that tragic events are a cry for help. It is the simple truth.

In conclusion, there is no bill we can pass to make any of this happen. For this we have to look inside ourselves. In the meantime, those who are in public life need to do everything they can to make this task just a little bit easier. I mentioned five ideas that I have. I look forward to working with my colleagues in the Senate and concerned people at the local community level in Ohio and across our Nation to make sure we are doing all that we can.

I yield the floor.

DEPLOYMENT OF U.S. ARMED FORCES TO THE KOSOVO REGION IN YUGOSLAVIA

The PRESIDING OFFICER (Mr. CRAPO). Under the previous order, the Senate will now resume consideration of Senate Joint Resolution 20, which the clerk will report.

The legislative assistant read as follows:

A resolution (S.J. Res. 20) concerning the deployment of United States Armed Forces to the Kosovo region in Yugoslavia.

Mr. MCCAIN. Mr. President, on behalf of the leader, I ask unanimous consent the time today for consideration of S.J. Res. 20 be for debate only.

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

Mr. WELLSTONE. Will the Senator yield?

Mr. MCCAIN. I am happy to yield to the Senator.

Mr. WELLSTONE. I know Senator BYRD wants to speak. I wonder whether I could ask unanimous consent that after the Senator from Arizona and the Senator from West Virginia speak, I be allowed to speak.

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

Mr. MCCAIN. Today, Mr. President, the Senate should begin a constructive, long overdue, and thorough debate on America's war with Serbia. But we will not. We will not because the Senate leadership, both Republican and Democrat, with the passive cooperation of the President of the United States, has determined that we will limit debate on war and peace to a few hours this afternoon. Apparently, the hard facts of war need not inconvenience the Senate at this time, and the solemn duties that war imposes on those of us privileged to lead this nation can be avoided indefinitely.

I heard my friend, the Democratic Leader, say the other day that now is not the time for this debate. When is the right time, Mr. President? After the war ends? Shall we wait to declare ourselves until the outcome is known? Shall those who oppose NATO's attack on Serbia wait until NATO's defeat is certain before voting their conscience? Shall those of us who believe American interests and values are now so at risk in the Balkans that they must be protected by all necessary force wait until victory is certain before voting our conscience?

I would hope not, Mr. President. For that would mean that we have allowed American pilots and, possibly, American soldiers to risk their lives for a cause that we will not risk our careers for. I think we are better people than that. I think we are a better institution than that. And I think we should use this debate to prove it.

All Senators should, for a start, use the opportunity provided by debate on this resolution to declare unequivocally their support or opposition for the war. Having declared their support or opposition, Senators should then endorse that course of action allowed Congress that logically and ethically corresponds to their views on the war. If Senators believe this war is worth fighting, then recognize that the President should exercise the authority vested in his office to use the power of the United States effectively to achieve victory as quickly as possible.

If Senators believe that this war is not worth the cost in blood and treasure necessary to win it, then take the only course open to you to prevent further bloodshed. Vote to refuse the funds necessary to prosecute it. Senators cannot say that they oppose the war, but support our pilots, and then allow our pilots to continue fighting a war that they believe cannot justify their loss. If the war is not worth fighting for, then it is not worth letting Americans die for it.

Last week, a majority in the other body sent just such a message to our servicemen and women, to the American public and to the world. They voted against the war and against withdrawing our forces. Such a contradictory position does little credit to Congress. Can we in the Senate not see our duty a little clearer? Can we not match our deeds to our words?

Should we meet our responsibilities honorably, we will not only have acted more forthrightly than the other body, we will have acted more forthrightly than has the President. The supporters of this resolution find ourselves defending the authority of the Presidency without the support of the President, a curious, but sadly, not unexpected position.

Opponents have observed that the resolution gives the President authority he has not asked for. They are correct. The President has not asked for this resolution. Indeed, it is quite evident that he shares the leadership's preference that the Senate not address this matter. But, in truth, he need not ask for this authority. He possesses it already, whether he wants it or not.

I cannot join my Republican friends in the other body by supporting the unconstitutional presumptions of the War Powers Act. Every Congress and every President since the act's inception has ignored it with good reason until now. We should have repealed the Act long ago, but that would have required us to surrender a little of the ambiguity that we find so useful in this city. Only Congress can declare war. But Congress cannot deny the President the ability to use force unless we refuse him the funds to do so. By taking neither aciton, Congress leaves the President free to prosecute this war to whatever extent he deems necessary.

Although I can speak only for myself, I believe the sponsors of this resolution offered it to encourage the President to do what almost every experienced statesmen has said he should do—prepare for the use of ground troops in Kosovo if they are necessary to achieve victory. Regrettably, the President owuld rather not be encouraged. But his irresponsibility does not excuse Congress'. I beleive it is now imperative that we pass this resolution to distinguish the powers of the Presidency from the muddled claim made upon them by the House of Representatives.

During the Foreign Relations Committee's consideration of this resolution, my friend, the Senator from Missouri, Senator ASHCROFT, criticized the wording as too broad a grant of authority to the President, and an infringement of congressional authority. How, Mr. President, can Congress claim authority that it neither possesses constitutionally nor, as we see, cares to exercise even if we did possess it? No, Mr. President, the authority belongs to the President unless we deny it to him by means expressly identified in the Constitution. In short, and I welcome arguments to the contrary, only Congress can declare war but the President can wage one unless we deprive him of the means to do so.

Therefore, I feel it is urgent that the Senate contradict the actions of the other body and clarify to the public, and to America's allies and our enemies that the President may, indeed, wage this war. And, with our encouragement, he might wage this war more effectively than he has done thus far. If he does not, the shame is on him and not on us.

I regret to say that I have on more than one occasion suspected, as I suspect today, that the President and some of us among the loyal opposition suffer from the same failing. It seems to me that the President, in his poll driven approach to his every responsibility, fails to distinguish the office he holds from himself. And some of us in Congress are so distrustful of the President that we feel obliged to damage the office in order to restrain the current occupant. Both sides have lost the ability to tell the office from the man.

Publicly and repeatedly ruling out ground troops may be smart politics according to the President's pollster, but it is inexcusably irresponsible leadership. In this determination to put politics over national security, the President even acquiesced to the other body's attempt to deprive him of his office's authority. He sent a letter promising that he would seek Congress' permission to introduce ground troops in the unlikely event he ever discovers the will to use them.

My Republican colleagues in the House, who sought to uphold a law that

I doubt any of them believed in before last week, should take greater care with an office that will prove vital to our security in the years ahead. President Clinton will not stand for re-election again. Twenty months from now we will have a new President. And whoever he or she is will need all the powers of the office to begin to repair the terrible damage that this President has done to the national security interests of the United States.

It is to avoid further damage to those interests and to the office of the President that I ask my colleagues to consider voting for this resolution. The irony that this resolution is being considered only because of a statute I oppose is not lost on me. But bad laws often produce unexpected irony along with their other, more damaging effects. So we have made what good use of it we can.

We are here beginning a debate that many did not want, and few will mind seeing disposed of quickly. In my opening comments, I know I have spoken provocatively. Although I believe my points are correct, I could have been a little more restrained in offering them. I was not because I hope it will encourage, perhaps incite is a better word, greater debate today than is contemplated by our leaders. I meant to offend no one, but if any took offense, I hope they will come to the floor to make their case. Let us have the kind of debate today that the matter we are considering surely deserves.

Mr. President, we are debating war. Not Bill Clinton's war. Not Madeleine Albright's war. America's war. It became America's war the moment the first American flew into harm's way to fight it. Nothing anyone can do will change that. If we lose this war, the entire country, and the world will suffer the consequences. Yes, the President would leave office with yet another mark against him. But he will not suffer this indignity alone. We will all be less secure. We will all be dishonored.

This is America's war, and we are America's elected leaders. As we speak, tens of thousands of Americans are ready to die if they must to win it. They risk their lives for us, and for the values that define our good Nation. Can we not risk our political fortunes for them? Don't they deserve more than a few hours of perfunctory and sparsely attended debate? They do, Mr. President, they deserve much better than that.

We might lose those vote and we might lose it badly. That would be a tragedy. But I would rather fight and lose, than not fight at all. I hope that an extended debate might persuade more Members to support the resolution. The resolution does not instruct the President to begin a ground war in Yugoslavia. Nor does it grant the President authority he does not already possess. Nor does it require the President to pursue additional objectives in the Balkans. But if Members would be more comfortable if those objectives and realities were expressed in the resolution than I am sure the sponsors would welcome amendments to that effect.

But even if a majority of Members can never be persuaded to support this resolution, let us all agree that a debate—an honest, extensive, responsible debate—is appropriate in these circumstances. Surely, our consciences are agreed on that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, how is the time controlled?

The PRESIDING OFFICER. The time is equally divided between the proponents and the opponents.

Mr. BYRD. Who has control of the time in opposition to the resolution?

The PRESIDING OFFICER. No individual Senator has control.

Mr. MCCAIN. Mr. President, there is no division of time here. This is a unanimous consent agreement, that time today for consideration of S.J. Res. 20 be for debate only.

The PRESIDING OFFICER. I am advised that the time control is written in the War Powers Act.

Mr. MCCAIN. Thank you. I stand corrected. I appreciate the outstanding work of the Parliamentarian.

On behalf of the other side, I ask unanimous consent to allow Senator BYRD to speak for as long as he may deem necessary.

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

The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Arizona. I thank him for his courtesy. I thank him for his leadership on this resolution and for his leadership on many of the great issues that we have debated in this Senate from time to time. There are occasions when I vote with Mr. MCCAIN. There are occasions when I feel that we do not see eye to eye. That is not to say that I do not have the greatest respect for his position, for his viewpoint. I do have.

Mr. President, I commend Senator MCCAIN, and I commend the other Senators, Senator BIDEN and the others, who have cosponsored this resolution, for having the courage of their convictions and for standing up for that in which they believe. I am sorry that I cannot agree on this occasion, but there may be a time down the road when we will be working together and I can agree and they can agree with me.

I shall not use more than 5 minutes, Mr. President.

The course of action that they are advocating—giving the President blanket authority to use whatever force he deems necessary to resolve the Kosovo conflict—is a bold and possibly risky stroke. But whatever the outcome, they are forcing the Senate to confront the Kosovo crisis head-on, and that in itself is noteworthy.

Unfortunately, this resolution troubles me for a number of reasons. First, in my judgment, it is premature. In response to a request from the President, the Senate authorized air strikes against Yugoslavia in March. To date, the President has not requested any expansion of that authority. In fact, he has specifically stated on numerous occasions that the use of ground troops is not being contemplated.

I think that has been a mistake from the very beginning, virtually saying to the Yugoslavian leader that we have no intention whatsoever of confronting you with ground troops. That loosens whatever bonds or chains Mr. Milosevic may otherwise feel constrain him. But the President has not announced that.

Now it is deep into our spring, and by the time we put ground troops on the ground, I assume it will be nearing winter in the Balkans. I think that the President has made a mistake from the very beginning in saying we have no intent. I would prefer to let Mr. Milosevic guess as to our intent than tell him we have no intent of doing thus and so.

If the intent of this resolution is to send a message to Slobodan Milosevic that the United States is serious about its commitment to the NATO operation in Kosovo, there are better ways to accomplish that objective. Swift action on the emergency supplemental appropriations bill to pay for the Kosovo operation would be a good first step.

Second, this resolution has the practical effect of releasing the President from any obligation to consult with Congress over future action in Kosovo. With this language, the Senate is effectively bowing out of the Kosovo debate and ceding all authority to the executive branch.

My friends may say that the Senate is not entertaining any debate anyhow, but at least it might do so. I do not think this is in the best interest of the Nation. The President needs to consult Congress, but nobody can seem to agree on just exactly what ''consultation'' means.

The President has had a few of us down to the White House upon several occasions. I have gone upon three occasions, and I have declined to go upon one, I believe, but those consultations, while they are probably beneficial and should be had, are really not enough. But the President does need to consult with Congress, and if he determines ground troops are needed in Kosovo, he needs to make that case to the American people.

He has to make the case. Nobody can make that case for him. The Secretary of State, Madeleine Albright, cannot make the case. The Vice President cannot make the case. Who is going to listen to Sandy Berger? I am not going to listen very much. So who can make the case? Nobody but the President can really make the case. We in the Senate will do the President no favor by giving him the means to short circuit the process.

Third, this resolution goes beyond policy and infringes on the power of

Congress to control the purse. If the Senate gives the President blanket authorization to ''use all necessary force and other means'' to accomplish the goals and objectives set by NATO for the Kosovo operation, the Senate has no choice but to back that up with a blank check to pay for it.

I think I have to agree with the distinguished Senator from Arizona in most of what he said. Practically speaking, he is exactly right. He is precisely correct when he says that the only real check that the Congress has upon the President is the power over the purse. Money talks. That is the raw power. Congress alone has that power.

If we were to adopt this resolution, we would be essentially committing the United States to pay an undetermined amount of money for an unknown period of time to finance an uncertain and open-ended military offensive. Mr. President, that, by any standard, is not sound policy.

I believe there are better ways for the Senate to address the conflict in Kosovo, ways in which we can encourage the administration to work with Congress and to listen to the views of the American people as expressed through their representatives in Congress. I have repeatedly urged the President to provide Congress—and the American people—with more details on the Kosovo strategy, including the projected level of U.S. involvement in terms of personnel and equipment, the estimated cost and source of funding, the expected duration and exit strategy, and the anticipated impact on military readiness and morale.

Of course, we heard the promises made in connection with Bosnia: We were only going to be there a year. Repeatedly, we put that question to the administration people and they assured us, ''It will only take about a year.''

We have heard those promises before. We do not pay much attention to them anymore. Those assurances do not mean anything.

The President has certainly made a good faith effort to date to consult on this matter, with Members of Congress, but we are only in the opening stages of this operation, and the path ahead is very unclear. The President would be well served to continue consulting closely with Congress and to seek Congressional support for any decision that he contemplates involving ground forces. For its part, the Senate should not take any action that would jeopardize this dialog, as I believe this resolution would do.

Mr. President, again I commend Senator MCCAIN and Senator BIDEN, and the other Senators who are cosponsors, for seeking a straightforward determination of the role that Congress will play in the Kosovo conflict.

There is no question where the Senator from Arizona stands. He steps up to the plate, takes hold of the bat, says, here is how I stand, this is what I believe in. He is willing to have the Senate vote. I admire him for that. I admire his patriotism. I admire his determination to have the Senate speak. But I do not believe that this resolution is the appropriate action to take at this time. I urge my colleagues to table it.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is to be recognized.

Mr. MCCAIN. May I ask, for planning purposes, how long the Senator from Minnesota plans to speak?

Mr. WELLSTONE. I will try to keep this under 20 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I say to Senator MCCAIN, I believe silence equals betrayal, and I think we should be debating this question. Besides having a great deal of respect for him, I appreciate his efforts. We may be in disagreement, but I thank the Senator from Arizona for his important efforts.

It was with this deep belief in my soul that I voted 6 weeks ago to authorize the participation of the United States in the NATO bombing of Yugoslavia. I did so with a heavy heart and not without foreboding, because I knew once unleashed, a bombing campaign led by the world's greatest superpower to put a stop to violence would likely lead to more violence. Violence begets violence, and yet there are those extremely rare occasions when our moral judgment dictates that it is the only remaining course available to us.

I did so because it was my judgment that we had exhausted every diplomatic possibility and that our best and most credible information was that without military action by the United States, a humanitarian disaster was about to occur.

Just as the Senate was about to conduct a rollcall vote on the subject, I sought to make sure that the RECORD reflected the rightness of our course of action.

I was assured that our purpose was to prevent the imminent slaughter of thousands, if not tens of thousands, of innocent civilians living in the Yugoslav province of Kosovo by Serb security forces.

I had no doubt about the wisdom and correctness of our decision, and today I harbor no second thoughts about the morality of the initial course. Others may question the reasoning of some who embarked upon the bombing campaign. History will judge whether there were other rationales involved: the significance of prior threats we had made and how our credibility was on the line; the geopolitical factors that required that we act; the continued viability of NATO as a force to be reckoned with throughout the world.

Whatever the importance these factors may have played in the decisions of others to authorize the bombing, my own was a simple one: Inaction in the face of unspeakable, imminent, and preventable violence is absolutely unacceptable. In short, the slaughter must be stopped.

I have no regrets about that decision. The violence perpetrated against the innocents of Kosovo has been, indeed, unspeakable. My only regret is that our actions have been less effective than I had hoped: over a million humans, mostly women and children, uprooted from their homes; hundreds of thousands expelled from their country, and their homes and villages burned; women raped, thousands of the residents killed, and children separated from their families.

The catalog of these atrocities expands every single day.

Just last week, the Serb paramilitaries in southern Kosovo reportedly forced between 100 and 200 young men from a convoy of refugees heading for the border, took them into a nearby field, made them drop to their knees, and summarily executed them, leaving their bodies there as a warning to their fellow refugees.

The catalog of horror goes on and on and on.

I met a woman from Kosovo in my office on Friday with a businessman. They told me of four little children they had met in a refugee camp. The children had bandages over their eyes. They thought perhaps they had been near an explosion. That was not the case. The Serbs had raped their mother. They had witnessed the rape, and the Serbs cut their eyes out—they cut their eyes out. I do not understand this level of hatred. I do not understand this frame of reference. I have no way of knowing how people can do this.

We have witnessed the destabilization of neighboring countries who cannot possibly handle the new masses of humanity heaped on their doorstep. Hundreds of thousands are homeless, without shelter and food, wandering throughout the mountains of Kosovo, frightened and in hiding. Certainly war crime prosecutions await the perpetrators. And we cry out for justice to be done.

We watch the humanitarian relief efforts underway by our own Government, by our European friends, by the offices of the United Nations High Commissioner for Refugees, and by countless nongovernmental humanitarian relief organizations, and we weep at the abundant good that exists in the world in the face of the unspeakable horror.

As I said, legitimate questions remain. There will undoubtedly be hearings relating to the wisdom and timing of our decision to enter this conflict. But that time is not now. So long as our military forces are engaged in this mission, they deserve our full support.

I began my statement with the phrase ''silence is betrayal.'' I believe it is time to speak out once again, this time about where we are and where we are headed.

First, I want to express my strongest possible support for diplomatic efforts

to resolve this crisis, especially the shuttle diplomacy undertaken by Deputy Secretary Strobe Talbott, and the response of the Yeltsin government in sending Mr. Chernomyrdin to speak with President Clinton here today about his latest concrete proposals for resolving this crisis.

As the NATO bombing campaign enters its sixth week, I think it is imperative that we put as much energy into pushing and pursuing a diplomatic solution to the Kosovo crisis as we are putting into the military campaign. We see exhaustive daily briefings on our success in hitting military targets. I would like to see an equal emphasis on evaluating our success in achieving our diplomatic goals.

I have the greatest respect for Strobe Talbott, and I think he is representing us ably in our efforts to engage the Russians in helping to forge a negotiated settlement in Kosovo. I have told him recently how important I believe it is that we not simply try to get the Russians to agree to NATO's view on how a settlement should be reached.

I support the basic military, political, and humanitarian goals which NATO has outlined: the safe return of refugees to their homes; the withdrawal of Serb security forces—or at least to halt the bombing, a start on their withdrawal, with a commitment to a concrete timetable; the presence of an armed international force to protect refugees and monitor Serb compliance; full access to Kosovo for nongovernmental organizations aiding the refugees; and Serb willingness to participate in meaningful negotiations on Kosovo's status.

But there are different ways to meet these goals. We need to be open to new Russian ideas on how to proceed, including the key issue of the composition of an international military presence—and it must be a military presence—to establish and then keep the peace there.

We should welcome imaginative Russian initiatives. I think the Russians have shown once again—by President Yeltsin's engagement on this issue and by his appointment as envoy of a former Prime Minister—a sincere willingness to try to come up with a reasonable settlement.

Let's encourage them to put together the best proposals they can and assure them that NATO will be responsible and flexible in its response.

I am heartened by the former Prime Minister's visit today to the United States, and that United States-Russian diplomatic channels are open and are being used continuously. These channels should be used continuously to keep the Russian mediation efforts on track, if possible.

I think it is imperative that we not sit back and hope that more bombing, or expanding the list of targets, will eventually work. We really need to put all the effort we can into our diplomacy. I think, as I have said, the Russians may have a key role to play.

Second, we must keep uppermost in our mind that a humanitarian disaster of historic proportions is unfolding in refugee camps throughout the region.

The American people have been horrified by the situation in Kosovo and are anxious to help. Now is not the time for the U.S. Government to be parsimonious about our humanitarian assistance. The lives and well-being of the Kosovars was at the crux of why we entered this crisis in the first place. I believe we may need to bolster the current funding request by several hundred million dollars to provide the aid that will be needed by international aid organizations, the religious community, and others deeply involved in the refugee effort.

If it turns out that it is not necessary, we can return the funds to the Treasury. But we should authorize more now, anticipating that we and other NATO allies who will share this burden will be called upon to do much more in the coming months. Medical supplies, food, basic shelter, blankets, skilled physicians and trauma specialists to aid the refugees, longer-term economic development, and relocation aid all will be critical to relieving this crisis.

Third, on the conduct of the military campaign, we must remember that NATO forces undertook this bombing campaign to stop the slaughter and protect those living in Kosovo. Let me repeat that. The most immediate and important goals of our bombing campaign, from my perspective, were to stop the slaughter and mass displacement of millions of innocent civilians throughout Kosovo and deter further Serb aggression against them.

So far that goal has gone unmet, with terrible results and a very high human cost. Some NATO military officers have been quoted as saying the bombing campaign alone will not and cannot stop the ethnic cleansing.

While it is clear that we made progress in weakening the Serb military machine, including its air defenses, supply lines to Kosovo, oil and munitions sites, other military sites, the hard truth is that while the bombing campaign has gone on, Kosovo is being looted, emptied, and burned.

Now that the Apache attack helicopters and accompanying antimissile systems have arrived in the region, we should be pressing forward with these airstrikes against these paramilitary forces in Kosovo most responsible for the most brutal attacks on civilians. There can be no excuse for further delays.

Mr. President, it is clear that we have not stopped the slaughter. Ethnic cleansing, which we sought to stop, goes on and on and on.

Our response has been to intensify the bombing, especially in Serbia, and to expand the targets to include economic and industrial sites there. Some of these were originally chosen because they were said to be ''dual use.'' I understand that rationale. But now some seemingly nonmilitary targets appear to be selected—including the radio and TV network, Milosevic party headquarters, the civilian electricity grid, and other seeming civilian targets—to put pressure on the people of Serbia who, it is hoped, will in turn put political pressure on the Milosevic regime to back down. I think this reasoning is pure folly and cannot be used to justify the expansion of civilian targets to be bombed. True military targets are legitimate. Certain dual-use targets, especially those directly related to the Serb war effort, may be. But I know of no rules of war which allow for the targeting of civilian targets like some of those we have targeted. We should rethink this strategy, not the least because it undermines the legitimate moral and political claims we have made to justify our military efforts to protect innocent civilians in Kosovo.

Expanding the target list in this way is wrong. Not only does the expansion of civilian, industrial and economic sites greatly increase the risk of civilian casualties, but it is morally questionable if the primary purpose is to do economic harm to the civilian population—people who have nothing to do with the violent ethnic cleansing campaign being conducted by the Serbian military machine.

What are the future military plans being discussed? These now apparently include an embargo against future shipments of oil to Yugoslavia. Russia is the Serbs' major oil supplier. What if oil shipments continue to come from Russia? Will Russian transports be the next targets of NATO forces?

Mr. President, this resolution, as open-ended as it is, is not the right way to proceed on this complex and difficult question. It reminds me in some ways of the now infamous Gulf of Tonkin resolution which helped trigger the Vietnam war. It is too open-ended, too vague, and I will not vote for it. NATO military commanders have not asked for ground troops. The President of the United States has not asked Congress to authorize them. We should promptly table this resolution later today. Even one of its principal sponsors, Senator BIDEN, has observed that they did not intend for this resolution to be brought to the Senate floor now under the expedited procedures of the War Powers Act. But even though we will likely table it, we must continue to move forward in our efforts to achieve a prompt, just and peaceful end to this conflict. And we should have the debate.

Once again, I cannot be silent. In short, I think it is time for all the parties to consider a brief and verifiable timeout. Yes, a timeout before we proceed further down the risky and slippery slope of further military action, before it is too late to turn back.

There are negotiations underway. There are pivotal efforts being undertaken by the Russian leaders. There are discussions. There are proposals and counterproposals being discussed.

Some are being interpreted in different ways by different parties. Ideas are being explored.

Some of our friends in and out of NATO are discussing various ways to end this nightmare. The continued evolution of these plans must be given a chance. There is no ''light at the end of the tunnel'' unless renewed diplomacy is given a chance to work.

With the former Prime Minister and the President talking today, what I am proposing on the floor of the Senate for consideration, if it can be worked out in a way which would protect NATO troops and would not risk Serb resupply of the war machine, is a brief and verifiable halt in the bombing, a cessation of what seems to be the slide toward the bombing of a broader array of nonmilitary targets, a potential oil embargo directed at other countries, and toward deeper involvement in a wider war that I believe we could come to regret.

I am not naive about whether we can trust Milosevic; we have seen him break his word too many times for that. Nor am I proposing an open-ended halt in our effort; but a temporary pause of 48 hours or so, offered on condition that Milosevic not be allowed to use the period to resupply troops or to repair his air defenses and that he immediately orders his forces in Kosovo to halt their attacks and begin to actually withdraw. It would not require his formal prior assent to each of these conditions, but if our intelligence and other means of verification concludes that he is taking military advantage of such a pause by doing any of these things, then we should resume the bombing. .I believe that we may need to take the first step, a gesture, in the effort to bring these horrors to an end.

Such a pause may well be worthwhile, if it works to prompt the cessation of the ethnic cleansing and a return of Serb forces to their garrisons. .It may create the conditions for the possibility of further talks on the conditions under which NATO's larger term goals, which I support, can be met. .A brief cessation might also enable nongovernmental organizations and other ''true neutrals'' in the conflict to airlift or truck in and then distribute relief supplies to the internally displaced Kosovars who are homeless and starving in the mountains of Kosovo, without the threat of this humanitarian mission being halted by the Serbian military.

A Serb guarantee of their safe conduct would be an important reciprocal gesture on the part of Milosevic. .These people must be rescued, and my hope is that a temporary bombing pause might help to enable aid organizations to get to them. .I hope that President Clinton and Mr. Chernomyrdin will consider this idea and other similar proposals in their discussion today. .I intend to explore and refine these ideas further with administration officials in the coming days to see if it might hold any promise to bring this awful war to a peaceful close.

I am not naive. .I understand that the safety of our NATO forces must be held paramount in any such exploration. .But it is, it seems to me, worth exploring further. .One thing that is clear is that the situation on the ground in Kosovo today and in those countries which border it is unacceptable and likely to worsen considerably in the coming weeks.

