

PROGRAM

Mr. DOLE. Let me again just quickly recap: The legislative branch appropriations. We hope we can get a waiver on the military construction appropriation bill. We hope that we will be closer to some agreement on S. 343. I know there have been good-faith negotiations throughout the day by different groups, and we hope that could be concluded successfully.

As I indicated earlier, I visited with the President by telephone about Bosnia, and I indicated to him I would discuss that with the Democratic leader tomorrow morning and see if we could not reach some agreement.

For the information of all Senators, it is my intention to turn to the consideration of H.R. 1854, the legislative branch appropriations, at 10 o'clock tomorrow, unless there is objection.

ORDER FOR RECESS

Mr. DOLE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order following the remarks of the Senator from Wisconsin, Senator FEINGOLD.

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

BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT

Mr. FEINGOLD. Mr. President, my comments are about support of this resolution concerning the arms embargo. I know the hour is late, but this is a very, very important subject that has concerned me, as it has concerned so many Members of the Senate, for several years. I am hoping that we come to some resolution of this matter on this occasion.

I understand the majority leader's desire to consider the President's request. I look forward to the results of that discussion and the decisions that come from it. But I do rise tonight in support of the Dole-Lieberman resolution. Let me begin by mentioning three reservations I have about taking this position.

First of all, I think the truest words of the day were those of Senator COHEN of Maine who said, "No one can predict with complete confidence whether our action in this case or inaction in this case will turn out the way we want." This is a situation that requires the greatest humility on the part of a Senator because we cannot know for sure and because it does involve what is obviously life or death for many, many thousands of people in the former Yugoslavia. The facts are about as complex as they can get in a foreign policy situation.

My second reservation in supporting the resolution is that basically I think the President should be our leader in conducting foreign policy, with the assistance of Congress in certain cases; in

some cases only with congressional approval. I happen to believe, under the War Powers Act, and article I of the Constitution, that we have a pre-eminent role in making sure that we do not commit troops without congressional approval. But, generally speaking, I prefer to defer to the President, especially Democratic Presidents, on this kind of an issue.

Third, although I have tremendous respect for the majority leader, I have generally preferred the foreign policy approach of our current President. This President has kept American youth out of wars. He has resisted the temptation to send us into adventures and to take every opportunity to police the world as, unfortunately, other Presidents have failed to do. The President has shown a steady hand and does not believe that we can afford or want to shed the blood to be the policemen of the world.

But, despite these reservations, and while I think the majority leader is a great Senator and I hope he continues in that capacity for many, many years, I have long supported his view that we should lift the arms embargo on Bosnia and we should do so unilaterally, if necessary. I do think it is necessary, and I do think the time is now.

In fact, my hope has been and continues to be that this will truly be a strong bipartisan vote. In fact, when I first got here, Mr. President, long before I realized the majority leader's position, before he was the majority leader, my first resolution as a United States Senator made one simple request: That the arms embargo be lifted for the Bosnian people. That was in March 1993.

Even prior to the election in 1992, before I was a Member of this body, I followed the work of the Senator from Delaware, Senator BIDEN, who had already, before almost anyone else, understood that the key to this situation was not talking about certain American air raids or sending American troops to Bosnia, but giving them the ability to defend themselves.

One of the most stimulating comments of the day, and I listened to a lot of the debate, was that of the Senator from Massachusetts, Senator KERRY, who spoke of lifting the arms embargo, and indicated, as I have heard him say on many occasions, that he supports lifting the arms embargo if we can. But the Senator from Massachusetts indicated that lifting the arms embargo is not a policy.

I am not so sure. In fact, after scores of conversations with people, experts in foreign policy, and the military, my constituents, and especially the leaders of Bosnia itself, I feel, with all due respect, that all signs point to the conclusion that lifting the arms embargo unilaterally is not only morally right, but a very sensible policy, both for the United States and for Bosnia.

I am sure the opposition to lifting is in good faith. But after 2½ years I almost stopped asking questions on the

committee where we serve together, the Senate Foreign Relations Committee. I grew weary at the committee meetings and the briefings of the constantly shifting series of excuses for not doing what is right in Bosnia.

