

loss and degradation of wetlands as a result of highway projects. We have suffered unacceptable wetlands losses—more than half of the estimated 220 million acres that existed when the nation was founded have been lost.

Transportation has unintended but negative consequences on the nation's wetlands. The original ISTEA recognized this by establishing wetlands mitigation as an eligible expense of a State's highway construction funds. Mitigation banking is an innovative concept that allows a person who wishes to fill a wetlands to compensate for that loss by obtaining credits representing positive wetlands function generated at a nearby site. It is the perfect example of a forward-looking environmental policy that offers more bang for the buck.

With respect to highway construction, mitigation banking offers several potential advantages over on-site, individual mitigation. A mitigation bank, unlike on-site mitigation, can consolidate wetlands compensation where it is most ecologically beneficial. Moreover, mitigation banking helps to achieve the goal of "no net loss" of the Nation's wetlands by providing additional opportunities to compensate for impacted wetlands. So I thank Senators BOND and BREAUX again for their work on this.

We are prepared to accept the amendment.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, we all want to protect wetlands, and we know when highways are constructed that wetlands are often in jeopardy. It is in the law that when a highway is constructed which does jeopardize a wetland, an offset must be provided for; that is, the developer or the contractor has to find some other way to enhance or improve the wetland.

This is another step in that direction. It is a step toward greater efficiency, namely, where someone may enhance, develop a wetland, get credit for it, and the contractor comes along and goes to the bank which already has the credit for the wetland. It is a much more efficient process for getting the job done. I compliment the Senator from Missouri for coming up with this idea. We accept the amendment.

Mr. CHAFEE. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1677) was agreed to.

Mr. BOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BREAUX. Mr. President, I thank the Senate for accepting the Bond-Breaux amendment to S. 1173. It has

been my privilege to cosponsor the proposal with the Senator from Missouri, Senator BOND, and to continue our work together on wetlands-related issues.

I express my deepest appreciation to the Majority Leader, Senator LOTT, and to the Committee Chairman and Ranking Member, Senator CHAFEE and Senator BAUCUS, for their support. I also look forward to working with them on this issue as the intermodal surface transportation bill advances through Congress.

The Bond-Breaux amendment proposes to establish a reasonable, responsible wetlands and natural habitat mitigation policy as part of the federal aid highway program.

Our language says that mitigation banking shall be the preferred means, to the maximum extent practicable, to mitigate for wetlands or natural habitat which are affected as part of a federal-aid highway project and whose mitigation is paid for with federal funds.

The amendment establishes three criteria which are to be met in order to use a mitigation bank: first, the affected wetlands or natural habitat are to be in a bank's service area; second, the bank has to have enough credits available to offset the impact; and third, the bank has to meet federally-approved standards.

The Bond-Breaux amendment does not mandate the use of mitigation banks nor does it say they shall be the sole means or the only method used to mitigate for wetlands or natural habitat affected by a federal-aid highway project.

Mitigation banks can offer advantages when built and operated responsibly, including achieving economies of scale and providing larger, higher-quality diverse habitat.

Again, I'm pleased to join with Senator BOND in sponsoring the amendment, pleased that it has been accepted as part of S. 1173, and appreciative of the support extended for it by Senator LOTT, Senator CHAFEE and Senator BAUCUS.

Thank you, Mr. President.

Mr. CHAFEE. Mr. President, again, I thank the Senator from Missouri. I see no other individual prepared to offer an amendment. I urge Senators to come to the floor. 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. GRAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I ask that I be allowed to speak out of order for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE IRAQI CRISIS

Mr. GRAMS. Mr. President, I rise today to express my hope that the agreement reached by Secretary Annan in Iraq results in the end of a conflict that has plagued the international community over the past seven years—the failure of Saddam Hussein to live up to the terms that he agreed to following the invasion of Kuwait and his defeat in the Gulf War.

If Saddam has truly experienced a change of heart and has decided to abandon the production and concealment of weapons of mass destruction, this agreement is a milestone; if this is just one more ploy to evade the destruction of his arsenal, then we remain on course for a showdown with Iraq.

We all know Saddam Hussein's record. He invaded the sovereign nation of Kuwait. He used chemical weapons against Iran and against his own people. He used women and children as human shields to protect himself and his weapons of mass destruction. He is both a coward and a menace—and that is a dangerous combination.

At this time it is impossible to judge whether this deal will truly permit the UN weapons inspectors full and unfettered access. UNSCOM inspectors have always insisted that they need to be able to follow a trail wherever it leads them. They are not seeking access to a certain category of sites—they just need freedom to track the evidence. If this agreement permits them to do this and allows them to use whatever techniques are necessary, then the agreement is a step forward. The inspectors do not seal off buildings because they are "cowboys," they do it because the Iraqi's were moving equipment out the back door as they entered the front.