I am not just talking about a geographical or geopolitical abstraction, the stability of the region. .I am talking about the human cost of a wider Balkan conflict. .For 50 years, we have spent the blood and treasure of Americans and Europeans to help provide for a stable, peaceful Europe. .I believe we must again work with the Europeans, and now with the Russians and others, who have historic ties to the Serbs to try to resolve this crisis before the flames of war in Kosovo and the refugee exodus which it has prompted consume the region. .Stepped up diplomacy, a possible pause in the airstrikes, and other similar efforts to bring a peaceful and just end to this crisis should be pursued right now.

Silence equals betrayal.

It was with that belief deep in my soul that I voted, six weeks ago, to authorize the United States participation in the NATO bombing of Yugoslavia.

I did so with a heavy heart, and not without foreboding, because I knew that, once unleashed, a bombing campaign led by the world's greatest superpower to put a stop to violence will likely lead to more violence. Violence begets violence. And yet, there are those extremely rare occasions when our moral judgment dictates that that is the only remaining course available to us.

I did so because it was my judgment that we had exhausted every diplomatic possibility, and that our best and most credible information was that without military action by the United States, a humanitarian disaster was beginning to occur.

Just as the Senate was about to conduct a roll call vote on this subject, I sought to make sure that the record reflected the rightness of our course of action. I was assured that our purpose was to prevent the imminent slaughter of thousands, if not tens of thousands of innocent civilians living in the Yugoslav province of Kosovo by Serb security forces.

I had no doubt about the wisdom and correctness of our decision. And today, I harbor no second thoughts about the morality of that initial course.

Others may question the reasoning of some who embarked upon the bombing campaign. History will judge whether there were other rationales involved:

The significance of prior threats we had made and how our credibility was on the line; the geopolitical factors that required that we act; the continued viability of NATO as a force to be reckoned with throughout the world.

Whatever importance these factors may have played in the decisions of others to authorize the bombing, my own was a simple one—inaction in the face of unspeakable, imminent, and preventable violence was absolutely unacceptable. In short, the slaughter must be stopped.

I have no regrets about that decision. The violence perpetrated against the innocents of Kosovo has indeed been unspeakable. My only regret is that our actions have been less effective than I had hoped.

Over a million humans, mostly women and children, uprooted from their homes.

Hundreds of thousands expelled from their country, their homes and villages burned.

Women raped, thousands of the residents killed, children separated from their families.

The catalog of these atrocities expands every single day. From Acareva to Zim, villages in Kosovo have been burned by Serb forces. In Cirez, as many as 20,000 Albanian refugees were reportedly recently used as human shields against NATO bombings. In Djakovica, over 100 ethnic Albanians were reportedly summarily executed by Serb forces. In Goden, the Serbs reportedly executed over 20 men, including schoolteachers, before burning the village to the ground. In Kuraz, 21 schoolteachers were reported by refugees to have been executed in this village near Srbica, with hundreds more being held there by Serb paramilitary forces. In Pastasel, the bodies of over 70 ethnic Albanians, ranging in age from 14 to 50, were discovered by refugees on April 1. In Podujevo, Serb forces may have executed over 200 military-age Kosovar men, removing some from their cars and shooting them on the spot, at point-blank range.

In Pristina, the Serbs appear to have completed their military operations in the city and have been ethnically cleansing the entire city. Approximately 25,000 Kosovars were forcibly expelled from the city last month, shipped to Macedonia by rail cars in scenes eerily reminiscent of the holocaust trains, and approximately 200,000 more may be detained there, awaiting their forced expulsion. In Prizren, Serb forces reportedly executed between 20 and 30 civilians. In Srbica, after emptying the town of its Kosovar inhabitants, Serb forces are believed to have executed 115 ethnic Albanian males over the age of 18. Over twenty thousand prisoners are reportedly still being housed in an ammunition factory near the town, under Serbian guard. Just last week, Serb paramilitaries in southern Kosovo reportedly forced between 100 and 200 young men from a convoy of refugees heading for the border, took them into a nearby field, made them drop to their knees, and summarily executed them, leaving their bodies there as a warning to their fellow refugees. The catalog of horrors goes on and on.

We have witnessed the destabilization of neighboring countries who cannot possibly handle the new masses of humanity heaped on their doorstep.

Hundreds of thousands homeless, without shelter and without food, wandering throughout the mountains of Kosovo, frightened and in hiding.

Certainly war crime prosecutions await the perpetrators and we cry out for justice to be done.

We watch the humanitarian relief efforts underway, by our own government, by our European friends, by the offices of the United Nations High Commissioner for Refugees, and by countless non-governmental humanitarian relief organizations and we weep at the abundant good that exists in the world in the face of this unspeakable horror.

As I said, legitimate questions remain, and there will undoubtedly be hearings relating to the wisdom and timing of our decision to enter this conflict. But that time is not now, and so long as our military forces are engaged in this mission they deserve our full support.

I began my statement with the phrase ''silence is betrayal.'' And I believe it is time to speak out once again, this time about where we are, and where we are headed.

First, I want to express my strongest possible support for diplomatic efforts to resolve this crisis, especially the shuttle diplomacy undertaken by Deputy Secretary Strobe Talbott, and the response of the Yeltsin government in sending Mr. Chernomyrdin to speak with President Clinton here today about his latest concrete proposals for resolving this crisis. As the NATO bombing campaign enters its sixth week I think it is imperative that we put as much energy into pursuing a diplomatic solution to the Kosovo crisis as we are putting into the military campaign. We see exhaustive daily briefings on our success in hitting military targets—I would like to see equal emphasis on evaluating our success in achieving our diplomatic goals. I have the greatest respect for Strobe Talbott and I think he is representing us ably in our efforts to engage the Russians in helping to forge a negotiated settlement in Kosovo. I have told him recently how important I believe it is that we not simply try to get the Russians to agree to NATO's views on how a settlement should be reached.

I support the basic military, political and humanitarian goals which NATO has outlined: the safe return of refugees to their homes; the withdrawal of Serb Security forces—or at least, to halt the bombing, a start on their withdrawal, with a commitment to a concrete timetable; the presence of an armed international force to protect refugees and monitor Serb compliance; full access to Kosovo for non-governmental organizations aiding the refugees; and Serb willingness to participate in meaningful negotiations on Kosovo's status. But there are different ways to meet these goals. And we need to be open to new Russian ideas on how to proceed, including on the key issue of the composition of an international military presence to establish and then keep the peace there.

We should welcome imaginative Russian initiatives. I think the Russians have shown once again—by President Yeltsin's engagement on this issue and by his appointment as envoy of a former Prime Minister—a sincere willingness to try to come up with a reasonable settlement. Let's encourage them to put together the best proposals they can and assure them that NATO will be flexible in its response. I am heartened by the former Prime Minister's visit today to the U.S., and that US-Russian diplomatic channels are open and are being used continuously. These channels should be used continuously to keep the Russian mediation efforts on track, if possible.

I think it is imperative that we not sit back and hope that more bombing, or expanding the list of targets, will eventually work. We need to really put all the effort we can into our diplomacy. And I think, as I've said, the Russians may have a key role to play.

Second, we must keep uppermost in our mind that a humanitarian disaster of historic proportions is unfolding in refugee camps throughout the region. The situation is so tense that it is being reported there have been near-riots in some camps over the desperate conditions there, and the situation in camps near Blace in Macedonia and at Kukes in northern Albania are especially grim. Shortly, we will consider an emergency supplemental package to fund the military and humanitarian costs for the Kosovo crisis. I am deeply concerned that the amount requested for refugee assistance may not be enough to meet the overwhelming needs of this emergency—the largest refugee crisis since World War II.

We are meeting the military challenge by spending millions a day to assist NATO in its war against Serb aggression. The humanitarian challenge we face is just as great. If we have learned anything in recent weeks, it is that we must prepare for the worst of the worst-case scenarios.

Hundreds of thousands of refugees are still trapped inside Kosovo, waiting for an opportunity to escape. A further massive exodus seems likely. We must be prepared to meet their needs. Extensive medical supplies and possibly another field hospital will also be needed, since more and more new arrivals are requiring medical attention. Our experience in Bosnia has taught us that these refugees will not be going home anytime soon. Long-term assistance is required. Further, we must support Albania and Macedonia who are struggling to meet basic needs of their own people, let alone those of the Kosovar refugees.

The American people have been horrified by the situation in Kosovo, and are anxious to help. Now is not the time for the US government to be parsimonious about our humanitarian assistance. The lives and well-being of the Kosovars was at the crux of why we entered this crisis in the first place. I believe we may need to bolster the current funding request by several hundred million to provide the aid that will be needed by international aid organizations, the religious community, and others deeply involved in the refugee effort. If it turns out that it is not necessary, we can return the funds to the Treasury. But we should authorize more now, anticipating that we and our other NATO allies who share this burden will be called upon do much more in the coming months. Medical supplies, food, basic shelter, blankets, skilled physicians and trauma specialists to aid the refugees, longer-term economic development and relocation aid—all will be critical to relieving this crisis.

Third, on the conduct of the military campaign, we must remember that NATO forces undertook this bombing campaign to stop the slaughter and protect those living in Kosovo. Let me repeat that. The most immediate and important goals of our bombing campaign, from my perspective, were to stop the slaughter and mass displacement of innocent civilians throughout Kosovo, and to deter further Serb aggression against them. So far that goal has gone unmet, with terrible results and very high human costs. Some NATO military officers have been quoted as saying that the bombing campaign alone will not and cannot stop the ethnic cleansing.

While it is clear we have made progress in weakening the Serb military machine, including its air defenses, supply lines to Kosovo, oil and munitions sites, and other military sites, the hard truth is that while the bombing campaign has gone on, Kosovo is being looted, emptied and burned. Now that the Apache attack helicopters and accompanying anti-missile systems have arrived in the region, we should be pressing forward our air strikes against those paramilitary forces in Kosovo most responsible for the most brutal attacks against civilians. There can be no excuse for further delays.

There will be time to determine whether our bombing accelerated, or whether it increased, the slaughter. In any case, it now seems clear, from detailed and credible reports in the media and elsewhere, that the Serb ethnic cleansing campaign, labeled the other day by the Washington Post as ''one of the most ambitiously ruthless military campaigns in Europe in half a century,'' was carefully and meticulously planned for months before the bombing. The attacks have reportedly seriously damaged over 250 villages, with well over 50 being completely burned to the ground. Systematically integrating Interior Ministry (MUP) forces, regular Yugoslav army forces, police units and paramilitary gangs for the first time,

this effort was clearly coldly calculated to terrorize the populace, and ultimately to rid the entire province of its ethnic Albanian majority. It is clear that we have not stopped the slaughter. Ethnic cleansing, which we sought to stop, goes on, and on, and on.

Our response has been to intensify the bombing, especially in Serbia, and to expand the targets to include economic and industrial sites there. Some of these were originally chosen because they were said to be ''dual use.'' I understand that rationale. But now some seemingly non-military targets appear to be selected—including the radio and tv network, the Milosevic Party headquarters, the civilian electricity grid, and other seeming civilian targets—to put pressure on the people of Serbia who, it is hoped, will in turn put political pressure on the Milosevic regime to back down.

I think this reasoning is pure folly and cannot be used to justify the expansion of civilian targets to be bombed. True military targets are legitimate. Certain dual use targets, especially those directly related to the Serb War effort, may be. But I know of no rules of war which allow for the targeting of civilian targets like some of those we have targeted. We should rethink this strategy, not least because it undermines the legitimate moral and political claims we have made to justify our military efforts to protect innocent civilians in Kosovo.

Expanding the target lists in this way is wrong. Not only does the expansion to civilian industrial and economic sites greatly increase the risk of civilian casualties, but it is morally questionable if the primary purpose is to do economic harm to the civilian population—people who have nothing to do with the violent ethnic cleansing campaign being conducted by the Serbian military machine.

I am also very concerned about reports from the NATO summit that future targeting decisions will likely be placed in the hands of NATO military officials, without careful review of elected civilian representatives—a policy that I think is at odds with our constitutional insistence upon civilian control.

And what other future military plans are being discussed? These now apparently include an embargo against future shipments of oil to Yugoslavia. Russia is the Serbs' major oil supplier. What if oil shipments continue to come from Russia? Will Russian transports be the next targets of NATO forces?

While I recognize the legitimate concern of NATO military officials that we must not put pilots' lives at risk to hit oil production and distribution facilities servicing the Serb armies, while allowing oil to pour in to them through ports in Montenegro or through other means, we must be very careful as we proceed here.

And then there is the question of the introduction of ground troops. After the NATO summit last weekend, plans are being ''taken off the shelf and updated.'' Propositioning of ground troops is being advocated by some within our own government. It doesn't take clairvoyance to see where some seem to be headed.

This resolution, as open-ended as it is, is not the right way to proceed on this complex and difficult question. It reminds me, in some ways, of the now infamous Gulf of Tonkin resolution which helped trigger the Vietnam War. It is too open-ended, too vague, and I will not vote for it. NATO military commanders have not asked for ground troops, the President of the U.S. has not asked Congress to authorize them; we should promptly table this resolution later today. Even one of its principal sponsors, Senator BIDEN, has observed that they did not intend for this resolution to be brought to the Senate floor now, under the expedited procedures of the War Powers Act. But even though we will likely table it, we must continue to move forward in our efforts to achieve a prompt, just and peaceful end to this conflict.

And so, once again, I cannot be silent. In short, I think it's time for all the parties to consider a brief and verifiable time-out. Yes, a time-out, before we proceed further down the risky and slippery slope of further military action, before it's too late to turn back.

There are negotiations underway. There are pivotal efforts being undertaken by the Russian leaders. There are discussions. There are proposals and counter proposals being discussed. Some are being interpreted in different ways by different parties. Ideas are being explored. Some of our friends, in and out of NATO, are discussing various ways to end this nightmare. The continued evolution of these plans must be given a chance. There is no ''light at the end of the tunnel'' unless renewed diplomacy is given a chance to work.

With the former Prime Minister and the President talking today, what I am proposing for consideration—if it can be worked out in a way which would protect NATO troops, and would not risk Serb resupply of their war machine—is a brief and verifiable halt in the bombing, a cessation of what seems to be a slide toward the bombing of a broader array of non-military targets, a potential oil embargo directed at other countries, and toward deeper involvement in a wider war that I believe we could come to regret.

I am not naive about whether we can trust Milosevic; we have seen him break his word too many times for that. Nor am I proposing an open-ended halt in our effort. But a temporary pause of 48 hours or so, offered on condition that Milosevic not be allowed to use the period to resupply troops or to repair his air defenses, and that he immediately orders his forces in Kosovo to halt their attacks and begin to actually withdraw. It would not require his formal prior assent to each of these conditions, but if our intelligence and other means of verification concludes that he is taking military advantage of such a pause by doing any of these things, then we should resume the bombing. I believe that we may need to take the first step, a gesture, in the effort to bring these horrors to an end.

I know there are risks and costs associated with such an even temporary halt in the airstrikes. I am not yet sure, for example, that we could develop a verifiable time-out plan which would prevent Serb forces from quickly repairing their air defense systems such that they would pose new risks to NATO pilots; that cannot be allowed. I know there would be real problems in verifying that Serb attacks on the ground in Kosovo had stopped, and military and paramilitary units were actually pulling back, during any bombing pause. I am no military expert, but I am posing those and other questions to US military officials and others, to see if there is not room for such an initiative.

Such a pause may well be worthwhile; if it works to prompt a cessation of the ethnic cleansing and a return of Serb forces to their garrisons, it may create the conditions for the possibility of further talks on the conditions under which NATO's longer-term goals, which I support, can be met.

A brief cessation might also enable non-governmental organizations and other ''true neutrals'' in the conflict to airlift or truck in, and then distribute, relief supplies to the internally-displaced Kosovars who are homeless and starving in the mountains of Kosovo, without the threat of this humanitarian mission being halted by the Serbian military. A Serb guarantee of their safe conduct would be an important reciprocal gesture on the part of Milosevic. These people must be rescued, and my hope is that a temporary bombing pause might help to enable aid organizations to get to them.

I hope that President Clinton and Mr. Chernomyrdin will consider this idea, and other similar proposals, in their discussion today. I intend to explore and refine this idea further with Administration officials in the coming days, to see if it might hold any promise to bring this awful war to a peaceful close. I am not naive, and I understand that the safety of our NATO forces must be held paramount in any such exploration. But it is, it seems to me, worth exploring further.

One thing that is clear is that the situation on the ground in Kosovo today and in those countries which border it is unacceptable and likely to worsen considerably in the coming weeks.

It has been argued by the Administration and others that an intense and sustained conflict in Kosovo, which has sent hundreds of thousands of refugees across borders and could potentially draw Albania, Macedonia, Greece and Turkey into a wider war would be disastrous. That is true. We may not be able to contain a wider Balkan war

without far greater risk and cost than has been contemplated. And we could well face an even greater humanitarian catastrophe than we face now in the weeks and months to come.

I am not just talking about a geopolitical abstraction, the stability of the region. I am talking about the human cost of a wider Balkan conflict. For fifty years, we have spent the blood and treasure of Americans and Europeans to help provide for a stable, peaceful Europe. I believe we must again work with the Europeans—and now with the Russians and others who have historic ties to the Serbs—to try to resolve this crisis before the flames of war in Kosovo and of the refugee exodus which it has prompted consume the region. Stepped-up diplomacy, a possible pause in the airstrikes, and other similar efforts to bring a peaceful and just end to this crisis should be pursued right now.

Mr. President, I yield the floor.

Mr. MCCAIN. Mr. President, I yield such time to the Senator from Arkansas as he may consume.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, I thank the Senator from Arizona. I especially thank him for his strong leadership on this issue and for pushing this issue to the point that we are having this debate on the floor of the Senate.

I have believed for some time that this debate has been sorely needed and greatly lacking. Senator MCCAIN is truly an American hero. He is one that I respect immensely, along with Senator HAGEL and the other cosponsors of this resolution.

Though I disagree with them and though I rise in opposition to the resolution, I believe they have taken a principled position, a principled stand that is justifiable and behind which there are rational arguments. I believe they reciprocate that respect for the principled position and belief that we do not have a vital national interest in the Balkans and that we have made a policy mistake and that given where we are, the placement of ground troops is not the next step that we should be taking.

I regret the silence that has characterized Congress to this point, particularly the Senate. I applaud those who have pushed that we might have this time today.

As I read the resolution, I read that it authorizes the use of all necessary force and other means. That, I do believe, is a blank check. I believe it grants blanket authority, and it does take us out of what is a very, very important role for the Congress. I read also that all necessary force and other means is granted to accomplish NATO's objectives in the Federal Republic of Yugoslavia, Serbia and Montenegro.

One of the questions I have is, what are our objectives? I do not believe those objectives have been clearly outlined. Does the resolution refer to military objectives, which we have been told means to degrade the military capability of Milosevic—whatever that term ''degrade'' may mean, subjective as it is—or does this reference to the objectives of NATO refer to political objectives, which have been defined in a much broader sense in reference to the withdrawal of Milosevic, the incorporation of an international peacekeeping force, humanitarian aid and a number of things?

So I am not certain what objectives are in mind in the resolution or how one would determine whether or not they have been achieved.

When I made reference to the silence that I think has been embarrassing for the Senate, I think Members of the Senate have been reluctant to speak on this for a couple of reasons. We have been reticent to speak out because nobody wants to be portrayed as not being in support of American troops.

I went to Aviano. We have the bravest young men and women imaginable involved in this. They are willing and have been risking their lives daily in pursuit of this policy and the orders they have been given. I support them and I believe in them. I believe in their effectiveness and I believe in their courage. But I think that is one reason people have been hesitant to get into this debate, because they are afraid of being portrayed as not being supportive of the military, and also because of the horrible atrocities that have been committed by the Serbs and the Milosevic war machine.

Nobody wants to be portrayed as being uncaring or not having a humanitarian concern for the ethnic cleansing and for the killing and massacres that have gone on, which truly are deplorable and ought to be condemned by all right-thinking people. I care about that just as I care about the 1.3 million-plus civilians who have died in the Sudan in the Sudanese civil war, and just as I care about those who died in the Ethiopian civil war, and just as I care about those who died in Rwanda, and just as I care about the oppression that goes on today in China. I care about those tragedies that are going on all over the world, not just in the Balkans.

I have agonized a great deal about what is the right position not only on this resolution but on this, what I believe is a misguided conflict. The war in Kosovo reveals the extent to which we have overstretched our armed services. They are overdeployed and underfunded. For example, over the last 3 fiscal years, the Congress has added $21 billion to the President's meager defense requests. Unfortunately, even these increases have not kept pace with the military's increased tempo of operations. The President has committed United States forces to Haiti, Somalia, Iraq, Bosnia, Macedonia, the Taiwan Strait, and now Kosovo. Each of these much-needed congressional plus-ups was passed over the administration's objections, and the administration simply said the Pentagon hadn't asked for the additional money.

Between the years 1945 and 1990, the U.S. Army was deployed only 10 times, Mr. President. But since 1991, the U.S. Army has been deployed 32 times. That is an increase in deployments of over 300 percent. Simultaneous with our 300-percent increase in deployments around the world, we have cut funding for the U.S. armed services by one-third. That is a simple calculation that, if you ask the armed services to do 300 percent more and you give them one-third less, you are inviting a disaster and you are creating a crisis, and that is what we face today.

This overuse of America's limited military might threatens our ability to execute our national security strategy to be able to fight—and this is our stated strategy—and win two near-simultaneous, medium, regional conflicts. This past Friday in the Washington Post, Bradley Graham authored an important article on this very point. In the article, General Richard Hawley, who heads the Air Combat Command, told reporters—and General Hawley is retiring in June and therefore he spoke with particular candor—that 5 weeks of bombing Yugoslavia have left United States munitions critically short, not just of air-launched cruise missiles, as previously reported, but also of another precision weapon, the joint direct attack munition dropped by B–2 bombers. So low is the inventory of the new satellite-guided weapons, Hawley said, that as the bombing campaign accelerates, the Air Force risks exhausting its prewar supply of JDAMs before the next scheduled delivery sometime in May.

In the past 8 years, the U.S. military has been weakened appreciably. While we are occupied in Kosovo, United States intelligence assets are necessarily focused on military operations there. If another country conducts a ballistic missile test while the bulk of United States intelligence assets are focused in Kosovo, and if that country only needs one test before deployment, like North Korea, for instance, then we will not have missed simply the one test, but we will have missed all the tests necessary to know what they are deploying and when they will deploy it.

There is a great deal going on in our world, including a deteriorating relationship with Japan, with the People's Republic of China, with Russia; a dangerous situation in North Korea; Iraq is busy again on their ballistic missile and weapons of mass destruction programs, with no U.N. inspections to inhibit them; India and Pakistan launching ballistic missiles and testing nuclear weapons; Iran, and other surprises yet to come. The United States needs to be sure it has the resources to focus on more than one troubled spot at a time. We need to decide what is important and see that we have the necessary capabilities.

As reported in this most recent edition of National Review:

General Henry Shelton, the Chairman of the Joint Chiefs of Staff, told Congress, ''Anecdotal and now measurable evidence indicates that our current readiness is fraying and that the long-term health of the total force is in jeopardy.''

Today's military is 36 percent smaller than it was during the Gulf War. Last year, the Pentagon determined that there was a high risk of being unable to [fight and] win two [near] simultaneous wars, a capability that current U.S. strategic doctrine demands. And even though [the Pentagon doesn't consider] the Kosovo assaults . . . as one of these major engagements, they have led to fewer patrols being flown over Iraq, and a [substantial] gap in naval forces in the Pacific.

President Clinton responded to the readiness alert sounded by his military chiefs by proposing an additional $12 billion for next year's defense budget. But $8 billion of this ''increase'' represents savings from lower fuel costs and inflation rates that would be going to the military anyway. A good portion of the remaining $4 billion is dedicated to items like commissary operations and renovation of the Pentagon, which leaves precious little to meet our crying readiness demands.

I believe that since we started what I believe is a misguided war in the Balkans, it has been flawed since its implementation. President Clinton and his national security team have mismanaged this operation from the very beginning.

The U.S. and NATO should stop saying what the allies will or will not do. For example: We will hit only these targets. Why should we tell them that?

We will only hit those targets at 2 a.m. when nobody will be hurt. We are running out of cruise missiles. Why should we tell them that? We are bringing in A–10 aircraft, or Apache helicopters, in four weeks.

Why do we say that? Once again, such statements only help the enemy.

It would also seem that the President did not learn many lessons from a war that he so forcefully and vocally opposed. A ''graduated response'' didn't work in Vietnam for President Johnson; it won't work for NATO in Kosovo. It will cost lives. If the United States is going to get into a fight, if we are going to place America's sons and daughters in harm's way, then it is worth winning, and we should hit hard and hit hard up front. Hoping for a measured antiseptic war—''immaculate coercion''—to be successful, without deaths on either side, is the only hope of the unschooled.

The present practice of ''war by committee'' is another area ripe for scrutiny. There are too many lives at risk for NATO to continue to operate as it has for the first 6 weeks of the air war, with delays for the approval of each of the targets and delays on the dispatching of various weapons systems, such as the Apaches. If a ''war by committee'' is difficult to implement in an air campaign, I believe it would be virtually impossible to execute in a ground campaign.

Even Margaret Thatcher, who herself advocates ground troops, has harbored doubts about Operation Allied Force and its implementation. During a speech delivered last week, the former British Prime Minister stated:

So here we are now, fighting a war . . . on treacherous terrain, so far without much effective local support, with imperfect intelligence, and with war aims that some find unclear and unpersuasive.

The key question that confronts the Senate and the Congress and the country is, What will guide our national security policy? Will it truly be our vital national security interests, or will it be that guided by understandable humanitarian concerns? Is Kosovo in our national security interest?

Another excellent article that appeared recently that I would like to quote from, I think, speaks eloquently about this issue of our vital national interest. Ultimately, it says our vital interests must somehow be involved.

Sometimes, as with President Clinton's attempts to relate America's interest to Kosovo with the outbreak of two world wars in the Balkans, it takes the form of bad history. Apart from the fact that the beginning of World War II had nothing to do with the Balkans, World War I began at a time when the interests of three vast empires collided in the region, making it one of extraordinary geopolitical sensitivity. That is no longer the case. Now, properly considered, it should be an insignificant backwater, and it has taken a good deal of determined and sustainable political effort to make it otherwise.

The article goes on to conclude with an interview with Lawrence Eagleburger, whom the article rightly describes as ''one of the few Americans who both understands foreign policy and has a close firsthand knowledge of Yugoslavia''. Mr. Eagleburger is quoted as saying:

Serb nationalism is the real ruler here. Whoever would follow Mr. Milosevic would certainly be just as bad. Or he might even be worse—a true believer in the nationalist cause.