The opposition to lifting the arms embargo has been done in a very clever way. It is opposition by question, hundreds of questions, hundreds of scenarios, always the worst-case scenario. It is the most amazing variety of reasons I have ever seen. There are too many reasons being given, too many shifting back and forth, and sometimes contradicting each other. It does not seem credible.

We even heard in the Senate Foreign Relations Committee at a hearing the claim that lifting the arms embargo would lead to an Islamic jihad. Some of these arguments are just way beyond the pale. We are subjected to an astonishing parade of "horribles." But, Mr. President, what is actually happening—not what is projected—is what is horrible and actual unending inhuman horror.

We are urged on the floor today to try one last time. We are told that lifting the arms embargo is just like giving up. But to many Americans, it just makes sense. It looks like to many Americans that we never even got started helping the Bosnians if we could not do the most simple thing, which is to lift the arms embargo. We have never taken the first step and the most important step. We have never lifted the arms embargo so that we have the opportunity not to work with a captive and defeated Bosnia, but with an increasingly viable country, an increasingly viable military, working to defend itself and working perhaps to push back the Serbians to the lines where they were before.

In fact, Mr. President, the comments that I have heard most from all of my constituents is, "Why in the world don't we simply let these folks try and defend themselves?"

Mr. President, other Members of this body did a very good job today answering some of these objections. But I think we ought to reiterate it a little bit. I want to give again the scope of all of the excuses being given for not lifting the arms embargo. Naturally, we have a tendency to want to defer to those who have military expertise. But in some of these cases the answer is very easy and obvious.

For example, there is the claim that lifting the arms embargo will mean that the United Nations will be put in a position where none of its resolutions will be respected; the claim that this is, in effect, thumbing our nose at the United Nations and the Security Council. But the Senator from New York has made the point well that no other situation, no other resolution is in this status. This one involves the violation of article 51 of the U.N. Charter which calls for the right of self-defense for all countries. That is legally superior

under the U.N. charter to any particular resolution of this kind.

In other cases, such as Rwanda or Angola or the Sudan, there are arms embargoes but those involve civil wars, internal strife. They do not involve a clear situation of one sovereign entity being involved in attacking another. Mr. President, that argument does not hold water.

Another argument that I have heard and the question that is constantly asked is, "Well, if they get the arms, how are they going to get trained? How are they going to know how to use the guns?"

I sat in a private briefing a couple of weeks ago with a number of Senators and with the majority leader. And the majority leader asked that question of Haris Silajdzic, the Prime Minister of Bosnia. He said, "We know how to use these arms. We are trained. We are not asking for the most sophisticated aircraft." They are simply asking for the normal weaponry of a ground war.

I have here a list of what has actually been requested—certain kinds of defense arms, means of communication, electric power, health, satellite links, various types of vehicles, generators, clothing, surgical equipment. These are the kinds of things that are being requested. The notion that somehow massive special training is necessary is not valid.

Another argument that comes up: "How are the arms going to get there in this difficult situation?" Well, it is a difficult situation. But arms are already getting there despite the embargo to some extent. How do people think the Bosnian Muslims are fighting? Some have gotten through, and particularly with the alliance between Croatia and Bosnia, that sealane. The necessary access to the sea through Croatia would be available to provide the arms.

Another argument made: "We will have to pay for all these arms. It is going to be expensive." It is true. If we want to supply the arms, it will cost something. Senator BIDEN's amendment a few years ago provided for 50 million American dollars. But there is nothing in this resolution that says we have to supply the arms. Other countries are ready to do it. I think it is a good idea if we participate. It is not a choice that it is an open checkoff. It simply says they are permitted to obtain arms. There is nothing in this resolution that requires that.

Mr. President, in addition to these examples of sort of legal or tactical questions, there has been very heavy emphasis today on two other arguments. One is, "This is not the right time." And the other is, "This action will 'Americanize' the war." To me, these are probably the two most troubling arguments I have heard lately. They remind me of double talk, or maybe worse. They remind me, in George Orwell's words, of "double speak."

