one from my home State of Wisconsin?

I want to know—is this so? If so, how did they escape? Did they have assistance? Critically, why are we not hearing more about this? This escape occurred, apparently, just as our brave troops were entering Baghdad—at least in part in the name of stopping the threat of terrorism. But no one seems to be discussing at all this potentially dangerous lapse in Yemen. Did the perpetrators of the murder of 17 Americans on the USS *Cole* escape or not? And what does this mean? Americans pledge every day to never forget September 11, 2001. We pledge this to ourselves, to each other, and to the rest of the world, but I fear that the administration and the Congress are losing sight of our most important goals and priorities.

September 11 is invoked in some surprising and, I think, largely unrelated contexts. Sometimes the very idea of terrorism is used by some on the right and some on the left as a politically convenient attack on whomever or whatever they do not agree with. Rhetoric about September 11 and the fight against terrorism seems to be everywhere, and our distinguished colleague, the senior Senator from West Virginia, raised this very same issue in his remarks last week.

In many ways, the actual business of combating the terrorist organizations or organization responsible for the at-

tacks on our embassies in Kenya and Tanzania, for the attack on the USS *Cole*, for the horror of September 11, and now possibly for last night's attacks in Riyadh, seems to be lost in the shuffle.

A few days ago, from the deck of the USS *Lincoln*, our President told the American people that "the battle of Iraq is one victory in a war on terror that began on September 11, 2001." And polls indicate a majority of the American people believe the Saddam Hussein regime was involved in the September 11 attacks. But I have never—I have never—not in hearings, not in classified briefings, I have never heard once our officials assert we have intelligence indicating this is the case.

President Bush was, of course, right to praise our dedicated service men and women during that speech for they have performed their duties with skill and bravery and superb professionalism. I enthusiastically join the President in thanking them and in welcoming those who are now coming home.

But I cannot and will not join in any attempt to blur what must be the necessary and principal focus on the international terrorist threat by too easily merging it with different issues, including the issue of Iraq.

Last October, I was not able to support the resolution authorizing the President to use force in Iraq. I felt that in terms of the constantly shifting justifications for an invasion and in terms of the mission and the plan for the engagement's aftermath, I felt the administration had not made a sufficiently compelling case for Congress to grant war powers to the President.

I had no problem granting such power to the President to make war on those who attacked this country on September 11, but Iraq was a different issue which, of course, is why it required its own resolution authorizing force. If, in fact, there was a connection in planning together for the 9/11 attack by Saddam Hussein and his agents and the perpetrators of 9/11 and al-Qaida, then I believe there was no need for additional authority and resolution.

The administration had and continues to have all the authority required to go after the perpetrators of 9/11, but Iraq was and is a different issue. In fact, many of us feared it would be a distraction from the urgent task of fighting terrorism. I said on the floor in October, right after the President's famous speech in Cincinnati, the administration's arguments regarding Iraq did not add up to a coherent basis for a new major war in the middle of our current challenging fight against the terrorism of al-Qaida and related organizations.

Of course, a majority of my colleagues in this Chamber voted in favor of authorizing the President to use force in Iraq. We did proceed, and the brave men and women of the United States military answered the call to service and performed brilliantly.

It is certainly my understanding when the Senate voted to authorize the use of force, and it remains my understanding today, that most Senators were convinced by the most compelling argument that the administration put forward. That is the one relating to Iraq's failures to comply with its obligations to verifiably dismantle and destroy its weapons of mass destruction program.

All of us recognize this as a serious issue, but now we are talking less and less about those weapons, it seems, and there is less and less clarity about this matter. So before returning to the principal issue of the fight against terrorism, let me spend a few minutes on the issue of WMD in Iraq.

I raise this issue not in an attempt to revisit the debate about our wisdom in the approach in Iraq and not because I am searching for a smoking gun. I raise it because it does matter whether or not we find WMD. Most importantly, it matters because if those materials were in the country in the first place and we cannot find them now, that is a security problem. Where did they go? Whose hands are they in? These are, obviously, very serious questions, and accounting for these materials cannot be written off as some sort of distraction or legalistic irrelevance.

Just yesterday the New York Times reported that the nuclear expert for the Army's Mobile Exploitation Team Alpha was unaware of any U.S. policy as to how to handle radioactive material that may be found in Iraq, material that could be used to make a dirty bomb. On Sunday, the Washington Post reported that the group directing the U.S. search for weapons of mass destruction in Iraq is "winding down operations" after a host of fruitless missions.

For months, I and others asked the administration: What is the plan for securing these weapons? We tried to understand how we would use the intelligence that was shared in the briefing room to quickly secure weapons of mass destruction and the means to make them. We asked the question for good reason. We were concerned that in the midst of the disorder and disarray likely to accompany military action and the fall of Saddam that WMD could be spirited out of the country or sold to the highest bidder, compounding the threat to the United States rather than eliminating it.

We were right to ask about this issue, and today it appears we either had a problem with our intelligence or we had an inadequate plan. Either way, we are talking about a serious problem that should be examined carefully and one that should not be repeated.

I also think the issue of weapons of mass destruction matters in terms of how the rest of the world and history will understand this undertaking in Iraq. Those perceptions and judgments do affect our security and global stability. We cannot afford to have the world believing the United States will

conjure up pretexts to wage wars and overthrow governments around the world at will. That is not who we are, and it is not in our interest to be perceived in that fashion.

Do not misunderstand me, I am not suggesting at all this was conjured up. There is no doubt that Iraq was not in compliance with Security Council Resolution 1441 when this conflict began, but I think we need to continue to focus on disarmament to keep from muddying the waters with regard to our intentions, and I believe we should accept credible and qualified international assistance in this regard. Yes, what the rest of the world thinks surely matters.