Mr. Harries continues:

But if Serb nationalism is the real ruler, it doesn't make a great deal of difference whether the ostensible ruler is or is not a true believer, for in either case he is riding a tiger.

Mark Helprin, writing recently, raised similar points. He rightly asks if it is the policy of the United States to support separatism and secession wherever they may be close to ignition and war?

He goes on:

The Administration's answer is that the Balkans are ''in the heart of Europe.'' The Balkans, of course, are not in the heart of Europe. They are a backwater separated from the European heartland by mountain ranges and salt water. They are entirely unastride the major routes of communication and/or axis of invasion, and they are strategically and economically unessential. In citing them as the origins of the First and, incorrectly, Second World Wars, and therefore as justification for his policy of internationalizing their conflicts, President Clinton seems not to comprehend that one of the reasons for the First World War was that the great powers of the time stupidly, mistakenly and fatally internationalized the conflicts there.

May I say, Mr. President, that is what we are doing. We are taking the conflict in the Balkans and we are ratcheting it up. We are internationalizing the conflicts in the Balkans.

What is the proper role of Congress in all of this? I have applauded Senator MCCAIN for ensuring that debate took place. There has been too much congressional silence—perhaps afraid of the political repercussions, perhaps wanting to make this a political winner for one party or the other.

But at the Constitutional Convention in Philadelphia, one of our Nation's Founding Fathers, James Wilson, a signatory of the Constitution, not only implicitly equated declaring war and entering war, but also explicitly foreclosed exercise of the power by the President acting alone. And he emphasizes the role of our national interests in entering a war.

He said:

This [new] system will not hurry us into war; it is calculated to guard against it. It will not be in the power of a single man, or a single body of men, to involve us in such distress; for the important power of declaring war is vested in the legislature at large; this declaration must be made with the concurrence of the House of Representatives; from this circumstance we may draw a certain conclusion that nothing but our national interest can draw us into a war.

So it was envisioned by our Founding Fathers that nothing but our national interest can draw us into a war. It has yet to be adequately demonstrated to Congress or the American people that it is our vital national interest that has drawn us into this conflict. In fact, I would say we have stumbled into this conflict. We have slipped into this war.

I want to take just a moment, Mr. President, to talk about the difficulties of a ground war.

Escalating the conflict in Kosovo to include U.S. ground forces would require broad and deep public support, which is presently lacking.

Deploying a NATO-led force of any consequence, would require the broad consensus of NATO's nineteen member states. Judging by the limited commitment of forces made by some of our NATO allies to the present operation, I strongly doubt that a consensus could be reached on deploying 200,000 or more soldiers into Kosovo.

In fact, as important as this exercise is today, as important as this debate is today, it may truly be a moot point, because the likelihood of receiving consensus among our NATO allies is remote.

Deploying a NATO-led force large enough to expel the Serbian Army and any paramilitary forces would take several months, by which time Slobodan Milosevic may have succeeding in expelling all of Kosovo's ethnic Albanian population. If anyone doubts this point, I would encourage them to re-examine just how long it took the Army to deploy just 24 Apache helicopters and their supporting equipment from Germany to Albania. That deployment alone took over one full month.

Any ground operation in Kosovo, however it ends, would require an armed NATO-led presence in Kosovo for decades to come. While the American people have focused—focused well and focused appropriately—on the humanitarian disaster in the Balkans, they have not yet focused on the length and cost of the commitment that this resolution would be asking us to make—truly a decade-long commitment. One need only look at the Korean peninsula where American troops have been deployed for over 45 years.

Remember the first time I mentioned the decade-long commitment to the press, and the eyebrows went up and a look of skepticism. No one is skeptical about tenure with experts in foreign policy now saying 20, 30, 40 years, or a generation for sure. That is the kind of commitment that we are talking about. Americans must also keep in mind, as Andrew Bagevich wrote recently:

> . . . success will not come without cost, in blood as well as treasure. Once achieved, it will impose new burdens that few Americans will welcome: the U.S. will inevitably bear the chief responsibility for rebuilding and rehabilitating a post-Milosevic Yugoslavia (Estimates for rebuilding the Balkans already stands at over $30 billion.). Clinton, Albright, Berger, et al., will retire to write their memoirs. The rest of us will end up taking care of the broken crockery.

It will be an enormous cost. It is a major commitment. We must ensure before we take that step that, in fact, this is a vital national interest to us, and therefore worth it and we can do it. Nor should we pull back, nor should we become isolationists. We do have a burden to bear as the leading democracy in the world and the remaining superpower in the world, but we must choose our fight well.

The other great question as to what would happen with the introduction of American ground troops in Kosovo is the Russian question. I don't know the answer to that, but I know that we bet a lot that they are bluffing; that we bet a lot when we say they will back down; that they are more concerned about IMF loans than they are in being a major world power or player. But I do know this: They have 20,000 nuclear warheads still, which cannot only be used but can be sold, and that threat is a serious one and I think arguably a more serious one than a bully boy in Serbia.

The issue of NATO's credibility comes up repeatedly in the United States, and the argument is that it may have been unwise to go in. Maybe we shouldn't have taken this step. But we did. And now that we are in it, we have to win it because otherwise we lose credibility. How many times have we heard advocates of escalation put forth the argument that NATO's credibility is at stake?

At this time the near consensus among the foreign policy elite in Washington is that whatever the flaws of the original case for waging war over Kosovo, there is no alternative to pressing on, even if it means sending in ground troops. The cost of not doing so, it is insisted, would be prohibitive. But while it is certainly true that it would be very high, that there would be a high cost of not winning it, that in itself, in my estimation, is not a conclusive argument. The real question is whether it would be higher than the cost of the alternatives. There will be a high cost if we exit the Balkans without a clear and unambiguous victory, but we must weigh that against what the cost will be if we go down that road and we then do not have a clear and unequivocal victory. That question is not as easy, and I suggest to those who sincerely offer this resolution that is a serious issue for us to debate.

For ordinary Americans, the strongest argument for continuing is likely to be to alleviate the condition of the Kosovar refugees. If you ask most Americans why, that is their justification for being there. It is graphically demonstrated on television screens every night. The American people are compassionate people and it is understandable and commendable that they react to those scenes that way.

Senator WELLSTONE spoke earlier. It was the humanitarian disaster that became the primary justification. When President Clinton speaks about this war, it is primarily the humanitarian disaster that becomes the rationale for our involvement. Yet, if that is our rationale, where do we not go—because humanitarian disasters are occurring around the world, oftentimes as a result of bitter ethnic civil wars. Can we ask the American people to bear that burden and to introduce American troops in all of those places?

In contrast to the reaction of the American people, for the foreign policy establishment the overriding argument turns on the necessity to protect America's and NATO's future credibility. If, having started the thing, we do not now prevail, the future costs all over the world in terms of emboldened thugs and rogue states will be steep.

While those arguments are both serious and valid, those arguments were equally valid in 1965 when the question of how to proceed with respect to Vietnam was the issue, and in the end the policy they gave rise to turned out to be not such a great idea.

This administration, I believe, needs to remember the ''Rule of Holes.'' If you find yourself in one, stop digging. To simply say that because we are there, we stumbled in or slipped in, because we are there, we must now stay regardless of the cost, I think, is misguided thinking.

An infantry campaign in the Balkans will forever alter the unstable politics of Russia, may well provide it with the organizing principle for rearmament, and will most assuredly play into the hands of the ultra nationalists. When we think about the cost in American credibility, in NATO credibility, this alone will more than cancel out the benefits of impressing potential enemies with our resolve, the fact that we upset that balance of power in Russia. Anyone seriously planning to challenge American interests will be unimpressed if America itself cannot clearly define where those interests are, and thus we indiscriminately squander our military assets.

It has been said nothing is more comforting to a soldier than to see the enemy fire wildly and waste ammunition. We need to ensure that when we go in, we go in with full force and that we have adequate justification from a national interest standpoint and that we have marshalled the support of the American people.

I fear this resolution provides a carte blanche to the administration. It is a blank check. It takes Congress out of the process too early. This would be a wrong step to take. If we should go in pursuit of a misguided policy and, if, then, NATO fractures, the consensus is lost, and if at some future point we bail out of what we have escalated to the point of ground troops, I suggest to my colleagues that our long-term credibility would be damaged far more in that circumstance than making the prudent decisions denying this conflict now.

I reluctantly, and with enormous respect for those whom I regard as American heroes who are sponsoring this resolution, take exception to their principal position and will vote against the resolution before the Senate today.

I yield the floor.

Mr. MCCAIN. I yield myself 30 seconds to thank Senator HUTCHINSON for his principled stand and his articulation on his views.

I point out that former Secretary of State Eagleburger, who the Senator talked about in his remarks, has written a letter strongly supporting this resolution and urging the vote on it. I hope that he and other opponents of this resolution recognize that every former Secretary of State, every former Secretary of Defense, every former National Security Adviser, in both parties, support this resolution and support a strong vote on it.

I yield to the Senator from Nebraska such time as he may consume.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Nebraska.

Mr. HAGEL. Mr. President, thank you. I wish to strongly endorse and support the McCain-Biden resolution. Mr. President, I'm an original cosponsor. I have listened this afternoon to my colleagues, who have all made significant contributions to this issue.

There are many complicating currents coursing through this very complicated issue. There are no good answers. But surely one of the answers is not to not deal with this issue. We cannot escape our responsibility in this body to debate this issue. We should have had this debate weeks ago.

There are very significant consequences attached to what we're

doing. We've heard some of those stated directly and very well from our colleagues this afternoon. First, let's be clear on the making of war. It is not risk-free. It is not antiseptic. It is not without uncertainty.

One not need read an awful lot of history to understand that. General Eisenhower's comments and what he wrote and put in his pocket hours before the D-Day invasion in case D-Day failed. And he wrote out in longhand a paragraph that said essentially, I take full responsibility for the failure. So you see, as we look back even 50 years ago, we understand that war is uncertain.

But we also understand there are things worth going to war for, and there are things worth dying for. Questions raised today will be continued to be raised about national interests of our country: Should we be at war? All fair questions. Legitimate questions. But first we need to talk about it, debate it, and ask the serious questions.

I've heard today, I've heard over the weeks all the reasons for failure, all the complications, all the problems. Yet I hear at the same time over here, well, we have to stop the slaughter and the ethnic cleansing. If we could just come together. But sometimes we just can't come together. Sometimes there is no more talk. When people are being slaughtered at a rather considerable rate, and genocide is occurring, and ethnic cleansing is occurring, and people are being driven from their homes and their countries at an unprecedented rate, and the other side that we're trying to deal with continues to lie and cheat and kill—then we must face reality. What do we do now? The geopolitical consequences, the humanitarian consequences involved in this are great. They are deep. And they are serious.

I've heard some conversation today about this resolution taking the Congress out of play. This doesn't take the Congress out of play. The power of the purse still resides in the Congress of the United States. And no President surely would go forward unilaterally, arbitrarily, without confiding in, without reaching out to, without wanting the support of the Congress, and the American people. Why would you do that? And certainly not this President.

I don't disagree with many of my colleagues, what they've said today—the Senator from West Virginia, Senator BYRD, Senator HUTCHINSON from Arkansas, Senator WELLSTONE from Minnesota,—about how this war initially was conducted. How irresponsible it was to take off the table certain of our military's abilities to wage this war. So what does that do? Well, I think it's rather obvious what it's done. It's allowed this tyrant, this butcher, Milosevic, to go completely unimpeded and slaughter people and drive people out of Kosovo—without any pressure on him other than withstanding the air war. And that's been antiseptic and that's been timid. So there's no question the conduct of this war from the beginning has been questionable.

There will be much time to debate the miscalculations and the mistakes and the problems. But the fact is we are in the middle of this. Our actions will have consequences. There are other Milosevics out there.

If the word of this Nation, if the word of America—the most powerful nation on Earth, the most powerful nation for good—cannot be trusted, and NATO—the most effective peacekeeping organization in the history of man—if the word of that organization cannot be trusted, then what kind of a world are we going to be dealing with as we now move into this dangerous new century?

We should think through this very carefully. All the problems that surround this. We are forcing the President to lead. That's what this resolution's about. This resolution is not about abdicating our responsibility in the Congress. Although some I suspect wish it be the case.

We're asking the United States Senate to take a stand. What does this country come to—to ask a United States Senator to stand up and take some responsibility for the Nation being at war?

This resolution is about getting the Congress involved in it. This resolution is about forcing the President to take some leadership and responsibility.

Now, we're not going to pass this resolution. Senator MCCAIN and I and others know the reality of that. But if we can make it a little uncomfortable for some people around here to have to deal with an uncomfortable issue, then that's worth it. I've never asked one of my colleagues to support this resolution, nor has Senator MCCAIN, nor has Senator BIDEN, or any of the other cosponsors. But we have asked them to take a look and debate it, and take a position and take a stand.

There are consequences to our actions, and there are consequences to our inactions. If we do not see this through the right way, we will leave the world more dangerous than it is today.

I happen to believe that the Balkans are in the national security interest of this country for many reasons, aside from the humanitarian dynamics of this.

Do we really believe that the greatest, most noble, most free nation on earth can stand aside and watch this butchering and act like it's not there?

History has surely taught us that when you defer the tough decisions, when you let the butchers continue and the tyrants and dictators continue, it gets worse. And it has gotten worse with Milosevic. For ten years we've dealt with him. Four wars he's started. He's lied and cheated and slaughtered all through those ten years. Don't we have some responsibility to deal with this, as imperfect as all the options are?

Again I go back to my first point. As my friend, the sponsor of this resolution, John MCCAIN, said earlier—and said it very well—we must understand something very clearly. Whatever you think of this President, this President is out of office in a year and a half. But the Presidency remains. The vitalness of this Presidency, this Executive branch that a new leader will inherit, must remain strong and must be able to deal with an international crisis. So we must be very careful not to take advantage of this weakened President.

And if that would ever happen—ladies and gentlemen, the world will not be safer and it will not be better. When you weaken the United States of America, you weaken all of freedom everywhere.

So it is, Mr. President, for those reasons that I will support this resolution. I think it is in the best interest of our country, and I yield the floor.

Mr. FEINGOLD addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. MCCAIN. Mr. President, I yield such time as the Senator from Wisconsin may consume.

Mr. FEINGOLD. I thank my good friend from Arizona.

Mr. President, let me first express my feelings and those of the Senate and every American that we are so pleased that the three soldiers are freed from their captivity in Yugoslavia. But I do reiterate what the administration and others have said. Mr. Milosevic and his cohorts should get absolutely no benefit out of those incidents that led to the capture and then the release of these soldiers.

I hope no step we take or no comments we make today or at any point in the next few days suggest in any way that Mr. Milosevic deserves any kind of reward for undoing something that should not have been done in the first place. We are terribly pleased that the soldiers are free. That does not change what Mr. Milosevic has done, which is unforgivable.

I, of course, praise the main authors of this resolution, my friend from Arizona, Mr. MCCAIN, and another good friend, Senator HAGEL from Nebraska. These are two of the best people to work with in this entire body. I know that their goal and the goal of the other cosponsors is a very worthy one, an important one, and that is to bring clarity with regard to our policy and our military action concerning Kosovo.

I rise today to make what I believe are two important points regarding S.J. Res. 20, the McCain-Biden resolution authorizing the use of force in the current conflict in Yugoslavia.

First, on the one hand, I oppose this resolution because I cannot at this point wholly endorse the current means being employed by the President to carry out a still murky policy with regard to Kosovo, and I cannot, in light of that, expand the authority of the President through congressional action beyond our current vision and information and understanding, even of the facts today, let alone what the facts

may be tomorrow or in a couple of weeks. This is why I cannot support the resolution today.

On the other hand—and I think this is very important as well—I believe it is very important that the Senate debate this resolution now, as we are doing, because whatever our divergent views on the current crisis may be, we in Congress share a common set of duties under the Constitution and under the War Powers Resolution to do what we are attempting to do this afternoon. I begin by talking a little bit about the process.

Our minds are primarily on the current intervention and involvement, and that is appropriate. We also have to take a moment at a time like this to realize how this fits into the overall context of the role of Congress, the role of the Senate, with regard to the waging of war.

In certain respects, the process so far has established, or at least reiterated, important precedents. In some other ways, I regret that the Senate has at least partially ducked its weighty responsibilities in this regard. There are precedents being set by the consideration of S.J. Res. 20.

Although it was apparently not the intent of the sponsors, S.J. Res. 20 has been determined to be privileged under the terms of section 6 of the War Powers Resolution. That is an important moment, because sometimes Presidents and others have attempted to not take the War Powers Resolution seriously. Not only must it be taken seriously, but because of the appropriate ruling of the Parliamentarian with regard to the meaning of the War Powers Resolution, it is being taken seriously.

I would like to make note of the Parliamentarian's comments at Friday's meeting of the Senate Foreign Relations Committee, on which I serve. Even Chairman HELMS thought it was legally important enough to have the Parliamentarian's opinion be made part of the record of that meeting, and I thought it was as well.

So, Mr. President, I ask unanimous consent to have printed in the RECORD a memo from Mr. Dove at the conclusion of my remarks. This is a memo that I asked to be sent to me summarizing what the Parliamentarian concluded on Friday. I ask that it be printed in the Record.

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

(See Exhibit 1.)

Mr. FEINGOLD. I thank the Chair.

Let me just read to the Senate one sentence. The memo is dated April 30.

> The War Powers Resolution . . . controls the consideration of any such joint resolution.

He was referring to the specific language of and the date of introduction of the joint resolution that is before us.

Mr. President, that is important in terms of the history of the War Powers Resolution.

So while this resolution does not actually make a specific reference to the War Powers Resolution, the very fact that it triggered the provisions of this law demonstrates the vitality—the vitality—of the War Powers Resolution to a degree that I think is often forgotten or ignored when we are between crises of this kind.

The determination by the Parliamentarian leaves no doubt that the debate the Senate is engaged in today is an explicit and required exercise in war powers under the law of this country.

I am pleased about that. But I do have a few concerns about other aspects of the process that we have undertaken.

First, I am concerned about the President's action. I remain concerned that although the President did send a letter to the Congress acknowledging that hostilities had broken out, he did not submit the report required under section 4(a) of the War Powers Resolution.

Now, nonetheless, as the Parliamentarian has ruled, the language of the resolution still triggered the War Powers Resolution on its own. But I believe it required, in a situation like this, the President to specifically refer to the War Powers Resolution. As a number of people have said, obviously, we are at war, or certainly we are in a situation that involves hostilities or imminent hostilities insofar as the War Powers Resolution applies.

Second, I am concerned about the way the Senate has handled this matter. The resolution, of course, has been hurriedly considered. That is in part because I do not think the authors intended, and many people did not realize for a while, that the War Powers Resolution and its clock were ticking. So it was understandable that there had to be some hurry. But there was enough time, in my view, for a more thorough consideration of this matter before the Senate Foreign Relations Committee.

A business meeting on this was hastily scheduled. There really was no time to consider the matter except for a brief hour, hour and a half discussion. There was not really a proper markup. We did not have a chance to offer any amendments or modifications to the language of the resolution, which the distinguished chairman himself properly called one of the most important matters that had ever been taken up by the committee in his tenure on the committee—which is a lengthy tenure. And then, after all of that, the committee reported out the resolution without recommendation, without taking a stand for or against the resolution. Then, finally, it was reported out to the full Senate without a written report.

I do not understand what the Senate Foreign Relations Committee is for if it is not the committee which would take a real look at and amend and mark up and consider, in some detail, a matter of this importance. Again, given the tremendous courtesy and skill of the members of the committee, this is not said out of any disrespect. We were put in a very difficult time constraint, but it seems somehow we should have had a process that was more in keeping with the importance of the resolution and its role within the War Powers Resolution law.

Mr. President, I also was concerned last week that some Members were discussing propounding a unanimous consent agreement that threatened to weaken the force of the War Powers Resolution, or at least I was concerned about the fact that it might do that, by making it easier to eliminate the privileged status of future Senate actions related to war powers.

I want it noted in the record that the proposed unanimous consent agreement did not prevail. It was apparently not even propounded because of concerns. And I am pleased, because I do not think we should take it upon ourselves to make exceptions or weaken the importance and binding character of the War Powers Resolution. That has been attempted far too many times in the past.

We need this law that was passed to give some real content and meaning to the constitutional role of Congress under article I and throughout the Constitution with regard to the conduct of war or hostilities by the United States of America.

Mr. President, I also want to agree with some comments I at least read by the Senator from Arizona, Senator MCCAIN, who, of course, is doing a very, very brave job of leading this whole issue. He did comment that this problem—and correct me if I am wrong, Senator—that this is not really a long enough debate for a matter of this importance. Four hours, split between the two sides, 2 hours each, is not in keeping with the magnitude of this situation or the magnitude of this resolution.

In fact, although I am certainly sometimes guilty of not always being out here on the Senate floor, the fact that I have only seen five or six Senators on the floor for what is soon to be over half of the entire debate on this matter does not remind me of the effort and the care and the listening that went into a similar debate when it came to the Iraq intervention some 8 years ago.

So the debate surely should be longer. And as Senators start arriving and hope to find time to speak before 5:30, I think there may be some frustration. In any event, we certainly should all be listening to each other when it comes to a matter of this importance, as much as we were during the impeachment trial.

Mr. President, finally, I also am a little troubled about the idea of the tabling of this resolution. A motion to table can be interpreted—often is interpreted—as a procedural vote. On something this important, we should be voting on the merits of the language. I do not understand why at 5:30 tonight we are not going to just vote up or down on this resolution.

A tabling motion seems, to me, to be not in keeping with the significance of this. Mr. President, as I have indicated, in the past the War Powers Resolution has sometimes been ignored, but sometimes we have come very close to getting it right.

Two examples where we came close were the Lebanon intervention and the 1990–1991 Iraqi situation. In the Lebanon case, Congress actually authorized continued participation of Marines in the multinational peacekeeping force. Although the 18-month duration of the authorization represented a compromise to get the administration to agree to it, the congressional authorization represented the first time since the War Powers Resolution had become law where Congress obtained a signature by the President on legislation that actually invoked the War Powers Resolution, and also, as I just alluded to a moment ago, with regard to Iraq and the Persian Gulf.

In the case of that war, President Bush actually requested congressional support, which ended up being granted. There was a problem in that case. That request, of course, came significantly after President Bush had already deployed thousands of troops to the area, but at least the President of the United States, in that situation, explicitly acknowledged the applicability of the law in that case.

So despite my concerns—that I did think were important to put in the record for future reference in situations like this—in the end, consideration of this resolution remains an appropriate exercise of the Senate's responsibilities under the War Powers Resolution. We have begun to do our duty, and the vitality of the War Powers Resolution has again been affirmed and respected.

President, as I said, although I would have preferred to vote up or down on the merits of the Senate joint resolution, I will support the motion to table this resolution because I do not support the scope of the resolution and I have real doubts about the policy which it seeks to endorse. Especially given the breadth of the authority that is given under the resolution I am concerned. But I have concerns about the policy in Kosovo in any event.

First, Mr. President, I do not understand how this decision to intervene in Kosovo and to continue and broaden the intervention really fits in with an overall post-cold war American foreign policy strategy. I do not see how this fits in with our long-term goals.

Obviously, the tragedies and the horrors that are being perpetrated in Kosovo demand a response. That response must include the United States. But I do not think the question has been well answered why in Kosovo and not in other places. I give the Senator from Nebraska credit for just attempting to address the issue. He spoke a little bit about his belief that it would be difficult for us to act in some of the places in Africa and other places where there are similar tragedies. I am not sure I agree with that. We are not limited in our ability to act only in Europe or only near our own boundaries, especially in light of the actions that were taken with regard to the Middle East and Iraq. We have shown our ability to act throughout the world. The fact is, in my mind we could have acted in Rwanda. In fact, we apologized to Rwanda for having not taken the action that we could have taken to stop the genocide in that place.

In Rwanda, in Sierra Leone, in East Timor, in Sudan, there are atrocities that are comparable, in some cases arguably worse, if that is possible, than what is going on in Kosovo. Why is it that—it at least appears to some—an accident of geography is sufficient to allow inaction while Kosovo requires a huge commitment? This question needs to be answered not so much for me but for the American people, because they do not understand, and I do not understand exactly why one tragedy demands our attention and our action and another one simply does not, especially when it comes to the use of significant military force.

Another concern, the Senator from Nebraska was suggesting, in effect, is that we must take a stand. He is right, but he assumes this is the only option when he says we must support this resolution. Otherwise, he seems to say, we would have to be accused of taking no action, or we would be accused of being unconcerned or not moved by what is happening in Kosovo.

I am not sure all the other options have truly been explored. What about the possibility of arming the Albanian Kosovars so they have a better and legitimate chance at their own self-defense? The Secretary of State said to me at a hearing recently that they wouldn't be able to do much with the arms anyway. I question that. I bet the Kosovar Albanians would question that. I even remember a briefing the other day by some of the NATO officials indicating that resistance from some of the Kosovar Albanians had had a negative impact on the Serbian troops. This is something that we should encourage rather than simply allow people to be herded around and tortured. They have a right to self-defense like anyone else.

What about support for democratic elements in Serbia, as has been suggested by some of our colleagues in the recently introduced Serbian Democracy Act? Are there further diplomatic efforts that could be taken? What about the United Nations? Have we fully explored all of the options available working with Russia?

It is not so clear to me that the only way to proceed is to give a broad, open-ended blank check to the President with regard to this situation. I don't think it is the only option.

I am also concerned how this fits in with our overall policy just with respect to the Balkans. I am amazed at how infrequently in this debate people even refer to the fact that we are still stuck in the Bosnia intervention. We were promised at the time of the Bosnia intervention that it would be 1 year, that the troops would be home by December 1996, that it would cost no more than $2 billion. But here we are, in 1999, it has cost, I am told, over $9 billion. We no longer even hear any talk about when the troops will come home. It is Christmas after Christmas after Christmas after the time when all of our troops were supposed to be out of Bosnia.

How does this policy in Kosovo connect with the policy in Bosnia? What is the strategy for getting in and for getting out? Sometimes I believe with respect to what we are doing in Bosnia, the administration's policy is sort of a ''less said the better'' attitude. If you don't mention it, nobody is going to remind you that we have been there for an awfully long time and have not been able to get out.

I am also concerned, and I say this carefully, about what I consider to be a somewhat inconsistent application of international law by the administration with regard to this action. Again, I have no sympathy for Mr. Milosevic and his regime. But the fact is, our country recognizes Kosovo as being part of Yugoslavia, and yet we proceed with this action without a real explanation of how this comports with the rules of international law. I can tell you, most experts in international don't have a good explanation of how we can go about doing this.

It would be one thing if we were talking about recognizing an independent Kosovo, but we have not taken that position. I asked the Secretary of State the other day whether that might be in the offing, and she indicated that was not a likely scenario. In the same conversation, I asked her, what about lifting the arms embargo on the Albanian Kosovars? She said we couldn't do that because of international law. Well, this is sort of a cavalier attitude, where we rely on international law as an excuse to not do something we should do in one case, the case of lifting the arms embargo, but we disregard international law or suggest that it is a technicality when it comes to the idea of not recognizing an area separate from Serbia and then going ahead and proceeding to take military action with what our own policy apparently regards as, in effect, a province of Serbia. This troubles me.