First of all, this notion that it is not the right time—I was told the first

time I mentioned this issue in early 1993 that if we would just hang on, "The change is right around the corner; we are going to work this out; we should not lift the arms embargo; it will cause a terrible problem." But after each tragedy we get the same excuse, the same flutter of activity. Things die down for a while, and we are told again that we should wait.

It is also troubling to me that we learn the names of these little towns in Bosnia and witness the tragedy, and then a few days later we do not even remember where the last tragedy occurred. But we are still told, "Wait a little longer; wait until a few more towns go down the tubes."

It has been 30 months. How can someone talking in any way that would be considered straight say that we have to wait longer? How many times must U.S. Senators speak until the message gets through?

I just had my staff tally up how many speeches have been given on this subject since 1993. Just in the U.S. Senate alone, there were 210 speeches by Senators. Almost, I say, the vast majority of them were in favor of lifting the arms embargo.

Mr. President, what are we waiting for? Are we waiting for perfect weather conditions? This is not a moon shot. This is an ongoing, horrible tragedy. And anyone can construct a reason why we should wait. But you cannot wait any longer when you witness every day on the television what can only be described as genocide.

What about this second argument, this mantra, "This is going to Americanize the war"? This one really bothers me. It is a slogan. People say we are committed, we are obligated to send 25,000 ground troops into Bosnia if we lift the arms embargo. When do we vote on that? When did Congress authorize 25,000 troops going into Bosnia? Under my view of the law and the Constitution, the Chair and I should have had a chance to vote on that. We did not do it. We did not make that commitment.

And again, it is the ultimate in double speak to suggest that giving people the right to defend themselves is the thing that will cause us to have to go and defend them. That is what we are being told, that somehow giving them some guns or making sure they can buy some guns is the way to guarantee that all the rest of us would have to go over there and get involved. That is just nonsense. It is the opposite. Lifting the arms embargo is the best way to ensure that American men and women will not have to spill their blood. This is a lesson that the State of Israel has understood very well since 1948.

The one thing that Israel always said is, "We want help in terms of arms, logistical help, but we do not want American men and women to come here and fight on our soil." We always appreciated that sentiment, but it is not just to be nice. It is because the Is-

raelis know that if we send troops onto Israeli soil and American men and women die, the obvious result will be probably a reduction in American support for that effort. That it will turn people off. They will say, "Why help Israel?"

All you have to do is reference Somalia. It is exactly what happened in Somalia. People had compassion. They cared about the people in Somalia. They wanted to help them eat. But when it came to American men and women dying, they really had to question whether we could police the entire world.

Well, the Bosnians understand this. And that is why they are sincere when they say that they did not want our troops. They want some help or at least not have us prevent them from getting the arms to defend themselves. Why can we as a nation say in some instances, "This we can do. We can do no more. But we will do this."?

We do not want to police this situation. The American people will not support this as the absolute core of our national security. We probably are not ready to say in the case of Bosnia that we will bear any burden. But we are ready to do something as a people. We do want the Bosnians to be free. We do want them to be able to turn back Serbian aggression.

So, Mr. President, this is the opposite of the Americanization of the war. This is how Bosnia determines its own destiny.

Mr. President, maybe what has bothered me even more than these more convenient arguments is my problem with the position that the administration has taken when it says over and over again, "We support lifting the arms embargo, but only multilaterally." But they are against unilateral lifting. And time and time again there have been statements from the administration indicating support, not for unilateral but for multilateral lifting of the arms embargo.

A relatively recent example was March 20, 1995, where Mr. Richard Holbrooke stated:

Only a negotiated settlement has any chance of lasting. This administration is committed to pursuing that goal. What we must not do is worsen the situation by unilaterally lifting the arms embargo. We have always believed the embargo is unfair and worked to end it multilaterally.

This has consistently been the statement of the administration. They oppose unilateral, but they are for the multilateral lifting of the arms embargo. But usually when you look at the actual reasons why they are against the unilateral lift, they are just as true of the multilateral lift. Again, it is halfhearted arguments to justify a policy.