It would have been prudent for the Administration to have studied the plan, and clarified the details before it offered its support. But, as is the case with the lack of information to the Senate on the Administration's plan to bomb Iraq, prudence was apparently too much to expect.

While I am reserving judgment on the Secretary General's agreement until the terms have been thoroughly explained, one positive immediate effect is that it has created a pause in the crisis. The Congress has a responsibility to the American people, and especially the men and women serving in our armed forces, to ensure that the Administration has clear objectives and a coherent policy in regard to Iraq. The use of air strikes against Iraq may have been averted in this instance, but given Saddam's track record of lies and deceit, I do not believe that this is the last time that we will be forced as a nation to confront him.

We all witnessed the Administration's public relations offensive with Cabinet officials holding town hall meetings around the country to build public support for limited air strikes. Through these forums it has become painfully clear that the Administration

refuses—or perhaps more disturbingly—cannot consistently answer four basic questions: (1) What are the Administration's goals; (2) how will limited air strikes achieve those objectives; (3) what happens after the bombing stops; and (4) what is our endgame?

First the Administration told us that the goal of the United States was to allow UNSCOM inspectors full and unfettered access to suspected storage sites for chemical and biological weapons. Then we were told that it was to make sure that Saddam would not be able to "reconstitute" his nuclear, chemical and biological weapons production capabilities. But the Administration has failed to explain to the American people how air strikes will achieve these objectives.

After a round of briefings in the Senate with Administration officials, the only thing that is clear is what US air strikes are not going to accomplish: they will not eliminate Iraq's stockpiles of chemical and biological weapons; they will not eliminate Iraq's capability to produce weapons of mass destruction; and they will not remove Iraq's rulers, who persist on a course of action which threatens international security and the welfare of their own people.

The Administration's plan for "substantial" air strikes—which I suppose falls somewhere between "pinprick" and "massive" attacks—may delay Saddam's capability to deliver weapons of mass destruction. Of course, many of the buildings where biological weapons are produced and stored are dual-use facilities—like hospitals and vaccine laboratories. There is also a danger that uncontrolled explosions of storage facilities could result in the release of toxic substances. So it is not a question of whether we are able to destroy these targets, but whether the resulting deaths of Iraqi civilians would prove counterproductive to our goals.

In addition, Saddam has been playing a shell-game with chemical and biological weapons stockpiles. As General Zinni, commander-in-chief of the US central command acknowledged in December, "we do not have a good sense of what he has and where he has it"; and we do not know the location of mobile missile sites.

Unfortunately, Saddam does not need a huge production capacity or weapons stockpile to remain a threat. As a February 15 article in London's Sunday Telegraph noted, recent investigations of a tiny leak of anthrax from a Soviet facility in 1979 have documented 77 deaths, with animals killed up to 30 miles away, even though less than a gram of anthrax escaped.

Even if the Administration allows the military to conduct a comprehensive air campaign which cripples Saddam's ability to produce weapons of mass destruction, it is highly unlikely that air strikes will result in UNSCOM inspectors being given unfettered access to suspect sites or will enhance our ability to contain Saddam.

This brings us to the question of what happens after the bombing stops? The only proven way to effectively eliminate Iraq's chemical and biological weapons capacity is to have inspectors on the ground. As President Clinton remarked in an address last week to the Joint Chiefs of Staff, UNSCOM inspectors,

have uncovered and destroyed more weapons of mass destruction capacity than was destroyed during the Gulf War . . . [including] 40,000 chemical weapons, more than 100,000 gallons of chemical weapons agents, 48 operational missiles, 30 warheads specifically fitted for chemical and biological weapons, and a massive biological weapons facility at Al Hakam equipped to produce anthrax and other deadly agents.

But 17 tons of biological growth agents, 600 tons of VX precursors and 4,000 tons of other chemical precursors remain unaccounted for. Iraq could have produced 200 tons of VX alone with this missing material. If, following the air strikes, Saddam denies permission for UNSCOM to conduct inspections, or if UNSCOM finds that it is not safe to proceed following the air strikes, then US actions will have jeopardized international security, not enhanced it.

Furthermore, limited air strikes may extend rather than contain Saddam's power and influence in the region. We only have to look at the fact that the states most threatened by Saddam—the Arab nations in proximity to Iraq, with the exception of Kuwait—are not supporting US military action. Even Saudi Arabia, which we protected against invasion during the Gulf War, and our NATO ally Turkey have refused the use of air bases.

The Arab nations are acting according to their own self-interest. They realize that Saddam is a threat to their national security, but they also recognize that limited US air strikes which fail to depose Saddam could leave them in an even more precarious position. The states neighboring Iraq have legitimate concerns that they could be destabilized if their populations rally around Saddam, who would be seen as a hero for standing up to the West.