I ask unanimous consent that Secretary Albright's comments in this regard from an April 20, 1999, hearing of the Senate Committee on Foreign Relations be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM HEARING, SENATE FOREIGN RELATIONS COMMITTEE, APRIL 20, 1999

Senator RUSSELL FEINGOLD. Thank you, Mr. Chairman. Madame Secretary, I've been critical of some of the decisions that have been made getting into this policy, so let me take his opportunity to publicly thank you for your devotion and effort with regard to this. I'm sure it's incredibly difficult, and I thank you for it.

In light of what's happened, are there any circumstances under which the administration would support an independent Kosovo?

Secretary ALBRIGHT. I think that we do not consider it a useful end to this because of the additional problems that it would cause within the region, where the—we see it as potentially destabilizing Albania and Macedonia, then if Macedonia were to fall apart, there's a whole—I don't want to predict all the dire things, but I think it basically is a destabilizing effect for the region, and it is not our position to support independence.

Senator FEINGOLD. Well, I'm still thinking it through as well, but I do hope the administration will at least keep an open mind with regard to whether that is not the way things should end up. And this relates as well to Senator Dodd's comments. I take a little different tack, at least potentially, with regard to the issue of arming the Kosovar Albanians. I think one of the reasons that we ended up having to send ground troops to Bosnia was the failure of the United States to lift the arms embargo for the Bosnian Muslims when we could have. And I notice that we are there many years and many dollars more than we intended to be.

I recognize your comment about the arms embargo that's in place.

At the same time, I wonder about our legal status in terms of bombing a nation with regard to a question having to do with an area that we consider part of that nation, in terms of international law. I'm wondering why in the one instance we are so concerned about an international arms embargo, but we are not particularly concerned about the issues of international law that apply to a situation where we regard Kosovo as part of Serbia.

So, what I'm interested in is what would be the practical effect, on the ground, of arming the Kosovar Albanians?

Secretary ALBRIGHT. Well, the practical effect is that they still—their numbers are not sufficient so that they can defend themselves. Two, and this goes to why are we nice about one legal regime and not another, it's a practical issue, which is that in both the Bosnia case and here the minute that you break an arms embargo it means that the other side is entitled to be also supplied, and I think that we have great concern about the Serb—breaking the arms embargo because the Serbs would definitely be supplied.

I think there is also the effect that we are part of an alliance and this is in Europe, and the Europeans are very much opposed, as are we, to the arming of the KLA and to the independence.

Senator FEINGOLD. Madame Secretary, with regard to Bosnia, I believe that at least one of the factors that helped us leading up to Dayton was the ability of the Bosnian Muslims, through different means, to get greater arms, and I am not at all convinced that this situation wouldn't be assisted. In fact, in listening to one of the NATO briefings the other day, I think there was a specific reference to some of the resistance that the Kosovar Albanians were able to put up as helpful with regard to fighting the Serbian troops. So I would ask that that be kept on the table.

And finally, I notice that Congressman Campbell in the house has introduced two separate resolutions, one to declare war and the other to demand an immediate retreat. I am glad that the senators who have talked earlier today have introduced a resolution in the Senate with regard to our involvement. And I'm wondering, in light of your answer to Senator Hagel's question, whether we're really at war. You seem to have indicated that we are not, at this point. What criteria would need to be met in order for you to agree with those who believe that our action in Kosovo amounts to a war or could amount to a war in the near future?

Secretary ALBRIGHT. I think that a lot of those are legal questions. I think that politically, though, there are a number of reasons why a declaration of war is not helpful in terms of how we operate in the region and with our allies, and so we are opposed to a declaration of war.

Senator FEINGOLD. Thank you, Mr. Chairman.

Mr. FEINGOLD. I would like to make just a couple other points regarding my concern about supporting this resolution with respect to the substance of it, with respect to the intervention itself.

This is almost a cliche—almost every Member of the Congress has said it—but it is still correct; that is, that our strategy is unclear. I don't believe the administration has fully articulated the policy which the airstrikes were intended to support.

I did oppose the airstrikes. I recognize the Senate voted for them. But I didn't see the policy at the time. The goals need to be explained more fully and a better case needs to be made for our continued military involvement. Certainly, if we are going to pass a resolution of this scope, we need a far clearer understanding. I don't think the President has adequately explained the national interest and objectives and cost estimates and exit strategy in this situation.

Finally, with regard to concerns in terms of whether this is a course we should follow, I have to share the view of the Senator from Arkansas, who indicated that this argument, that maybe we made a mistake in the first place but we have to finish it now that we are there, is really a terrible argument. It is a dangerous situation—we have been there before—to suggest that simply because we have gotten into a situation that we have to go full bore into it without really being sure of how far it will go or what the ultimate consequences would be. The mere fact that we started it does not mean we have to take every possible step in pursuit of a policy that had flaws from the beginning.

In any event, after having listed five or six concerns about the substance of this intervention, let me conclude by making just a couple of comments about the fact that the resolution itself is too broad, even if it did support what we are doing exactly in Kosovo at this time. I am pleased the Senate is considering a resolution that would authorize the use of military force, but the resolution before us today does not define parameters of what that military involvement would be. The phrase ''blank check'' is appropriate. That is what this resolution provides. I think it would be irresponsible, very similar to what happened with regard to the Gulf of Tonkin in the Vietnam situation, if we go down this road.

As we think about taking this very extensive measure, let us remember that there is a lack of consensus among the American people and the Congress about the policy to pursue with regard to Kosovo. Even under the current facts and circumstances that the American people know and that we know, this resolution is too broad. But given its breadth and the implications, we have no idea what the position will be in a few weeks, and this resolution gives a blank check.

We do have to take a stand. This Senate did take a stand in favor of the bombing a few weeks ago, even though I voted no. But the fact is, only this body supported the airstrikes. Last week the other body, on a tie vote, 213 to 213, voted not to support the airstrikes, after having watched the impact and the effects of the airstrikes for the last month. So there is no joint resolution by this Congress at any point in support of even the airstrikes. There is no resolution of the kind that went through the House and the Senate in the Iraq intervention. Yes, that was a close vote in the Senate with regard to Iraq, but the difference is, both Houses sent that up to the President as a reflection of the will of Congress.

I share some of the concerns with regard to some of the votes in the other body. I do recognize that it is very hard to understand how some people can vote not to go forward with this action and then in the next minute vote to put additional funding in for the action. That is very confusing as well.

What I am afraid it reflects is that there is no consensus in the Congress or in the country with regard to what we have already done in Kosovo, let alone a consensus that would justify the sweeping language that we find before us today.

Let me conclude by saying that I will vote to table the resolution because we should not rush into further steps in this matter, including deployment of forces, without a consensus in Congress, without a plan from the administration, and without some sense of how this decision to intervene in this tragedy fits into the broader question of what our foreign policy should be in the post-cold-war era, when we are confronted with human tragedy around the world.

Let me finally say that I thank the sponsors because they have triggered events that have allowed us today to exercise our roles to reaffirm the vitality and continuing need for the War

Powers Resolution and the obligations of Congress and the President to comply with them.

I thank the Chair.

(Ms. COLLINS assumed the chair.)

EXHIBIT NO. 1

MEMORANDUM

To: Senator Feingold
From: Bob Dove
Re: War Powers
Date: April 30, 1999

The Foreign Relations Committee met today on S. J. Res. 20—106th Cong., introduced by Senator McCain.

The War Powers Resolution (P.L. 93–148) controls the consideration of any such joint resolution.

Questions raised at Committee Meeting 4/30

1. Is a privileged joint resolution under the War Powers Resolution subject to a motion to table? Yes, and such a motion would carry with it any amendment then pending.

2. Would adoption of an amendment that stated that ''this resolution shall not be privileged under the War Powers Resolution'' kill the privilege. No. That language is not effective until enactment (no bootstrapping). What about language that cuts off funds, text of H.R. 1569 as passed by House on April 28, 1999? Yes it would. That language is as follows:

PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR DEPLOYMENT OF UNITED STATES GROUND FORCES TO THE FEDERAL REPUBLIC OF YUGOSLAVIA WITHOUT SPECIFIC AUTHORIZATION BY LAW.

(a) IN GENERAL.—None of the funds appropriated or otherwise available to the Department of Defense may be obligated or expended for the deployment of ground elements of the United States Armed Forces in the Federal Republic of Yugoslavia unless such deployment is specifically authorized by a law enacted after the enactment of this Act.

(b) RULE OF CONSTRUCTION.—The prohibition in subsection (a) shall not apply with respect to the initiation of missions specifically limited to rescuing United States military personnel or United States citizens in the Federal Republic of Yugoslavia or rescuing military personnel of another member nation of the North Atlantic Treaty Organization in the Federal Republic of Yugoslavia as a result of operations as a member of an air crew.

3. What is the meaning of subsections 6(a), and (b)? (Section 6 is codified at 50 U.S.C. 1545). Subsection 6(a) requires referral to the Foreign Relations Committee, and requires the committee to report ''one such joint resolution or bill'' by day 36 after the report of the President (or after President should have reported); section 6(b) provides that such joint resolution or bill ''so reported shall become the pending business of the House in question . . . and shall be voted on within three calendar days thereafter . . .''

Mr. MCCAIN. Madam President, I yield myself 60 seconds.

Madam President, I will next yield to Senator LUGAR for such time as he may consume. I tell my colleagues that the list I have after him is Senator BOXER for 10 minutes, Senator SPECTER for 15 minutes, Senator HUTCHISON of Texas for 30 minutes, Senator GORTON for 10 minutes. We also have requests from Senators SHELBY, INHOFE, DOMENICI, LIEBERMAN, BIDEN and KERRY of Massachusetts. I ask my colleagues to come over and get in the queue as they can.

Clearly, with that number of speakers, I think it would be both inappropriate and unfortunate if we had a tabling motion before every Senator who wishes to speak would be allowed to speak on this issue. I will strongly resist an effort to table before every Senator who wants to speak on this very important issue can do so. I remind my colleagues that in the case of the Persian Gulf resolution, there were two opposing resolutions, with two up-or-down votes, and a full day of debate. On Bosnia, there were opposing measures by Senators Dole and HUTCHISON of Texas, with separate up-and-down votes, and a full day of debate on final passage. We are not giving this resolution nearly the attention the previous resolutions got.

I yield such time as he may consume to the Senator from Indiana, Senator LUGAR.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. LUGAR. Madam President, I thank the distinguished sponsor of this legislation, Senator MCCAIN, for yielding to me. I congratulate him on the resolution. I will advocate that the Senate should affirm the McCain resolution. Certainly, we should not table the resolution.

Madam President, a week after the war began, I wrote in the Washington Post:

> We are losing the war in Kosovo. President Slobodan Milosevic and his Serbian Armed Forces are killing Kosovar political leaders, expelling Kosovars from their homes, and causing a flow of refugees into countries with few resources to care for them. The United States and NATO have the capacity to reverse this situation, but this will require presidential leadership and a commitment to taking the hard steps necessary to win.

I wrote, additionally, in the same column:

> President Clinton still has the chance, as our Commander in Chief, to produce victory, even if what he advocated was based on a hopelessly incomplete vision of the end game and a dubious strategy to reach even severely limited aims.

Madam President, I wrote that on April 1—a month ago—and the situation is identical to that which I described then. We have an opportunity to win the war. We have an opportunity to come to the limited objective the President has listed, but this will require very, very substantial Presidential leadership, hard decisions on the part of our President, and support of those decisions by the American people, as represented by this Congress.

I come today not to argue procedure. I regret, as others do, that we are in a predicament of a 4-hour debate, and a tabling motion was announced in the national press. The leadership of both parties will advocate tabling and disposing of this resolution, thus ending the chapter until, presumably, a more appropriate time to discuss Kosovo. But I come not to lament that fact. It is part of our circumstances, and we shall have the vote in due course and I will vote ''no'' on the motion to table.

I come today not to argue whether we should specifically authorize the President to use air power, as they have done in the House by a 213–213 vote, to temporize on that issue, not on the issue of ground forces, nor whether we have to be consulted before there are ground forces, or any other forces.

We are presently talking about a situation in which the President has set forth some very limited objectives. In my judgment, we have very little hope of meeting those limited objectives, and that translates into defeat for the United States of America, and for NATO. People talk about whether this is the right war, the war we were preparing for, whoever that may have been. We are in a war. It is a big war. It is the only war NATO ever had. It is an occasion for the North Atlantic treaty alliance to work, or for it to fail.

While we can fault our President and others while putting NATO at stake, and we can fault the President for failing to have the resources prepared; for a faulty diplomacy that produced one threat after another, which required some follow-through for credibility; for failure to say from the beginning we have to plan for every potential use of our resources, and we are doing so because we are intent upon coming to the right result.

All of that might have occurred. But, it did not. As I pointed out on April 1, it had not happened then, and it hasn't occurred since. But what has occurred is a very clear statement of objectives, and they are: the retreat, the withdrawal, the end of Serbian forces in Kosovo—out, all 43,000 of them, whether they are police, special police, regular armed forces, or paramilitary forces—these are the people, these particular Serbians, who, in fact, are killing people in Kosovo and expelling those they do not kill from their homes and their country. So, the first objective is all of these forces must leave Kosovo.

The second objective is the Kosovars must be allowed back in. There must be a condition in which people who have lost their loved ones, who have watched atrocities, who have suffered grievously and lost their identities, their bank accounts, their houses, to go back into their country where there has to be an international security force in which they believe—not in which we believe or that we temporize with others, and say a little bit of this or that country, a little balance here and there. The question will be: Do the Kosovars believe in it? Will they go back? If they do not, they are going to be in Macedonia, Albania, and increasingly in Italy, Germany, everywhere, spilling out all over Europe, hundreds of thousands of souls who require support—expensive people, people who could destabilize the economies and the governments of the host countries that have been so generous.

We have barely a month of humanitarian relief, and we understand how tragic it is for those people, how expensive and dangerous it is for the countries in the surrounding area. That has

already happened. You cannot walk away from that. We can take a resolution today and say this wasn't our war and we are tired of it or that we are bored with it or, as a matter of fact, we don't even want to participate anymore. But for the suffering people that are a consequence of this conflict, there is no walking away, and the consequences for us, for Europe, for NATO, for our Armed Forces morale, for civilian leadership intersecting with the Armed Forces, are very great.

So I am saying that you have to have an international force that gives confidence enough to the people who have lost almost everything to go back. There has to be money to pay for the houses they go back to, for the lights and the water, and the possibilities of making a living, and of some safety net of economic support while all that is happening.

Who will pay for that? Congressional leaders asked the President. He said the Europeans will take the preponderant share of that. I hope that is true. I hope the President has worked that out, or has broached that, or at least has some assurance of exactly how burdensharing will go—for humanitarian purposes or military purposes. This is terribly important and very expensive, and lying directly ahead, either in Kosovo, in Macedonia, Albania, or other countries.

Madam President, after these expelled people get back and the money is spent—and we hope to do much of this before the cold weather comes—as the President has pointed out with regard to the bombing raids in September and October—then at this point, negotiations proceed on the tortuous path on what kind of democracy in Kosovo, within the constraints of an autonomous province of Serbia but protected by an international force sufficiently strong, armed, and credible to the Kosovars so that they will come back and try to rebuild their country. That will be a very difficult negotiation.

If you were a Kosovar who had gone through all of this—and there are people advocating independence—the siren song of independence is pretty strong. Yet European countries all around are advocating no independence; that is not on the table. As the President has outlined our objective, independence is not on the table. It is autonomy, where people think about self-government within constraints.

Those are the objectives, narrow as they may be. Madam President, we had all better be giving a lot of thought as to how they might be met.

I believe that the McCain resolution is important because it says to the President, ''Mr. President, take all necessary ways and means to win, to find your objective, the objectives now shared by 18 other NATO allies.'' It is important that the President do that.

Normally, there might be a situation in which the President had planned for several months before the war in Kosovo to preposition equipment, to consider ground troops in Europe in addition to air resources, and other provisions, including provisions for humanitarian fallout that might occur. Ideally, all of that might have happened. But it didn't happen. As a matter of fact, the nation's attention was not on Kosovo, except from time to time throughout this period of time. And certainly there were no Presidential messages to the American people indicating the gravity of the situation, and very little debate here on the floor of the Senate. So that planning might have happened. But it did not.

We are now in a predicament where we are in a very large war, where the consequences are very great. We have limited objectives, but, in my judgment—I have expressed this candidly and personally to the President—we do not have the means to achieve those objectives. We have not had the means from the very beginning of the operation.

In his defense, the President stoutly affirms that the bombing campaign will do it, that you can get to those objectives with the bombing campaign alone. He would also add, some helpful information getting into a Serbia—some better control of that situation will be helpful. So would help by the Russians—and help by anybody, for that matter. But, nevertheless, the President from the beginning said no ground forces. He has followed up and said, ''I am not even planning for ground forces.'' He has almost taken pride in saying there will be no planning for ground forces; it is the bombing campaign.

I have said to the President respectfully, ''Mr. President, you have to have at least plan B. There has to be a safety net. We cannot suffer failure. You cannot suffer failure.'' There may be some Members of Congress—we read about these people in the paper who say, ''This is President Clinton's war, and when he falls flat on his face, that is his problem. He deserves it, having ill prepared for this, having very little strategy that seems to be relevant to getting the job done.''

Madam President, we got over that very rapidly. This is not the President falling on his face. It is not a personal failure of the President. We are in a war. The United States is at war—not President Clinton.

I think what Senator MCCAIN, Senator HAGEL, Senator BIDEN, and others have been saying in essence is, ''Mr. President, we need a much broader strategy. We need more options.''

I have said specifically we need, at a minimum, a public declaration that we are planning ground options—lots of them. We don't know what the situation will be on the ground 5 months from now, but we had better have some options, and it had been better be apparent we are doing that, for our own credibility.

Furthermore, we could preposition supplies and equipment conspicuously so forces can get there, as opposed to constantly saying it will be weeks or months before we can do anything as an excuse for not doing so.

I am advised that the American people in various polls have a low tolerance for casualties. Some people have crassly suggested: What if 100 Americans lost their lives? Would you still be in favor of the war? Would you be in favor of ground forces? How about 200 or 500? At what point do you say, after America loses, we leave; that is an unacceptable set of circumstances?

In polls, however, it may test the political courage of the President, or any of us. If the President is failing even to say, ''I will think about planning for the ground option,'' because he is reading polls that say that is very unpopular, very unacceptable, then the President needs to get over that too, as we do here on the floor of the Senate.

We are talking now about the fate of our country—our credibility with regard to foreign policy and the Armed Forces. We can say, regardless of Kosovo, we are ready for the real war, or the big war, or whatever war comes along. But, Madam President, with what? What kind of political will? What kind of ability to pull this country together, and Congress, and the people? What kind of ability to keep the alliance together with some credibility that we are for real, and that when we go to war, we go to win? And having set the objectives, knowing very clearly what they are, we have to get to the point of winning.

The McCain resolution is tremendously important, because it simply says, ''Mr. President, you have got to do more—a lot more. You have to lead. You have to have a strategy that finally says to whomever—President Milosevic and anybody else—we are going to win, we are going to prevail, the United States means it.''

If we are not prepared to give the President that support, if our debate degenerates into the fact that: ''Mr. President, we would like for you to win. We would like for the alliance to be credible. But do we think everything doesn't really work? We certainly don't want to do the ground forces option. We are not really sure about the money, the humanitarian relief, if the Europeans don't do their share. And we haven't worked it out with them. As a matter of fact, we don't know why we are there and why we got there, and we don't really want to know. We are tired of hearing about the history of this part of the world over the past thousand years. What we really want to know now is specifically, how do we get out of a bad dream?''

As Senators, we are not movie critics. We are not taking a look at a scenario which is a bad dream. We have a responsibility, and the responsibility today is to vote no. The responsibility is to say that it is not simply the President who is responsible—the President's war, the President's plan, the President's request that, if somehow he is inadequate, we simply affirm

that and say how sad that he is inadequate.

Madam President, if we lose the war, the fact is, the Congress is inadequate. We also are elected by the people. We also have a constitutional responsibility and, when it comes to war, a responsibility to win. If the President needs shoring up, that may be our job. If the President needs concerted advice and support, we ought to provide it.

There could be other resolutions today, but we have in front of us a big one.

It does not come as a surprise that Senator MCCAIN's resolution has been well debated throughout the country, even if not here. What will be a surprise today, Madam President, is if Senators, Members of this body, are prepared to take some responsibility as opposed to arguing, as I have already heard, that the resolution is too broad, too sweeping, a blank check for a President in whom many Senators are not certain they have confidence to prosecute the war.

These are useful rationalizations before a war but not in the middle of one. It is a war, not just an exercise; however divorced it may be from our lives, that is not the case for those who are involved.

I am hopeful we will vote no on the tabling motion. I propose that we leave the options open to the President. I propose that as opposed to proscriptive motions—that, in the future we offer advice as to how we can help the President and we try to affirm that certain things should be done, as opposed to taking off the table the necessary means that he may need.

In response to my colleague from Pennsylvania, I am happy to yield for a question.

Mr. SPECTER. I thank my colleague from Indiana. I passed a note to the Senator because I did not want to interrupt the chain of thought.

I think there is no one in this Chamber who carries greater respect than Senator LUGAR on issues of foreign policy. I noted your comments earlier calling for Presidential leadership and referring to your op-ed piece which appeared in the Washington Post. I think it not inappropriate to comment at this time that the President noted your op-ed piece in the Washington Post at a meeting with you, Senator WARNER, and myself in attendance. We were the last three to meet with the President in a very extraordinary meeting that lasted a little over 2 hours. At the very end of the meeting, Senator WARNER, Senator LUGAR, and myself stayed and he commented about your op-ed piece.

The Senator made a comment, again referring to your op-ed piece, that the President has a dubious strategy to meet a limited goal.

The problem that I have, which leads to my question, is the President's leadership. He has initiated the airstrikes along with NATO without a clear-cut strategy, and an overused word, the so-called end game. The Secretary of Defense, the Secretary of State, and the National Security Advisor speculated that Milosevic might relent after the first wave; that there might be a pause; that they might have a different attitude after there was some substantial damage done.

Absent a relenting on the part of Milosevic, where do we go from here? In lengthy meetings—the President has now had four with Members—the President has not asked for troops nor has he asked for the authority which is present in the pending resolution to allow him to use whatever force is necessary.

The question I have for my distinguished colleague: In light of the absence of any request by the President and in the absence of any showing of leadership by the President and acknowledging the correctness of Senator LUGAR's assertion that the situation calls for Presidential leadership, why is it sensible to, in effect, give the President a blank check when he has not asked for the resources and has not demonstrated any capability to exercise leadership to effectively carry out that broad guarantee of authority?

Mr. LUGAR. I respond briefly to my colleague that I believe the President must begin to offer that leadership, that he must begin to offer the strategy. I find it unacceptable if we were, as critics of the President, simply to note that he has failed to do so.

In other words, it seems to me there is about this war a sense of unreality. Clearly, if we had been in the so-called cold war period and we were at war with another country at that point, and the President apparently did not have an adequate strategy and we were losing, it would not be a useful question to ask why the President hasn't asked for what he needs. We have to say at that point that the President needs to ask.

We respectfully request the President to accept some advice and to accept some strategy that we have a responsibility to offer.

Simply left to an inadequate President, history would condemn him, but we would lose and the country would suffer grievous harm. That is our predicament in this situation. The President clearly hasn't asked for the authority, the arms, or whatever he needs. We are saying he needs to ask, and he needs to do so rapidly. We cannot sit around and simply wish that he did so and then lament that he failed to ask. We have a responsibility to act along with him. I hope and pray that he will do that.

I think the President, in this conversation the Senator cited, indicated he could ask General Shelton and General Shelton could produce a plan. In fact, allied armed services could be over there about 5 months and the President felt that might win the war.

We need to define very carefully, if that is the case, what the ground forces' objectives are, where they come in, and include all the options. In other words, that was a rather sweeping statement, but it has gone through the President's mind and what we are suggesting might have some impact.

I hope this debate pushes that forward.

I thank the Senator for his question.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent I be allowed to control the time until such time as an opponent of the resolution arrives. At that time, I will control the time for the proponents of the resolution, and at a later time a designee of the opponents of the resolution will be designated.

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

Mr. MCCAIN. I yield 15 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Madam President, I thank the Senator from Arizona for his indulgence. He has been very patient as Members have debated—many speaking against his resolution. He has been very generous in his attitude toward all Members. I greatly appreciate it.

I rise this afternoon to debate the resolution that is before the Senate and to also join with all Americans in rejoicing that the three prisoners of war have been released and have been united with their families.

One of these young men, Sgt. Andrew Ramirez, is a constituent of mine from Los Angeles. I spoke with his mother a few days ago before we knew his release was a possibility. I know how she felt. I heard in her voice the terror of the situation. We are all relieved.

I say today to all the families, you did the right thing by coming forward, by continuing to look into the cameras when it was difficult for you; yet because you did that, you put the human face on these young men. That was very, very helpful. I thank Jesse Jackson for working to secure the release of these brave soldiers.

The irony of the situation is that Milosevic wrongfully abducted these soldiers. Now he allows them to return home, while at the same time he refuses to allow the million Kosovar Albanians who were wrongfully displaced to safely return home.

Yes, the three soldiers come home and now we see no move by Milosevic at all, at all, to allow so many decent families to return to their homes.

Mr. Milosevic could end this war today. I know some have said, let's take a pause in the bombing, and that may be something that NATO wants to do. It is going to be up to them as they go about deciding the best strategy. But I say to Mr. Milosevic that he can end this war today. He has to agree to do three things. They are very simple.

No. 1, pull your army and your special forces out of Kosovo;

No. 2, allow for the safe return of Kosovar refugees to what is left of their homes;

No. 3, allow for an international peacekeeping force, which includes NATO's participation, to ensure the safe return of the refugees.

That is very straightforward. It is very simple in many ways. It takes us back to the days when Kosovo had its autonomy and those people could live in peace. So, yes, we welcome the POWs home with our open arms and open hearts, and we long for the day that Mr. Milosevic will stop this war by allowing the refugees to return home, ensuring a stable situation by allowing an international peacekeeping force into Kosovo.

I know the McCain-Biden resolution was written with the aim of achieving those three goals that I outlined, the three steps that Milosevic must take. However I do not support that resolution for the following reasons. I stated this in the Foreign Relations Committee, but I wanted to expand my remarks a little bit today. No. 1, the resolution is too broad and it is too open ended. Specifically, I am very concerned about the clause that says, ''all necessary force and other means.'' I do not believe it was the intention of the Senators to open the door to every weapon known to mankind. But when you read the resolution, there is no clarity on that point. I think it opens the door for Congress to underwrite the use of chemical weapons, biological weapons, and nuclear weapons.