And I know why the administration wants to do this. It is not a bad reason. They do not want to break faith with their allies, the British and the French, in particular, and even our relationship with the Russians, who do not want us

to lift the arms embargo. That is the real reason. What they say is they are for lifting the arms embargo if only they could get the French and the British to go along.

Well, Mr. President, it does not hold up. For example, they say if you lift the arms embargo unilaterally, the allied troops will be in danger. Well, what is going on right now? Multilateral action there. And my figures indicate May 28, 377 peacekeepers taken hostage. Just last week at Srebrenica, the attack on the Dutch peacekeepers.

The fact is that under either scenario, unilateral or multilateral, these folks are in danger. They are in danger now, and they would be then. At least if the Bosnians were properly armed, maybe those Serbians who like to go into the safe havens and attack peacekeepers and civilians would think twice if they knew there was a force to oppose them, not just a bunch of U.N. peacekeepers who are not allowed to do anything about them.

Second, it is said that a unilateral lift would upset the Russians. My feeling about that is that that is a completely disingenuous argument because everyone knows the Russians can veto a multilateral lifting request. So the administration knows that is not going to happen. And certainly the Russians did not pay any attention to our feelings about this type of issue when they did their actions in Chechnya.

A third argument is, if you lift the arms embargo, the Serbians will get arms too. Well, they may. But the fact is, they are already very well armed. They were the beneficiaries of the fifth largest stockpile of arms in all of Europe because of this foolish arms embargo.

How would this be different with a multilateral lift? Surely, if there is a multilateral lift and the Serbians want to get more arms, they will get it that way just as they will with the unilateral lifting of the arms embargo.

Finally, the incredible claim that under the unilateral lifting, the war will spread, and to somehow suggest that the war will not spread if we have a multi-lifting of the arms embargo. Why? Why is that the case? Surely it would spread either way to some extent.

So I do not understand how the administration can claim that there is a difference between unilateral and multilateral. And that is deeply troubling to me. I think the administration simply opposes lifting the arms embargo and should be straightforward about it so that the Bosnian people and the Members of Congress could know where they really stand.

So, Mr. President, why? Why have we been subjected to this avalanche of arguments, this manufacturing of arguments to stop lifting the arms embargo? It is to block the lifting of the arms embargo, obviously. But I think it is a symptom of what I like to call the all-or-nothing attitude about the military role of the United States in

this world. Either we have to do everything, that our credibility says that if we do one thing we have to send in troops later on or our credibility is shot. I do not buy that. In some cases that may be true. In an alliance with NATO, you bet. That is the pledge. But America cannot and certainly has not signed on to the notion that every time we help somebody do something to defend themselves, we therefore have to commit the entire force of our country. That is not the case. And I do not think it is what the Bosnian people expect.

What is our end game? Are we going to just defend Bosnia and somehow broker a peace agreement and then leave this morsel of a country with no defense, to do what? Are we going to have a permanent U.N. force there? Are we just going to leave someday and hope the Serbians are nice to them?

There is a better scenario, and that scenario is, let these folks continue to learn to defend themselves, to actually defend themselves, to have the pride of having protected their nation. You know, that is how we got started. That is how Israel got started in 1948, and it made all the difference that they won their own freedom. Yes, maybe with other people's arms but with their own strength and courage—and, of course, sacrifice.

What is our plan? To make Bosnia one big safe-haven forever? A country that is going to be free has to be able to defend itself and it has to know how to defend itself. And you need arms in order to do that.

Mr. President, I think lifting the arms embargo is the key to the permanent freedom of Bosnia.

Finally, Mr. President, the question for me more than anything else is, where did anyone get the idea that we have the right to stand in the way of a self-defense of a free people that we have recognized as an independent country? What did we do in 1776? We were not even free. We were supposedly pledged in loyalty to the King of England. We decided we wanted to make our own self-determination. Somebody helped us get some help and some arms because we were standing for our own freedom.

Mr. President, what is the second amendment all about, the U.S. Constitution? I happen to be a believer that that second amendment of the U.S. Constitution is important. I think we do have a right in this country or a reasonable opportunity to defend ourselves. And the reason for that amendment more than anything else was that the right of a people to keep and bear arms is necessary for a free people. That is what this is about, too. It is not just Americans who feel this way about self-defense. It is people in every country, including Bosnia.