Turning back to the paramount issue of the fight against terrorism, I believe we have to keep this truth about how we are perceived throughout the rest of the world in mind. Perhaps the most important form of American power projected over the last century has been the power of our ideas and our values. If we lose our capacity to lead in that sense, then all of us in Government will have presided over the greatest loss of power in American history, regardless of how much we spend on our mighty and admirable military forces. And we will have put ourselves at a great disadvantage, likely a decisive and crippling disadvantage, in the fight against terrorism, which is our first national priority, which is our first priority in terms of national security.

I recognize many issues are interlinked, that our approach to one policy issue may affect the course of the campaign against terrorism. There can be no doubt about our primary responsibility and our most important security concern. We should be having a more focused dialog and exercising our oversight responsibilities in a more focused way.

A tremendous number of questions came to the surface on September 11. How can we win a war against a shadowy network of nonstate actors? How can we define success? How will we know when we have been victorious? All of us, Democrats and Republicans, the Congress and the executive branch, waded through these questions recognizing that some answers would take time to take shape.

So today many questions remain. Where are we in this fight against terrorism? Our colleague Senator GRAHAM of Florida, one of the most respected Members of this body, suggested recently on the Today show that the war on terrorism has been "essentially abandoned over the past year," and that it is "a fundamental mischaracterization" to describe the war in Iraq as part of the fight against global terrorism." Both issues should be the subject of intense focus in Congress. How are we finding our way in this new kind of conflict? How stable and robust is the multilateral coalition committed to combating terrorism of global reach?

The task at hand is difficult enough without obscuring the issues. Recently

when Secretary Powell testified before the Senate Foreign Relations Committee, he noted that Americans have concluded that terrorism must be eradicated. But, he said:

Some in Europe see it differently. Some see terrorism as a regrettable but inevitable part of society and they want to keep it at arm-length and as low key as possible.

At this point, I am uncertain as to how to interpret this. Are our European partners really unconvinced of the need to fight terrorism? Which partners is he talking about? What steps are they unwilling to take to combat international terrorist organizations? These are real issues and the Secretary is quite right to raise them. But I am left uncertain. Are we conflating policy divergence on Iraq with divergence on international terrorism? Is that what we are talking about?

The President has asserted that:

Any person involved in committing or planning terrorist attacks against the American people becomes an enemy of this country, and a target of American justice. . . . Any person, organization, or government that supports, protects, or harbors terrorists is complicit in the murder of the innocent, and equally guilty of terrorist crimes.

But if it is our policy to eradicate terrorist networks of global reach, then what does it mean when U.S. forces sign a cease-fire agreement with a designated foreign terrorist organization, as they did on April 15 with the Iraq-based Iranian organization known as the People's Mujahedeen or more formally as the Mujahedeen Khalq, the MEK? Are we making peace with terrorist organizations? For what purpose; to what end? Is there a question about the way we apply the terrorist organization designation? Now we read that the organization is surrendering weapons to U.S. forces in a reversal of the April 15 decision. What are the terms of this new agreement? The issues are difficult, but the elected representatives of the American people should be working on shaping the answers together, not picking up hints about ad-hoc decisions by scanning the wires.

Few would argue with the fact that this administration is intensely secretive. And, in this atmosphere of tightly controlled information, too often the elected representatives of the American people are stifled in our ability to fulfill Congress's very important oversight role. With only vague information at our disposal, it is difficult to assess progress or the wisdom of our policy course. The absence of clarity and the absence of data are dangerous. I think it endangers the American people.

The President was right when he said that we have not forgotten the victims of September 11. We have not, and we cannot. But in the same vein, we must not allow the mission that we accepted in the aftermath of that day to become an ever-shifting idea, one that we can never pin down in order to evaluate our performance and take stock of our

needs. Let us hear less rhetoric and more about disturbing reports, such as the possible escape of the perpetrators of the dastardly attack on the USS *Cole*. That surely relates to the fight against terrorism. We certainly cannot permit the fight on terrorism, this most serious of issues, this horror that unites all Americans in resistance and resolve, to become a matter of rhetorical convenience. Our national security is at stake. We need clarity, we need focus, and we need candor. The American people deserve nothing less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. ENZI. I ask unanimous consent that during the period for morning business, the following Members be recognized to speak: Senator STABENOW for 20 minutes, Senator MIKULSKI for 10 minutes.

I further ask consent that following those speakers, the Senate resume consideration of the energy bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. ENZI pertaining to the introduction of submission of S. 1044 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. COLEMAN). Under the previous order, the Senator from Michigan is recognized.

HELPING THE ECONOMY

Ms. STABENOW. Mr. President, I rise today as we are beginning the discussion in earnest about how to create jobs in our country, how to help the economy, how to be responsible as we do that and how to help the States. Certainly my home State of Michigan, as most States, is finding financial crisis.

As we do that, we hear a lot of words, a lot of rhetoric, a lot of slogans. One of those is that the President's proposal is a job and growth package and that colleagues on the other side of the aisle are involved in a job and growth package. Nothing could be further from the truth. In fact, we have 450 well-known economists in the country, 10 Nobel laureates, Chairman Greenspan, many around the country, saying this will not create jobs and it will not create growth. It is not a jobs program. It is not a growth program. We have 13 economists saying it is; 450 economists versus 13 economists.

I suggest the overwhelming opinion of those who have studied this question of how to create jobs, how to move the economy, and how to do it in a responsible manner, without creating a sea of red ink as far as the eye can see, the majority of those who have looked at this issue, the vast majority have said the plan by the White House and by the Republican majority does not do that.

In fact, it adds to what we unfortunately are on track to do, which is to