In the committee, Senator SMITH entered into a colloquy with Senator BIDEN and he said: Senator, I am worried about this being so all-encompassing that it could include biological, chemical, and nuclear weapons. Senator BIDEN said that was not the intent. We can have a colloquy on the floor to say that is not what we meant; we meant conventional weapons. But a colloquy is not enough for Senators to have, it seems to me, when you are voting on a measure so important. It ought to be clear what we are talking about, and this resolution says, in essence, any and all weapons. That is the first reason I oppose it. It is open ended and too broad.

Second, the resolution takes Congress out of the decisionmaking process. In other words, once you pass this sweeping resolution, our job is essentially done; you are handing this over to the President.

By the way, I think this President has shown tremendous leadership on this issue. I disagree with my friend from Pennsylvania and my friend from Indiana on their colloquy. If you think it is easy to keep 19 NATO nations together on one track, think again. This is not easy. Some of these nations have an inclination not to go along. I give tremendous credit to President Clinton and to Prime Minister Tony Blair on this matter, because I think they are the ones who have kept NATO focused.

I am very pleased with the fact that the President has done something here, but I do not want to take the Congress out of this debate. I think this resolution does that. I think my constituents want me to be included in this every inch of the way. If the President asks us for ground troops, we need to vote on that. If he asks us for other means, we should be able to vote on that. I do not see it as others do, that the Congress really should just say: Any and all force.

I support what we are doing. I want to be clear. I want to respond to Senator HAGEL who said those of you who do not support this, essentially you are not courageous and you are not—I don't want to put words in his mouth, but he basically said we are not standing up with courage. I just want to put that into context, because when I voted to support the NATO bombing, I was taking a very strong stand. This is not easy, to see these bombs falling. This is tough. I believe they will bring Milosevic to the table. I do really believe that. So I do not view that vote as just some easy vote. It was a hard vote for me to say use force in this circumstance. So I hope colleagues would not think those of us who do not support them on this want us to leave the scene, to run away.

There are three points of view here that are all very legitimate. One that I have heard represented by several of our colleagues is: Do nothing. Do nothing. This is not in the national interest of the United States of America. Do nothing. I do not agree with that. If it is not in the national interest to stop the most god-awful ethnic cleansing since Hitler—if that is not in our national interest, I do not know what is. We are human beings first and foremost. We cannot allow that to stand. So I do not subscribe to those who say: Do nothing, in terms of military force. I just do not think we have the choice here. Milosevic was engaging in this ethnic cleansing. The only difference now is the light is on it and we see it.

I also do not agree with those who back this resolution, which is: Any and all necessary force, all kinds of weapons, the President has the ability to do that. I think it goes too far, takes us out.

So I am in the middle here. I support the current policy. I do think it is working. I do think we need to be patient. I do know there has been bad weather. I do have faith that the conduct of this war will lead to what we want, an end of the ethnic cleansing.

The President has not asked us for this additional language. I am sure any President would welcome it, by the way. But he has not asked us. As a matter of fact, he sent us a letter.

I ask unanimous consent to have this letter printed in the RECORD, Madam President.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, April 28, 1999.

Hon: TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. LEADER: I appreciate the opportunity to continue to consult closely with the Congress regarding events in Kovoso.

The unprecedented unity of the NATO Members is reflected in our agreement at the recent summit to continue and intensify the air campaign. Milosevic must not doubt the resolve of the NATO alliance to prevail. I am confident we will do so through use of air power.

However, were I to change my policy with regard to the introduction of ground forces, I can assure you that I would fully consult with the Congress. Indeed, without regard to our differing constitutional views on the use of force, I would ask for Congressional support before introducing U.S. ground forces into Kosovo into a non-permissive environment. Milosevic can have no doubt about the resolve of the United States to address the security threat to the Balkans and the humanitarian crisis in Kosovo. The refugees must be allowed to go home to a safe and secure environment.

Sincerely,

BILL CLINTON.

Mrs. BOXER. What the President said is he is confident we will prevail through airpower, and he says, ''I can assure you that'' if we needed ground forces he would ''fully consult with the Congress'' before he would introduce ground forces into what he called a nonpermissive environment.

So, I support what we are doing now. I also want to comment on the remarks of one of our colleagues, who said, why don't we stop horrible things from happening in other parts of the world? I do not subscribe to the theory that if you cannot stop all evil stop no evil. I think you stop it where you can. In this case, because of the President's leadership, there are 19 nations united. This is a mission of NATO. We can stop this evil and we should stop this evil.

Let me remark on some of the human rights abuses that are being reported by Human Rights Watch. They conducted 19 separate interviews, which showed that 100 men were summarily executed in the town of Meja on April 27. According to the witnesses, these men were pulled out of convoys headed towards Albania, and executed. Witnesses reported the dead bodies covered an area of ground about 12 feet by 20 feet and were stacked 4 feet high.

I ask people to imagine, what does that remind you of; after World War II, when we saw those bodies piled one on top of the other? How my colleagues can say it is not in our national interest to stop this is beyond my capability to understand.

Another witness said he fled his town of Sojevo, leaving behind his paralyzed father and elderly mother in their home because they could not get out, and he believed the Serb paramilitary forces would not harm the disabled and the elderly and the helpless. He returned home hours later to find his father shot dead and his mother's body mutilated. How can people say it is not in our national interest to stop that?

Violence against women in Kosovo has been reported widely. One woman interviewed by Human Rights Watch reported police held a knife to her 3-year-old son, saying he would be killed if she did not produce money or gold.

We know there are several accounts of women being raped by Serb forces in front of their children. I heard a quote on CNN that Milosevic said: ''There are bad things happening in Kosovo, but it's not the military, it's the paramilitary.''

I say to Milosevic: Stop it; you can stop it. The paramilitary, the military, the special police, you control it; you can stop it. You can send three POWs home to us. You never should have taken them in the first place. They were on a peacekeeping mission. You can send three POWs home to us. Let the good people who want nothing more than to live in their homes in Kosovo go home and stop the rape and the torture and the mutilation of old people and sick people. Yes, you admit bad things are happening in Kosovo. You can stop them from happening.

I support NATO, and I support the administration. I believe the best way to show that support for the current policy is to table the resolution. If we are asked to do more, I will consider it. I stand on my vote of March 23 when Congress approved that resolution authorizing the President to conduct airstrikes against Milosevic. I believe the Senate should stand behind that vote and continue to support NATO's effort to end the nightmare in Kosovo.

Last point. I say to my friend, JOE BIDEN, and to my friend, JOHN MCCAIN, Madam President, they are showing leadership in this resolution. They are putting forward their point of view. It is quite a legitimate point of view. I think the other points of view being expressed are legitimate as well. When the House voted, they sent a very chaotic message to the world: Yes, we will keep sending the money; no, we won't bring home the troops; no, we don't like the bombing; no, we don't want ground forces. It was extremely confusing.

The best signal we can send today is a signal that we support NATO. If we table this resolution, that will be my interpretation, that we support NATO today, that we reaffirm our support that was given to NATO in a bipartisan way on March 23.

I thank you very much, Madam President, and I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. McCAIN. I yield 15 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Madam President, I thank my distinguished colleague from Arizona.

I am opposed to the pending resolution for constitutional policy reasons and for pragmatic reasons.

With respect to the constitutional issue, we have seen a significant erosion of congressional authority, as mandated in the Constitution, to declare war—the President having assumed the authority to declare war under his powers as Commander in Chief. Korea was a war without a declaration by the Congress. Vietnam was a war without a declaration by the Congress, except for the ill-advised Gulf of Tonkin Resolution. The missile strikes against Iraq in December constitute acts of war without authorization by Congress. The airstrikes against the Federal Republic of Yugoslavia constitute acts of war without congressional authorization. There was a resolution authorizing airstrikes which passed the Senate 58–41, but under our bicameral form of Government, the House of Representatives did not concur in authorizing that use of force.

The broad sweeping authority contained within the pending resolution really is, in effect, tantamount to a delegation of Congress' authority.

The President has had a series of four meetings with Members of Congress which I believe have been very constructive and are very much to the President's credit. When he met with Members of Congress last Wednesday, on April 28, he publicly acknowledged this. The President said that he would not order ground troops without prior authorization by the Congress of the United States. He wanted to reserve his constitutional authority to do so without prior congressional approval, but he said as a practical matter, he would get congressional authorization as a good-faith matter because of the sequence of events which have transpired and which he anticipates will transpire before any such move.

If we are to authorize the President, in the language of this resolution, ''to use all necessary force and other means, in concert with United States allies, to accomplish United States and North Atlantic Treaty Organization objectives in the Federal Republic of Yugoslavia (Serbia and Montenegro),'' the Congress of the United States would be taking itself out of the picture with respect to being a party to whatever action the executive branch, the President, our Armed Forces might take.

I suggest, Madam President, that there is substantial collective wisdom in the House and in the Senate which ought to be consulted, which ought to be a party to the takeoff, as well as the landing, which ought to be a party to advising what our rules should be, reserving, of course, the military function to the generals and to the admirals and to the executive branch. But the Congress has a very, very significant role to play in deciding what course we ought to take. As a matter of policy, it seems to me important that the Congress reserve its rights and not become involved in such a broad delegation of congressional authority.

As a pragmatic matter, we have seen the ill-advised Gulf of Tonkin Resolution, and I quote from that resolution in part:

> . . .The United States is therefore prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member. . . of the Southeast Asia Collective Defense Treaty. . .

The language, ''to take all necessary steps including the use of armed force,'' is strikingly similar to the language of the present resolution to authorize the use of all necessary force. I suggest that the Gulf of Tonkin Resolution was very, very ill-advised.

Madam President, I supported the resolution passed by the Senate 58–41 to authorize airstrikes, expressly reserving that there should be no ground forces. I am prepared to consider whatever the President may request, providing that very, very important questions are answered.

I believe we need to know to what extent the airstrikes have degraded the military forces of the Federal Republic of Yugoslavia. We need to know what the prospective resistance would be, what the plan of attack would be, what resources would be necessary to implement the plan, what of those resources would come from the United States, what of those resources would come from our NATO allies, and what would be the cost to be borne by our NATO allies as well as the United States?

We are currently looking at a request from the President for some $6 billion, and we are looking at an add-on from the House of Representatives which may bring the total bill to $12 billion, or to $13 billion. Before any such appropriation is authorized, it seems to me that we are going to have to take a very hard look at precisely what is involved and what our obligations are and what our NATO allies have contributed.

Now that there is a surplus and there has been a public declaration backed by consensus that the surplus ought to be used for Social Security, it has been noted that these appropriations are going to come out of the Social Security fund. That puts a political coloration on the matter which is going to require a lot of analysis to be sure that we are doing absolutely the right thing before we deplete funds which might be directed toward Social Security.

There is another aspect in the consideration of this resolution, and that is the high improbability, really impossibility, of an acceptance of this resolution by the House of Representatives, in light of their votes last Wednesday, April 28.

The House of Representatives turned down a resolution on a tie vote, 213–213, for the President to conduct air operations, so that the House is saying, by that tie vote, that they do not approve of what the President is doing at the present time. And in not approving even the limited air operations, with the specific reservation prohibiting the use of ground forces, what is there to support the belief that the House of

Representatives will be prepared to grant even broader authority to the President?

The vote by the House of Representatives on another resolution appears directly inconsistent with their refusal to authorize the President to continue the air operations. The House of Representatives rejected a resolution, 290–139, directing the President, under the War Powers Resolution, to withdraw troops from operations against the Federal Republic of Yugoslavia. Now, there may be some ambiguity or difference between the withdrawal of troops compared to a cessation of air operations, but they amount to about the same thing.

So here you have the House of Representatives saying, ''We will not authorize the President to carry out the air operations,'' and at the same time, ''We do not call for the withdrawal of troops,'' or, realistically viewed, whatever it is that the United States is doing in a military context at the present time.

I believe it is important to consider negotiations, as has been urged by some Members, although I would not suspend the bombing operations.

The return of the three U.S. soldiers by President Milosevic was, indeed, welcome news yesterday. I congratulate Reverend Jackson for his initiatives and his courage in undertaking that daring mission, and in succeeding at it. But I would not reward President Milosevic for doing something, in returning the three GIs, which he should have done weeks ago. I do think that we need to stay the course on the authorization of the resolution that the Senate passed on airstrikes. But I do also believe we ought to be cooperative with the efforts of Russia, and with any other efforts to have a negotiated settlement, providing we do not give up the standing to prosecute President Milosevic as a war criminal if the evidence so bears out.

We know that as long ago as late 1992 then-Secretary of State Eagleburger, in effect, declared Milosevic a war criminal. And I believe that it is very important that the War Crimes Tribunal proceed to gather evidence. I think you will have a very salutary, a very deterrent effect if the evidence is present to proceed with an indictment against Milosevic.

A bipartisan group of Senators met with Justice Louise Arbour last Friday, and she made a very strong plea for the IFOR, for the allied forces, to take Karadzic into custody. And that would be an occasion to take many other high ranking military and political figures into custody: war criminals, for the violation of human rights in Bosnia. And that could have a very, very profound effect on Milosevic's immediate subordinates.

So we ought to be working in a number of directions—at a negotiated settlement, if it can be obtained, consistent with the NATO conditions, to pursue the issue of treating Milosevic and his subordinates as war criminals, and to continue with our airstrikes.

But I do believe that at opposite ends of the poles, it is unsatisfactory, really counterproductive, for the House to reject the current military operations and the airstrikes by the tie vote; and I think it would be counterproductive at the other end of the spectrum to have a broad sweeping authorization of authority for the President to take whatever action he deems appropriate as a blank check.

And in taking that position, I acknowledge the leadership of the distinguished Senator from Arizona, Senator MCCAIN, who speaks with great authority on military matters, and the leadership of his principal cosponsor, Senator BIDEN, the ranking member of the Senate Foreign Relations Committee. But for constitutional policy and pragmatic reasons, I urge my colleagues to vote against the pending resolution.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I yield 30 minutes to the Senator from Texas, Senator HUTCHISON.

The PRESIDING OFFICER. The Senator from Texas is recognized for 30 minutes.

Mrs. HUTCHISON. Thank you, Madam President. I, too, thank my colleagues, Senator MCCAIN and Senator BIDEN, for having principle, for stating their principle very forcefully, even though I disagree with what they are trying to do with the resolution that is before us today.

I think every Member of this body has the responsibility to address this issue, to say what we think, and to back that up with action. In fact, I have to say that I was stunned, after the House action last week, that some Members came forward and said, ''Oh, this is partisan.''

Madam President, this is not partisan. There are Members from both sides of the aisle who have very differing views on this. I would never say that someone who does not vote with me is partisan or is coming to this debate with anything other than their own conscience.

So I am going to speak from my conscience and my heart. I am against this resolution. I am not against it procedurally; I am against it on the merits. I respect everyone who is on either side of this issue, and I think we need to have the debate. I think we need to take an action that would turn us in a different direction from the course we are on in Kosovo today.

Madam President, I have to take a moment of personal privilege and say that I was stunned to pick up my paper on Saturday and read that one of my constituents, Larry Joyce, had died on Friday. Friday night, when I was speaking to a group, I was talking about Larry Joyce—not knowing that he had passed away—because Larry Joyce is one of my heroes. He has had an indelible impression on me.

He was watching this debate and this issue very closely, because Larry Joyce was a decorated Vietnam veteran who lost his son in Somalia. Sergeant Casey Joyce was one of the great Army Rangers who lost his life in his first mission as an Army Ranger. When Larry Joyce told me his story, I invited him to come and testify before the Senate Armed Services Committee. I have to say, he gave the most compelling testimony that I have heard in all of my time on that wonderful committee.

Larry Joyce was a hero. He was a patriot. He was very concerned about this Kosovo issue. I wish he were alive to see this issue all the way through, because he certainly had a lot to say that was important.

This resolution is wrong for a lot of reasons. It is the wrong time—through no fault of the authors of the resolution because they could not have known, when they introduced this resolution in the Senate, that we would have the release of our American prisoners over the weekend. Of course, all of us were so thrilled when on Saturday we heard that President Milosevic had agreed to release the prisoners, and then on Sunday, when many of us were waking up, we heard the news that they had already been released.

I was proud to meet with Mr. and Mrs. Gonzales in my home State of Texas on their way to Frankfurt yesterday, and there weren't two more relieved people in the whole United States of America than they were.

This release does give us a narrow window of opportunity for a diplomatic solution. I think it is wrong to pass a resolution on the floor of the Senate saying escalate the intensity of this campaign. That is the wrong message. Instead, I call on President Clinton to take bold action, open a door for discussion with President Milosevic, set a timetable, require that there be immediate cessation of any hostilities toward Kosovars of Albanian extraction, and ask Mr. Milosevic if he will agree to come to the table and talk about a peace.

This is a window. If it fails, what have we lost? Set a timetable, 5 days. Do you think we could lose 5 days in bombing to save maybe hundreds of lives, maybe thousands of lives, maybe years of conflict? I think it is worth a try. I call on the President today to do just that, take a bold step. This is the opportunity for President Clinton to see if President Milosevic is serious. If he is, talking does not hurt, and it just may help.

The resolution is wrong for other reasons. Those who offer this resolution believe it is necessary because Congress has a responsibility to act. I don't think this resolution is an exercise of responsibility. I think it is an abdication of responsibility. It tells the President, in so many words, don't bother us anymore with this war. Congress doesn't want to know what your plan is. We don't want to know what it is going to cost. We don't want to know

from you what the exit strategy is. Congress doesn't want to authorize the use of ground forces. In short, we are saying, President Clinton, go fix it and don't bother us, send us the bill.

I reject that view of taking responsibility for Congress. I think we do have a responsibility to say what we think. If we have learned one lesson from Vietnam, it should be that Congress must take the responsibility that is given it by the Constitution and not let something go on and on and on, when we know we are going in the wrong direction.

In 1964, the Senate passed what became known as the Gulf of Tonkin resolution. That resolution urged President Johnson to take all necessary measures to prevent further aggression in Southeast Asia. The debate on the Gulf of Tonkin resolution was much of the same debate we are hearing today—concern about whether our allies were dragging us into a war that wasn't ours; concern about whether they would accept enough of their responsibility; concern about cost; concern about whether we were actually declaring war, but being too timid to do it; and there was concern about escalation.

We know what happened. Over the next 10 years, every one of us can tell what happened. Congress abdicated its responsibility. They let the war go on and on and on, and we lost 59,000 Americans because Congress did not stand up and say, wait a minute, we are going in the wrong direction, let's do something about it.

I am not going to abdicate my responsibility. If I were the only vote in this body, I would vote against this resolution on the merits right now. That is not to say that I would not welcome the President coming to Congress and telling us what he wants, but he has not asked for more force. He has not submitted a plan. He has not stated goals with which I could agree.

Why would we take an action that would give him more authority to use more force at exactly the wrong time? The President had not submitted a plan when the Senate voted to authorize the air operation, and that is why I voted no. At the time, we were told the operation would deter President Milosevic from hurting the Kosovar Albanians. When the bombing began, we all know that he escalated the atrocities against those poor people. That is not our fault. I would never blame us for that. But it is our fault that we didn't have a contingency plan.

I would never compound that problem by giving the President more authority to send our troops in on the ground and put them in harm's way with no contingency plan. He has not come to Congress; he has not asked for more authority. The last thing we ought to do is give a blanket authority when we do not know the plans. It would be an abdication of our responsibility to do that.

I think the administration has been all over the lot on the policy that we say that we want to solve this problem. Do we want an independent Kosovo? The administration says no. Do we want to drive Mr. Milosevic from power? The administration says no. Do we want to encourage European democracies who are very strong and stable right now to assume more responsibility for European security? The administration says yes, but the crisis is demonstrating the opposite.

Do we want a strong NATO with a clear sense of purpose and the ability to defend a united Europe? The administration says yes, but I think this Balkan policy is going to tear the alliance apart. It goes far beyond what 19 countries can agree to in a consensus.

We are learning that you cannot fight an offensive war by committee. What we want in Yugoslavia, according to the administration, is a multiethnic, multiparty democracy. We seem to be prepared to impose it on both sides, neither of whom are ready to accept our terms.

We have tried an experimental Balkan policy in Bosnia. It is not workable. Thousands of American troops are there with no end in sight. The head of the international observer group has fired elected officials and canceled sessions of parliament because opposition parties oppose what we are doing in Kosovo. People vote in elections and then cannot stay and serve where they are elected.

I do not think that is an example of a democracy. I think it is a collection of countries trying to force their will on the people of another country.

I certainly do not think we should try to do this in Kosovo with Bosnia as an example. Are we going to require the Kosovar Albanians to live under Milosevic? Surely no one could seriously take that as a goal, but that is the goal stated by the administration—an autonomous region within Serbia that is protected by a NATO force with no end in sight.

So, Madam President, I think it is time for us to look for a responsible force that has a chance to succeed. With the glimmer of hope that we have with the release of our prisoners, I urge the President to seize the opportunity to seek a diplomatic solution, try to bring Mr. Milosevic to the table, bring in the other parties, and look for a region-wide solution.

I think the United States should go back to its role in the region of being a friend to all and an enemy to none. As the world's greatest superpower, we do not have to take sides in ethnic conflicts if we are going to be the neutral party that can bring them together. We should be able to bring the powers together to work out a solution that would have a long-term chance to succeed, one that recognizes the open, gaping wounds of all the parties in the Balkans. It would require much more energy than was put into Rambouillet. It would require President Clinton to take a personal interest and an investment in the solution. And he can do that. The effort would be worth it. We should bring Russia back to the brink to forge an alliance with the West, not push them further away from us. We should provide people in the region self-determination so they can create countries that have a chance for longevity.

It would keep the United States from devoting incredible resources for its open-ended commitment in the Balkans, because our ability to fight elsewhere in the world is being jeopardized by this operation. We are now talking about blockading Yugoslavia. That will take more ships than we now have allocated to this mission. It will hamper our ability to operate in the Persian Gulf. We have already seen that it is diverting military resources from as far as the Asian theater.

Madam President, as much time as we have put in on this Balkans issue, I think we need to come out with a solution that is not a ''Band-Aid'' for Kosovo, but something that will settle down the Balkans for a longer term and give them a chance to live as neighbors, side by side, to have stable economies, to get their people back in their respective countries, to be able to live and have self-determination; and then, hopefully, they could become trading partners and friends.

Madam President, I don't think that any strategic planner in the world ever thought, as the cold war ended, that we would propose a new strategic concept for America that would include tens of thousands of troops dedicated to the Balkans in perpetuity, but that is exactly what is happening. I have listened to the arguments that are being made. The basic argument seems to be: I don't really like how we got here, but now that we are here, we have to win. We are in it, so we must win it. I keep hearing that over and over again. That is like saying when you are going in the wrong direction, keep going and speed up.

I don't think the Senate ought to say that. I think we ought to be a partner with the President in trying to say, wait a minute, Mr. President, we don't agree with what you have done, so let's try to take a different course. I am suggesting tonight that that course be that glimmer of hope that we can have a diplomatic solution, which would be much bigger than just a ''Band-Aid'' on Kosovo.

I have heard the argument that the credibility of NATO is at stake. Now, that is a good argument. I want the credibility of NATO to remain intact. But what kind of alliance, with a mistake staring them in the face, would keep going down the same road and say that, in order to remain credible, we have to go down the same road, at any cost in lives, at the cost of any treasure of any of our countries, and we are going to gut it out even though everyone who has any little bit of awareness of what has been going on is bound to say this isn't working very well?

Is there any doubt in anyone's mind that, if NATO were under attack, we

could win a war? No, there is no doubt, because if one of our countries was under siege, we would go all out and we would win. We might use nuclear weapons if we had to, but we would win if one of us had a security threat. But the fact of the matter is, Madam President, we don't have a security risk. We have a humanitarian tragedy. So we are not in this full force. It is a ''gentlemen's war.'' We are doing strategic bombing. We are trying to be careful not to kill civilians, thank Heaven. We aren't going to put in ground troops. The President has said that.

This is not a war on which you can judge the credibility of NATO. If we wanted to win, we would win. We have the force to win, make no mistake about it. Nobody in their right mind would doubt it. But the problem here is the same as we had in Vietnam; we are not prepared to use full force to win, because it isn't a security threat.

To keep NATO strong, I submit that we don't keep going forward on a mission that doesn't appear to be very positive. To keep NATO strong, we should have a clear principle, a clear mission, and not an immediate reaction, but be slow to get into action. And when you go, by God, you go to win. That is what was wrong with Vietnam, and it is what is wrong today in Kosovo. It is not the credibility of NATO that we don't win a ''gentlemen's war.'' The credibility of NATO would be tested if we had a real security threat to one of our countries, and we would go in and we would win.

So I think the resolution today is meaningless, because we know we are not going to use full force. We are not going to use weapons of mass destruction, and we are not going to use ground troops. The President has said that. He hasn't even asked for it. And this operation should show us, and it should be a lesson for NATO, that if we are not prepared to go for a win, we should not take the first step. That is the lesson to keep the credibility of NATO.

If we are not prepared to go for a win and declare war on Serbia we shouldn't have started the bombing, and we shouldn't continue in this direction. That is why the resolution is wrong.

I am not ready to declare war on Serbia. I think they have a despot as a leader. But I don't think the American people are ready to declare war on a country that is not a security threat to the United States. I don't think we should start bombing another country if we are not ready to declare war.

Madam President, I don't think it is right for Congress to say go full force in the same direction you have been going. I think it is my responsibility as a Senator to say: I think we are going in the wrong direction, Mr. President. Let's take stock of the situation, and let's try to do something that would be a positive turn.

I was reading in the New York Times this morning a column by William Safire about the price of trust. The central question is, Do we trust the President to use all force necessary to establish the principle that no nation can drive out an unwanted people? And the answer is no. The distrust is palpable. Give him the tools and he will not finish the job.

Madam President, I don't want to give him the tools in that kind of atmosphere. It would be an abdication of my responsibility as a Member of the Senate to do that. The only responsible action for the Senate is to ask the President to come to Congress if you want to escalate this conflict. Come to Congress, and tell us why and tell us what your plan is. Tell us what the cost is. Tell us how many troops you need, and for how long. Tell us what the mission is. And what is victory?

How could we say that passing this resolution is an act of responsibility? I don't doubt for one minute that everyone who votes for this resolution is doing it because they believe it is right—because they believe in the Presidency. So many of the war heroes in this Senate believe in the Presidency. I think that is why they are standing so tall.

But, Madam President, I am a Member of the Senate. I believe in the Presidency. But I believe that when the President is doing something that is wrong—that I should stand up and say so. That is what I was elected to do. That is what the people of Texas sent me here to do.

I hope that we can have an influence on the President. I hope he will take bold action. I hope he will sit down tonight and decide that there is a glimmer of hope with the release of the American prisoners and it is worth a chance.

