Mr. President, the

agreement signed by UN Secretary

General Kofi Annan and Iraqi Deputy

Prime Minister Tariq Aziz has averted,

for at least the time being, the use of

military force against Iraq.

Contrary to the statements of some

Members of Congress, I do not believe

this signifies that the President of the

United States has subcontracted the

nation’s foreign policy to the United

Nations. Rather, I believe the President,

who has said he would use force

as a last resort, had good reason, indeed

an obligation, to delay while the

Secretary General sought a diplomatic

resolution of this crisis.

I also believe the agreement, while

not perfect, deserves the support of the

international community, including

the United States, and I say that even

if, as many predict, Saddam violates

this agreement as he has every other

agreement since the end of the Gulf

War.

I have said repeatedly that force cannot

be justified until every diplomatic

option has been exhausted. The agreement

obtained by the Secretary General

shows that we have not yet

reached that point.

Seven years ago the United States

led a military coalition of Western and

Arab nations to force Iraqi President

Saddam Hussein to withdraw from Kuwait.

The United States invested an

enormous amount in the Gulf War. 246

American soldiers lost their lives.

Since then, we have maintained the nofly

zone and provided humanitarian relief

to Iraqi Kurds who have been brutalized

repeatedly by Saddam Hussein’s

army.

The Gulf War ended when Iraq signed

a cease-fire agreement, in which Iraq

agreed to promptly disclose and destroy

its entire arsenal of weapons of

mass destruction. Shortly thereafter,

the UN Security Council adopted Resolution

687, which clearly described

Iraq’s obligations under the cease-fire

agreement. Those obligations have the

force of international law. Subsequent

resolutions have reaffirmed the need

for complete Iraqi compliance.

Since that time, Saddam Hussein has

systematically reneged on his commitments

under the cease-fire agreement.

He and his government have repeatedly

denied the UN weapons inspectors access

to sites they sought to inspect and

which they have every right to inspect.

In his speech last Tuesday, President

Clinton described the numerous instances

that the Iraqis have lied about

their chemical and biological weapons

programs, and revised their reports describing

what they possess only after

their lies were exposed. Any number of

times the inspectors have closed in on

a suspicious site only to be refused access,

or to see an Iraqi truck drive

away in an obvious attempt to hide incriminating

evidence.

If Saddam Hussein had nothing to

hide, why would he have gone to such

lengths to prevent the UN inspectors

from doing their job, particularly since

there is no way the UN sanctions will

be lifted as long as the Iraqis fail to cooperate

fully with the weapons inspectors?

There is no doubt that since 1991,

Saddam Hussein has squandered his

country’s resources to maintain his capacity

to produce and stockpile chemical

and biological weapons.

That history of deception is what

brought us to the brink of war. The

agreement obtained by the Secretary

General reaffirms, at least on paper,

Iraq’s obligations regarding the UN inspectors.

It also gives Iraq some basis

to hope that the sanctions could eventually

be lifted.

Had the Secretary General failed, the

missiles and bombs might already be

raining down on Iraq. We would have

had to expect American casualties. Out

of hundreds or thousands of sorties,

some American pilots may well have

been shot down and taken prisoner.

Iraqi civilian casualties were predicted

to number in the thousands.

While there is no doubt that we can

do tremendous damage to Iraq’s military

capabilities, war is fraught with

uncertainties. Victory can be bitter

sweet, and short-lived. Those who have

taken the Secretary General to task

should explain what gives them confidence

that more would have been

achieved through bombing. Do they

really believe that the lives of thousands

of innocent people are not worth

the time it takes to test the agreement?

Are they prepared to refight the

Gulf War, with ground troops, to get

rid of Saddam? I seriously doubt it.

I fully agree with the President that

nothing short of free, full and unfettered

access for UNSCOM must be our

objective. I have been deeply concerned,

however, that the use of military

force would not achieve that objective,

and that it might well cause

the inspectors, who have been doing 90

percent of their job without interference,

to be barred from Iraq entirely.

Then we would know even less about

his arsenal of biological and chemical

weapons, while Saddam Hussein

emerges defiant and victorious in the

Arab world for having successfully

stood up to the military might of the

United States. Damaging Iraq’s facilities

is a poor substitute for Iraq’s compliance

with the terms of the cease-fire

agreement, if that can be achieved by

other means.

Having said that, I am not against

using force under any circumstances.