Mr. President, do we not remember appeasement in Europe? Do we not remember the constant embarrassment that we were taken in by the Nazis, that we actually believed—speaking

here more of Britain than ourselves, of course—but we actually believed they were going to take this much space, just the Sudetenland, just Czechoslovakia, just Poland.

What we are dealing with here are people who—apparently the leaders of Serbia—who want a greater Serbia. They will not stop if we continue to appease them.

Mr. President, do we not remember the Warsaw ghetto? We acknowledged the 50th anniversary of the uprising of the Warsaw ghetto against the Nazis. Did we say, would it not be better if they had not resisted? There would be less bloodshed if they had not taken up arms against the Nazis. That is not what we said. We commemorated the heroism and the courage of people in a concentration camp who, knowing they were going to die, decided to die with dignity.

Mr. President, when I was a teenager I was given a book called "While Six Million Died." The book told a tough story for a young kid who was a Democrat, and still believes that Franklin Roosevelt was the greatest President in this country. It told of how that administration knew of some of the things that were going on to the Jews and others in Europe. It told how we did not really do everything we could do.

Mr. President, I recently toured the Holocaust Museum again, and they talked about the difficulty of President Roosevelt's decision not to, for example, bomb some of the concentration camps. Well, at least in that case Franklin Roosevelt knew what he was trying to do. He believed, for the greater good of this world, that he could win the war and defeat the Nazis. He had a plan. And with Winston Churchill and others the plan was effective.

But, Mr. President, we cannot use that excuse here. We have no plan. We have no intention of actually stopping Serbian aggression. So it is not understandable why we sit back and wait.

Finally, Mr. President, when all is said and done, should not we ask the Bosnians themselves what they want? Should we impose upon them the notion that we are going to just keep these U.N. forces there for their own good?

I think it is condescending, humiliating, and patronizing to the Bosnian people to suggest that we know better, that it is for their own good that we not lift the arms embargo.

Let me conclude by just reading three statements from the Prime Minister of Bosnia that I think symbolize this issue better than anything else and the need for lifting the arms embargo.

The prime minister has said first that:

If the Serbs' aggression continues, we prefer military help over food for dead people. The aggression, plus the arms embargo, plus the nondelivery of aid means death to Bosnia.

And he said in March 1993:

We would prefer doing it ourselves, but for that we need arms. The arms embargo is what is humiliating. The humiliation is to be slaughtered like an animal and not be able to defend yourself like a man.

Finally, Mr. President, very recently, May 28, 1995, Mr. Silajdzic just laid it on the line, as he has tried time and time again to do. He means it. He does not want American soldiers there. He does not want the Americanization of the war. This is what he wants and this is what he will do. He says:

The Army of the Republic of Bosnia and Herzegovina is perfectly willing and able to defend our country and our citizens. We do not now, nor have we ever, asked for any ground forces from any country in the world to do our fighting for us. We have the men. We have the courage. But we do not have the means.

That is all they are asking, Mr. President, a chance to protect their own lives, their own women, their own children, and to do something about this heartless Serbian aggression.

So, Mr. President, although I again am eager to hear the outcome of the talks between President Clinton and others in the Congress, I do believe we should move forward as soon as possible to pass this resolution to unilaterally lift the arms embargo.

I thank the Chair and everyone for their patience.

I yield the floor.

RECESS UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9 a.m., July 20.

Thereupon, the Senate, at 9:01 p.m., recessed until Thursday, July 20, 1995, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate July 19, 1995:

DEPARTMENT OF EDUCATION

THOMAS R. BLOOM, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION, VICE JAMES BERT THOMAS, JR., RESIGNED.

COMMODITY CREDIT CORPORATION

JILL L. LONG, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF COMMODITY CREDIT CORPORATION, VICE BOB J. NASH, RESIGNED.

THE JUDICIARY

SIDNEY R. THOMAS, OF MONTANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE DOROTHY WRIGHT NELSON, RETIRED.