That is why I hope we will table this resolution—that we will take our responsibility seriously as Members of the Senate, and say: Mr. President, what we are doing isn't working, and I am not going to escalate it. I am not going to put our troops into harm's way, most assuredly, when you don't ask us to do it. And when you don't give us a plan, and when you don't give us a policy that we can decide if we support or not. The people who elected me to take the tough vote trust me to do what I think is right in my heart. I would never abdicate my conscience by giving a blank check to put our troops into harm's way in support of a policy that I haven't seen, and what I have seen I disagree with. No way.

Madam President, I yield the floor.

Mr. MCCAIN. Madam President, I ask that the Chair recognize the Senator from Washington for 10 minutes.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. Madam President, should the Congress, in the words of the McCain resolution, authorize the President ''to use all necessary force'' to accomplish U.S. objectives in Yugoslavia? That is the question upon which we will be voting shortly.

In order to answer that question, however, we must, it seems to me, first deal with two prerequisites and vital questions.

First, what are our American objectives in Yugoslavia? And are they so vital to our national interest as to warrant a full-scale war?

Second, do we have a sufficient degree of confidence in the quality of our Presidential leadership to give the President unlimited and unrequested authority to pursue those objectives?

In connection with that first question, our American objectives, we are now engaged in an experiment, a venture, that is an entirely new function for the North Atlantic Treaty Organization—not defensive in nature, but reaching outside of its own borders to attempt to settle one among many ethnic and religious conflicts around the world.

In my view, at the time at which we began this adventure, it was clearly not a vital interest to the United States of America. In addition to the absence of any vital national interest was the appalling lack of contingency plans on the part of the administration, as explained to Members of the Senate of both parties in the days leading up to the beginning of the bombing—no contingency plans as to what took place if the first two stages of bombing in a week or 10 days or 2 weeks was unsuccessful; no recognition of the high possibility or probability of extensive Serb atrocities in Kosovo aimed at the very people our actions were designed to protect.

In summary, Madam President, I believe that the administration's position at the beginning of this conflict ranked somewhere between frivolity and folly and, therefore, I was one of 41 Senators to vote against ratifying what we all knew the administration was going to do whatever the vote in the Senate.

On the other hand, as critical as I am of both the inception of this conflict and of its conduct, it is very difficult, I think impossible, to avoid the conclusion that what was not a vital national interest in the first place now involves a far greater national interest resulting from a flawed concept and a worse execution.

We now do implicate the very survival of the North Atlantic Treaty Organization. And our actions have precipitated a refugee crisis unmatched in Europe since the end of World War II. Well over a million Kosovars are homeless, many of them refugees outside of the boundaries of the Republic of Yugoslavia, all of them far worse off when they are not dead than they were before our intervention began.

Having recognized this, however, what are the possible outcomes? All of them, it seems to me, are bad.

The first is that we quit and come home. And some advocate that. I no longer honestly can do so as much as I opposed the beginning of this conflict.

The other and perhaps best possibility is that our air attacks may still be successful, that Milosevic and the Serbs may still give up, in which case

we get to occupy an absolutely devastated and destroyed Kosovo for perhaps a quarter of a century, and receive a bill to rebuild Kosovo, and maybe Serbia as well, some of which we may attempt with greater or lesser success to pass over on our allies, and will now have to support the independence of that country. Its residents can no longer live with Serbia at all. That independence and that occupation, in my view, are the only way we will persuade Kosovar Albanians to return to their homes.

The next alternative, of course, is the Russian compromise —defeat, disguised as a form of compromise. The Kosovars under those circumstances, without an American occupation, with a Russian occupation, will almost certainly by the hundreds of thousands be rightly frightened to return to their homes. Such a compromise is likely to end up in a partition, in which Serbia ends up with far more of Kosovo than it deserves, given its actions.

However, that is now a course of action advocated by the previous speaker and by many others—defeat disguised as compromise.

Finally, we have the McCain resolution, a ground war led by this administration, which has already shown itself incompetent to run even an air war, and a 19-member steering committee—a prescription for total disaster.

What about the second question, the inevitable question of the quality of our national leadership? By its own criteria, the administration has been a total failure. It has not protected the Kosovars; it has not prevented a spread of the war. Its leadership is all spin, no recognition of its own difficulties, no willingness to explain to the people of the United States what it is all about or where we are going. We can have no confidence in either the preparation of this administration or the conduct of its operations.

We get to the ultimate question. We are asked by this resolution to grant unlimited authority to wage war in Yugoslavia to an administration unwilling to use that authority and incompetent to carry it out if it were willing.

I ask unanimous consent to have printed in the RECORD a Time magazine column by Charles Krauthammer last week stating that position more eloquently than I can.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Time magazine, May 3, 1999]

NO TO A GROUND WAR

(By Charles Krauthammer)

What in God's name do we do now? There are three schools of thought: (1) now that we're in it, we've got to win it—meaning ground troops; (2) cut our losses before it's too late; (3) keep on bombing until we have a better idea.

Option 3, air war on autopilot, is the current policy of the Clinton Administration. It is a hope and a prayer. It is not a policy. At some point the choice will come down to (1) fight on the ground or (2) retreat under some Russian-brokered deal.

What should it be? There is a powerful groundswell to win. Even those who before the bombing thought Bismarck was right when he said the Balkans were ''not worth the healthy bones of a single Pomeranian grenadier'' are having second thoughts. Many who, like Henry Kissenger, opposed the war, have come to the view that now that we are committed, we must win.

Their case is powerful. Whereas we had no compelling national interest in Kosovo before March 24, we do now. Our actions have created interests. Two in particular. First, a moral obligation to the Kosovars, whom we said we were going in to save and who are now shivering, starving, terrorized and homeless. We owe them—as we did the Kurds, whom we encouraged to rise up against Saddam after the Gulf War—at least safety, if not victory.

Second, the war on Serbia has become a test of NATO credibility. The Administration foolishly staked the credibility—and perhaps the existence—of the most successful defensive alliance in history on the outcome of a civil war in a backwater of minimal strategic significance. But now that we're there, it is minimal no more.

The case seems open and shut. The U.S. should go in and, in the words of John McCain, use all necessary force to finish the job.

Alas, the real question is not Should the U.S. (and its allies) go in on the ground? The real question facing us today is Do you really want this foreign policy team—Clinton and Albright and Cohen and Berger—running a Balkan ground war?

They launched an air war of half-measures, expecting Milosevic to fold at the first sight of Bill Clinton coming over the horizon on a Tomahawk. They had no contingency plan when Milosevic didn't. They had no contingency plan—indeed, they were shocked—when the man they called Hitler countered with a savage campaign of ethnic cleansing. They responded with the feeblest of aerial escalation, recapitulating the disastrous gradualism of Vietnam.

By every one of their criteria—protecting the Kosovars, preventing the crisis from spreading to neighboring countries, keeping the conflict from internationalizing—this campaign has been a disaster. Do we want to entrust a ground war, a far more dangerous and risky enterprise, to a team that has demonstrated a jaw-dropping inability to plan ahead, to adapt to contingencies, to act forcefully?

Even if your answer is yes, consider this: the Clinton team is so viscerally opposed to ground troops that Clinton ruled them out from the very beginning, thus immeasurably emboldening and strengthening Milosevic. Clinton was willing to sacrifice the military advantages of leaving the ground-war question ambiguous in order to rid himself—he thought—of the issue. He is terrified of becoming Lyndon Johnson, stuck in a ground war with no exit. He confessed as much to Dan Rather: ''The thing that bothers me about introducing ground troops . . . is the prospect of never being able to get them out.''

It is one thing to urge a ground war on leaders simply incompetent to carry it out. It is another to urge it on leaders unwilling to carry it out. What kind of ground campaign can we expect from an Administration that has been pressured into mounting one?

And finally, consider Clinton's co-commanders. One of the reasons the air war has been such an abject failure is that every move must be approved by all 19 NATO members. Luxembourg, say, has veto power over targets. France has raised objections to the very minor step of blockading Yugoslav ports. The committee of 19 had to approve the deployment—the agonizingly slow deployment—of Apache gunships. Imagine a ground war run by this hydra-headed body, in which every rule of engagement, every change in strategy, every new operation would have to go before and through the committee of 19.

If we had a serious President (say, John McCain) and a serious Secretary of State (say, Jeanne Kirkpatrick) and a serious NATO commander (say, Colin Powell), it might make sense to go in on the ground to win. But we don't. Which is why we are where we are. Better a face-saving deal that alleviates some of the suffering of the Albanians than a charge up Kosovo hills, led by a reluctant, uncertain Clinton.

A pessimist, says Israeli humorist Yaakov Kirschen, is a person who thinks things have hit rock bottom. ''I am an optimist,'' says Kirschen. ''I believe that things can get much worse.''

And so they can. Especially in the Balkans.

Mr. GORTON. As a consequence, what might be an appropriate response to an administration that sought it, that expressed its goals coherently enough to define what winning was, and competent to reach its goals, is totally inappropriate to grant to this administration—unasked, unwilling, and unable to carry on a war of this importance.

The inevitable vote on this resolution is to vote to table.

Mr. MCCAIN. Madam President, for the information of my colleagues, Senator CHAFEE will be next for 10 minutes; Senator INHOFE for 30 minutes; Senator ROBB for 20 minutes; Senator LEAHY for 10 minutes; Senator BUNNING for 10 minutes; Senator DOMENICI for 10 minutes; Senator LANDRIEU for 5 minutes; Senator DORGAN for 10 minutes; Senator BIDEN for 30 minutes; Senator DURBIN for 10 minutes; Senator WARNER for 10 minutes; Senator NICKLES for 20 minutes; Senator KERRY of Massachusetts for 30 minutes; and Senator DODD for 15 minutes.

I make one additional comment. This resolution does not call for ground operations. This resolution calls for use of whatever force is necessary to bring this war to a conclusion. Those who portray this as a resolution that calls for ground operations simply mischaracterizes the resolution, and I believe I am owed, along with Senator BIDEN, the intellectual honesty to at least portray this resolution for what it is, which is a resolution to use whatever force is necessary, which is exactly the same resolution as the Persian Gulf war.

I yield 10 minutes to the Senator from Rhode Island, Mr. CHAFEE.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. CHAFEE. I thank the manager of the bill.

Madam President, I will support the motion to table, not because I am opposed to properly carrying out this military campaign but because I believe that setting this resolution aside today will give NATO a better chance to achieve our military objectives in Kosovo.

Since the early days of this military campaign, I have argued that the President ought not have ruled out the use of ground troops as a military option in NATO's campaign against Yugoslav forces in Kosovo. Sending this signal gives President Milosevic some comfort, knowing that his army and Serb para-military forces would not have to confront a NATO ground campaign. That gives Milosevic a freer hand in carrying out his brutal campaign of ethnic cleansing against ethnic Albanians.

Today, the Senate must decide whether to give the President authority to use ''all necessary force and other means'' to accomplish U.S. and NATO objectives in Yugoslavia. Passage would certainly permit the Administration to send U.S. ground forces into Yugoslavia. I commend the efforts of Senator MCCAIN and the other sponsors of this resolution, who I know have only our national interests in mind in bringing this measure forward today.

My instinct is to support this resolution. However, I must oppose considering it at this time for two reasons.

First, it should be clear to anyone following this debate that a majority of Senators needed to pass this resolution simply does not exist today. An acrimonious debate, followed by a vote against granting the President enhanced authority to conduct this military campaign, would weaken significantly NATO's hand in carrying out its mission. Such a vote would give Slobodan Milosevic and his band of marauders in Kosovo aid and comfort in fighting an alliance led by a divided U.S. government. So, in the interests of taking on Milosevic with as unified a front as possible, I think a vote today to table this resolution is prudent.

Second, it is not entirely clear to me whether the timing for passage of this resolution is appropriate. Although many are frustrated at the progress of the six-week air campaign, I think it deserves a chance to succeed. No one ever said that this military campaign would be quick and tidy—as wars rearely are—and it is wrong to demand an immeidate result.

However, if, in the coming days and weeks, the President and our NATO allies decide that ground forces are, in fact, needed to carry out our campaign against Yugoslav forces, I believe that consideration of this resolution would be appropriate and I would vote for it.

Madam President, while my instinct is to support this resolution today, I believe it is premature. Thus I shall vote to table the resolution.

Mr. MCCAIN. I yield 30 minutes to the Senator from Oklahoma, Mr. INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 30 minutes.

Mr. INHOFE. I thank the Senator from Arizona particularly for the way he has conducted himself in this debate in spite of the fact that there are many who do not agree with him and the resolution.

Let me first share some ideas that perhaps have not been discussed. I have done a lot of crossing off as I have listened today, taking off items I was going to discuss, and I have shortened my remarks and probably won't use all of my time.

First of all, months ago I went to Kosovo when I saw the handwriting on the wall, when I felt that ultimately this President was going to send ground troops into Kosovo. In spite of the fact he continuously said he was not going to, I felt very strongly that he was. I went over to find out as much as I could before all of the bombing started, what it was really like in Kosovo. Truly, Milosevic is just as bad a person as everybody says he is. I do not question that. But one of the things I came back with is a knowledge of a little bit of the history of the area and that some of the people over there are bad, too.

For example, you are talking about Kosovo, which is very small. It is about 75 miles in diameter, surrounded by mountains and for 600 years has been an area that has strived unsuccessfully for autonomy. There have been times when the Albanians have been the bad guys and the Serbs have been the good guys, and vice versa. It was about 12 years ago we were all so concerned because the KLA was doing all the raping and looting and burning, and not the Serbs.

Also, I noticed only two dead people in the road going across Kosovo. I turned them over. They ended up being Serbs. They were killed by the KLA. They were executed at point-blank range.

Rounding a corner about 10 minutes later, I saw someone—I found myself in the sights of a rifle-propelled grenade, an RPG–7, a very lethal weapon. After they put it down, we walked over, and it was the KLA, it wasn't the Serbs.

I went on and we saw on the map a place called the ''no-go zone.'' I asked what it was. They said that is where you do not go. They do not care whether you are a United States Senator or whether you are a Serb or an Albanian; if you go in there, you are going to be shot. It was controlled by the KLA.

I guess what I am saying, Madam President, is there are bad guys on both sides.

I would like to just mention one thing about the China scandal, because I see a connection here. I hate to say this, but a couple of months ago on this floor I told the history of what had happened in the China scandal and the fact that back in the 1980s the technology known as the WA–8 technology was stolen and nobody knew about it until about 1995. The administration—the President and the administration found out about it and they withheld that from Congress for quite a number of years—not months but years. So in Senator WARNER's committee we started having some hearings to find out what the truth was.

Sometimes I remember that Winston Churchill said:

> Truth is incontrovertible. Panic may rescind it, ignorance may deride it, malice may destroy it, but there it is.

Ultimately you get to that truth. That is what we are trying to get. And Notra Trulock, who was in charge of the intelligence for the Department of Energy—he said it became very serious a year ago—said we are going to have to tell Congress about this. So he wanted to come. He had to go to his superior, who was the Acting Director of the Department of Energy, Betsy Moler. And she said: No, you can't do that. You can't do that because it might be detrimental to the President's China policy.

Here we are talking about the theft of the most significant nuclear device in our arsenal, the WA–8 warhead. To give you an idea what it is, Madam President, this is something that has 10 times the explosive power of the bomb that was dropped on Hiroshima. It is a fraction of the size. The Chinese actually had missiles that were aimed at us at that time, at the time the President was running around the country, 133 times, saying: For the first time in the nuclear age there is not one missile aimed at American children—when in fact we had some 28 cities that were being targeted at that time. He signed the waiver to allow the Chinese to have a guidance technology to make those missiles more accurate, and he had knowledge of the fact they had, now, the warhead, the WA–8 warhead, that could be fitted on one of these. As a matter of fact, more than one could be fitted on one of their multiple-stage rockets.

I say that there is a connection. There is always talk about the President, every time he gets in trouble, something big happens, like sending cruise missiles into Sudan or Afghanistan or Iraq. In this case, we started a war. But I will say this—I do not want to dwell on this because that is not the subject at hand today—I see a connection. I believe there is a connection. I think we may very well have a ''Wag The Dog'' situation here. I think everyone knows what I am talking about. They do not say it, but they know what I am talking about.

But I did ask, in the committee meeting, since we had two diametrically opposed testimonies coming from Mr. Trulock and Ms. Moler, if they would submit to a lie detector test. Mr. Trulock immediately said he would; Ms. Moler vacillated. And then, in response to a letter, I found he is willing and she said she is not. So I think I know who is telling the truth. Nonetheless, we are going to have to address that in a little bit different way.

We have learned since then, by the way, in the last 6 years, virtually everything in our nuclear arsenal is now in the hands of the Chinese.

What I would like to do is cover this in four areas that have not been discussed by previous speakers. I think

they are significant. First of all, some of the things this President has said that led us to where we are today. The President does have an insatiable propensity to say things that are not true, and he does it with such conviction that people start nodding and agreeing with him. I am not going into the details on that; everybody knows about that.

But one of the things that I think had the greatest impact on the American people in supporting the President to send our assets in there and get involved in a war of a sovereign nation, in a civil war—the first time we have done that, certainly the first time in 50 years that NATO has done that—was when he started talking about the history of World War I and World War II. He gave a very persuasive story of how World War I and World War II started. The only trouble is, he was not telling the truth. I am not a historian and neither is the President, but I will tell you who is: Henry Kissinger. He said he got quite upset with the thing. I am quoting now. He said:

> The Second World War did not start in the Balkans, much less as a result of its ethnic conflicts.

Then he said:

> World War I started in the Balkans not as a result of ethnic conflicts but for precisely the opposite reason: because outside powers intervened in a local conflict.

He said:

> Russia backed Serbia and France backed Russia . . ..

And then Germany jumped in on Austria's side. So we had the same situation as is happening today. We had the great powers dividing up and getting on both sides of this, a civil war. It was a civil war, just like it is today. If that started World War I, certainly that could start World War III.

So what he said to the American people just simply was not true, Madam President. I think we need to talk about that.

The Senator from Washington just a few minutes ago talked about the article by Charles Krauthammer. I think that was very significant, when he talked about the Russians. It is already submitted for the RECORD so I will not resubmit it, but I will read a few things out of it. He said:

> Prime Minister Yevgeny Primakov turned his U.S.-bound plane around in mid-transit to protest the bombing.
>
> * * * * *
>
> Russia kicked NATO's representatives out of Moscow. It sent a spy ship into the Adriatic to shadow the U.S. fleet. It threatened to send military supplies to Belgrade. It boycotted NATO's 50th-year summit in Washington.

I don't know what we could have done that could have precipitated more of a problem between us and Russia than has already been done by this President in getting involved in war.

The last paragraph reads:

> Most important, Primakov will have proved to the world—and to pro-Western Russians—that an anti-American foreign policy puts Russia back on the stage and gives it diplomatic clout, while the pro-American policy followed since the Gulf War yielded Russia nothing but a ticket to oblivion.
>
> We will have vindicated Primakov's vision of Russia as leader of the opposition, friend and broker of rogue regimes [like] Serbia and Iraq [and] balancer of American power. This might even get him elected president next year when Yeltsin's term expires.
>
> Clinton will finally have his legacy.

I would like to make one comment also to clarify the RECORD. I know Senator MCCAIN said this does not authorize ground troops. But it does authorize whatever force necessary, and some of us could interpret it that way. But in my opinion, the President has always known that there were going to have to be ground troops. I know he said he is opposed to ground troops, but he wasn't telling the truth. I offer as evidence of that what, long before we sent bombers in there, General Wesley Clark said.

> We never thought air power alone could stop the paramilitary tragedy. . . everyone understood it.

When he said that, he was with the President of the United States.

We had Secretary Bill Cohen, a man I have a great deal of respect for and served with here in this body, in the Senate, but I asked him the same question about this, and he elaborated a little bit on it, but he said we understood that Milosevic:

> . . . could take action very quickly and that an air campaign could do little, if anything, to stop him.

So when people talk about this resolution doing that, I think this is what the President had in mind all the time anyway.

The second thing I wanted to talk about is the cost of this thing. A lot of people have not realized, they do not stop and think about, the cost in terms of both money and our capability of defending America. I do not think there is anyone who is not going to stand up here and agree with me in this Senate that the President, through his veto power, has decimated the military budget so we right now, today, are at one-half the force strength that we were in 1991, back during the Persian Gulf days. That is very significant. I think people need to hear this and understand it: One-half the force strength. I am talking about one-half the Army divisions, one-half the tactical air wings, one-half the ships, from 600 down to 300.

We are one-half the force strength that we were because of this President. Add to that the deployments. We have had more deployments in the last 6 years than the previous 20 years to areas where we do not have any national security interests. We need to look at that. For Joe Lockhart, the Press Secretary of the President, to stand up last week and say that INHOFE is wrong, we are as strong today as we were in 1991, that is just an outrageous lie, and it is quantified in force strength. Anyone who is working on the committees understands this.

We have the deployments, we have the problems, and we are paying the price. Yet, we do not have the national security interests. I was so proud of Colin Powell this weekend to come out and admit that America does not have national strategic interests in Kosovo, the same as Henry Kissinger said. I have quoted both of them extensively. Yet, here we are making the commitment.

I came back from my last trip to Kosovo just to hear Tony Blair stand up and make his very eloquent statement: We want to escalate the war, escalate the airstrikes. Here is a guy standing up who does have national security interests. He is over there; we are halfway around the world. We do not have strategic interests there, but he does. He stood up and said we need to escalate the airstrikes when, at the time he said this, we had 365 airplanes over there and they had 20. That is easy for him to say. I say he is a better negotiator than we are.

I was very much concerned with what I saw over there. I see several members of the committee here. I have to say that sometimes the NATO interests do not necessarily coincide with our interests. I wonder sometimes what has happened to sovereignty in the United States of America, why we have to take on all these other obligations at the expense of our ability to defend ourselves.

Can we defend ourselves? Again, General Hawley was very brave when he, this weekend, said—keep in mind he is the air combat commander, the top guy, a four-star general. It takes a lot of courage for one of these generals to stand up against the Commander in Chief, President Clinton.

He said that 5 weeks of bombing in Yugoslavia has left U.S. munitions stocks critically short, not just of air-launched cruise missiles, as previously reported, but also of another precision weapon, the joint direct attack munition—that is JDAM—dropped, used by these beautiful B–2s that are performing very well. Now we are short of them.

He went on to say we would be hard pressed to handle a second war in the Middle East or Korea. Let's stop and think about that a little bit. Our national military strategy has always been to be able to defend America on two regional fronts. I do not think there is anyone in here who believes we can simultaneously defend America on two regional fronts.

What General Hawley is saying on the commitments we have made to Bosnia and Kosovo and with the deployments we have made there is we would have a very difficult time. And he questions whether we could defend America if something happened in either North Korea or in Iraq. That is very serious.

I went back to the 21st TACOM, and I know people are tired of hearing me talk about that, but any time we do a ground operation anywhere in that theater, it has to be logistically supported

and run and operated by the 21st TACOM in Germany, down the road from Ramstein Air Force Base.

A year or so ago, I was over there. They said just with what we are doing in Bosnia, we are at 100 percent capacity; we cannot do anymore. And now they are doing more.

As I watched the deployments take place and they were cranking these troops through—5,000 were there a few days ago —as they were taken through, I said: What are you going to do if there is any contingency like in Iraq?

They said: We would be 100 percent dependent on Guard and Reserve.

We know the President's intentions are to activate the Guard and Reserve. He has already called up units. He has notified units.

Anyway, we do not have the capacity. I went over, Madam President, to Tirana, where our troops are, in a C–17. I found some things out there that were really kind of scary. The C–17 I went in was carrying two MLRSs, that is the mobile launch capability, and one humvee, and all the rest filled up with troops. We were at gross weight. We could not hold another pound in that C–17.

We have now done 300 sorties with C–17s. That is the beautiful high-lift vehicle that is going to replace a lot of the others of which we don't have enough and need more. Nonetheless, we are tying those things up. Four hundred of them are going in and out, taking things into Albania.

Then we have our scenarios as to what the cost is going to be. I will only say this. I came back convinced that the paper that was written by the Heritage Foundation was true, because from the officers over there, I learned three scenarios, which are: The most conservative scenario, go in and take over Kosovo, as if you can do that and nothing else is going to happen; second, take over Belgrade; third, take over Yugoslavia.

The first scenario would take 30,000 American troops; the second scenario, 100,000 American troops; the third scenario, 250,000 American troops. While they do not like to think in terms of casualties, casualties under the most conservative scenario would be somewhere between 500 and 2,000 American casualties; the Belgrade option would be somewhere between 5,000 and 10,000 casualties; and the Yugoslavia total effort would be somewhere between 15,000 and 20,000 American casualties. That is very, very serious.

Before I quit, I have two other things I want to share. I have heard many Senators stand on this floor and talk about the horrible atrocities that are going on, and they are. Anytime anyone is killed, anytime there are refugees, anytime there is any degree of ethnic cleansing, it is a tragedy.

For the junior Senator from California to stand up and say, ''the most God-awful ethnic cleansing since Hitler,'' just is not true. I am sure she believes it is true or she would not say it.

We keep hearing these horrible stories. We heard the President walk out into the Rose Garden last week and talk about what Brian Atwood, the AID Administrator, told him about the groups of men that were lined up and doused with gasoline and lighted on fire. I was with Brian Atwood over there a few days before that. Apparently, this allegedly happened before that time. He did not tell me about it.

I don't know what is true and is not true. I will say this. I know despite what you hear to the contrary—and this is most significant—the atrocities that have been committed on the Kosovar Albanians are minor when compared to other places.

I am involved in mission work. I go to west Africa with some regularity. I was in west Africa less than a month ago. This does not have anything to do with being a Senator. It is doing the Lord's work in some of these places. I am talking about Benin, Cote d'Ivoire, Angola, Nigeria, Sierra Leone. For every one person who has been killed, ethnically cleansed, killed in the Kosovar Albanians, for every one, there have been 80 killed in just the two countries of Angola and Sierra Leone.

Are they as brutal? Yes. They went into Sierra Leone and took whole tribes of people, lined up the children and cut their hands off. Entire tribes, the most brutal killing. For every one killed in Kosovo, 80 were killed there. Why aren't we concerned about that? We have now come to the conclusion that it is humanitarian reasons that are motivating us. What is wrong with the 80-to-1 ratio in west Africa?

What about Rwanda? For every one that has been killed in Kosovo, there have been 300 killed in the one country of Rwanda. You can go throughout Africa and see much greater atrocities.

I don't know why people sit back and act like there is no problem anywhere in the world except there. I have to come to the same conclusion that some of the others have come to. There was an article written in the Minneapolis-St. Paul newspaper that I will submit for the RECORD at the conclusion of my remarks that is very specific as to why it might be we are not concerned about this many Africans when just a handful are killed in Kosovo.