Nor do I believe that we can achieve

our objectives in Iraq without the credible

threat of force, because it is the

only thing Saddam Hussein understands.

The Secretary General suggested

as much himself, although he

used the words of a diplomat. But if it

is as likely as not that force will not

coerce Saddam to permit full access for

UNSCOM, and that it could even result

in an end to inspections in addition to

thousands of civilian casualties, and

enhance Saddam’s standing in the Arab

world. This may show again that it

would have been wrong to give up on

diplomacy.

It is elementary that diplomacy requires

flexibility, just as it requires

creative thinking. Both, I am sad to

say, have been in short supply during

this crisis. I was not prepared to support

the use of force against Iraq prior

to the Secretary General’s trip to

Baghdad because I was not convinced

that there had been a serious attempt

at creative diplomacy. In fact, I was

concerned about the apparent inflexibility

of the administration, not on the

question of access for the UN inspectors

which I do not believe can be compromised,

but on other issues such as

the sale of oil so Iraq has some realistic

hope of being able to meet its obligations

under the cease-fire agreement,

which include compensation for Kuwait

and Israel.

I was also concerned that administration

assertions that the embargo would

not be lifted until Saddam Hussein is

removed from power, as desirable as

that is, were inconsistent with the

cease-fire agreement, and gave the

Iraqi Government little reason to even

attempt to comply.

The Secretary General’s initiative

showed that a degree of flexibility and

creative thinking can prevent bloodshed.

While Saddam has shown many

times that he is ruthless and

untrustworthy, that is not a reason to

abandon diplomacy as long as there is

a glimmer of hope. It may produce a

better outcome. That is worth finding

out.

Or it may not. Saddam has not

agreed to anything different than he

had before and the agreement is devoid

of details on several important points.

There is uncertainty about which facilities

are ‘‘presidential sites,’’ and

the procedures for inspections of such

sites have yet to be determined.

There are concerns that the agreement

could undercut the independence

of UNSCOM if its authority is shifted

to a commission named by the Secretary

General. However, according to

Secretary of State Albright, the Secretary

General has assured her that

Richard Butler, the current head of

UNSCOM, will remain in charge.

There are unresolved questions about

the role of the diplomats who are to accompany

the inspectors. UNSCOM’s

success has been a result of its independence,

and that absolutely must be

preserved, both for purposes of its activities

in Iraq and for inspections elsewhere.

The wrong precedent here could

come back to haunt us years from now

somewhere else. The proof will be in

the interpretation, and whether or not

UNSCOM is able to do its job without

physical or political interference.

Whether the use of force would be

justified, or wise, if the agreement fails

I will leave for another day. But we

should remember that despite all the

destruction leveled on Iraq during the

Gulf War, it was not enough to prevent

Saddam Hussein from defying the

international community and using

every trick in the book to rebuild his

military arsenal.

If we bomb Iraq again, he would be

right back at it, claiming victory for

standing up to the US, but no longer

under the watchful eye of UNSCOM’s

cameras. Then what would we do, after

we are blamed for causing more innocent

deaths on top of the Iraqi victims

of the embargo for which we are

deemed primarily responsible?

How do we avoid being back in the

same situation in six months or a year?

What about the risk of exposing our

forces to poison gas or biological toxins,

which might be inadvertently released

in a bombing attack?

How do we weigh the risks of further

damaging our relations with the Arab

world, and with Russia? If we cannot

get rid of Saddam, what is our longterm

policy? Or are we prepared to do

what it takes to get rid of him?

These questions need answers, especially

if Saddam breaks his word again

and the President decides to use force.

If that day comes I would urge him, as

others have done, to first seek authorization

from the Congress.

This is not a situation where the

United States is facing imminent attack.

It is not the type of situation

that was contemplated by the War

Powers Act, when the President could

single-handedly involve the country in

a war for a limited period of time because

there was not adequate time for

the Congress to declare war. There

would be time. The Congress has that

responsibility. Some Members of Congress

would duck that responsibility

and put it all on the President. That is

not why we are here. We owe it to the

American people to speak.

The use of force on this scale, under

the circumstances contemplated here,

would have grave consequences for the

American people, for our entire country.

Likewise, the failure to use force if

Iraq again violates the cease-fire agreement

could have lasting implications

for the international community’s efforts

to deter the manufacture and use

of chemical and biological weapons and

to uphold international law. For these

and other reasons, the Congress should

fully debate these issues and render its

own judgment.