Madam President, I

commend again the able Senator from

Michigan for this proposal that he has

before us. The strength of the proposal,

and the care with which it has been

crafted, is made manifest by the tortured

argument of the Senators from

Connecticut and Arizona against his

resolution. They are in a convoluted

posture to try to misinterpret this in

order to try to make an argument

against it. It is just incredible what

has happened. We need some intellectual

integrity here as we deal with this

issue.

Let me ask the Senator from Michigan

if he would answer a question or

two.

The Senator from Connecticut said

earlier that you were precluding the

use of military force to exercise our inherent

right of self-defense because we

would have to have a United Nations

resolution before, as I understand—before—

we could exercise such force.

I read in your resolution a specific affirmation

under international law of

our inherent right to use military

force; is that right?

The Senator did

this last night, and he is doing it again

today. He has inserted into the authorization

to use force pursuant to a U.N.

resolution the word ‘‘only.’’ The word

‘‘only’’ is not there. These are two separate

sections. One provides an authority

under a U.N. resolution; the other

preserves the inherent right of military—

I want to say to my good friend

from Connecticut, it is painful to me to

see a former able and distinguished attorney

general of the State of Connecticut

twist and turn to try to do

this, what he is trying to do, to the

very well-crafted amendment of the

Senator from Michigan. It is painful. It

is painful to see this.

I thank the Senator

from Delaware.

I strongly commend the Senator

from Michigan for how carefully

thought-out and reasoned and constructive

his amendment is, as was just

reflected in the exchange which he had

with the Senator from Connecticut.

Obviously, this amendment, which is

before us and which I support, has been

very carefully thought through to deal

with all these eventualities. I commend

the Senator from Michigan for it.

Mr. President, I join

my colleague from Michigan in expressing

my deep thanks to the Senator

from West Virginia for his extraordinarily

effective and powerful

presentations in the course of this debate.

I was also planning to put this article

in, as my colleague has already

done. It is a very powerful statement

that appeared in this morning’s New

York Times entitled ‘‘Congress Must

Resist the Rush to War.’’ The Senator

from West Virginia, as he always does,

asks some very piercing questions and

calls the Congress to its responsibilities.

Let me quote a paragraph or two

from the article:

Of course, the particular resolution

that is before the Senate, as is pointed

out in this article, and I quote the Senator

from West Virginia: And there actually were other proposals

to narrow that authority, but of

course none of them carried.

Further quoting:

I say to my colleague from West Virginia,

it seems to me clear that upon

approval of this resolution, as far as

the Congress is concerned, war has

been declared against Iraq. Would the

Senator agree with that observation?

Let me ask my colleague

this question: Suppose some unforeseen,

extraordinary development

should take place after this resolution

is passed and sent down and signed by

the President which transforms perhaps

the weapons of mass destruction

situation. The President, though, could

still move ahead and go to war, could

he not?

When would the

President have to decide whether he

was going to use this authority? Let’s

assume with respect to passing it later

in the evening—although I will oppose

it—assuming it is passed and the Congress

authorizes the President to go to

war, in effect, with Iraq, is there a

limit on the time period in which the

President could then use that power to

launch war against Iraq?

That underscores

what the distinguished Senator says in

this op-ed piece that appeared in this

morning’s New York Times. I quote:

This, of course, is a

decision with far-sweeping consequences,

certainly as it deals with

Iraq and all of its implication. But the

precedent is being established in terms

of the future, it seems to me, and that

constitutes a major erosion of the role

of the Congress with respect to the Nation

going to war.

I am glad the distinguished

Senator made that point because

that is the next item I wanted to

go to. People could say: If the circumstances

changed and the Congress

wants to pull it back, why not come in,

pass a law, and pull it back? But the

fact is that a President who wanted to

keep that authority and may well want

to use it, as long as he could keep the

support of one-third—not of each House

of the Congress but only one-third of

one House, either a third of the Senators,

plus one, or a third of the Members

of the House of Representatives—

he could negate congressional action

that tried to pull back this war-making

authority, could he not?