You have to also ask why are so many killed in Kosovo. We know it is a tragic thing. I have come to the conclusion that it is because of the bombing. I know that George Tenet, who is Director of Central Intelligence for the United States, said long before the bombing started, and this is from the Washington Post of March 31:

> For weeks before NATO's air campaign against Yugoslavia, CIA Director Tenet had been forecasting Serb-led Yugo forces might respond by accelerating the ethnic cleansing.

I asked the Secretary of Defense, Bill Cohen, before our committee if, in fact, that was true. He said:

> With respect to General Tenet testifying that bombing could, in fact, accelerate Milosevic's plans, we also knew that.

So we did know that. So I am wondering how many of the Kosovar Albanians are dead today who would be alive if we had not gone in there and bombed.

I have to say also that when I was in Tirana with witnesses, with newspapers, with the media from America—who did not repeat this, by the way—I interviewed everyone I could in that refugee camp outside of Tirana. They were doing all right. They were well fed. They were taken care of. I think they were as well taken care of as you would expect refugees to be. There was not one who said they had any problems until the bombing began.

Then I was interviewed by a Tirana Albanian TV station, and they said, ''When are you and the United States going to come out and take care of all these refugees?'' I said, ''Why us?'' They said, ''Because if it weren't for you, they wouldn't be here.'' That is the way they are thinking there.

I am running out of time. I want to say one thing about the troops.

One of the reasons I went over to be there when the troops arrived is because I saw a New York Times article on April 13 that said, ''We're going into Albania, the middle of nowhere, with no infrastructure, naked and exposed.'' And this was an official who gave this quote. So I went over to see if, in fact, that was what I would find. And you know what? That is exactly what I found.

I went over with the troops. As we unloaded, we went down, and the troops were over there building the tent cities. And, bless their hearts, they are doing a great job. Their spirits are high. They are ready to do whatever their commanding officer tells them to do, which is what they said they would do when they joined the military. They are knee deep in mud, and they are exposed.

I will tell you a little bit about Albania that not many people know about Albania. First of all, it is the poorest country in Europe. Secondly, it is one of the three most dangerous countries anywhere in the world. Thirdly, back during the Hoxha regime, they actually declared it as an atheist nation. So it is the only declared atheist nation out there. And fourth, the pyramid scheme that took place in the middle 1990s was one that actually took over, from the military, all of their weaponry. I am talking about RPG–7s; that is the rifle-propelled grenade, a very lethal weapon; the AK–47s—we know what that is—the SA–7s—that is the shoulder-launched surface-to-air missiles; it can knock down our helicopters over there, and every other kind of thing—mortars, other kinds of equipment—and yet our troops are over there standing in the mud without any infrastructure, without any protection, no troop protection. I am very, very concerned about that. If I ever saw a place more ripe for a gradual escalation in mission creep, like Vietnam, this is it.

Some people say, ''Where do you go from here?'' That always bothers me,

when people say, ''What are you going to do now?'' If it weren't for us, we would not be where we are today. ''This is something where we were pushed into it. We had no control over it.'' We have a President who decided he was going to declare war, and joined NATO in declaring war, on a sovereign nation.

So there is where we are. But people say, ''If you try something else, our reputation is on the line.'' How is our reputation on the line, if we have tucked our tail between our legs and run from Saddam Hussein in Iraq? Do we have any weapons inspectors there in Iraq anymore? No, we do not. He kicked us out and laughed at us. In the Middle East we are the laughingstock, and our foreign policy. So we cannot do worse than we did before.

I really believe there is no way out, that the only way to keep our President from sending American ground troops in—then it becomes irreversible. Then we are in for the long haul, when that happens. The only way to stop it is, No. 1, today—or tomorrow morning, whenever this comes up for a vote—to join the House with the votes that they voted last week and not give the permission to use any type of force that is necessary; and, secondly, inform the American people.

Let's face it, this administration is poll driven. This administration does what the polls say most people are going to find acceptable. I will repeat and quote General Hawley one more time: ''I would argue we cannot continue to accumulate contingencies,'' he said. ''At some point you have to figure out how to get out of something.''

You see, it is easy to get into something. We learned that in Bosnia, when the President promised it would be 12 months, and then here it is several years later and we are still in there. So this is what we are facing at this time.

So, anyway, I just think we are going to have to reject the McCain resolution. I anticipate we will do that. I think we need to inform the American people what the real threat is, inform the American people as to what our ability to defend America is, where our vital national security interests are, what it really is. If we do that, I think we are going to have the American people behind us.

I think also we have to keep in mind that if we end up saying, ''All right, those of you in Europe who have national security interests at stake, if you want to go ahead and take care of those national security interests, you fight the battle,'' we will go back and we will regroup and we will start rebuilding our military so we can defend America on two regional fronts, and, ''We will protect you against Iraq and against North Korea.'' I think that is probably the greatest thing we could do for our NATO allies.

Whatever the indication, we need to be out of there. This isn't our war, and whatever it takes to get out we should do.

Mr. MCCAIN. Madam President, I understand the distinguished chairman of the Foreign Relations Committee, Senator HELMS, is to be recognized for 5 minutes.

Mr. HELMS. Madam President, I thank my distinguished friend and great American, Senator MCCAIN.

Madam President, before commenting on the substance of the resolution before us today, I think I ought to make it clear that I take exception to the circumstances that would have been dictated by the War Powers Act had the Foreign Relations Committee not acted voluntarily this past Friday morning to take an action. In my judgment, the War Powers Act is ill considered and fundamentally unconstitutional, as such distinguished Senators of years gone by have declared it to be—along with near unanimity of sitting conservative Senators today.

In any case, Madam President, including the distinguished Presiding Officer at the moment, this past Friday, April 30, the Foreign Relations Committee met formally and officially reported S.J. Res. 20 without recommendation in order to avoid setting a precedent in support of the War Powers Act. Let me repeat, had we not met and had we not reported the type of legislation that we did report, we would have set a precedent in support of the War Powers Act. And I would resign from the Senate before I would have done that voluntarily. The committee reported S.J. Res. 20 without recommendation by a vote of 14–4.

While I do support the underlying sentiment of the resolution offered by my friend, JOHN MCCAIN, to win the war against Serbia, I do not—and I cannot—support S.J. Res. 20.

In times of armed conflict between the United States and a hostile power, it is the duty of the President of the United States, in his role as Commander in Chief, to provide leadership in seeking to achieve our political and military objectives.

The Senate cannot and must not force the President to take measures that he is unwilling or unprepared to take. So I am not prepared to sign off prematurely on measures and methods on which I do not yet have details.

Approval of this resolution would mistakenly—even dangerously perhaps—authorize the President to use force in a manner far exceeding anything that he has thus far publicly or privately indicated to the Congress.

Now, approval of this resolution would also provide the President with prior congressional approval—prior congressional approval—for any and all action he may want to subsequently undertake in prosecuting the war—and that is what it is—against Serbia. And that would have the effect of preventing Congress from exercising its responsibilities in authorizing, or limiting, options as circumstances may change.

Now let me be clear: I detest the unspeakably cruel acts committed by the Milosevic forces, and I certainly pray for that evil man's early and speedy defeat in this war. But that, however, is not what this resolution is about, despite what are, without doubt, the good intentions by the author.

I worry that a negative vote by the Senate on S.J. Res. 20 will provide comfort to Mr. Milosevic, and lead him to assume falsely that the United States is not resolute in its determination to prevail in this conflict. Yet I am more concerned about what may be unintended effects of this resolution.

This resolution would simply give the President a blank check. It would provide the President with prior Congressional approval for anything and everything the President may decide to undertake in prosecuting the war against Serbia.

S.J. Res. 20 puts the cart before the horse. Giving the President carte blanche to do whatever he wants in Kosovo without first coming to Congress to explain his mission and ask for authorization, is not a solution for the President's failure to follow the Constitution.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. FRIST). The majority leader is recognized.

Mr. LOTT. Mr. President, I ask unanimous consent that during today's debate no motions be in order and at 9:30 a.m. on Tuesday, the majority leader be recognized to make a motion to table S.J. Res. 20.

The PRESIDING OFFICER. Without objection, it is ordered.

Mr. LOTT. Mr. President, just one moment to explain what has transpired. We have a number of Senators who wish to be heard on this issue. I view this as a procedural vote by moving to table it. We have this issue before us at this time because of the War Powers Act. There was a lot of feeling that we should have postponed this debate and vote until a later time, but under our rules we couldn't get that done. That is why Senator DASCHLE and I felt at this time that a procedural motion to table was appropriate and that that vote should occur at 5:30.

Senator DASCHLE is on the way back, but I understand he has agreed to this request. You cannot cut Senators off who are asking to speak on a matter of this magnitude. We have worked out an arrangement. We have gone into the night. There are probably an hour or two more of speeches left, and that way we will have a vote in the morning. Even if Senators had to come back for a 9:30 vote, they would have to be here tonight anyway. So I apologize for any inconvenience that may be caused by this delay of the vote for Senators who did come back for the 5:30 vote, but it seems it is the fair thing to do at this time.

I appreciate the cooperation of Senators on both sides of the aisle.

Mr. BIDEN. Mr. President, will the Senator yield?

Mr. LOTT. I yield to the Senator from Delaware.

Mr. BIDEN. It is true, Senator DASCHLE does agree with this. I thank the leader for this accommodation. There are a number of people who do wish to speak. I think it is wise not to cut them off. I thank you and the Democratic leader.

Mr. LOTT. Mr. President, I yield the floor.

Mr. MCCAIN. Mr. President, I thank the majority leader. We have a different view of the meaning of this vote, but I do appreciate his allowing numerous Senators who wish to speak on this issue to speak this evening before the vote tomorrow.

I recognize Senator ROBB for 20 minutes.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I rise to endorse emphatically granting to the Commander in Chief the authority he needs to achieve our military objectives and the objectives of our NATO alliance against the Federal Republic of Yugoslavia. Rather than considering limitations to the President's powers, as they are interpreted through the War Powers Act, we ought to be singularly focused on aiding his ability to prosecute and end this war as quickly as possible. That is why I am an original cosponsor of this resolution permitting the use of all necessary force and other means to accomplish our goals in the Kosovo region of Yugoslavia.

We are now weeks into an air campaign that may last months. Americans need to prepare themselves now, psychologically at least, for war. War is not risk free. We have to accept the fact and the responsibility that goes with it that we may well lose significant numbers of American lives, and we can't wait to see how it turns out before we risk taking a stand for which we will be and should be held accountable.

The longer we exhibit a lack of resolve to see this through to conclusion, the longer it is going to last, the more it is going to cost, and the greater the risk that the U.S. and alliances' casualties will mount. In effect, Mr. President, we are exacerbating everything we purport to worry about—time, money, and, most importantly, lives—and we protract the suffering of those we are trying to save.

We cannot and should not tolerate defeat or compromise simply because we lack the will and conviction to win. Doing so would injure the credibility we fought so hard to rebuild in Operation Desert Storm. It is simply inconceivable to me that we would allow the confidence restored in American military power in Iraq to be frittered away in the Balkans. Given the importance of this military campaign, I was stunned by last week's House vote on support for current operations, and remain deeply concerned that individual feelings about our Commander in Chief seem to be influencing votes that have consequences that are so much more important than any Commander in Chief.

At the same time, I am deeply concerned about our unwillingness to accept responsibility for our position of world leadership. I regret that fewer and fewer of our citizens are willing to take necessary risks. There are beliefs and principles that our founders were willing to die for, and we cannot shrink from the challenge that we face today.

This resolution simply gives the Commander in Chief the options necessary to implement our military objectives, and it is consistent with my belief that winning the conflict is of paramount importance.

I commend Senators MCCAIN and BIDEN for their efforts today and urge support for the resolution and opposition to the tabling motion.

With that, Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I yield 10 minutes to the Senator from Kentucky. Excuse me. I am sorry. I apologize to the Senator from Kentucky. The Senator from Vermont is next. I apologize to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, the Senator from Arizona has been doing a good job of running the traffic here today. I commend the Senator from Arizona for helping make the arrangements, and the Senator from Delaware for putting this vote off until tomorrow. I think there are a number of Senators who do wish to speak on both sides of this issue and should have a chance to speak. The Senator from Arizona and the Senator from Delaware and other sponsors of this amendment, the Senator from Connecticut, Mr. DODD, and others are right in saying, give us a chance to speak before voting.

Mr. President, I intend to vote against tabling this resolution. I want other Senators to be very clear why I will not join the distinguished majority leader and the distinguished Democratic leader in their motion to table and why, like what I might normally do in a case like this, I will vote against such a leadership motion.

The United States, as the leader of NATO, is engaged in a costly and dangerous war in Kosovo that has immense importance for the people of Kosovo, for NATO, and for humanity. Horrendous war crimes are being perpetrated by President Milosevic's forces, and I believe that NATO has no alternative but to try to stop them.

We could debate how and why we got into this. We could debate, obviously, whether we are pursuing the best strategy to achieve our goals. We could debate the rationale for the $6 billion in supplemental funds the President has asked for to continue the war and care for the 1.5 million refugees and displaced people who are struggling to survive, many in a life-and-death struggle, but so far we have not had that debate.

Now, I support the supplemental funding. In fact, I believe the request for humanitarian assistance is too little. I believe we are not facing up to the reality that these refugees are not going to go back this year, and we are going to come very quickly to the fall months in that part of the world and into the winter. I know the weather; it is not unlike the weather in my own State of Vermont. They are going to be there—hundreds of thousands, if not well over a million refugees—throughout next winter. We are not looking at what those costs are going to be. I also will oppose this motion to table because I believe it is time for the Senate to debate our policy in Kosovo and take a stand on it one way or the other.

I want to be clear that by voting against tabling, I am not voting on the merits of this resolution. I am voting only to have a debate. The President has not sought such broad, open-ended authorization in the resolution. But even if he had, it is possible that the resolution may be too broadly worded. That is the sort of thing we would find in a debate, and I believe that the proponents of the resolution have done a service to the Senate by bringing it before us for a debate. If we think it should be different, then we can amend it and vote on it.

As my distinguished friend from West Virginia, the senior Senator, has noted, this resolution, if approved, would prematurely write the Congress out of any future debate on Kosovo. He raises a good issue, but one that should be debated. For example, the resolution would authorize the President to deploy ground troops even though he has not expressed an intention to do so, nor provided an assessment of what the costs and benefits of such a deployment would be.

But we need to debate this resolution. We saw what happened last week in the House—a partisan, muddled exercise that sent conflicting messages and solved nothing. For too long, we have seen a policy in Kosovo that is guided more by polls than by a policy with clearly defined, achievable goals and a credible strategy for achieving them.

The Senate can be the conscience of the Nation, and I believe, after my years here, the Senate should be the conscience of the Nation, and sometimes it is—but only when we rise to the occasion and debate an issue, as difficult as it may be. Issues of war and going to war and committing our men and women to war is as difficult an issue as we could ever debate here. It is an issue of the utmost gravity. It cries out for a thorough debate, and we should not shrink from it. We need the Senate to speak with substance, not sound bites, and we need the administration to do the same. The world's attention is on Kosovo. Many American lives are at stake, and so are billions of dollars of taxpayers' money.

So let us debate the resolution. The war is in its second month, and there is

no end in sight. I must say again that I disagree with our leadership in saying that we should table this motion. I don't believe that. I don't believe the Senator from Arizona wishes this resolution to be tabled either. Let us debate. We will either vote for or against it. We will either vote to amend it or not. But 100 Senators will stand up and vote one way or another on this issue. Frankly, I think the American people would like to see that because they would like that kind of guidance.

Mr. President, I will not shrink from that responsibility. I will vote tomorrow against tabling this resolution. The resolution will probably be tabled. I hope that it will not be and that the Senate will stop all hearings, all other matters, and stay here and debate this resolution. We could do it. We have the people here to do it. We have the expertise here. I think we can come out with a very clear statement of American policy—perhaps a clearer one than we have heard to date.

Mr. President, I thank the distinguished Senator from Arizona for his usual courtesy. I see my distinguished colleague from Kentucky on the floor awaiting recognition.

I yield the floor.

Mr. MCCAIN. Mr. President, I thank the Senator from Vermont and apologize for almost putting him out of order. The Senator from Kentucky wishes to speak for 10 minutes. I yield to him for that purpose.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. BUNNING. Mr. President, I rise in opposition to Senate Joint Resolution 20 for a number of reasons, and in favor of tabling.

First of all, we have no national security interest to intervene in this civil war. I have not heard one compelling reason from President Clinton, the Pentagon, the Secretary of State, my colleagues, or anyone else as to why America needs to send her troops halfway around the globe and into the middle of another nation's civil war.

I am dismayed to see on television every night the images of refugees fleeing their destroyed homes and villages, and everybody should be disheartened by this horrific tragedy. But if there should be any immediate intervention into this civil war, let it come directly from those European neighbors where this tragedy is occurring. This is happening in Europe's backyard, and it has been happening there for century upon century.

We need to force Europe to deal with this and let them take the lead. Are we going to intervene wherever we see these images and similar ones on our television every night? If so, then America will be everywhere at all times and our military will be spread throughout the corners of the world, into different regional, civil, ethnic, and tribal conflicts, and our military will be stretched to the point of breaking.

Second, by using whatever force necessary by the United States in this region, we will be pulling our troops and weapons out of regions where we truly have an interest.

Are we ready to stop the no-fly zone around Iraq and send our troops into a ground war in Kosovo? This could entice Saddam Hussein to invade other Middle Eastern countries, much like he did Kuwait. Are we ready to dive into a war in Kosovo by pulling our military forces out and away from our presence on the border of North Korea?

Iraq and North Korea are the two most dangerous hot spots in the world. Can we justify scaling back our efforts in those two regions to play referee in a civil war in Kosovo?

Are we prepared to let Saddam Hussein out of the cage and pull away from North Korea, which has a nuclear missile capability? These two areas hold our national security interests. I don't believe Kosovo is even close by comparison.

Third, because of Kosovo, our military readiness is suffering. The Clinton administration believes our military is ready for a variety of missions. Yet, President Clinton has required more of our soldiers with less money and support.

In the past 10 years, the national defense budget has been cut by approximately $120 billion. The U.S. military force structure has been reduced by more than 30 percent. The Department of Defense operations and maintenance accounts have been reduced by 40 percent.

The Department of Defense procurement funding has declined by more than 50 percent. Operational commitments for the U.S. military have increased fourfold.

The Army has reduced its ranks by over 630,000 soldiers and civilians, closed over 700 installations at home and overseas, and cut 10 divisions from its force structure.

The Army has reduced its presence in Europe from 215,000 to 65,000 personnel.

The Army has averaged 14 major deployments every four years, increased significantly from the cold war trend of one deployment every four years.

The Air Force has been downsized by nearly 40 percent, while at the same time experiencing a fourfold increase in operational commitments.

And I could go on and on as to how we are decreasing the power and force of our military while asking them to do more and more.

And just last week the President called up 33,000 reservists to answer his call to Kosovo.

Why? It is most likely because recruitment is at the lowest it has ever been and because our soldiers are leaving the Armed Forces in droves.

Here are a couple quotes I found that are very timely to this debate and even more disturbing.

> The high level of operations over the past several years is beginning to wear on both our people and our systems and is stressing our readiness.

That was what Air Force Vice Chief of Staff, General Ralph Eberhart said in the Air Force Times.

Here's another quote. This is from General Gordon Sullivan, former Army Chief of Staff.

> With our national budget now allocating only 3 percent of the gross domestic product to defense, I see our future national security in peril.

And finally a quote from the chief sponsor of this Senate joint resolution who is also a member of the Senate Armed Services Committee.

He said in 1998 in the July issue of Defense Daily, that he currently sees, and I quote, ''very serious echoes of the 1970s when we had a hollow army.''

He said, ''I think that we have failed to modernize the force.''

And he adds, ''We're losing qualified men and women. We've having to lower our recruiting standards.''

Mr. President, with this information, how can we vote and pass a resolution knowing that our military is not ready to carry out a mission which authorizes President Clinton to use all force necessary to accomplish United States and NATO objectives in the Federal Republic of Yugoslavia?

And how can we expect our military to fully enter into this war without being told what their mission is, how long they will be deployed there, and what their exit strategy is.

The military does not know, the American people do not know, the Congress does not know, and I doubt President Clinton knows what those answers are that many of my colleagues in Congress have been asking for months.

Will there be more troops deployed if our goals and mission are not met?

What are the rules of engagement?

How will this mission be paid for and will valuable dollars be pulled from military readiness accounts to pay for this deployment?

What, if any, is our exit strategy?

We need to reject this resolution for the sake of our military and for the sake of the stature of the United States in the world.

We have no national security interests to throw our soldiers into a war in Kosovo.

And we have had no answers from this administration who would dare throw our country into a war as to why this is a national security interest to the United States.

If rejecting this resolution undermines NATO, then so be it and let it undermine NATO.

This administration has already warped NATO by turning it into an offensive force instead of its original nature of being a defensive force against Soviet threats.

Let us not throw our sons and daughters into war to preserve an international organization.

Please let us reject this resolution, and if necessary table it tomorrow.

Thank you. I thank the President.

Mr. MCCAIN. Mr. President, I grant myself 3 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I am grateful to those of my colleagues who

have come to the floor this afternoon to speak on our war with Serbia, and even those who have spoken in opposition to the pending resolution.

The role of the United States in the Balkans is obviously a matter of life and death, and surely deserves serious discussion in the Senate of the United States. So I thank those Senators who have recognized the importance of having this debate.

I want to respond briefly to a few of the points made in opposition to the resolution. First, the resolution gives too broad a grant of authority to the President.

As I observed earlier, the Presidency already has its authority. The Constitution gives Congress the sole right to declare war. It does not give us the right to declare peace unless we are asked to ratify a peace treaty, or if we refuse to appropriate money for the conduct of the war. That is the only peacemaking authority that we possess.

If this Senate does nothing, and it seems at the moment to be the Senate's preferred course of action, the President has the power to commit all armies to the conflict in Yugoslavia tomorrow, if he should suddenly decide to seek victory there. Unless we cut off the money, nothing but his own lack of resolve can stop him from doing whatever is necessary to win the war.

I offered the resolution not because I felt the President needed the authority but to encourage him to fight this war in a manner most likely to achieve our goals in Kosovo.

So, please, Mr. President, let us hear no more criticism that the sponsors have given too much power to the President. The Constitution wisely gave him that power long before any of us arrived on the scene. If the opponents want to prevent the President from exercising the full power of his office, and fighting this war as if the stakes are as high as he claims they are, then they should not vote for the supplemental appropriations bill that will soon be on the floor. Any Senator who supports the troops but opposes this war as unjust, unnecessary, unwise, and not in our interest should also vote against the supplemental bill.

Mr. President, you can't support the troops and permit them to be sent into a conflict that doesn't justify their sacrifice. Trust me. The troops would rather be spared that kind of support.

If you believe this war is worth fighting, or if you believe that, once begun, America's vital interests and most treasured values are imperiled in this war, then vote to encourage the President to do the right thing by our service men and women. Vote to implore him to fight to win this war as soon as possible so that what losses we do incur will not be in vain. Have no fear that our troops won't appreciate it. They will do their duty, and they will expect us to do ours. They will win this war for us, the alliance we led, the people of Kosovo and for the values of the distinguished America for all of our history. They will win this war if only their elected leaders allow them to.

Mr. President, I ask that the Senator from New Mexico be recognized for up to 10 minutes.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, first, let me thank the distinguished Senator from Arizona and those who have joined him in this cause.

While I disagree, it certainly should not be taken as any diminution of the great respect I have for JOHN MCCAIN and a number of Senators who are here on the floor to support this issue.

But, Mr. President, I believe what we should do is to prepare a letter to the President of the United States. I think we should say to the President something like this: ''Mr. President, you are the Commander in Chief. Mr. President, we are engaged in a limited military undertaking joined by our NATO allies in the Kosovo-Yugoslavia area. You, Mr. President, have decided that we should do this; you have decided the limitation and the scope of our involvement.''

When the appropriations bill comes along we will make sure our military men and women get everything they need to protect themselves adequately and in the most safe manner possible, so we are going to support them with all the money they need.

Mr. President, we anxiously await further requests from you. If, as a matter of fact, you believe we should proceed beyond the current limited involvement to a broader involvement. If you desire to have our military men and women on the ground trying to take part in operations in Kosovo and Yugoslavia so that what you, Mr. President, say the goal is might be accomplished, you request that of the Senate. We should sign this letter and say that we await the President's request, and it will be dealt with immediately.

Frankly, the reason I start my comments that way is I don't believe we should say to a President of the United States and his military commanders, who apparently agree with him, how to conduct his military operations. They don't want to even plan for a land war—the President has said that many times. He has said, If you gave me authority I wouldn't use it. He has made up his mind that this is the kind of war he wants to conduct.

We are not privy as Senators to what relationship exists between the NATO countries and the United States of America regarding what is going on over there. What will change some people's minds about their unity of people is if America acts unilaterally or in some way inconsistent with their understandings and agreement. That is not for the Congress; we don't know about those relationships. We don't know about the negotiations taking place now to try to bring this to a conclusion. God willing, it will be brought to a conclusion sooner rather than later.

Why should we take unilateral action when he does not ask Congress for it. Regardless of what the Senate may tell him, he alone has the authority to conduct this war.

My friend from Arizona almost makes my case by saying whether we do this or not, he has the authority. I think that is what I heard him say—whether we do this or not he has the authority. What are we up to?

Mr. MCCAIN. Same thing we were up to in the Persian Gulf resolution.

Mr. DOMENICI. He is not asking for it. That is the big difference with the Persian Gulf resolution. President Bush asked us in writing and stated what it was about.

My other observation—in fact, if the President of the United States and our military commander serving our Nation want to go beyond what we are doing now, I would think he would at least tell us what it means. If they sought from us what President Bush sought, to go into a land war for some reason over there—and it may be necessary—then he should request our approval.

As a matter of fact, I wonder from time to time why the President isn't asking for it. The point is, if we asked for it, he would specify his objectives. He wouldn't just send something up here and say he wants to have our men and women go in and do this. We would have some briefings and we would understand what the end game is. We might even understand the risks involved in his plans. Even in expeditiously treating a request, we would get some answers we don't have today. I think we should expect those answers.

I don't believe we should involve ourselves in a military venture into the great unknown of that area because we want to in some way tell the President of the United States and the generals and Chairman of the Joint Chiefs of Staff, we want to give you more authority than you think you need; we want to tell you we are giving you more authority than you think you need.

We are not offering them any authority that they don't have already under the commander and chief powers of the Constitution.

I want to make it absolutely clear that I don't agree with my friend, JOHN MCCAIN, that in order to support the men and women engaged over there in a military event that the President has ordered, that we should not vote for money to protect them and give them what they need unless we are for this resolution. Those just don't follow. As a matter of fact, I want to assure those who are wondering, this is one Senator who will give them as much money as I can justify, to make sure our military is better prepared when we come out of this skirmish than we were when we went in. I do that without any concern that I have not voted to give the President authority to do more because they

are already there; I believe I am neglectful in my duty if I did not give them emergency money.