Saddam could gain further sympathy from those disaffected populations by opting out of the oil-for-food program. The entire sanctions regime could crumble, and Saddam could continue to increase his weapons program unfettered by multilateral sanctions. Efforts to promote democracy in the region would be jeopardized. Terrorism could be increased and exported to the United States.

President Clinton asked a rhetorical question in his speech last week at the Pentagon: "What if he (Saddam) fails to comply, and we fail to act?" Well, I have a question for President Clinton, what if our air strikes only strengthen Saddam's power and eliminate any chance of finding and destroying his weapons of mass destruction?

Administration officials have glibly answered that we will just bomb again. That is not a policy; that is not a strat-

egy. It is a cop-out for poor planning and the lack of a comprehensive policy toward Iraq.

How often can we bomb without mobilizing Muslim nations to stand by the people of Iraq? How often can we bomb without some form of retaliation from Iraq against our allies in the region, if not against the United States itself? This Administration talks in terms of limited strikes, but in war we must take into account the "law of unintended consequences," and the threat of a regional conflict should not be dismissed.

Which brings us to the subject of an endgame. When air strikes appeared imminent, I called Secretary General Kofi Annan and urged him to personally pursue a diplomatic solution. And I asked him at that time whether he had a message he would like to convey to the Senate. He responded that we should think through the endgame—what we will do after a military strike if we proceed to bomb Iraq. That is, I believe, sound advice.

The Administration claims that it has a long-term strategy in Iraq—a strategy of containment. But I fail to see any connection between the Administration's short-term strategy of limited air strikes and its stated long-term goal of containing Saddam Hussein. As I said earlier, the best way to contain Saddam is to have weapons inspectors on the ground. Even when they are being impeded, their very presence makes it impossible for Saddam to engage in large-scale production of weapons of mass destruction. The Administration's proposed use of air strikes is therefore inconsistent with its stated long-term strategy of containment.

Now, the Administration has stated that there are no good options for action against Iraq—and I agree. However, one of the reasons why there are no good options is the failure of this Administration to make an all-out effort over the past seven years to remove Saddam from power by establishing a power base for an alternative Iraqi government. Surely, this is an effort which could have secured allies in the region.

According to news reports, by the end of 1996, both of the CIA's covert operations programs had been obliterated. One effort to recruit Iraqi officers, to try to provoke a military coup was apparently infiltrated by Iraqi double agents, and at least 100 officers were executed by Saddam for cooperating with Americans. Another effort to back the Iraqi National Congress in northern Iraq was abandoned by the US government and thousands were slaughtered when they mounted an offensive against Saddam Hussein.

An article in the February 15 Los Angeles Times noted that the CIA team that was on the ground when the offensive started was recalled to the US when the acting Director of the CIA asked the FBI to conduct a criminal investigation as to whether five CIA officers involved in covert operations in

Iraq were plotting to kill Saddam—charges, by the way, that were later dropped. Now this had a chilling effect on covert activity in Iraq, raising concerns as to whether this Administration is serious about getting rid of Saddam Hussein.

I do not support Congressional efforts to overturn the Executive Order forbidding the assassination of foreign leaders. However, there is sufficient flexibility for covert operations to succeed in removing Saddam from power and those efforts must be promoted.

As I stated before, I am pleased that Secretary General Annan succeeded in reaching an agreement with Saddam Hussein. Even if this agreement unravels, it has afforded Congress an opportunity to debate the Administration's policy toward Iraq.

We must demand that the Administration come forward with a clear explanation of its strategy and tactics. We must condemn the Administration for refusing to give a codeword briefing to Senators on targeting strategy—only later did we read an outline of this strategy on the front page of *The New York Times*.

As pressure to bomb Iraq was mounting, I remained convinced that further diplomatic efforts should be explored. There seemed to be a "rush to bomb." As I said earlier, I called Secretary General Annan before the Administration agreed to his trip and asked him to go to Baghdad and speak to Saddam.

I let Ambassador Richardson know that I would support a solution allowing representatives of the permanent members of the Security Council accompany UNSCOM inspectors, as long as UNSCOM was not impeded or compromised in any way.

While I applaud the Secretary General's initiative, I have been appalled by the failure of the UN as an organization, and the Security Council in particular, to support enforcement of the UN resolutions. It is the greatest of ironies that this Administration is sending American men and women to risk their lives to uphold UN Resolution 687. This is a UN Security Council Resolution, but three out of the five permanent members oppose the use of force. France is more concerned with being able to sell Iraqi oil, China wants to buy the oil, and Russia seeks to be paid the \$6 billion it is owed by Iraq. Only Britain is standing by the United States.