First of all, it wouldn't bring them home because they could go on for a long time under the President's Commander in Chief authority. By not doing a supplemental, we wouldn't be getting them out of there. We wouldn't be ending it precipitously.

From my standpoint, the Members of the Senate who don't vote for this resolution ought to join in a letter to the President and tell him unequivocally, Mr. President, we understand you are the Commander in Chief, we understand you put us there. Some of us didn't agree but they are there and now here is a letter from us saying if you need more authority from us to engage in a ground war, would you send us a request and brief us adequately on why you need it and we will vote quickly and decide what are our concerted feelings about that event.

I think that is a far better way to do it. I will have a letter, in case any Senators would like to join me in sending that kind of letter to the President. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 3, 1999.

DEAR PRESIDENT CLINTON: As a representative of our country's citizens and strong supporter of our military men and women, I feel obliged to convey my position with you regarding the U.S. involvement in hostilities in Kosovo. As you well know, several legislative packages already exist which would propose to preempt, further define, or curtail your authority and responsibilities as President. I believe that these options are neither prudent at this particular time, nor do they necessarily conform with desired consensus in an effort that involves the active engagement of our military in a hostile situation.

I fully acknowledge you as Commander-in-Chief of the U.S. forces. I recognize that this Office gives you broad authorities and grave responsibilities in decisions of national security and foreign policy. As Commander-in-Chief you have chosen to take the lead in this air war. As before, I continue to look to you and your military advisors to determine what objectives our military seeks and determine what means may be necessary to attain such objectives. As you well know, these are decisions that directly impact the daily lives of citizens throughout this country and will have long-term implications for the security and prosperity of the American people.

If you should decide that this operation requires means beyond the current air campaign, I respectfully ask that you send us your request.

Upon receiving any such request, I offer you my commitment to bring the matter before the Senate for deliberation and a decision as expeditiously as possible.

Sincerely,

Mr. DOMENICI. Mr. President, I yield the floor and thank the Senator for yielding me the time.

Mr. MCCAIN. I am intrigued at the prospect of exercising our constitutional responsibility through a letter to the President.

I yield 15 minutes to the Senator from Connecticut.

Mr. DODD. To my colleague from Utah, Mr. HATCH, I yield 1 or 2 minutes for some observations.

Mr. HATCH. I thank my colleague.

Mr. President, today I stand in support of this resolution offered by the Senator from Arizona. I think we all must acknowledge his experience in military issues. And, few of us in the Senate can speak with the authority that his personal experience in war has given him.

I do not believe that we should be debating this today because of the War Powers Act, which I have always believed to be unconstitutional. But, Mr. President, if the War Powers Act is unconstitutional, it is unconstitutional under President Clinton as much as it was under President Nixon. I, for one, will not reverse my legal assessment of the act just because of the current officeholder in the White House.

I confess that I do not have a great deal of confidence in the foreign policy of the Clinton Administration, Mr. President. I have been outspoken about this President's failures, particularly in dealing with this ongoing crisis in the Balkans.

But, I do not think we should shape analysis, shade history, or ignore facts to serve our profound discomfort with this Administration's foreign policy.

For example, I would not join some members of the other body when they argue that Operation Allied Force caused the genocidal campaign now being perpetrated by Milosevic's troops and thugs in Kosovo. That is a deplorable abandonment of analytic thinking, an egregious failure to recognize cause and effect.

We know, Mr. President, that the Serbs were planning this program of ethnic uprooting, of civilian massacres and worse. We know that the Serbs were preparing this for nearly a year. We know that, for many years, the official Serbian regime practiced a form of apartheid toward the Kosovar Albanians. And we know that genocide and ethnic cleansing are what Slobodan Milosevic does. It's on his resume.

This is Milosevic's fourth war. This is not a manipulation of reality. In 1991, Milosevic's Yugoslav military attacked Slovenia and Croatia. In 1992, he began a war in Bosnia that led to the deaths of over 250,000 people, most of whom were civilians.

And, let us not forget Vukovar, Mr. President, the Croatian city besieged and demolished by Serb forces, who, upon the fall of the city, entered and massacred residents, including patients trapped in hospitals.

Let us not forget Srebrenica, Mr. President, when Milosevic's general, Ratko Mladic, captured the Muslim town, marched 7,000 men and boys into open fields outside of town and massacred them in open graves. This is what Milosevic does.

His reward for these wars was to be a negotiating partner at Dayton, Ohio. He survived because the Clinton administration operates under naive notions of peace and a feckless obeisance to polls. When it leads, it follows chimeras of the Vietnam protester generation; most of the time it follows.

For the Clinton Administration, Mr. President, the pursuit of peace is the pursuit of a childish notion: The notion that peace is the absence of conflict. Such a simplistic view of peace explains why they have committed so many mistakes in the Balkans. The absence of conflict, Richard Nixon once wrote, exists only in two places: in the grave and at the typewriter. The point is not the absence of conflict, but the management of conflict so that it does not erupt into violence.

And, Mr. President, to continue to negotiate with Slobodan Milosevic, as we did until last month, and as I suspect the Administration would do if it could, is a guarantee of greater, future violence. The evidence is plenty and irrefutable, in my opinion, that the ultranationalist regime Milosevic must have war to survive. That is why, Mr. President, we are seeing the brutal effects of Milosevic's fourth war today.

Many are very uncomfortable in giving this President the kind of support stated in this resolution. Columnist William Safire in Monday's New York Times called it ''The Price of Distrust,'' and stated that ''Clinton has so few followers in Congress because he is himself the world's leading follower.''

Recall how candidate Clinton advocated bombing Slobodan Milosevic in 1992 as part of the ''lift and strike'' strategy (lift the embargo on the Bosnians and strike the Serbs) to aid the Bosnians, who were desperately holding off Milosevic's forces. I promoted ''lift and strike'' in 1992. But when candidate Clinton became President Clinton, he lost his desire to attack Milosevic and adopted a policy of leading the Europeans, whose mismanagement of the conflict ultimately required American leadership in 1995.

I have a vivid and bitter memory of a dramatic discussion I had with then Bosnian Prime Minister Haris Siladzic in the summer of 1995, when he had come to the U.S. to plead for us to lift our arms embargo against his forces besieged by the well-armed Serbs. He met with me moments after pleading, unsuccessfully, with Vice President GORE. President Clinton had refused to meet with him. When I asked the Prime Minister what was the Vice President's reasoning, I was told that the Administration believed that lifting the arms embargo would cause the Serbs to attack the eastern enclaves of Zepa, Gorazde and Srebrenica.

This is, of course, what the Serbs did anyway, weeks later. Over 8,000 unarmed men and boys were herded out of town and massacred. In retrospect, I do not know what is more astounding: The Administration's completely fallacious logic then, or the fact that, with the graves of Srebrenica as a glaring lesson, they were unprepared for Milosevic's campaign of genocide unleashed in the last month.

In spite of these criticisms, I believe there are essential American national interests at stake in the Balkans. Europe has always been important to the United States, both politically and economically. We cannot stand by and watch while this region is continually disrupted. We cannot accept instability in a region that is a geopolitical crossroads and an economic thoroughfare benefitting U.S. security and trade.

Therefore, Mr. President, I rise in support of this resolution. Its purpose is to indicate a congressional stand on a war that is going into its second month. Countries in the region are being destabilized. Albanian and Croatian borders have been crossed by Serbian military forces, and the slaughter going on in Kosovo has seen nothing like it in Europe since the Holocaust.

In the wake of these events, I believe the United States must lead. If we wish our own interests to be secure, we cannot afford to ignore instability in other key regions. We cannot look the other way and imagine that such conflict will not have an impact on us.

And, we cannot abdicate our role in NATO, perhaps the most successful military alliance of the post-war era. If NATO, comprised of democratic, freedom-loving nations of Europe, fails, we face untold political and military tests in the future.

Yes, Mr. President, there have been egregious mistakes conducted in the prosecution of this war. No mistake has been greater than the repeated assertion that we would not even plan for the possibility of ground forces.

This is not political leadership, Mr. President, it is leadership paralysis. It will lead, I fear, to a defeat for NATO, to a diminution of the symbolic power of the U.S. military, and an increase in the insecurity this country will face in the very near future.

Other NATO leaders such as British Prime Minister Tony Blair—who, never once in his political career has been referred to as a ''hawk''—have at least the sensibility to recommend planning for the possibility of ground forces.

The most critical error made by this Administration has been to reiterate our refusal to consider ground forces. This self-limiting rhetoric—which the public doesn't even believe—has compromised our military campaign so far.

By declaring to Milosevic what we will not do, we have prolonged the air campaign, and thereby increased the risks to the pilots and their support. We have undermined out political goals, which, one must presume, can only be achieved by meeting our military goals. In short, we have given Milosevic the incentive to ''wait NATO out.''

And this is what leads us to this debate today, Mr. President. I believe that NATO, as the alliance led by this country for half a century, embodies both the symbolic and real military strength of this country. If it is to engage in war, as it is now, it should not limit its planning so that we increase the chance of failure. That is what is happening right now.

Some fear that we give this President a blank check with this resolution. We should also consider that such reticence by the Senate position can be interpreted as a lack of resolve by Milosevic and his gang of killers.

It could also be read by this President as an excuse to conclude this war in a way that does not meet even the scant NATO objectives articulated so far.

One thing we have witnessed over the past decade in the Balkans, Mr. President, is that the longer we wait, the lousier the options. Fear of incrementalism can become incrementalism. We have seen this in years of ignoring the situation each time until it escalates and then meeting that escalation with stop-gap measures.

Had we used airpower to degrade or destroy Milosevic's regime in the early part of this decade, we would most likely have seen the rise of a Serbian alternative to his regime. By allowing him to stay in power, he has eviscerated the legitimate democratic opposition in Serbia, and he has coalesced his power by bringing in the worst of the ultranationalists. So today, at the end of a decade of genocidal wars led by Milosevic, we appear feckless in the face of yet another war.

Mr. President, let me predict now that if Milosevic's military is not destroyed—whether by air, by land, or by sea—this will not be the last war. Ask the leaders of Albania and Macedonia if they feel secure having a strong Serb military led by Milosevic camped on their borders. Ask the Hungarian leadership.

Let me be clear about this: This is not an instruction to the President to send in ground forces. I do not believe we should micromanage wars. To the extent that air power can get the job done, I would be very happy not to send American troops into this theater.

But, this resolution indicates that we accept no self-limiting conditions on our military options. The leader of the United States has hamstrung the most modern, effective military operation in history. But, this resolution puts him on notice: If he fails to achieve the objectives, he will not turn to the supporters of this resolution and declare we were responsible for the failure.

Some insist that this is primarily a ''civil war,'' and that there is the matter of Serbian sovereignty to respect. I would make three brief remarks regarding this view.

One, the rapid depopulation of hundreds of thousands of people and their forced movement across borders is an aggressive act, with destabilizing consequences for the region. If, for example, the Chinese were to unleash a million refugees across the Pacific to our shores, we would consider that an aggressive act.

Second, international law is by no means clear in protecting the right of a brutal regime to slaughter its citizens.

And, third, Mr. President, while we can debate the level of national interest in Kosovo, I do not believe that we, in this body, Republican or Democrat, advocate for the sovereign rights of genocidal dictators.

Mr. President, I greatly fear the consequences of failing in our war against Milosevic. Yes, it is complicated, as are most matters of foreign policy. Yes, we do not have excellent options, although rarely in our history have we had them.

But we cannot deny the reality of an aggressive dictator waging war after war in Europe, in a Europe this country has recognized is in our national interest, a Europe over which we fought two hot wars and one Cold War.

The result of our victory in that Cold War was the liberation of eastern Europe. One dictator remaining in southeastern Europe has inflamed the region, and if he continues undefeated, others will rise in Europe and elsewhere. Among them will be some who believe they are destined to challenge America.

Some of these dictators have already shown themselves, such as Saddam Hussein. And, he's taking notes. Seeing the survival of Slobodan Milosevic, he and others will challenge us again and again. I predict, Mr. President, that with the survival of Slobodan Milosevic, the security of this country will be increasingly challenged.

Mr. President, the point of this resolution is to indicate that the Senate of the United States will support whatever it takes to achieve the NATO objectives. If NATO fails—and there is no objective reason that it should—it will be because of a failure of political will.

The supporters of this resolution, every one of them, indicate today that we have the political will. I expect that we will have the opportunity in the near future when members who support tabling the resolution will be able to revisit the debate and demonstrate their resolve as well.

Discomfort and disappointment with the Administration's conduct of this war is not an excuse for us to hedge our political will, Mr. President. That is why I will support the McCain resolution. At the end of the day, history does not wait for a heroic administration.

As I stand to address this debate, I recall the Boland amendment debates in the 1980s, and the constant interference with the President's right to resolve foreign policy issues. I argued that this violated the Constitution at that time, and I tend to disagree today with some Republicans who are reluctant to support the President simply because the tables have turned.

I support the McCain resolution. I think it is the right thing. All we do is give the President the authorization to use all necessary force to support our objectives. It seems to me that is a pretty reasonable thing for which to ask.

Three years ago we met with Milosevic in Belgrade. This is a man

who has put himself in power and kept himself in power through ethnic conflict. If NATO and this President don't do what is right here, this man will continue that ethnic conflict and it will lead to more wars.

In 1992, I recommended a lift-and-strike strategy—lift the embargo and strike Milosevic's army that was committing genocidal war. Had we done that then, we wouldn't be in this problem today.

The President has done what is right in going after this regime and in stopping them from further genocidal conduct and letting them know that enough is enough. But I fear the President has begun something that he is unsure of completing. His goals remain vague and, worse, he has limited the means he declares he will employ.

I commend those who have supported this particular resolution, and I thank my dear friend from Connecticut for allowing me this time.

Mr. President, I ask unanimous consent to have printed in the RECORD ''The Price of Distrust,'' by William Safire.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

''THE PRICE OF DISTRUST''

(By William Safire)

WASHINGTON.—Congress is not only ambivalent about buying into ''Clinton's War,'' it is also of two minds about being ambivalent.

That is because the war to make Kosovo safe for Kosovars is a war without an entrance strategy. By its unwillingness to enter Serbian territory to stop the killing at the start, NATO conceded defeat. The bombing is simply intended to coerce the Serbian leader to give up at the negotiating table all he has won on the killing field. He won't.

He will make a deal. By urging that Russia be the broker, Clinton knows he can do no better than compromise with criminality. That means we are not fighting to win but are merely punishing to settle.

Small wonder that no majority has formed in Congress to adopt the McCain-Biden resolution giving the President authority to use ''all necessary force'' to achieve a clear victory. Few want to go out on a limb for Clinton knowing that he is preparing to saw that limb off behind them.

Clinton has so few followers in Congress because he is himself the world's leading follower. He steers not by the compass but by the telltale, driven by polls that dictate both how far he can go and how little he can get away with.

The real debate, then, is not intervention vs. isolation, not sanctity of borders vs. self-determination of nations, not Munich vs. Vietnam, not NATO credibility vs. America the globocop. The central question is: Do we trust this President to use all force necessary to establish the principle that no nation can drive out an unwanted people?

The answer is no. The distrust is palpable. Give him the tools and he will not finish the job.

Proof that such distrust is well founded is in the erosion of NATO's key goal: muscular protection of refugees trusting enough to return to Kosovo.

At first, that was to be done by ''a NATO force,'' rather than U.N. peacekeepers. The fallback was to ''a NATO-led force,'' including Russians. Now the formulation is ''ready to lead,'' if anybody asks, or ''a force with NATO at its core,'' which means Serb-favoring Russians, Ukrainians and Argentinians, with Hungarians and Czechs to give the illusion of ''a NATO core.''

If you were an ethnic-Albanian woman whose husband had been massacred, sister raped, children scattered and house burned down on orders from Belgrade—would you go back home under such featherweight protection?

Only a fool would trust an observer group so rotten to its ''core.'' And yet that is the concession NATO has made even before formal negotiations begin.

What can we expect next? After a few more weeks of feckless bombing while Milosevic completes his dirty work in Kosovo, Viktor Chernomyrdin or Jimmy Carter or somebody will intercede to arrange a cease-fire. Film will be shot of Serbian tanks (only 30 were hit in a month of really smart bombing) rolling back from Kosovo as bombardment halts and the embargo is lifted.

Sergei Rogov, the Moscow Arbatovnik, laid out the Russian deal in yesterday's Washington Post: (1) autonomy for Kosovo but no independence or partition; (2) Milosevic troops out but Serbian ''border guards'' to remain in Kosovo, and (3) peace ''enforcers'' under not NATO but U.N. and Helsinki Pact bureaucrats. As a grand concession, NATO would be allowed to care for refugees in Albania and Macedonia.

That, of course, would be a triumph for mass murderers everywhere, and Clinton will insist on face-savers: war-crimes trials for sergeants and below, a Brit and a Frenchman in command of a NATO platoon of Pomeranian grenadiers, no wearing of blue helmets and absolutely no reparations to Serbia to rebuild bridges in the first year.

Perhaps Britain's Tony Blair will prod Clinton to do better, and all Serbian troops and paramilitary thugs will be invited out of Kosovo. But the returning K.L.A. will find mass graves and will likely lash out at Serbs; after an indecent interval Belgrade will assert sovereignty with troops in police uniforms.

And what will happen to the principle of no reward for internal aggression? It will be left for resolution to our next President, who, in another test, will have the strength of the people's trust.

Mr. DODD. Mr. President, I want to begin by commending our colleague from Arizona, Senator MCCAIN, our colleague from Delaware, Senator BIDEN, and others who are responsible for drafting this resolution of which I am a cosponsor.

As the Senator from Utah has indicated, this resolution gives our President the means to respond to this crisis, utilizing whatever force may be necessary in concert with our allies. Obviously the best resolution to the crisis in Kosovo would be a political and diplomatic agreement which does not put any more lives in harm's way. Unfortunately, such a resolution depends on Slobodan Milosevic halting his campaign of genocide and agreeing to the reasonable conditions set forth by the United States and our allies. So far, however, he has indicated that force is the only language he understands.

Clearly, this is not a unilateral effort on behalf of the United States. There are 18 other nations that make up the NATO strategic alliance. As a result, it is essential that we act in concert with them.

The resolution before us is fair, balanced, and deserves the support of our colleagues.

As my colleague from Arizona said earlier, it is unfortunate that we are placed under the pressure of casting a yea or nay vote or a tabling motion, if one is made, after such a short period of debate. Ideally, we might have waited a few more days for consideration of this resolution. It was not the desire of the distinguished Senator from Arizona nor the distinguished Senator from Delaware to force this vote. It is one that is being forced upon us by a procedural requirement under the law.

Never the less, the resolution before us is both sound and important. I urge my colleagues to join me in supporting it.

Before I proceed to the matter before us today, let me just take a moment to join my colleagues in expressing how pleased I am that Servicemen Ramirez, Gonzales and Stone have finally been freed from their prison cells and have now been reunited with their families. Reverend Jackson, who led the delegation and secured their release, certainly deserves our commendation.

While we rejoice at the freedom of three brave Americans, however, we must also keep in mind that on the very same day they were released, some 7,000 Kosovars were forced to flee for their lives and seek refuge in neighboring countries. Today, they have joined the ranks of more than one million Kosovar Albanians who have watched their homes disappear behind clouds of acrid smoke, who now know the pain of missing or murdered family members, or who know the personal pain of torture or rape.

These atrocities are not isolated incidents. Rather, they represent a calculated and methodical effort to commit genocide, designed and executed by Slobodan Milosevic and his soldiers and policemen. Mr. Milosevic has left his bloody hand print on more than just Kosovo. Several years ago, we saw his willingness to use murder, torture and rape as tools of a ethnic-cleansing in Bosnia and Herzegovina. Months before NATO dropped the first bomb on Yugoslavia he had already forced 400,000 Kosovars from their homes in spite of the Herculean efforts by the United States and our allies to find a diplomatic or political resolution.

Thus, the notion that NATO forces have contributed or caused the Kosovars to be displaced or put in harm's way is entirely without merit. This tragedy has resulted from the actions of one individual and those of his supporters who have allowed this policy to go forward.

The messages we send, both by the words we utter and by the votes we cast, often travel far beyond the walls of this chamber. Rarely, however, do they travel as far or as widely as will the messages we send during this debate.

Firstly, our service men and women are listening at their posts around the

world. They want to know where they stand when it comes to the Senate. They ought to know, in performance of their duties, they have the backing and the support of their elected representatives. It ought to be abundantly clear that we stand shoulder to shoulder with them when they fight under the American flag. It was not their decision to be engaged in combat. Yet, the jobs they do are monumentally important. We must not take any action here in the Senate which will send the signal that they have anything but the highest level of support we can muster.

The innocent men, women and children of Kosovo are also listening tonight. More than 665,000 are in refugee camps in Macedonia or Albania living under tremendously difficult conditions. While they are safe, they desperately want to be able to return to what is left of their homes and villages and begin the difficult process of rebuilding. Hundreds of thousands of others are hiding in the hills of Kosovo without adequate food or shelter, praying that Serb forces will not find them. They too are listening to the message we send here today, wondering when they will be able to come out of the hills without a fear of death or torture.

They are also listening in Belgrade tonight. President Milosevic is listening for a crack in the United States' resolve to oppose his reign of terror in Kosovo. I hope there is no debate in this Chamber that his actions should be ignored. Similarly, I hope that the Senate will not stand silent instead of expressing our sense of outrage over what this man has done to so many innocent people simply because of their ethnicity. We must never stand silent in the face of Mr. Milosevic's genocide.

All across Europe, our NATO allies are listening. It has not been easy for the 19 member nations to come together in a common purpose. I hope that, as our allies watch these proceedings tonight and tomorrow, they understand how highly we regard this alliance. I have heard some of our colleagues say it does not make any difference to them whether or not NATO is damaged as a result of our votes or action. I cannot disagree more vigorously. It would be a grave mistake to damage this important alliance. Yet, we could do just damage by the votes we cast and statements we make over the next several hours.

Finally, the governments and citizens of the front-line states are listening. It is critically important that we demonstrate our support to Albania, which has borne the greatest burden, and Macedonia, which despite its complicated political situation, has taken in large numbers of refugees. The province of Montenegro also deserves commendation for, despite is status as a province of Yugoslavia, it has refused to subjugate its police forces to Yugoslav control and has taken in tens of thousands of Kosovar refugees. Bulgaria, Romania, Slovenia, Croatia, Hungary and Bosnia also deserve international commendation. With the exception of Hungary, none of those is a NATO ally, yet they are standing with us. Yet, in contrast to their steadfast support, in a little more than 12 hours, the United States Senate may decide that this crisis is not worthy of our vote to give the President and NATO the backing they need to deal with this issue.

I want to point out to my colleagues, that the world—from a newly orphaned child in a Macedonian refugee camp to our allies to Slobodan Milosevic—does listen to the messages we send. Mr. President, 60 years ago next week a ship called the ''St. Louis'' sailed from Hamburg, Germany. Aboard were 937 passengers with one-way tickets. Ninehundred six of the passengers were Jewish refugees who, having lived through Kristallnacht six months earlier, already feared for their lives. Holding what they believed to be valid entry permits for Cuba, they left their homes and lives behind, hoping to find safety on the far side of the Atlantic Ocean. When they arrived in Havana two weeks later, however, only 28 were permitted, to go ashore. After lying at anchor for a full week under the oppressive sun, the St. Louis left Havanna and tried to enter American waters, but they were told that they were not welcome in this country, that we could not take 900 more people into the United States.

That ship and its passengers returned to Europe more than a month after it left. The United States Holocaust Memorial Museum just a few blocks from here has traced the lives of the St. Louis' passengers. The fates of the more than one third of the St. Louis' passengers who later perished in the Holocaust should stand as a stark warning to us here today.

There are no ships at sea tonight, but I make the case that there is indeed a ''St. Louis.'' It is called Albania; it is called Montenegro; it is called Macedonia. And there are many more thousands inside Kosovo who are now watching and listening to what we, the leader of the free world, the leader of the effort to try to bring some order to the chaos which has been visited in the Balkans, are saying.

To all of the different parties listening to our debate tonight and to our votes tomorrow, we must send the same message and we must send that message with a clear and convincing voice. We should support the McCain resolution in order to demonstrate that we will give NATO the backing and support it needs politically, diplomatically, and, yes, if need be, militarily, to respond to this situation. If we fail to respond, we may well place not only Kosovo but the rest of Europe in harm's way

The lessons of history are before us. We have been told by George Santayana that ''Those who cannot remember the past are condemned to repeat it.''

I hope that in the next 12 hours or so, before we vote on this matter, our colleagues think long and hard about this resolution. I hope we will find the strength to overlook the personalities. Whether or not we like this President or voted for him or agree with him on every issue, there is an organization called NATO which we will place in jeopardy if we fail to act properly and prudently. There are people's lives who are in jeopardy at this very hour as we debate this issue on the floor of the Senate. And there is the future precedent being set by how we act here.

If we do not approve this resolution, history will judge us. Let the words of the Nobel Peace Prize Laureate Elie Wiesel be a warning to us here tonight: ''Rejected by mankind, the condemned to not go so far as to reject it in turn. Their faith remains unshaken, and one may well wonder why. They do not despair. The proof: they persist in surviving not only to survive, but to testify. The victims elect to become witnesses.''

So, Mr. President, I urge the support and adoption of the McCain-Biden resolution. I believe it is the right thing to do. History will judge us properly and well if we support this important resolution. Our future, our children and generations to come, both here in America and around the world, will applaud the action of a Congress that has not lost sight of the lessons of history.

Mr. President, I see the arrival of the majority leader and I yield the floor.

Mr. LOTT. I thank the Senator from Connecticut for yielding. Mr. President, I do have a unanimous consent request to propound momentarily. This is on the financial services modernization bill.

While I am waiting, I commend Senator DASCHLE for his leadership, helping to get us to a position where we could move to that legislation tomorrow; and Senator GRAMM and Senator SARBANES have been working together. I think this is a good agreement, a fair one, and allows us to get to a substitute that could be offered.

UNANIMOUS CONSENT AGREEMENT—S. 900

Mr. LOTT. I ask unanimous consent that following the vote relative to S.J. Res. 20, if tabled, the Senate move to proceed and agree to the motion to proceed to S. 900—that is, the financial services modernization bill—and, following opening statements, Senator SARBANES be recognized to offer an amendment in the nature of a substitute, the text of which is S. 753, and no amendments or motions to commit or recommit be in order during the pendency of the substitute, and, if the amendment is agreed to, it be considered as original text for the purpose of further amendment.

I further ask that, following disposition of the Sarbanes substitute, the next two amendments in order be first-degree amendments to be offered by the chairman or his designee.

I also ask that following the disposition of two Republican amendments,