There may come a time when the United States has to use force against Iraq to protect our national security. We cannot subcontract our national security policy to the United Nations. When, and if, that time comes, I hope that this Administration will let our armed forces do its job without one hand tied behind its back. And we should send a clear message to the "Butcher of Baghdad": If chemical or biological weapons are used anywhere in the world, and there is even the most tenuous link to Iraq, the full force of the United States will be used against him.

Mr. President, in an excellent speech on the situation in Iraq, Senator ROBERTS of Kansas cited the words uttered 30 years ago by Senator Richard Russell, the Chairman of the Armed Services Committee during the Vietnam War. I think that it is appropriate for me to once again repeat those words on the Senate floor. He said:

I for one am not afraid of the old fashioned term, victory. We hear a great deal about limited wars, but I would point out that there is no such thing as a limit on actual combat in which our men are engaged. While it is a sound policy to have limited objectives, we should not expose our men to unnecessary hazards in pursuing them.

And Senator Russell also made the following pledge:

As for me, my fellow Americans, I shall never knowingly support a policy of sending even a single American boy overseas to risk his life in combat unless the entire civilian population and wealth of our country—all that we have and all that we are—is to bear a commensurate responsibility in giving him the fullest support and protection of which we are capable.

It is inconsistent with our history, tradition and fundamental principles to commit American boys on far flung battlefields if we are to follow policies that deny them full support because we are afraid of increasing the risk of those who stay at home.

It is a confession of moral weakness on the part of this country not to take any steps that are necessary to fully diminish the fighting power of our enemies.'

Mr. President, I urge my colleagues and the Administration to hear those words—they have as much relevance today as when they were first uttered in this chamber.

I yield the floor.

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

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

Mr. CRAIG. Mr. President, I ask unanimous consent I be allowed to proceed as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATO EXPANSION

Mr. CRAIG. Mr. President, today I come to the floor of the Senate to visit with my colleagues about NATO and NATO expansion.

Of all the responsibilities the Senate is called upon to exercise under our constitutional system, none is more momentous—and, in most cases, as irrevocable—as our advice and consent to the ratification of treaties and treaty revisions. One of the treaty questions the Senate will be facing in the near future is whether the North Atlantic Treaty—the NATO alliance—should be modified to include the

former Warsaw Pact states of Poland, Hungary, and the Czech Republic. Our decision on this matter will set the structure for security in Europe and the American role in it for years, perhaps decades, to come.

I would like to commend the distinguished Chairmen of the Committee on Armed Services and the Committee on Foreign Relations for the thorough and thoughtful hearings they have held on this matter. However, in my discussions with a number of Senators, particularly those who, like myself, are not members of those committees, it is clear that many Senators have only begun to focus on the many inter-related issues that touch upon the matter of NATO expansion. Indeed, some of the issues—our relations with our allies, relations with the Russians, the implications for weapons proliferation, our policy toward Iraq—are shifting every day.

For example, this week the distinguished Majority Leader spoke forcefully about his misgivings about the agreement reached between U.N. Secretary General Kofi Annan and the Saddam Hussein regime in Iraq. Our entire policy in the region has been put on hold. It is well known that both France, a key NATO ally, and Russia, the obvious object of NATO expansion, strongly welcome this outcome. Will Saddam Hussein live up to this agreement? Many of us consider it unlikely. Will the United States return to the military option in a few weeks or months? I don't think any of us really yet know that. How will the Iraq crisis, what ever its outcome, affect our relations with both our allies and Russia? We do not yet know the impact of the realities of these events. How will the outcome affect the larger task of stemming the proliferation of nuclear, chemical, and biological weapons and missile technology? We do not yet know. Not knowing the answers to these questions, are we prepared to make an irreversible decision on NATO expansion? I think not—at least not yet.

In considering the implications just of the Iraq crisis, I bring to my colleagues' attention an op-ed by Mr. Thomas L. Friedman that appeared in the *New York Times* on February 17, before the Annan/Hussein deal. Mr. Friedman wrote:

The U.S. should be doing everything it can to work with Russia, not only on Iraq but to shrink Russia's own nuclear arsenal, which is the greatest proliferation threat in the world today. Attention shoppers: Russia has thousands of weapons of mass destruction. It has hundreds of unemployed or underemployed nuclear scientists. And it has only the loosest controls over its nukes and nuclear materials, and it has a signed nuclear arms reduction treaty with the U.S. that has not been implemented. But instead of dealing with this problem, the Clintonites are making it worse. They are expanding NATO to counter a threat that doesn't exist—a Russian invasion of Europe—and thus undermining America's ability to work with Russia on the threat that does exist—Russia's loose nukes. "Halting the proliferation of